

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: **A72-04089**
Date Received: 1/ 4/1990
Receipt No: S010832
Received By: _____

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

1. Name: GERALD D HERRICK 208-336-8719
Address: 2027 SILVER CREEK LANE
BOISE ID 83706

AND/OR

Name: KATHRYN S HERRICK 208-336-8719
Address: 2027 SILVER CREEK LANE
BOISE ID 83706

2. Date of Priority: MAY 1, 1902

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	18E	14	SE	NW		4	CUSTER
		22	NE	NW			CUSTER

5. Description of diverting works:
PUMP, SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	9.000		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 243.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	18E	11	NE	SW	6	IRR	3.0
			SE	SW	7	IRR	31.0
			Section Acres				34.0
		14	NE	NW	2	IRR	19.0
			NW	NW		IRR	14.0
			SW	NW	3	IRR	14.0
			Section Acres				47.0
			Total Acres				81.0

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:
A72-07170, A72-04090

14. Remarks:
CLAIM IS FOR 8 CFS FROM SALMON R. & 1 CFS FROM BIRCH CR.

OWNERSHIP CHANGE 3/10/92 BY JG.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

NOTICE : CHANGE OF ADDRESS

Gerald D. and Kathryn S. Herrick have moved..... effective February 1, 1994.
The new address is...

**2027 SILVER CREEK LN.
BOISE, IDAHO 83706**

RECEIVED

JAN 30 1995

**Department of Water Resources
Southern Region**

RE: CHANGE OF OWNERSHIP SRBA CLAIM NOS. A72-04010, A72-04010, A72-07071, A72-10223 & A72-10224

DEAR MR. & MRS. HERRICK,

Pursuant to your request for a change in ownership and/or the notification that you presently own the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owners as you requested. Please find enclosed a copy of your adjudication claims, as they now appear in our records.

If you have any further corrections or questions please contact our office.

Sincerely,



STEVE CLELLAND
Water Resource Agent

ENC:

1-27-95

THANKS STEVE...

NOTE OUR NEW ADDRESS !!

RECEIVED

JAN 30 1995

**Department of Water Resources
Southern Region**

A Herrick

A72-4089

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: **A72-04089**
Date Received: 1/ 4/1990
Receipt No: S010832
Received By: _____

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

1. Name: GERALD D. HERRICK 208-336-8719
Address: 2170 E. GOSSAMER LN.
BOISE ID 83706
AND/OR
Name: KATHRYN S. HERRICK 208-336-8719
Address: 2170 E. GOSSAMER LN.
BOISE ID 83706

2. Date of Priority: MAY 1, 1902

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	18E	14	SE	NW		4	CUSTER
		22	NE	NW			CUSTER

5. Description of diverting works:
PUMP, SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	9.000		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 243.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 RANGE

MICROFILMED

MAR 18 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	18E	11	NE	SW	6	IRR	3.0
			SE	SW	7	IRR	31.0
						Section Acres	34.0
		14	NE	NW	2	IRR	19.0
			NW	NW		IRR	14.0
			SW	NW	3	IRR	14.0
						Section Acres	47.0
						Total Acres	81.0

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:
A72-07170, A72-04090

14. Remarks:

CLAIM IS FOR 8 CFS FROM SALMON R. & 1 CFS FROM BIRCH CR.

OWNERSHIP CHANGE 3/10/92 BY JG.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

MICROFILMED
MAR 18 1993

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
MAR 18 1993

HOLLAND & HART
ATTORNEYS AT LAW

DENVER
DENVER TECH CENTER
COLORADO SPRINGS
ASPEN
BILLINGS
BOISE
CHEYENNE
JACKSON
WASHINGTON, D.C.

SUITE 1400
WEST ONE PLAZA
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-5000
FACSIMILE (208) 343-8869

Murray D. Feldman

March 2, 1992

RECEIVED
MAR 3 1992

Department of Water Resources

Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720-9000

RECEIVED

MAR 05 1992

Department of Water Resources
Southern Region Office

Attn: Adjudication Bureau

Re: Notice of Change of Water Right Ownership

Dear Adjudication Bureau:

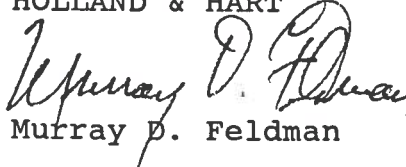
Enclosed please find two Notice of Change of Water Right Ownership forms covering Water Right Nos. A72-0244A, A72-0245, A72-00246, A72-00247, A72-02035, A72-04089, A72-04090, A72-07170, A72-10378, A72-10372, and A72-10367.

As indicated on the enclosed form, the new owners and claimants of these rights are Gerald and Kathryn Herrick by virtue of their purchase of the property to which the rights are appurtenant, as evidenced by the enclosed Warranty Deed.

Please contact me if you have any questions about these Notice of Change of Water Right Ownership forms.

Sincerely,

HOLLAND & HART


Murray D. Feldman

MDF:cd

Enclosures

cc: Mr. Gerald Herrick
Mr. Jed Morrison

MICROFILMED

MAR 18 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

MAR 08 1992

Department of Water Resources
Southern Region Office

DATE OF CLOSING: Aug. 26, 1991

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

See attached legal description sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) A72-0244A, A72-0245, A72-00246, A72-00247,
Assigned by IDWR: A72-02035, A72-04089, A72-04090, A72-07170

☐ Name and Address of Former Owner/Claimant(s)(Seller): Mildred M. (Carlisle) Cowart

c/o Jed Morrison, Trust Officer
First Interstate Bank of Arizona
P.O. Box 350
Tucson, AZ 85702

☐ New Owner/Claimant (Purchaser): Gerald D. Herrick and Kathryn S. Herrick

☐ New Mailing Address: 2170 E. Gossamer Ln.
Boise, ID 83706

☐ New Telephone Number: (208) 336-8719

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Warranty deed for property listed above.

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) Gerald D. Herrick Date 2-24-92

Kathryn S. Herrick Date 2-24-92

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 3/9/92 By: lc

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 3/9/92 By: lc

Claim Numbers of Split, if any:

MICROFILMED

MAR 18 1993

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

COPY

RECEIVED

WARRANTY DEED

MAR 5 1992

Department of Water Resources

For value received, GERALD MARTIN and SHARON L. MARTIN, husband and wife; BARBARA CURBY, a single woman; DORIS LONG, a single woman; JAMES B. MARTIN, a single man; and ROBERT C. MARTIN and MONIE MARTIN, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto GERALD D. HERRICK and KATHRYN S. HERRICK, husband and wife whose address is 2170 East Gossamer, Boise, Idaho, the Grantees, the following described premises, to-wit:

TRACT I: Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho

Section 1: Lot 4

Section 2: Lots 1, 7 and 8

Township 12 North, Range 18 East, Boise Meridian, Custer County, Idaho

Section 35: SE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$

Section 36: Lots 5 and 6

TRACT II: Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho

Section 11: Lots 6 and 7

Section 14: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 2, 3 and 4

including all water rights appurtenant thereto.

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises, that said premises are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 26, 1991

GRANTORS:

Gerald Martin
GERALD MARTIN

MICROFILMED

MAR 18 1993

RECEIVED

MAR 05 1992

Department of Motor Vehicles
Southern Region Office

**COPY
NOT TO BE RECORDED**

Sharon L. Martin
SHARON L. MARTIN

Barbara Curby
BARBARA CURBY

Doris Long
DORIS LONG

James B. Martin
JAMES B. MARTIN

Robert C. Martin
ROBERT C. MARTIN

Monie Martin
MONIE MARTIN

STATE OF Florida)
County of _____) : ss.

On this _____ day of _____, 1991, before me,
_____, a notary public for said State,
personally appeared GERALD D. HERRICK and KATHRYN S. HERRICK,
known or identified to me to be the persons who executed the
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.

Notary Public
Residing at: _____
My Commission Expires: _____

MICROFILMED
MAR 18 1993

STATE OF Florida)
County of Polk) : ss.

On this 26th day of August, 1991, before me,
Elaine Rhoades, a notary public for said State,
personally appeared GERALD MARTIN and SHARON L. MARTIN, known or
identified to me to be the persons who executed the 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.

Elaine Rhoades
Notary Public
Residing at: Gaines City, FL.
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: MAR. 21, 1992.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

STATE OF Florida)
County of Polk) : ss.

On this 26th day of August, 1991, before me,
Elaine Rhoades, a notary public for said State,
personally appeared BARBARA CURBY, known or identified to me to
be the person who executed the 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.

Elaine Rhoades
Notary Public
Residing at: Gaines City, FL.
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA,
MY COMMISSION EXPIRES: MAR. 21, 1992.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

STATE OF Florida)
County of Polk) : ss.

On this 26th day of August, 1991, before me,
Elaine Rhoades, a notary public for said State,
personally appeared DORIS LONG, known or identified to me to be
the person who executed the 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.

Elaine Rhoades
Notary Public
Residing at: Haines City, FL.
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA,
MY COMMISSION EXPIRES: MAR. 21, 1992;
BONDED THRU NOTARY PUBLIC UNDERWRITERS;

STATE OF Florida)
County of Polk) : ss.

On this 26th day of August, 1991, before me,
Elaine Rhoades, a notary public for said State,
personally appeared JAMES B. MARTIN, known or identified to me to
be the person who executed the instrument, and acknowledged to me
that he 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.

Elaine Rhoades
Notary Public
Residing at: Haines City, FL.
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA,
MY COMMISSION EXPIRES: MAR. 21, 1992;
BONDED THRU NOTARY PUBLIC UNDERWRITERS;

STATE OF Florida)
County of Polk) ss.

On this 26th day of August, 1991, before me,
Elaine Rhoades, a notary public for said State,
personally appeared ROBERT C. MARTIN and MONIE MARTIN, known or
identified to me to be the persons who executed the 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.

Elaine Rhoades
Notary Public
Residing at: Haines City, FL.
My Commission Expires: _____

NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: MAR. 21, 1992
BONDED THRU NOTARY PUBLIC UNDERWRITERS

14933

LEGAL DESCRIPTION OF PROPERTY

New Owners/Claimants: Gerald D. Herrick and Kathryn S. Herrick

TRACT I: Township 11 North, Range 18 East, Boise Meridian,
Custer County, Idaho

Section 1: Lot 4

Section 2: Lots 1, 7 and 8

Township 12 North, Range 18 East, Boise Meridian,
Custer County, Idaho

Section 35: $SE\frac{1}{4}SE\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, $N\frac{1}{2}SW\frac{1}{4}$

Section 36: Lots 5 and 6

TRACT II: Township 11 North, Range 18 East, Boise Meridian,
Custer County, Idaho

Section 11: Lots 6 and 7

Section 14: $NW\frac{1}{4}NW\frac{1}{4}$, Lots 2, 3 and 4

18252

MICROFILMED

MAR 18 1993

SD-33	Last Name: COWART					STATE	
S	O						
E	W	Water	Priority		Total	Use	
L	N	Right No.	Date	Source	Diversion	Code	Des
	First Name						
---	COWART						
---	MILDRED M.	(C C A72-00244A	03/01/1884	LYON CREEK	1.250	01	IRR
---	MILDRED M.	(C C A72-00245	04/01/1884	LYON CREEK	1.250	01	IRR
---	MILDRED M.	(C C A72-00246	04/01/1880	LYON CREEK	1.860	01	IRR
---	MILDRED M.	(C C A72-00247	04/01/1884	LYON CREEK	1.860	01	IRR
---	MILDRED M.	(C C A72-02035	09/18/1912	SALMON RIVE	0.400	01	IRR
---	MILDRED M.	(C C A72-04089	05/01/1902	SALMON RIVE	9.000	01	IRR
---				BIRCH CREEK		04	STOCK
---	MILDRED M.	(C C A72-04090	04/01/1902	SINK CREEK	1.000	01	IRR
---						04	STOCK
---	MILDRED M.	(C C A72-07170	12/22/1981	SALMON RIVE	0.680	01	IRR

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
 (Enter=Continue) (GOLD7=This Query)

(Menu _____)

