

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: A72-04139

Date Received: / /

Receipt No: M005279

Received By: *JC AB*

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: THE DANIEL J MAHONEY JR LIFETIME TRUST **II** 202-776-2546
Address: C/O JOHN D WARD ESQ
1200 NEW HAMPSHIRE AVE
NW SUITE 800
WASHINGTON DC 20036-6802

2. Date of Priority: APR 1, 1937

3. Source: WASTE WATER SPRINGS Trib. to: CHALLIS CREEK
CHALLIS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	19E	15	NE	SW	SE		CUSTER

5. Description of diverting works:
HEADGATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.400		

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

8. Total consumptive use is 712.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14N	19E	14	SW	NW		IRR	35.0
			SE	NW		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	14	NE	SW		IRR	35.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
					Section Acres		170.0
		15	SW	NE		IRR	5.0
			SE	NE		IRR	40.0
			NE	SE		IRR	35.0
			NW	SE		IRR	10.0
			SE	SE		IRR	25.0
					Section Acres		115.0
					Total Acres		285.0

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:
A72-04138, A72-00005

14. Remarks:

SOURCES FOR THIS RIGHT ARE COMMINGLED.

ADDRESS CHANGE 5/3/94 BY JG.

CHANGED ADRESSES TO MATCH FOR MAILING PURPOSES ONLY 3/27/95 DMS

OWNERSHIP CHANGE MADE 4/9/97 BY TLB.

15. Basis of Claim: BENEFICIAL USE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. R72-04139

OWNER CODE: C
NAME & ADDRESS: THE DANIEL J MAHONEY JR LIFETIME TRUST II
C/O JOHN D WARD ESQ
1200 NEW HAMPSHIRE AVE
NW SUITE 800
WASHINGTON DC 200366802
(202) 776-2546
PRIORITY DATE: 04/01/1937
WATER USE: IRRIGATION
USE PERIOD FROM TO: 04-15 10-15
DIVERSION RATE: 2.40 CFS
DIVERSION VOLUME: 1.60 CFS
TOTAL DIVERSION: 712.50 AFA
CONSUMPTIVE USE:

Water Source: WASTE WATER SPRINGS
Tributary to: CHALLIS CREEK
CHALLIS CREEK
Stage: BENEFICIAL USE

Point(s) of Diversion: T14N R19E S15 NESWSE 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
14N	19E	14	:	:	:	:	:	:	:	:	:
14N	19E	15	:	:	:	:	:	:	:	:	:
05 40 :											
35 20 :											
35 40 40											
: 35 10 25											
TOTAL ACRES											
170.0											
115.0											
285.0											

POU County: CUSTER

Other Rights: 72-04138 & 72-00005

Remarks: GEN USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF CFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF AF, AND TO THE IRRIGATION
OF A COMBINED TOTAL OF ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00005 & 72-042388.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHT IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00005.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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



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

JUN 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

THE DANIEL J MAHONEY JR LIFETIME TRUST II
JOHN D WARD ESQ
1200 NEW HAMPSHIRE AVE
WASHINGTON D.C. 20036-6802

RE: SRBA CLAIM(S): SEE ENCLOSED
MAHONEY

DEAR MR. WARD:

PURSUANT TO THE NOTIFICATION THAT YOUR CLIENT HAS CHANGED NAMES ON THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THESE COPIES ARE FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

THESE CLAIM NUMBERS WERE ALL THAT WERE FOUND UNDER MAHONEY'S NAME. THE OTHER NUMBERS ON YOUR LIST WERE EITHER OWNED BY ANOTHER PARTY OR ARE NOT IN EXSISTANCE ANYMORE.

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

SINCERELY,

TARA L. BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

OCT 16 1996

Department of Water Resources
Bozeman, Montana

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____. See attached deed.
If you have additional legal descriptions, please attach separate sheet.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s) _____
Assigned by IDWR: See attached Exhibit "A"
- [] Name and Address of Former Owner/Claimant(s)(Seller): DANIEL J. MAHONEY, JR.