MICROFILMED
 MAR 18 1993

SD-0604-2 Township: 11N			Range: 18E		Section: 11		Tract:		Lot:	
S	L		STATE		O	S	Max # Records	16		
E	O	Water	Name		W	T	Priority	Use		
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
-	-	-	-	-	-	-	-	-	-	-
-	NENE		A72-04046	MARAFFIO, FRANK	C	25	S	05/01/1916	01	IRR
-				MARAFFIO, BETTY L.	C					
-				J. P. RANCH, INC.	C					
-	NENE	1	A72-04018	MARAFFIO, FRANK	C	25	S	12/19/1900	01	IRR
-				MARAFFIO, BETTY L.	C					
-				J. P. RANCH, INC.	C					
-	SWNE		A72-04018	MARAFFIO, FRANK	C	8	S	12/19/1900	01	IRR
-				MARAFFIO, BETTY L.	C					
-				J. P. RANCH, INC.	C					
-	SENE	4	A72-04018	MARAFFIO, FRANK	C	40	S	12/19/1900	01	IRR
-				MARAFFIO, BETTY L.	C					
-				J. P. RANCH, INC.	C					
-	NESW		A72-10378	ARIZONA, N.A., 1ST INT	C	3	J	06/01/1970	01	IRR
-									04	STOCK
-	NESW	6	A72-04089	CARLISLE, LEWIS	O	3	S	05/01/1902	01	IRR
-				COWART, MILDRED M. (CAR	C				04	STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

MAR 18 1993

SD-0604-2 Township: 11N Range: 18E Section: 14			Tract:		Lot:		
S	L	STATE	O	S	Max # Records	10	
E	O	Water	W	T	Priority	Use	
L	Tract	Right No.	N	AC	G	Date	Code Desc
---	---	-----	---	---	---	-----	---
---	SWNW	3 A72-04089	O	14	S	05/01/1902	01 IRR
---			C				04 STOCK
---	SWNW	3 A72-07170	O	14	L	12/22/1981	01 IRR
---			C				

SD-0604-2 Township: 11N Range: 18E Section: 14			Tract:		Lot:		
S	L	STATE	O	S	Max # Records	10	
E	O	Water	W	T	Priority	Use	
L	Tract	Right No.	N	AC	Date	Code	Desc
---	---	-----	---	---	-----	---	-----
---	NWNE	A72-10512	K		J	05/26/1960	19 FISH
---	NENW	A72-10378	C	19	J	06/01/1970	01 IRR
---	NENW	2 A72-04089 ✓	O	19	S	05/01/1902	04 STOCI
---	NENW	2 A72-04090 ✓	C	19	S	04/01/1902	01 IRR
---	NENW	2 A72-07170 ✓	O	19	S	04/01/1902	04 STOCI
---	NENW	2 A72-07170 ✓	C	19	L	12/22/1981	01 IRR
---	NWNW	A72-04089 ✓	O	14	S	05/01/1902	01 IRR
---	NWNW	A72-10378 ✓	C	14	J	06/01/1970	04 STOCI
---	SWNW	A72-10378 ✓	C	14	J	06/01/1970	01 IRR
---							04 STOCI

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

MAR 18 1993

ACTION REQUIRED

FROM: Judy - Adj. Sec.

TO: Files: A72-0244A, A72-0245, A72-00246, A72-00247

A72-02035, A72-04089, A72-04090, A72-07170, A72-10378, A72-10372, A72-10367

March 10, 1992, I called Mr. Feldman concerning the above-referenced files for Change of Ownership. The Warranty Deed is not in the names of FIRST INTERSTATE BANK OF ARIZONA TRUSTEE OF MILDRED COWART TRUST signed by Mr. Jed Morrison. He said he would check into the matter and get back with me.

MICROFILMED

MAR 18 1993

HOLLAND & HART
ATTORNEYS AT LAW

DENVER
DENVER TECH CENTER
COLORADO SPRINGS
ASPEN
BILLINGS
BOISE
CHEYENNE
JACKSON
WASHINGTON, D. C.

SUITE 1400
WEST ONE PLAZA
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-5000
FACSIMILE (208) 343-8869

Murray D. Feldman

March 10, 1992

RECEIVED

MAR 11 1992

Department of Water Resources
Southern Region

Idaho Department of Water Resources
Southern Region
2148 Fourth Avenue East
Twin Falls, ID 83301

Attn: Judy

Re: Notice of Change of Water Right Ownership for
Gerald and Kathryn Herrick

Dear Judy:

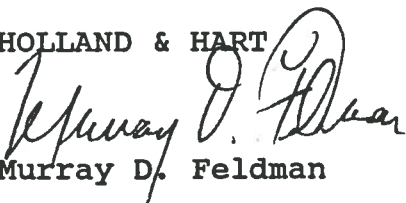
As discussed in our telephone conversation today, enclosed is a copy of a warranty deed documenting the transfer of the property currently owned by the Herricks from the Mildred M. Cowart Trust to Gerald and Sharon Martin, Barbara Curby, Doris Long, James Martin, and Monie and Robert Martin.

The Martins, et al., were the grantors listed on the warranty deed granting the Custer County property to the Herricks which was previously submitted to Water Resources as evidence of the change in water rights ownership for Water Right Nos. A72-02448, A72-0245, A72-00246, A72-00247, A72-02035, A72-04089, A72-04090, A72-07170, A72-10378, A72-10372, and A72-10367.

As we discussed, this should complete the documentation required to complete the change in ownership of the water rights for IDWR's records. Please let me know if you have any questions or need additional information.

Sincerely,

HOLLAND & HART


Murray D. Feldman

MDF:cd
Enclosure

MICROFILMED

MAR 18 1993

194411

MARTIN

* MARRIED AS JOINT TENANCY 1/5TH INTEREST

AN UNMARRIED WOMAN 1/5TH INTEREST

AN UNMARRIED WOMAN 1/5TH INTEREST

AN UNMARRIED MAN 1/5TH INTEREST

* MARRIED AS JOINT TENANCY 1/5TH INTEREST

AND ROBERT C. MARTIN

* Attached are Acceptance of Joint Tenancy forms.

"EXHIBIT A"

MICROFILMED

MAR 18 1993

ACCEPTANCE OF JOINT TENANCY

STATE OF _____
County of _____ ss.

Gerald Martin

and

Sharon L. Martin

each being duly sworn, upon oath, for himself or herself and jointly, but not one for the other, deposes and says:

THAT I am one of the Grantees, Mortgagees or Beneficiaries named in that certain _____ of

Distribution

(type of instrument)

which is dated

19

executed by First Interstate Bank of Montana, Trustee of the

dated September 25, 1987

Gerald Martin and Sharon L. Martin

to

as joint tenants with right of survivorship and not as a community property estate and not as tenants in common, and which instrument conveys the following-described property:

Tract #1 (approximately 363.70 acres)

Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho.

Section 1: Lot 4.

Section 2: Lots 1, 7 and 8.

Township 12 North, Range 18 East, Boise Meridian, Custer County, Idaho.

Section 35: SE 1/4 SE 1/4, S 1/2 NW 1/4, S 1/2 NE 1/4

Section 36: Lots 5 and 6

Tract #2 (approximately 208.71 acres)

Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho.

Section 11: Lots 6 and 7.

Section 14: NW 1/4 NW 1/4, Lots 2, 3, 4. with all appurtenances.

THAT each of us individually and jointly asserts and affirms that it is our intention to acquire any interest we may have in said premises and in any proceeds under the terms of said instrument as joint tenants with right of survivorship and not as a community property estate and not as tenants in common.

Dated: Dec. 5th, 1989

Gerald Martin
Gerald Martin

Sharon L. Martin
Sharon L. Martin

MICROFILMED

MAR 18 1993

Subscribed, sworn to and acknowledged before me on

December 5th, 1989, by

and Gerald Martin

Sharon L. Martin

My commission will expire:

Notary Public

ACCEPTANCE OF JOINT TENANCY

STATE OF _____
County of _____ ss.

Nonie Martin

Robert C. Martin

and

each being duly sworn, upon oath, for himself or herself and jointly, but not one for the other, deposes and says:

THAT I am one of the Grantees, Mortgagees or Beneficiaries named in that certain _____ (book and instrument)

_____ of Distribution

which is dated

November 29

19

(type of instrument)

executed by

First Interstate Bank of Arizona, Trustee of the William M. Cowart Trust

dated September 25, 1987

to

Nonie Martin and Robert C. Martin

as joint tenants with right of survivorship and not as a community property estate and not as tenants in common, and

which instrument conveys the following-described property:

Tract #1 (approximately 363.70 acres)

Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho.

Section 1: Lot 4

Section 2: Lots 1, 7, and 8

Township 12 North, Range 18 East, Boise Meridian, Custer County, Idaho.

Section 35: SE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$

Section 36: Lots 5 and 6.

Tract #2 (approximately 208.71 acres)

Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho.

Section 11: Lots 6 and 7.

Section 14: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 2, 3, 4.

With all appurtenances.

THAT each of us individually and jointly asserts and affirms that it is our intention to acquire any interest we may have

in said premises and in any proceeds under the terms of said instrument as joint tenants with right of survivorship and

not as a community property estate and not as tenants in common.

Dated: Dec. 5th, 1989.

Nonie Martin
Nonie Martin

Robert C. Martin
Robert C. Martin

MICROFILMED

MAR 18 1993

Subscribed, sworn to and acknowledged before me on

November 5th, 1989, by

Nonie Martin

and Robert C. Martin

Madeline Rhoades

Notary Public

My commission will expire: _____

1000

County Recorder

Component:
Photo: 10/10/10
Fig: 10/10/10

Deputy Recorder

London, Az. 857

SW-781-002/RELOCATED

SPECIAL

WARRANTY DEED

For the consideration of Ten Dollars, and other valuable considerations, First Interstate Bank of Arizona, N.A., Trustee of the Mildred M. Cowart Trust dated September 25, 1987.

hereinafter called the Grantor, whether one or more than one, conveys to

SEE ATTACHED "EXHIBIT A"

The following real property situated in _____ Cluster
jurisdiction thereto, to wit:

County, ~~Idaho~~, together with all rights and privileges

RECEIVED

MAR 12 1992

Department of Water Resources
Southern Region Office

Tract #1 (approximately 363.70 acres)

Township 11 North Range 18 East, Boise Meridian, Custer County, Idaho.

Section 1: Lot 4.

Section 2: Lots 1, 7 and 8

Township 12 North Range 18 East, Boise Meridian, Custer County, Idaho.

Section 35: SE 1/4 SE 1/4, S 1/2 NW 1/4, N 1/2 SW 1/4

Section 36, Lots 5 and 6.

Tract #2 (Approximately 200.71 acres)

Township 11 North, Range 16 East, Boise Meridian, Custer County, Idaho.

Section 11: Lots 6 and 7.

Section 14: NW 1/4 NW 1/4, Lots 2,3,4

with all appurtenances.

STATE OF IDAHO)
COUNTY OF CLUSTER) ss

This instrument was filed for record
at the request of First National Bank
at 1:50 o'clock P. M. June 16, 1990
and duly filmed and indexed in the Records of Custer
County

ETHEL M. PECK
Ex-Officio Recorder

By Carol M. Park Deputy

Fees 15.00

Subject to current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record, Grantor warrants the title only, as to the acts of the Grantor herein.

Dated this 5 day of January, 1990 First Interstate Bank of Arizona, N. A. as Trustee

By Jed Morrison
Jed Morrison, Trust Officer

By Thomas Richey
Thomas Richey, Trust Officer

STATE OF ARIZONA)
Pima) ss
County of PIMA)

MICROFILMED

MAR 18 1993

On this the 5 day of January, 1982, before me, the undersigned officer, personally appeared Jed Morrison and Thomas Richey, who acknowledged themselves to be Trust Officer and Trust Officer of FIRST INTERSTATE BANK OF ARIZONA, N.A., a national banking association, and as such officers being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the same of the association by themselves as



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

12-Mar-1992 09:31

GERALD D. HERRICK
KATHRYN S. HERRICK
2170 GOSSAMER LN.
BOISE ID 83706

Re: Ownership Change for Adjudication Claim NO.(S): A72-10378,
A72-10372, A72-10367 & A72-0244A, A72-00245, A72-00246,
A72-00247, A72-2035, A72-04089, A72-04090, A72-07170

Dear Claimant(s):

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

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

Sincerely,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures

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: A72-04089
Date Received: 12/14/1989
Receipt No: 50108/32
Received By: [Signature]

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MILDRED M. (CARLISLE) COWART *Trust gm* 602-792-5175
Address: %JED MORRISON, TRUST OFFICER
FIRST INTERSTATE BANK OF AZ., *as Trustee gm*
P.O. BOX 350
TUCSON, AZ 85702

2. Date of Priority: MAY 01, 1902

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	18E	14	SE	NW		4	CUSTER
		22	NE	NW			CUSTER

5. Description of diverting works:
PUMP, SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01			9.000
STOCKWATER	01/01	12/31			0.020

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

8. Total consumptive use is 243.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 RANGE

A72-04089

Page 1

Date: 12/14/89

MICROFILMED
MAR 18 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11N	18E	11	NE		SW	6	IRR	3.0
			SE		SW	7	IRR	31.0
							Section Acres	34.0
		14	NE		NW	2	IRR	19.0
			NW		NW		IRR	14.0
			SW		NW	3	IRR	14.0
							Section Acres	47.0
							Total Acres	81.0

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:
A72-07170, A72-04090 A72-

14. Remarks:
CLAIM IS FOR 8 CFS FROM SALMON R. & 1 CFS FROM BIRCH CR.

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

I do solemnly swear or affirm that I am X Jed Morrison, Trust Officer of First Interstate Bank of Arizona, N.A. Title as Trustee, that I have signed the foregoing document in the space below as X Trust Officer Title FIB of Az, N.A., as Trustee and that the statements contained in the foregoing document are true and correct.

X Jed Morrison, T.O. Signature of Authorized Agent
X Trust Officer, FIB of Az, N.A., as Tr Title and Organization
X 12/21/89 Date

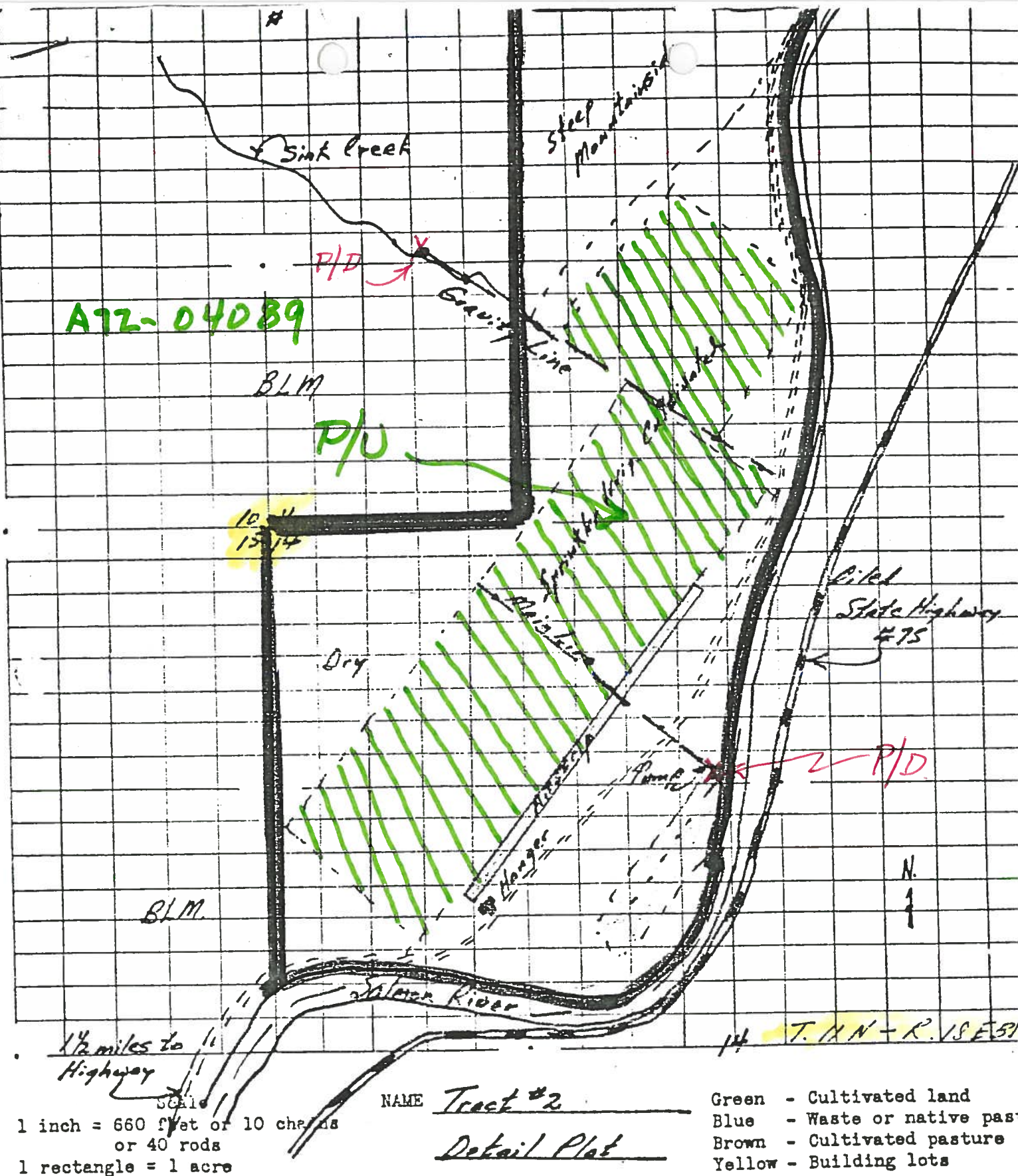
State of Idaho Arizona)
County of Pima) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of December 19 89

Edward B Edwards
Notary Public

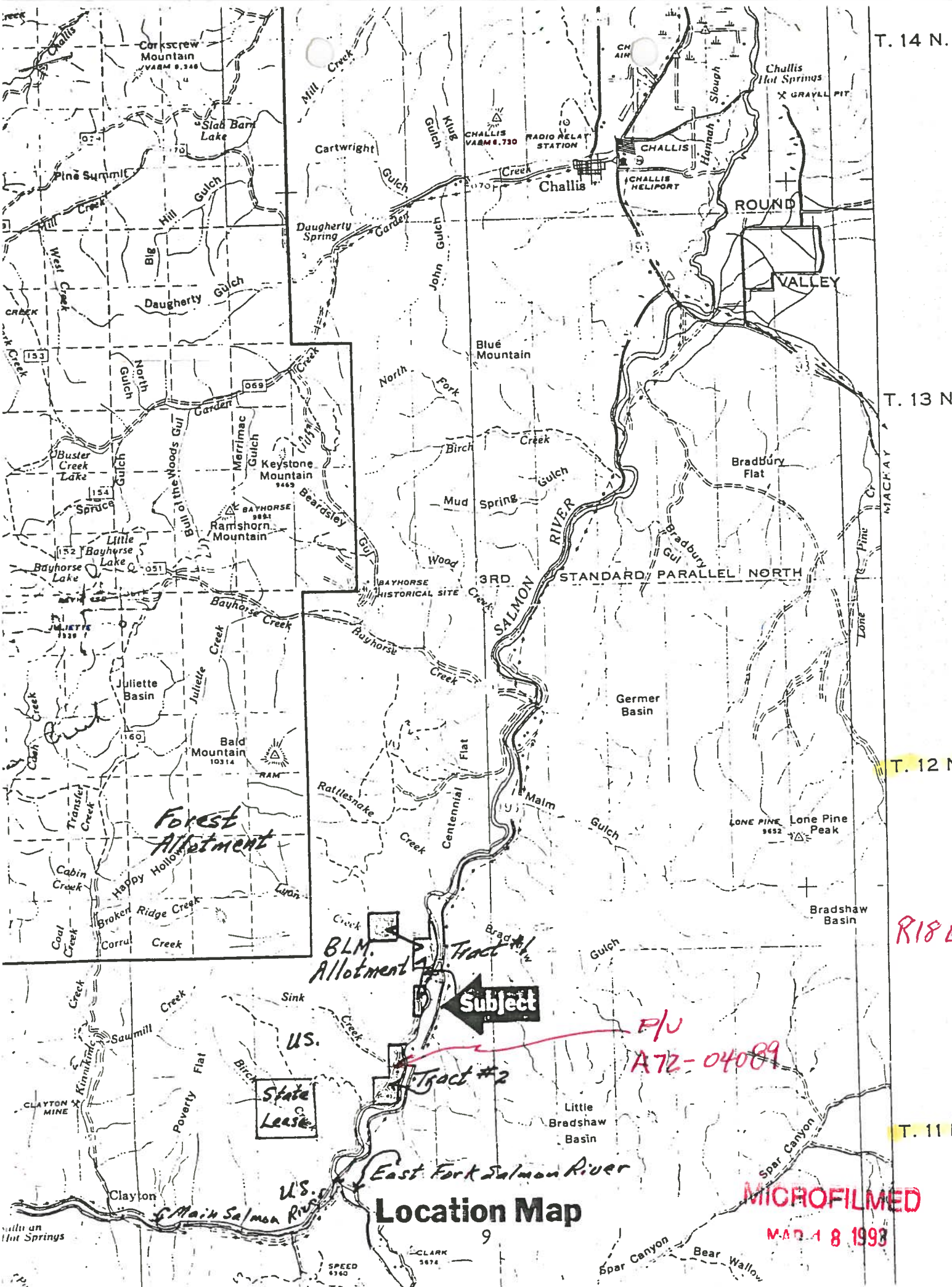
Seal

Residing at 227 S. Bella Vista, Tucson A
My Commission Expires My Commission Expires Oct. 31, 1993



MICROFILMED

MAR 18 1993



Location Map

Subject

BLM. Allotment

Tract #2

State Lease

P/V
A72-04089

MICROFILMED

MAR 18 1993

T. 14 N.

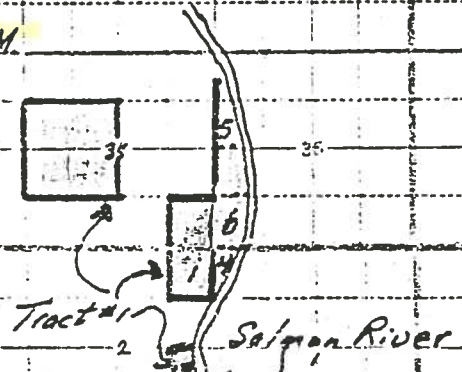
T. 13 N

T. 12 N

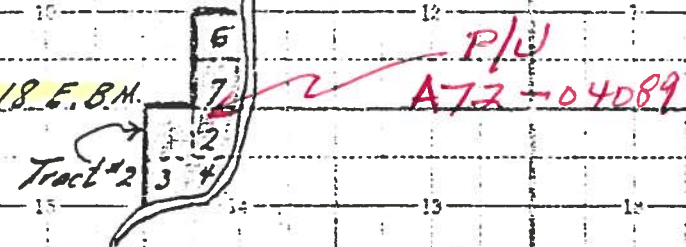
T. 11 N

R18 E

T. 12N - R. 18E.B.M.



T. 11N - R. 18E.B.M.



P/U
A72-04089

Legal Description Plat - Lots numbered

MICROFILMED

MAR 18 1993

WARRANTY DEED

Mildred M. Cowart, also known as Mildred M. Carlisle, a married woman dealing with her sole and separate property, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, in hand paid, receipt of which is hereby acknowledged,

CONVEYS AND WARRANTS TO:

The First Interstate Bank of Arizona, Trustee of the Mildred M. Cowart Trust dated September 25, 1987, the following described real estate situate in the County of Custer, State of Idaho:

The Broken Wing Ranch

Tract #1 (approximately 363.70 acres)

TOWNSHIP 11 NORTH, RANGE 18 EAST, BOISE MERIDIAN,
CUSTER COUNTY, IDAHO.

Section 1: Lot 4.

Section 2: Lots 1, 7 and 8.

TOWNSHIP 12 NORTH, RANGE 18 EAST, BOISE MERIDIAN,
CUSTER COUNTY, IDAHO.

Section 35: SE1/4SE1/4, S1/2NW1/4, N1/2SW1/4

Section 36: Lots 5 and 6.

Tract #2 (approximately 208.71 acres)

TOWNSHIP 11 NORTH, RANGE 18 EAST, BOISE MERIDIAN,
CUSTER COUNTY, IDAHO.

Section 11: Lots 6 and 7.