- [] New Owner/Claimant (Purchaser): THE DANIEL J. MAHONEY, JR. LIFETIME TRUST II
- [] New Mailing Address: c/o JOHN D. WARD, ESQ.
1200 NEW HAMPSHIRE AVE. NW SUITE 800
WASHINGTON, D.C. 20036-6802
- [] New Telephone Number: (202) 776-2546
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: _____

(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) Daniel J. Mahoney, Jr. (Trust) Date _____

- [] Signature of Former Owner/Claimant(s) _____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 6/21/97 By: HLB

Claim Numbers of Split, if any:

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

EXHIBIT "A"

MAHONEY WATER RIGHT NUMBERS

71-0039	72-00005
71-00039	✓ A72-00005
✓ A71-00039A-	72-00049
71-0040	✓ A72-00049
71-00040	#72-00049
✓ A71-00040A-	72-04027
71-00041	✓ A72-04027
71-00042	#72-04027
71-00043	72-04138
71-00044	A72-04138
71-00045	✓ A72-04138A-
71-00046	✓ A72-04138B
71-00047	72-04139
✓ A71-00047-	✓ A72-04139-
71-00048	72-04140
✓ A71-00048-	✓ A72-04140-
71-00049	72-04165
71-00050	✓ A72-04165
71-00051	#72-04165
71-00052	72-04166
71-00053	✓ A72-04166
✓ A71-00053-	#72-04166
71-0054	A72-04167
71-00054	A72-04167A
✓ A71-00054-	A72-04167B
71-00055	✓ A72-10353
71-00057	✓ A72-10362
✓ A71-00057-	A72-10430
71-00058	A72-10437
	A72-10480
	A71-10481
	A71-10482

and all other water rights appurtenant to the property described in the attached deed.

0211998

WARRANTY DEED

FOR VALUE RECEIVED, DANIEL J. MAHONEY, JR., A/K/A DAN MAHONEY, Grantor, does Bargain, Sell and Convey unto DANIEL J. MAHONEY, JR. AND RICHARD L. BRAUNSTEIN, Trustees of THE DANIEL J. MAHONEY, JR. LIFETIME TRUST II, dated the 25th day of July, 1996, (the current address is c/o JOHN D. WARD, ESQ., 1200 New Hampshire Avenue, Washington, D.C. 20036-6802), the Grantee, the following described premises in Custer County, Idaho, to-wit:

ANY AND ALL OF GRANTOR'S RIGHT, TITLE, EQUITY OR INTEREST IN OR TO ANY PART OR ALL OF THE FOLLOWING DESCRIBED PROPERTY IN CUSTER COUNTY, IDAHO:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, its successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises: that they are free from all encumbrances save and excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County Idaho, and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: Aug 15th, 1996.


Daniel J. Mahoney, Jr.
a/k/a Dan Mahoney

211998

STATE OF IDAHO)
) ss.
County of Custer)
On this 15th day of
August, 1996, before
me, a Notary Public, per-
sonally appeared DANIEL
J. MAHONEY, a/k/a DAN
MAHONEY, known
or identified to me
to be the person whose
name is subscribed to
the within instrument
and acknowledged to me
that he executed the
same.

[Signature]
Notary Public for Idaho
Residing at Challis
Commission Expires 1-21-99

STATE OF IDAHO, COUNTY OF CUSTER
I hereby certify that this instru-
ment was filed for record at the
request of James Bennett
at 17 minutes past 1
o'clock P.M., this 17th day of
Sept., 1996, in my office,
and duly recorded in Book _____
of Deeds at page _____.

Ethel M. Peck

Ex-Officio Recorder

BY Wendy Murphy
Deputy

Fee: \$ 21.00
Mail to:

EXHIBIT "A"

A parcel of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as:

Commencing at the Southwest corner of said Section 14, a distance of 1058.85 feet on a bearing of South 89°58'16" East along the South boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the Real Point of Beginning; thence North 0°08'49" East 1347.73 feet along an existing fence line to a fence corner; thence South 81°58'13" East 265.38 feet along an existing fence line to the East boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 89°58'16" West 261.56 feet to the Real Point of Beginning, said parcel contains 8.001 acres, more or less; save and except the following parcel:

Commencing at the South quarter corner of said Section 14, a distance of 1035.35 feet on a bearing of North 0°11'26" East along the East boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the Real Point of Beginning; thence North 0°11'26" East 282.69 feet to the Northeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 89°56'20" West 1320.08 feet to the Northwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 89°56'20" West 57.10 feet to a point on an existing fence line; thence South 81°58'13" East 251.78 feet along said fence line; thence South 77°32'28" East 1154.10 feet along said fence line to the Real Point of Beginning, said parcel contains 4.211 acres, more or less.