Section 14: NW1/4NW1/4, Lots 2, 3, 4,

with all appurtenances.

*Seeded
land*

Leases

State Lease # G-8374

BLM Allotment # 5607 Bald Mountain Allot

National Forest - Squaw Creek Allot

WITNESS my hand this 26 day of Oct., 1987.

Mildred M. Cowart

Mildred M. Cowart (aka Mildred
M. Carlisle)

MICROFILMED

MAR 18 1993

WITNESSED BY:

Dale Lowrance Jerry McLean

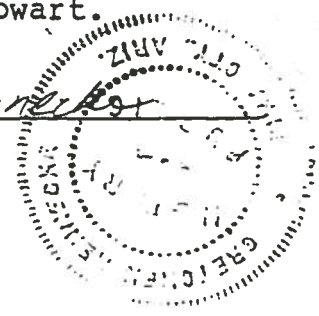
STATE OF ARIZONA)
) SS:
COUNTY OF PIMA)

26th The foregoing instrument was acknowledged before me this
day of October, 1987 by Mildred M. Cowart.

Fletcher Henrichs
Notary Public

My Commission Expires:

My Commission Expires May 3, 1991



186795

CUSTER COUNTY
REQUEST OF _____
Munger & Munger

'87 NOV 3 PM 1 04

ETHEL M. PECK, CLERK
M. Thompson DEPUTY
FEES \$ 6.00

MICROFILMED

MAR 18 1993

Idaho Department of Water Resources
Adjudication Bureau
Statehouse
Boise, ID 83720

Presorted

U.S. Postage
Permit No. 1
Boise, Idaho
First Class

FIRST CLASS

CARLISLE, MILDRED M TRUST
% FIRST INTERSTATE BANK OF AZ
TRUSTEE FOR MILDRED COWART
PHOENIX AZ 85072-3435

962

PROTECT YOUR WATER RIGHT! IMPORTANT WATER RIGHTS INFORMATION

COUNTY: CUSTER 5849
FILING DEADLINE: JAN 12, 1990
MOBILE UNIT LOCATION AND DATES:
WATCH LOCAL MEDIA FOR TIMES AND PLACES.
A MOBILE CLAIMS TAKING UNIT WILL BE IN
CUSTER COUNTY BEFORE THE FILING DEADLINE

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 No. 39576

COMMENCEMENT NOTICE

TO: ALL PERSONS OWNING RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM.

SEE SPECIAL NOTICE TO OWNERS OF SMALL DOMESTIC AND/OR STOCKWATER
RIGHTS ON PAGE TWO (2)

YOU ARE HEREBY NOTIFIED THAT:

On November 19, 1987, the District Court for the County of Twin Falls issued an order commencing a general adjudication of water rights from the Snake River Basin water system in Idaho. A general adjudication is a court case which will result in a decree determining all water rights from the water system. The purpose of the adjudication is to get an accurate schedule of water rights to assure the proper delivery of water in times of shortage. The purpose of this notice is to inform you of the commencement of the adjudication and your legal responsibilities at this stage of the adjudication.
PLEASE CONTINUE-CONTAINS IMPORTANT WATER RIGHT INFORMATION

MICROFILMED

First Interstate Bank
of Arizona, N.A.
SEP 20 1989
RECEIVED
TRUST FOR ADJUDICATION
MANAGEMENT



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Jan. 9, 1990

1ST INTERST BANK OF ARIZONA NA
TRUSTEE OF
MILDRED (CARLISLE) COWART TRUST
P O BOX 350
TUCSON AZ 85702

Dear Claimant(s):

A72-00244A
A72-00245
A72-00246
Re: A72-00247
A72-02035
A72-04089
A72-04090
A72-07170
A72-10367
A72-10372
A72-10378

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

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

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 18 1993

CLAIM # A72-04089

**Some evidence of priority was found on micro fiche records.
Evidence of priority letter not sent to claimant.**

Evidence on micro fiche Claim # 72-04089

**MICROFILMED
MAR 18 1993**



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

March 2, 1992

R. KEITH HIGGINSON
Director

A72-04089
MILDRED M. (CARLISLE) COWART
ZJED MORRISON, TRUST OFFICER
FIRST INTERSTATE BANK OF AZ.
TUCSON AZ 85702

Letter not sent

RE: Evidence of Priority

RESPONSE DEADLINE

MAY 1, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by May 1, 1992, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 18 1993

DATE: 11/16/98
PAGE: 1

22

CUSTER County

50

AJ0749NP
No. R72-04089

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

DATE: 11/16/98
PAGE: 2

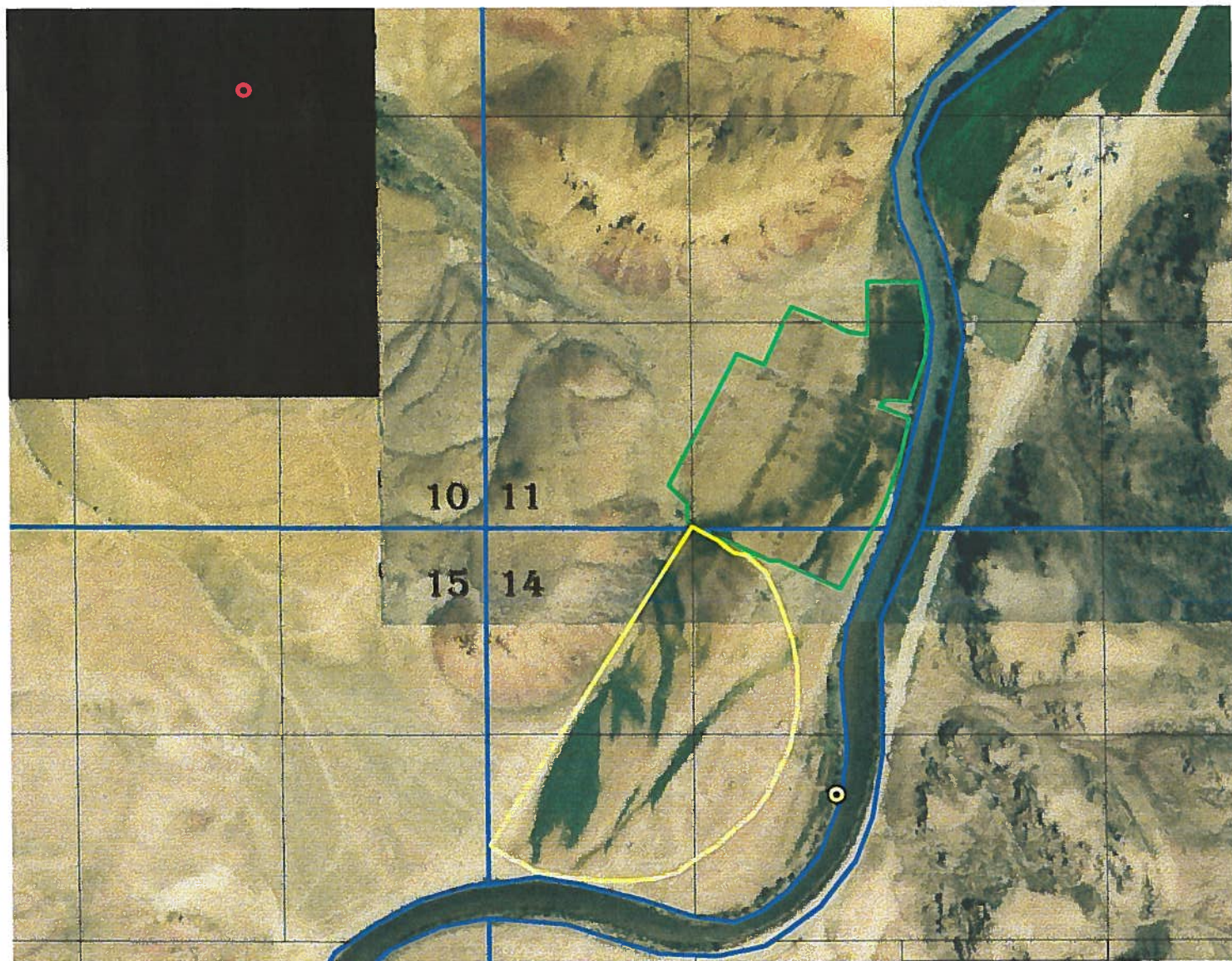
=====

Dates:	Exam Made Date: 09/10/1993	Verified Date: 11/16/1998	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:

=====

IDAHO DEPARTMENT OF WATER RESOURCES

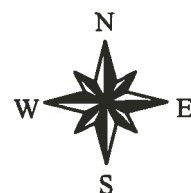
72-04089 & 72-07170



660 0 660 1320 Feet

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

TWN: 11N
RNG: 18E
SEC: 14



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

DATE: OCT. 28, 1998



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

May 11, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MURRAY FELDMAN
HOLLAND & HART
PO BOX 2527
BOISE ID 83701

RE: HERRICK SRBA CLAIMS AT SINK CREEK

DEAR MR. FELDMAN,

Enclosed you will find the GIS map I referred to during our recent phone conversation. I have included the worksheet that is developed along with the GIS map and also a current profile report of the SRBA claims A72-04089, A72-04090 & A72-07170 as they are PROPOSED for the Director's Report next fall.

I am sending this same package of information to our field agent, Bob Foster in Salmon, Idaho and he plans to meet with Curt Hurless to discuss the situation at the ranch.

Please feel free to contact me as needed for any questions you may have concerning these recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Clelland'.

STEVE CLELLAND
Sr. Water Resource Agent

ENC:



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

May 11, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

BOB FOSTER
IDWR
VAN DREFF OFFICES STE B
SALMON ID 83467

RE: HERRICK CLAIMS AT SINK CREEK RANCH

DEAR BOB,

Enclosed are the GIS documents for the Sink Creek ranch and the Herrick SRBA claims.

I have forwarded this same info to Mrs. Herrick's attorney in Boise, Mr. Murray Feldman, at his request.

Please feel free to call if you need more info or have questions on this matter.

Sincerely,

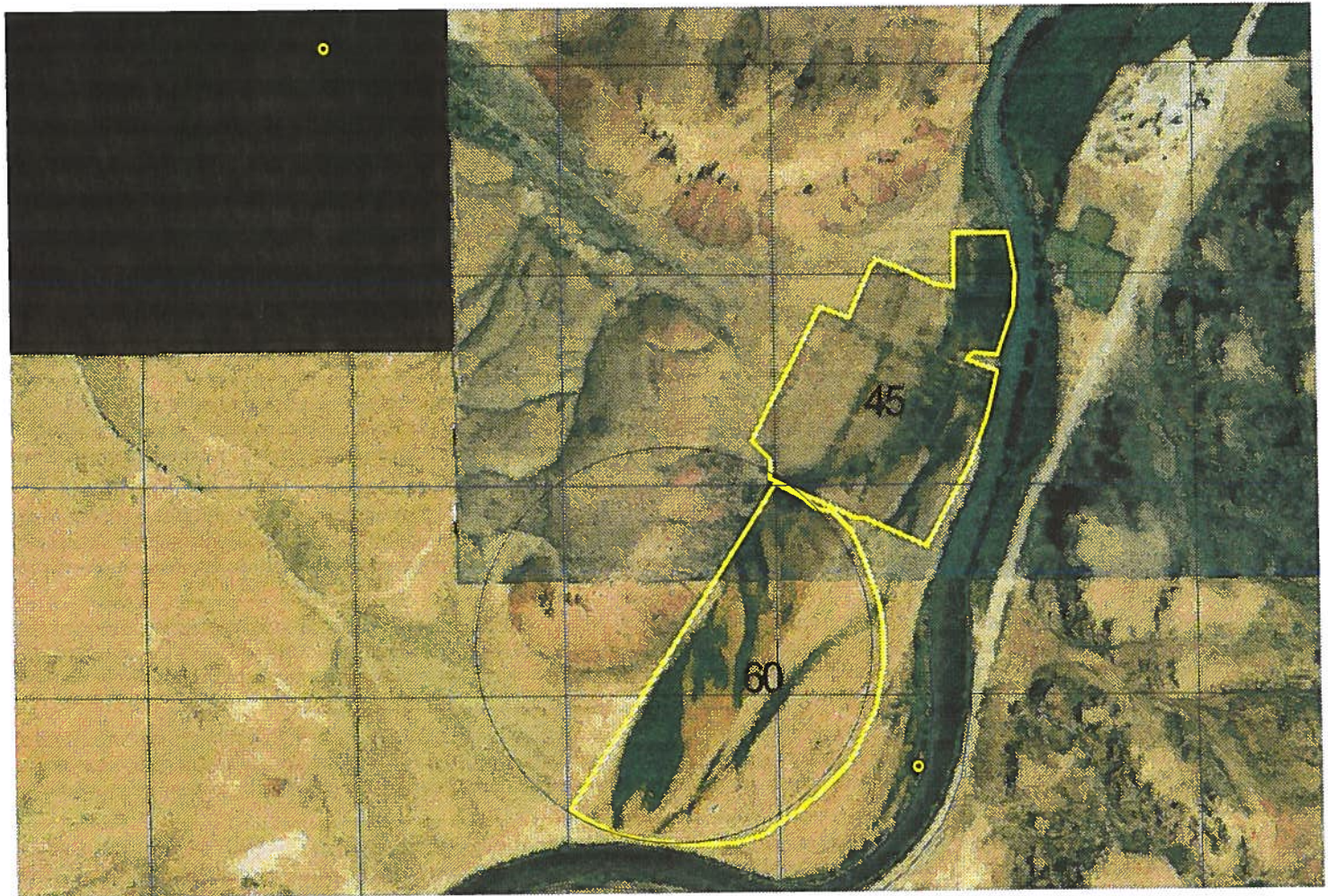
A handwritten signature in black ink, appearing to read 'Steve Clelland', is written over a horizontal line.

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

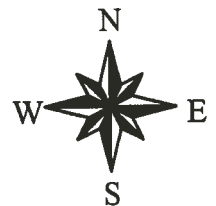
IDAHO DEPARTMENT OF WATER RESOURCES

72-04090, 72-04089 & 72-07170



660 0 660 1320 1980 Feet

TWN 11N, RNG 18E, SEC. 11 & 14



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  HOMESTEAD ENTRY BOUNDARY
-  QUARTER QUARTER LINES
-  STREAM AND DITCH CHANNELS

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
BY STEVE CLELLAND
DATE: MAY 11, 1998

GEOGRAPHIC INFO ACRES

DATE 5/7/98
AGENT SCC

update GIS exhibit / 1pg layout

COMMUNICATION DOCUMENTATION

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

NAME:

CALLIN

RE:

HERRICK CLAIMS

SEND TO:

HOLLAND & HART

PO BOX 2527

BOISE ID 83701

PHONE: 342-5000

HE MENTIONED I MAY HAVE SOME CONTACT WITH MRS. HERRICK'S SON-IN-LAW, TERRY WALTER.

CLAIMS: A72-04089, A72-04090, & A72-07170.



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

August 23, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

James R. Bennetts
Attorney at Law
P.O. Box 36
Challis, ID 83226-0036

A72-04089

Dear Mr. Bennetts:

I am returning the two enclosed transfer applications, filed in the name of Gerald D. &/or Kathryn S. Herrick, along with the submitted filing fee of \$200.00, check #3362.

As we discussed during our telephone conversation last month, there are several corrections that need to be made to the applications before they can be accepted by the department for processing. In addition, conversations with Steve Clelland concerning his adjudication review findings have provided me with information that may influence the Herrick's decisions concerning the proposed transfers.

Steve Clelland's adjudication review revealed that there are two separate places of use on the Herrick's property along the Salmon River. The first place of use consists of 45 acres of irrigated ground that is irrigated with water from Sink Creek, under water right 72-04090. The second place of use consists of 60 acres of ground that is irrigated with a pivot sprinkler system with water out of the Salmon River, under water rights 72-07170 and 72-04089. Mr. Clelland's review revealed that only the Salmon River water was used on the 60 acre place of use and that only the Sink Creek water was used on the 45 acre place of use. I have included a map and profile reports that summarize Mr. Clelland's adjudication review findings for the Herrick's rights that are involved with the proposed transfers.

sent
R72-04089
R72-0409
R72-0717

The transfer of water right 72-04090 appears to be fairly straightforward. However, Mr. Clelland found that 45 acres were actually irrigated with a sprinkler system under this right out of Sink Creek. Based on the 45 acres of actual sprinkler irrigation, Mr. Clelland could only recommend 0.90 cfs for the diversion rate for this right (0.02 cfs per acre). Therefore, part one of the transfer application for right 72-04090 should show that 0.90 cfs is the amount of water being transferred and the lands irrigated, or place of use, should show the 45 acres as described on the profile report for R72-04090 (copy enclosed), since this is the maximum amount the department can recognize and recommend based upon the adjudication review findings.

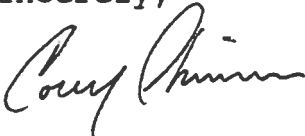
August 23, 1996
PAGE 2

There are several items that need to be addressed concerning the transfer application involving the water diverted out of the Salmon River. First of all, Mr. Clelland found that the water diverted from the Salmon River through the Herrick's pump was used to irrigate 60 acres under a pivot sprinkler system. In addition, the diversion and use of water through this system is based on two water rights, 72-04089 and 72-07170. These two water rights are both used to irrigate the 60 acres as described on the enclosed profile reports, R72-04089 and R72-07170. Based on the 60 acres of actual sprinkler irrigation, Mr. Clelland could only recommend a total combined 1.2 cfs (0.02 cfs per acre) for the two water rights, 72-04089 and 72-07170. This 1.2 cfs for the irrigation of 60 acres is the maximum amount of water and irrigated acres that the department can recognize and recommend for the Herrick's pump diversion out of the Salmon River.

The transfer application that you submitted for the diversion out of the Salmon River was based only on claim 72-04089. However, water right 72-07170 is also part of the system and should have been included in the transfer application. In addition, the applicant's may want to reconsider the proposed transfer since the department can only recognize and recommend an amount of water that is significantly less than the amount of water that is listed on the transfer application that you submitted.

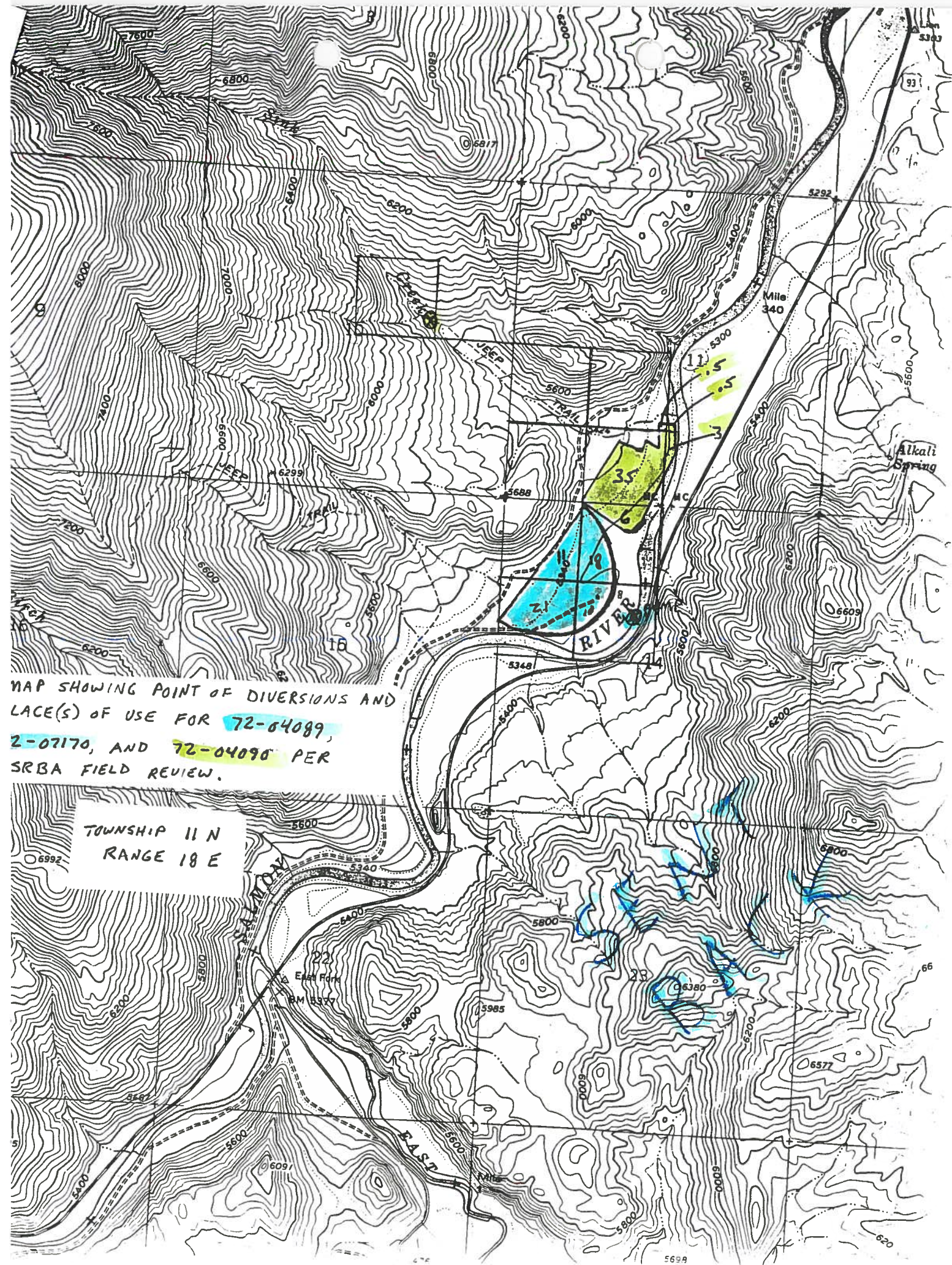
If you have any questions or need any further assistance, feel free to contact me at your convenience.

Sincerely,



Corey Skinner, EIT
Dam Safety Section

Enclosures



JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. Box 36

CHALLIS, IDAHO 83226-0036

TELEPHONE

(208) 879-4488

FAX

(208) 879-4248

July 17, 1996

RECEIVED

JUL 19 1996

Steve Clelland
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region

Dear Steve:

I've enclosed two applications for Gerald Herrick along with a \$200.00 fee.

As you are aware, I've visited with Frank Hitchcock about these one day in your absence. I'll briefly explain the plan and you can call me with any questions.

First, we acquired a permit from the BLM to extend the Sink Creek gravity pipeline upstream about 1000 feet. This does two things: (a) it increases the head or pressure, and (b) it puts our headbox upstream from some of the "sinks" thereby increasing the available flow.

Next, we are making application to change our point of diversion on 1.4 cfs from the Salmon River to the new point on Sink Creek.

Steve, in our view this not only makes a more efficient system for the operator, but it reduces the draw from the river, thereby reducing fish screening problems and the various other conflicts with fisheries and the Endangered Species Act. It also reduces power consumption and utilizes flows which historically have never flowed to the river -- even in periods of non-use.

I might also point out that in designing this project, the creek bank vegetation through the area of the extension has been protected.

Again, call me with questions.

Very truly yours,

James R. Bennetts

JRB:k
Enclosures

APPLICATIONS
SENT BACK

08/23/96

Page 1 of STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Gerald D. and/or Kathryn S. Herrick Phone (208) 336-8719Post Office address 2027 Silver Creek Lane, Boise ID 83706

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 wishes to move point of diversion for a portion of right leaving existing point of diversion for balance of right.

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 |
|-----------------|------------|--------------------|---------------|--------------------------|
| A72-04089 | 05/01/1902 | 7.6 | Irrigation | 04/01 to 11/01 (old POD) |
| A72-04089 | 05/01/1902 | 1.4 | Irrigation | 04/01 to 11/01 (new POD) |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 1.4 cubic feet per second and/or acre-feet per annum.
3. Source of water Sink Creek tributary to Salmon River (sinks)
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
Approx	NE	NW		10	11N	18E	Custer	Sink Creek
	SE	NW		14	11N	18E	Custer	Salmon River (alt)
	NE	NW		22	11N	18E	Custer	Salmon River (alt)

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11N	18E	11									3			31					34
11N	18E	14					19	14	14										47

Total acres 81

PART 1**6. General Information:**

- a. Description of diversion system Concrete inlet structure approximately 4' wide, 4' high, and 8' long to 10" PVC buried mainline approximately 400' to 8" PVC 600'± to 6" PVC to place of use.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change in place of use
- d. Remarks:
Applicant is moving point of diversion on Sink Creek upstream to gain greater volume and more efficiency. Original point of diversion will remain for balance of right.

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. Decreed to
in case of vs.
dated in county of
- b. License No. issued by the Idaho Department of Water Resources.
- c. Claim No. A72-04089 on file with the Idaho Department of Water Resources.
- d. Transfer No. which produced this right.

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

☒ Tax Notice ☐ Warranty Deed ☐ Other

3. Source of water Salmon River - Birch Creek tributary to Snake River - Salmon River

4. Date or priority May 1, 1902

5. Water is used for the following purpose:

amount 9 cfs for Irrigation purposes from 04/01 to 11/01
(cfs/ac-ft)
amount .02 cfs for Stockwater purposes from 01/01 to 12/31
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)

6. Total amount of water under right 9.02 cubic feet per second and/or acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	14	11N	18E	Custer	Salmon River
		NE	NW	22	11N	18E	Custer	Birch Creek

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11N	18E	11									3			31					34
11N	18E	14					19	14	14										47

Total acres 81

9. Describe any other water rights used for the same purpose as described above A72-04090 Sink Creek diversion
covers some of same lands

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
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 1.4 cfs for Irrigation purposes from 04/01 to 11/01
 (cfs/ac-ft)
 amount for purposes from to
 (cfs/ac-ft)
 amount for purposes from to
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	14	11N	18E	Custer	Salmon River
		NE	NW	22	11N	18E	Custer	Birch Creek (alt)

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11N	18E	11									3			31					34
11N	18E	14									19	14	14						47

Total acres 81**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 7.6 cfs for Irrigation purposes from 04/01 to 11/01
 (cfs/ac-ft)
 amount for purposes from to
 (cfs/ac-ft)
 amount for purposes from to
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	14	11N	18E	Custer	Salmon River
		NE	NW	22	11N	18E	Custer	Birch Creek

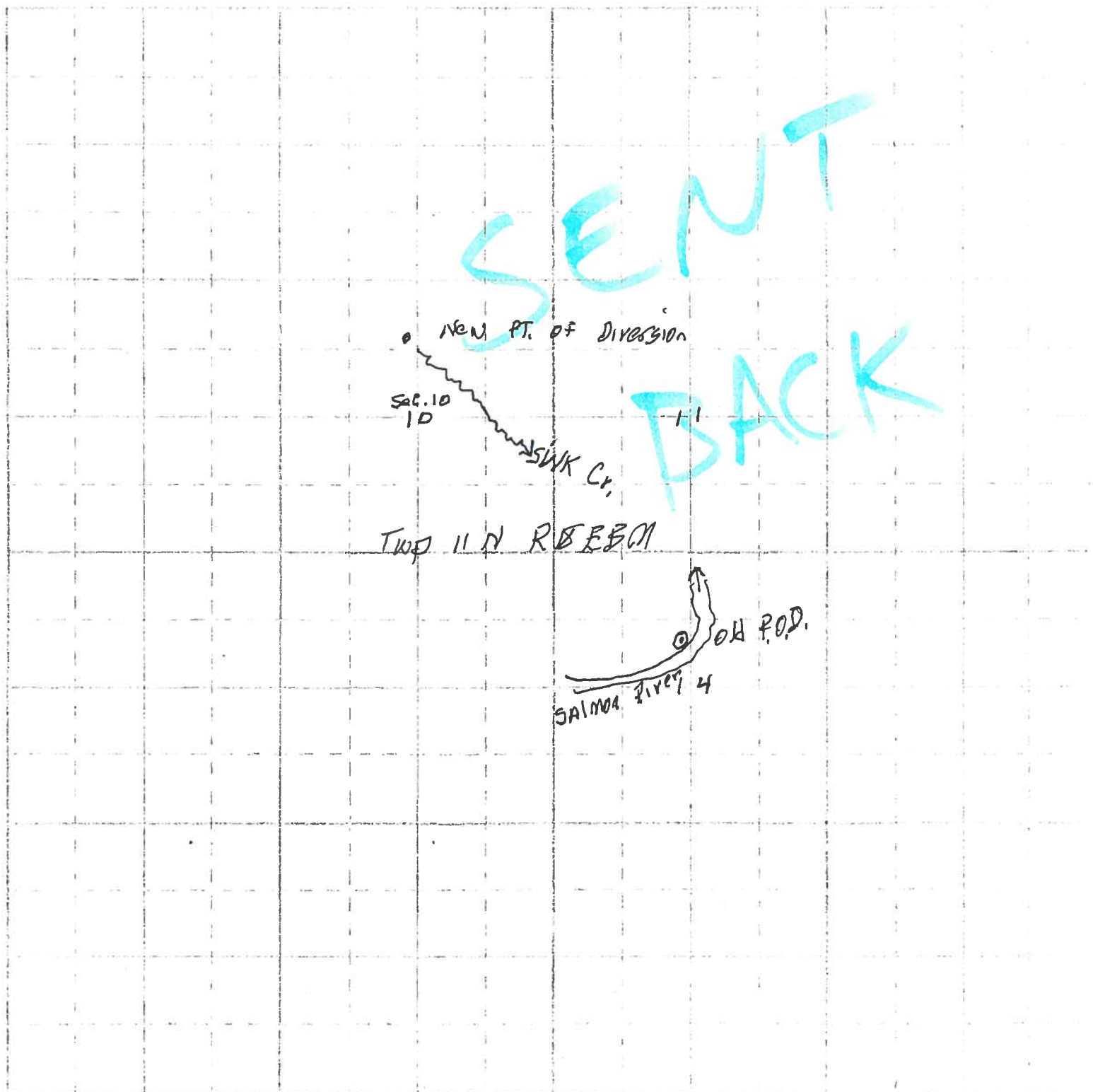
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11N	18E	11									3			31					34
11N	18E	14									19	14	14						47

Total acres 81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION 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.

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

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>None</u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>

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

No change except less disturbance and impact on river

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

Less water will be pumped from Salmon River source. More efficient use will be
made of Sink Creek flows which do not reach Salmon River regardless of amount of
use. Impacts to the river and the fisheries will be reduced. Power usage reduced.

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

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

Gus D. Herrick
(Signature of Applicant)

Subscribed and sworn to before me this 5th day of July, 1996.

James D. Smith
(Notary Public)
Residing at Challis Idaho

My commission expires 1-21-99

FOR DEPARTMENT USE ONLY

Transfer contains <u> </u> pages and <u> </u> attachments	
Received by <u> </u> Date <u> </u>	Protest filed by <u> </u>
Prelim. check by <u> </u> Fee <u> </u>	
Received by <u> </u> Date <u> </u>	
Published in <u> </u>	Copies of protest forwarded by <u> </u>
Pub. dates <u> </u>	Hearing held by <u> </u> Date <u> </u>
Watermaster recommendation requested on <u> </u>	Recommended for ☐ approval ☐ denial
<u> </u> rec'd. <u> </u>	by <u> </u>
Copy of transfer sent to lien holder <u> </u>	

R PROOF

CVR

MAPS

PHOTOS

MISC

—

X

X

—

—

1. What is the purpose of the study?

DIVERSION
VOLUME

65.00 AFA

Stage: BENEFICIAL USE

CUSTER County

TOTAL ACRES

Other Rights: 72-07170

RIGHT NO. 72-07170 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 26.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

01/20/1995

Field Inspection Flag:
Presumption Flag:

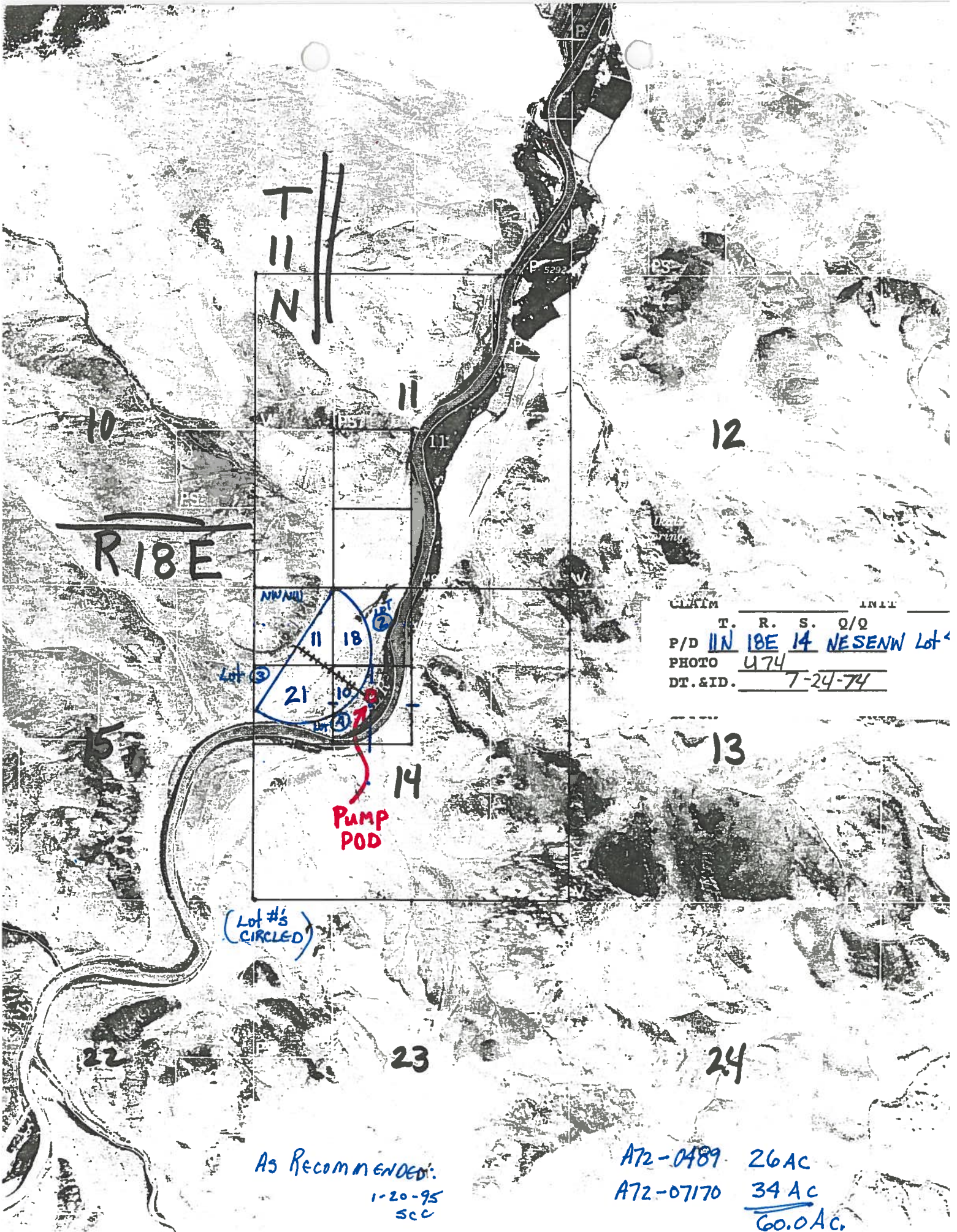
Date: 01/20/1995 User-ID: SCELLAN Subject: COPIED FROM
CLAIM IS FOR 8 CFS FROM SALMON R. & 1 CFS FROM BIRCH CR.

Comments: Date: 01/20/1995 User-ID: SCLELLAN Subject: COPIED FROM REMARKS

OWNERSHIP CHANGE 3/10/92 BY JG.

Date: 01/20/1995 User-ID: SCLELLAN Subject: RECOMMENDATION
THIS RIGHT IS USED WITH 72-07170 TO IRRIGATE 60 ACRES UNDER A
PIVOT SPRINKLER SYSTEM.

Audit: 01/20/95 SCLELLAN



WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	(Y)	Modified 9-9-93 9-10-93 See		N	6.	See 1-20-95	See 1-20-95	See 1-20-95
SOURCE				(Y)	1456			
FACE OF USE	(Y)			(Y)	1456			
DIV. AMOUNT CFS/VOLUME	(Y)			(Y)	1			
CONSUMPTIVE USE	-			(Y)				
PURPOSES				2				
PERIOD OF USE	.			(Y)	6.			
BASIS OF CLAIM	(Y)			(Y)	6.			
REMARKS	Y			(Y)	6.			

VERIFIED BY CODES

TOPO MAP/ORTHO-PHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAEP 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.

See
1-27-93

DIVERSION
 VOLUME

705

1-20-95
See

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A72-04089

LAST: CARLISLE
ADDRESS: STAR ROUTE
CITY: CHALIS
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 83226

OWNER CODE: 0

LAST: COWART
ADDRESS: ALFRED MORRISON, TRUST OFFICER
FIRST INTERSTATE BANK OF AZ.
P.O. BOX 350
CITY: TUCSON
PHONE NUMBER: 602-792-5175
STATE: AZ ZIP: 85702

OWNER CODE: 0

LAST: HERRICK
ADDRESS: 2170 E. GOSSAMER LN.
CITY: BOISE
PHONE NUMBER: 208-336-8719
STATE: ID ZIP: 83706

OWNER CODE: C

LAST: HERRICK
ADDRESS: 2170 E. GOSSAMER LN.
CITY: BOISE
PHONE NUMBER: 208-336-8719
STATE: ID ZIP: 83706

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
DATABASE FIELD EXAMINER
Y

CLAIM REMARKS: CLAIM IS FOR 8 CFS FROM SALMON R. & 1 CFS FROM BIRCH CR.

OWNERSHIP CHANGE 3/10/92 BY Jg.

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 / REMARKS:

Initial Drive by Exam: 5-25-93

Appt w/ Howell: 7-8-93

Field Exam w/ M. Daniel: 9-9 + 9-10, 1993

(all by SEC)

< see field notes 9-10-93 by SEC >

A. AJ CLAIM: # A72-04089

PRIORITY DATE: 05-01-1902

STAGE: 8 "5"

B. WR RECORD: # 72-04089

PRIORITY DATE: 05-01-1902

STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
NFIELD
EXAMINER

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

IF YES EXPLAIN.

REMARKS:

Postal Notice was filed w/ Court on October 28, 1891.

Support the date claimed

RECOMMENDED PRIORITY DATE:

05-01-1902

REVIEWED BY

sa

DATE

1-20-95

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-04089	11N	18E	14		SE	NW	4	CUSTER CUSTER
A72-04089	11N	18E	22		NE	NW		CUSTER CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A72-07170 NONE

WR RECORDS IN SAME 40 ACRE TRACT
72-04018
72-07170

SOURCE: SALMON RIVER
BIRCH CREEK

TRIB: SNAKE RIVER
SALMON RIVER

WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-04089	11N	18E	14		SE	NW	4	CUSTER CUSTER
72-04089	11N	18E	22		NE	NW		CUSTER CUSTER

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

72-04018
72-07170

A72-07170 NONE

SOURCE: SALMON RIVER
BIRCH CREEK

TRIB: SNAKE RIVER
SALMON RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

POD confirmed by exam, OPO & license exam.

*Source is Salmon River only. Birch Creek has been abandoned as source.
per exam, OPO & napp.*

SW 1-20-95

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

1/4 1/4 1/4

LOT

COUNTY

11N 18E 14

NE

SE

NW

4

Grady

SOURCE: SALMON RIVER

TRIE: SNAKE RIVER

REVIEWED BY:

sa

DATE: 1-20-95

Report:

50 hp pump in River pumps water to Mainline to PR.
Pirst was installed in 1993 during Exam Season and Replaces
previous system as described in license Exam of mine, sprinklers.
Although Mainline from A72-4089 & A72-7170 are tied to those of
A72-4090, No appearance of a water right for the 75 acres
in A72-4090 to have used Salmon River water.
Salmon River water used w/in the Pirst system.

1-20-95
sa

A. ROOT WATER RIGHT NUMBERS: A72-04089

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
T1N	18E	11	NE	SW	6	HERRICK, GERALD D.	A72-04089 / 3.0	72-04089 / 3.0	7.0		
			NE	SW	6	HERRICK, GERALD D.	A72-04090 / 3.0	72-04090 / 2.0			
			NE	SW		HERRICK, GERALD D.	A72-10378 / 3.0	-			
											<i>Added by A72-4090</i>
T1N	18E	11	SE	SW	7	HERRICK, GERALD D.	A72-04089 / 31.0	72-04089 / 110.0	39.0		
			SE	SW	7	HERRICK, GERALD D.	A72-04090 / 31.0	72-04090 / 41.0			
			SE	SW	7	HERRICK, KATHRYN S.	A72-07170 / 31.0	72-07170 / 2.0			
			SE	SW		HERRICK, GERALD D.	A72-10378 / 31.0	-			
T1N	18E	14	NE	NW	2	HERRICK, GERALD D.	A72-04089 / 19.0	72-04089 / 112.0	27.0		
			NE	NW	2	HERRICK, GERALD D.	A72-04090 / 19.0	72-04090 / 2.0			
			NE	NW	2	HERRICK, KATHRYN S.	A72-07170 / 19.0	72-07170 / 12.0			
			NE	NW		HERRICK, GERALD D.	A72-10378 / 19.0	-			
T1N	18E	14	NW	NW		HERRICK, GERALD D.	A72-04089 / 14.0	72-04089 / 111.0	15.0		
			NW	NW		HERRICK, GERALD D.	A72-10378 / 14.0	-			
T1N	18E	14	SW	NW	3	HERRICK, GERALD D.	A72-04089 / 14.0	72-04089 / 117.0	23.0		
			SW	NW	3	HERRICK, KATHRYN S.	A72-07170 / 14.0	72-07170 / 10.0			
			SW	NW		HERRICK, GERALD D.	A72-10378 / 14.0	-			
TOTAL ACRES							81.00	53.00	111.00		

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

IF YES SEE ATTACHED SHEET:

S.14 SE NW Lot 4 10.0 10.0

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

60.0 60.0

Place of Use is Shared by Two WRS:

A72-4089 on 26 Ac.

A72-7170 on 34 Ac.

60 Ac POU.

PRESUMPTION FLAG:

REMARKS:

Confirmed POA w/ Exam, POA, MAP.

This Claim is Valid for 26 Ac within 60 Ac POA
Claim #12-7170 is Valid on 34 ac. within the 60 Ac POA.

RECOMMENDATIONS:

26 / 60 POA

TOTAL ACRES:

REVIEWED BY:

SR

DATE:

1-20-95

Unrecorded Transfers accomplished:

1. Change in Source from Birch Creek to Salmon River.
2. Change in POB " " " "
3. Change in POA; from quantity to specific changes in system.
- some also have shifted since licensing.

A. AJ CLAIMED USES:

PURPOSES
A72-04089 IRRIGATION
A72-04089 STOCKWATER

MONTH/DAY
FROM 04-01 TO 11-01
FROM 01-01 TO 12-31

DIVERSION QUANTITY
9.000 CFS
0.020 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

9.000 CFS

B. WR RECORDED USES:

PURPOSES
72-04089 IRRIGATION
72-04089 STOCKWATER

MONTH/DAY
FROM 04-01 TO 11-01
FROM 01-01 TO 12-31

DIVERSION QUANTITY
9.000 CFS
0.020 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

9.000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

FIELD EXAMINER
DATABASE
N
N
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?
RECOMMEND TO WR STANDARDS OR OTHER?

REMARKS:

4-15 to 10-15 = DWR STS

Stock = OK

Y(X) N()

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 9.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 9.000 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

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

FIELD DATABASE EXAMINER
Y

MEASUREMENT METHOD Theo. Calc., SEE ATTACHED CALCULATIONS.

Theo. Calc = 1.40 cfs
Lic. Exam = 1.83 cfs

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

OTHER RIGHTS LISTED IN CLAIM: 072-07170, 072-04090

LIST ALL RIGHTS WITH A SAME FOU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-04089	SALMON RIVER	HERRICK, GERALD D.	9.000	0.111		
	BIRCH CREEK					
A72-04090	SINK CREEK	HERRICK, GERALD D.	1.000	0.018		
A72-07170	SALMON RIVER	HERRICK, KATHRYN S.	0.680	0.010	102.00	1.59
A72-10378	GROUNDWATER	HERRICK, GERALD D.	9.000	0.111		

NO RIGHTS WITH SAME FOU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 26 $\times$ 0.02 CFS/ACRE = 0.52 CFS
(Taken from p/u review)

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

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

** Large flow as recorded was due to large convergence losses on the ditch system which is no longer used.*

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 243.0 AF/A

ACRES 26 $\times$ CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 65 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 26 $\times$ DIVERSION VOL. AF/A FOR AREA 1/4 =

TOTAL DIVERSION VOLUME 1/4 AF/A

** Combine w/ 72-7170 C.U.*

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(☐) N(☐)

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

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

IRRIGATION
STOCKWATER

~~04-01~~ ¹⁵ 10-15
~~11-01~~
01-01 12-31

DATABASE EXAMINER
~~0.020~~ ^{0.52}
0.020 0.02

DATABASE EXAMINER
~~1/4~~

DATABASE EXAMINER
~~243-0~~ ¹⁵

TOTAL FOR THIS RIGHT

~~9.000~~ 0.52

REVIEWED BY:

acc

DATE: 1-20-95

*Combining
w/7170

F05 (same PBD)

K06

E09 (w/ E04) 150 AF C11

{ Combining #'s
do not exceed individual
Rts }

See
1-20-95

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-04089
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
9.000

EXAMINER

CFS

SPLITS:	OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
	-	A72-04089	9.000	-		72-04089	9.000

TOTAL CFS

9.000

9.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

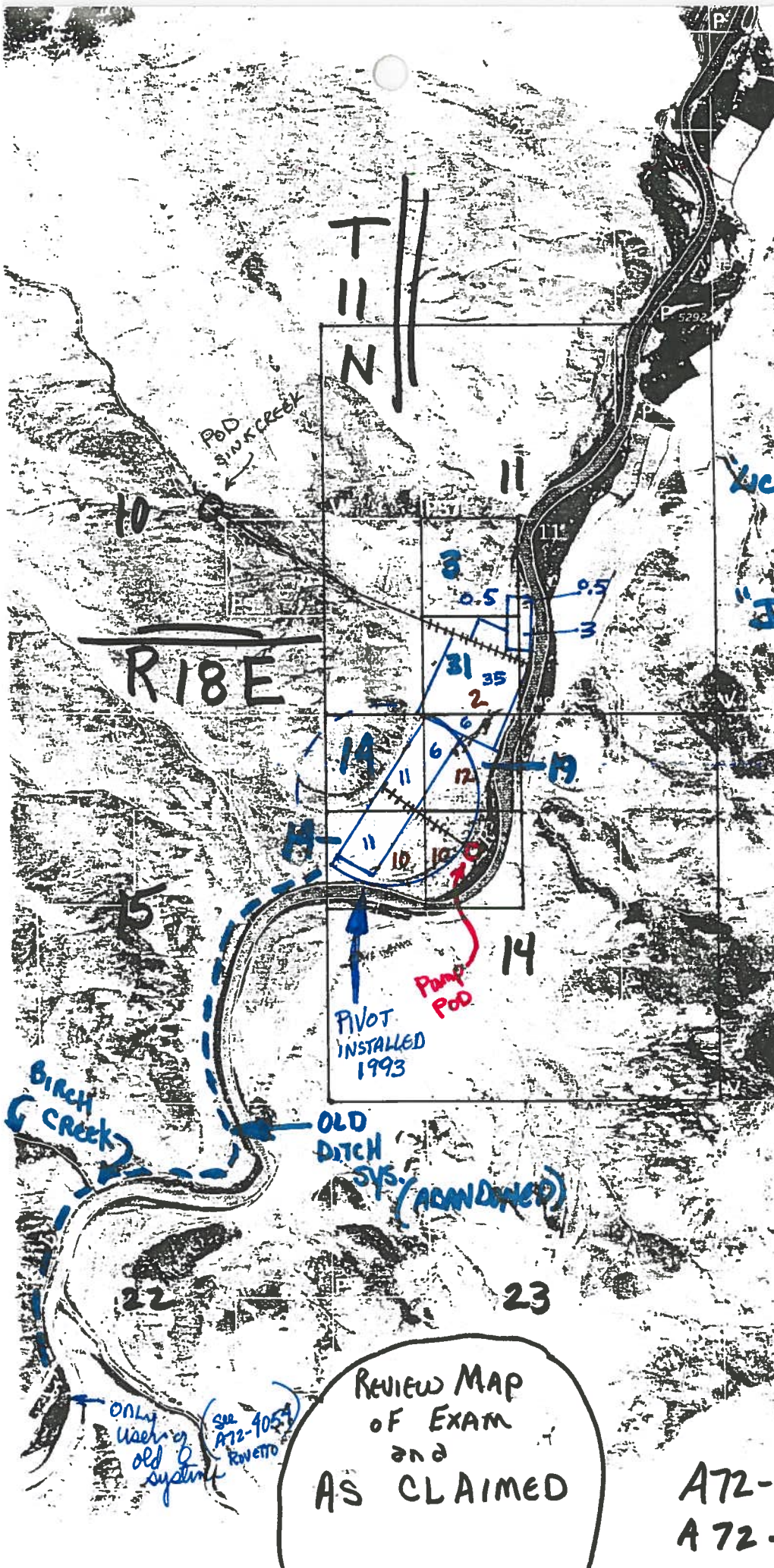
N/A

AUTHENTICATION:
SIGNATURE: *Steve Allen*

DATE: 1-20-95

NAME OF FIELD EXAMINER:

TITLE:



"C" CLAIM = 64 AC.

(0.68)¹² LIC = 34 AC
72-7170

"J" CLAIM = 81 AC.

EXAM = 28.0 AC.

CLAIM	INIT			
	T.	R.	S.	Q/Q
P/D				
PHOTO	474			
DT. & ID.	7-24-74			

REVIEW MAP
OF EXAM
and
AS CLAIMED

A72-4089
A72-7170

EX FOUND:
PIVOT ACRES = 60
A72-4089 = 26
A72-7170 = 34
60 AC.

LISTING OF MAPS USED IN REVIEW OF THIS FILE

CLAIM NUMBER: A72-4089
A72-7170

DESCRIPTION OF MAP	ID NUMBERS	MAP DATE	COPY IN FILE?
ORTHOPHOTOQUAD (OPQ)	<u>U74</u>	<u>7-24-74</u>	<u>YES</u> / NO
SCS MAP			YES / NO
AIR PHOTO			YES / NO
1:50,000 AERIAL	<u>5-7B-13</u>	<u>7-1-88</u>	YES / <u>NO</u>
BOUNDARY PLAT			YES / NO
TOPOGRAPHIC QUAD			YES / NO
GOVERNMENT LOT MAP	<u>T11 N, R18E</u>		<u>YES</u> / NO
US SOILS MAP			YES / NO
OTHER:			
<u>Claim Map</u>			<u>YES</u> / NO
<u>photos by SCC</u>			<u>YES</u> / NO
			YES / NO
			YES / NO
			YES / NO
			YES / NO

REMARKS:

9-10-93

Sink Creek pump @ Salmon River

- Spoke to John McDaniel - ranch manager
he said the pivot is served by this pump.
Pump is currently throttled back due to
mainline problems.
- Sink Creek serves the wheel lines to the North only

85 psi @ pump < THROTTLED BACK >

GE motor 50 HP

Model: 5K6252XM501B

Ser # DSJ4 23299

1765 RPM

Aurora Vertilena pump - No TAG

12' lift from river to pump motor

THEORETICAL:

$$\frac{8.8 (\text{HP}) (\text{EFF.})}{(\text{HLift}) + (\text{press. H} \times 2.31)} = Q_{\text{cfs}} = \frac{8.8 (50) (.70)}{24 + (85 \times 2.31)} = \frac{308}{220.35}$$

$$\text{theo. } Q = 1.3977 \text{ cfs}$$

$$Q = 1.40 \text{ cfs}$$

linear 72-7170 @
into cap. 1.83

A72-04089
A72-07170

R 18 E

T 11 N

A72-04089

04 T03	04 LT02	04 LT01	03 LT04	03 LT03	03 LT02	03 LT01	02 LT04	02 LT03	02 LT02	02 LT01	01 LT04	01 LT03	01 LT02	01 LT01
04 NW	04 SWNE	04 SENE	03 SWNW	03 SENW	03 SWNE	03 SENE	02 SWNW	02 SENW	02 SWNE	02 LT05	01 LT05	01 SENW	01 SWNE	01 SENE
04 SW	04 NWSE	04 NESE	03 NWSW	03 NESW	03 NWSE	03 NESE	02 NWSW	02 NESW	02 NWSE	02 LT07	01 LT06	01 NESW	01 NWSE	01 NESE
04 SW	04 SWSE	04 SESE	03 SWSW	03 SESW	03 SWSE	03 SESE	02 SWSW	02 SESW	02 SWSE	02 LT08	01 LT07	01 SESW	01 SWSE	01 SESE
09 NW	09 NWNE	09 NENE	10 NWNW	10 NENW	10 NWNE	10 NENE	11 NWNW	11 NENW	11 LT02	11 LT01	12 NWNW	12 NENW	12 NWNE	12 NENE
09 NW	09 SWNE	09 SENE	10 SWNW	10 SENW	10 SWNE	10 SENE	11 SWNW	11 SENW	11 LT03	11 LT04	12 SWNW	12 SENW	12 SWNE	12 SENE
09 SW	09 NWSE	09 NESE	10 NWSW	10 NESW	10 NWSE	10 NESE	11 NWSW	11 LT06	11 LT05	11 NESE	12 NWSW	12 NESW	12 NWSE	12 NESE
09 SW	09 SWSE	09 SESE	10 SWSW	10 SESW	10 SWSE	10 SESE	11 SWSW	11 SESW	11 SWSE	11 SESE	12 SWSW	12 SESW	12 SWSE	12 SESE
18 NW	18 NWNE	18 NENE	15 NWNW	15 NENW	15 NWNE	15 NENE	14 NWNW	14 LT02	14 LT01	14 NENE	13 NWNW	13 NENW	13 NWNE	13 NENE
18 NW	18 SWNE	18 SENE	15 SWNW	15 SENW	15 SWNE	15 LT03	14 LT02	14 LT01	14 LT05	14 SENE	13 SWNW	13 SENW	13 SWNE	13 SENE
18 SW	18 NWSE	18 NESE	15 NWSW	15 NESW	15 LT04	15 LT01	14 LT07	14 LT06	14 NWSE	14 NESE	13 NWSW	13 NESW	13 NWSE	13 NESE
18 SW	18 SWSE	18 SESE	15 SWSW	15 SESW	15 LT05	15 LT02	14 SWSW	14 SESW	14 SWSE	14 SESE	13 SWSW	13 SESW	13 SWSE	13 SESE
21 NW	21 NWNE	21 NENE	22 NWNW	22 LT08	22 LT07	22 LT01	23 NWNW	23 NENW	23 NWNE	23 NENE	24 NWNW	24 NENW	24 NWNE	24 NENE
21 NW	21 SWNE	21 SENE	22 LT09	22 LT02	22 LT03	22 LT04	23 SWNW	23 SENW	23 SWNE	23 SENE	24 SWNW	24 SENW	24 SWNE	24 SENE
21 SW	21 NWSE	21 NESE	22 LT10	22 LT05	22 NWSE	22 NESE	23 NWSW	23 NESW	23 NWSE	23 NESE	24 NWSW	24 NESW	24 NWSE	24 NESE
21 SW	21 SWSE	21 SESE	22 LT11	22 LT06	22 SWSE	22 SESE	23 SWSW	23 SESW	23 SWSE	23 SESE	24 SWSW	24 SESW	24 SWSE	24 SESE
28 NW	28 NWNE	28 LT01	27 LT01	27 NENW	27 NWNE	27 NENE	26 NWNW	26 NENW	26 NWNE	26 NENE	25 NWNW	25 NENW	25 NWNE	25 NENE
28 SW	28 LT04	28 LT05	27 SWNW	27 SENW	27 SWNE	27 SENE	26 SWNW	26 SENW	26 SWNE	26 SENE	25 SWNW	25 SENW	25 SWNE	25 SENE
28 SW	28 LT06	28 NESE	27 NWSW	27 NESW	27 NWSE	27 NESE	26 NWSW	26 NESW	26 NWSE	26 NESE	25 NWSW	25 NESW	25 NWSE	25 NESE
28 SW	28 SWSE	28 SESE	27 SWSW	27 SESW	27 SWSE	27 SESE	26 SWSW	26 SESW	26 SWSE	26 SESE	25 SWSW	25 SESW	25 SWSE	25 SESE

FIELD NOTE
~~CONVERSATION~~ MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A72-4089

RE: CHANGE IN IRRIGATION SYSTEM

A72-4090

A72-7170

DATE 5-25-93

NAME OF PARTY

HERRICK

INITIAL field review & location of property shows this land in T11N, R18E, S14 N1/2 is having a pivot installed. This will irrigate new grounds not currently irrigated by the gravity system.

(See photos from roll R72-5)

Field Notes by SCC

7-8-93

TUE

7-6

WED

~~7-6~~

7-7

THUR

9am HERRICK

meas. Alluvial Spr.
photo @ Lyon Cr.

7-8

1993

A72-02035

- possible forfeiture
- ditch from River to Pou
- would like to reestablish right
- No pumps exist

Sink Cr.

- 4089 > Do theor. calc.
get polySonic Meas.
- 4090 > polySonic at end of pipe
- 7071 > ok

JOHN McDANIEL
will call me

* Bring BLM
photo
@ Fall R

* new Domestic
drilled
1992
OK

A72-04089

A72-4089

HERRICK

← NEW AVIOT BEING INSTALLED;
SOME INCREASE IN
IRRIGATED ACREAGE.

→ SALMON RIVER
FLOW



SALMON
RIVER

PHOTOS:
BY SCC
5-25-93

ROLL:
R72-S

Water Right Number - 72-04089

Prefix Translation:

WATER RIGHT

Old (D) Number -

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

+ - First Name - - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***
CARLISLE

LEWIS

1 - STAR ROUTE
2 -
3 -
City- CHALLIS
Phone -

State- ID Zip- 83226

CARLISLE

MILDRED

1 - STAR ROUTE
2 -
3 -
City- CHALLIS
Phone -

State- ID Zip- 83226

+ - - Priority Date - - +
05/01/1902+ - - - - Region - - - +
17 SOUTHERN+ - - - - Stage - - - +
S - STATUTORY CLAIM

+ - - - - Status - - - +

Source - - - - +
SALMON RIVER
BIRCH CREEK+ - - - - Tributary - - - - +
SNAKE RIVER
SALMON RIVER+ - - - - Point of Diversion - - - - +
Stream Index (Blank if no Index Code)+ - - - -
Twn Rng Sec Tract Lot Rflg County
11N 18E 14 SE NW 4 (37) CUSTER
22 NE NW (37) CUSTER+ - - - -
Code Description Period From Period To Water Use Diversion Rate Diversion Volume01 - IRRIGATION 04/01 11/01
04 - STOCKWATER 01/01 12/319.000
0.020+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
9.000+ - - - -
Twn Rng Sec Tract Lot Acres Place of Use Code Description County
11N 18E 11 NE SW 6 3.0 01 IRRIGATION (37) CUSTER
11N 18E 11 SE SW 7 10.0 01 IRRIGATION (37) CUSTER
11N 18E 14 NE NW 2 12.0 01 IRRIGATION (37) CUSTER
11N 18E 14 NW NW 3 11.0 01 IRRIGATION (37) CUSTER
11N 18E 14 SW NW 3 17.0 01 IRRIGATION (37) CUSTER
11N 18E 14 SE NW 4 11.0 01 IRRIGATION (37) CUSTER

Total Acres: 64.0

+ - - Diversion Means - PUMP, SPRINKLER

+ - - Non-Irrigation Use - S/200 RANGE

+ - - Other Rights for Same Use -

Water right number - 72-04089

Prefix Translation:

WATER RIGHT

CLAIM IS FOR 8 CFS FROM SALMON R. & 1 CFS FROM BIRCH CR.

No Old Water Right Numbers found.

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date
00/00/0000

No Comments Found

Audit Fields - 01/28/86 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	- 01/28/1986	DLE/Carrey 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	- 00/00/0000	Presumption Flag	-		