Lots 5 and 8, and all of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, Save and except the West 30 feet and that portion of the North 30 feet extending from the Northwest corner East across the existing slough.

Lots 2 and 3, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, all in Section 23, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho.

The E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 23, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, save and except lands otherwise herein conveyed.

A parcel of land situate and lying in Custer County, Idaho, described as follows, to-wit:

Commencing at the Northeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, Township 14 North, Range 19 East, Boise Meridian; thence South along the East boundary of the described NE $\frac{1}{4}$ NW $\frac{1}{4}$, 750 feet to the True Point of Beginning; thence continuing South 1320 feet; thence East 1320 feet; thence North 1320 feet; thence West 1320

feet to the True Point of Beginning, containing 40 acres, more or less.

A fraction of HES No. 109 situate and lying in Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Beginning at Corner No. 1 from which the corner of Sections 1, 2, 11 and 12, Township 11 North, Range 12 East, Boise Meridian, bears North 3° West 1130.58 feet distant; thence South 47°19' East 601.22 feet to the Southeast side of the Thompson Creek right-of-way, this being the True Point of Beginning; thence South 47°19' East 978.82 feet to Corner No. 2 of HES No. 109; thence South 42°36' West 2346.96 feet to Corner No. 4; thence North 47°26' West 979.28 feet to the Southeast side of the Thompson Creek right-of-way; thence North 42°36' East 2346.96 feet along the Thompson Creek right-of-way to the Northeasterly side of said HES No. 109 and the True Point of Beginning.

HES No. 272, in approximately Sections 10 and 11, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho.

HES No. 319, in approximately Sections 13 and 24, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, and in approximately Sections 18 and 19, Township 11 North, Range 13 East, Boise Meridian.

A fraction of HES No. 422, Section 13, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Commencing at Corner No. 11 of said HES No. 422, run thence South 20°52' East along the Easterly boundary of HES No. 422 a distance of 405.02 feet to the Point of Beginning and the Northeasterly corner of the tract of land herein described; continuing thence South 20°52' East 405.02 feet; thence South 84°57' West 670.73 feet; thence North 20°52' West 405.02 feet; thence North 84°57' East 670.73 feet to the Point of Beginning.

A fraction of HES No. 422, Section 13, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Beginning at Corner No. 11 of said HES No. 422, run thence South 20°52' East along the Easterly boundary of HES No. 422 a distance of 405.02 feet; thence South 84°57' West 670.73 feet; thence North 20°52' West 405.02 feet to a point on the Northerly boundary of HES No. 422; thence North 84°57' East along the Northerly boundary of HES No. 422 a distance of 670.73 feet to the Point of Beginning.

A fraction of HES No. 422, Section 13, Township 11 North, 12 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Commencing at Corner No. 11 of said HES No. 422, run thence South 20°52' East along the Easterly boundary of HES No. 422 a distance of 1620.08 feet; thence South 84°57' West 670.73 feet to the Point of Beginning and the Northeasterly corner of the tract of land herein described; thence South 20°52' East 405.02 feet; thence South 84°75' West 670.73 feet; thence North 20°52' West 405.02 feet; thence North 84°57' East 670.73 feet to the Point of Beginning, containing 6.0 acres, more or less.

A fraction of HES No. 422, Section 13, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Commencing at Corner No. 11 of said HES No. 422, run thence South 20°52' East along the Easterly boundary of HES No. 422 a distance of 810.04 feet to the Point of Beginning, and the Northeasterly corner of the tract of land herein described; continuing thence South 20°52' East 405.02 feet; thence South 84°57' West 670.73 feet; thence North 20°52' West 405.02 feet; thence North 84°57' East 670.73 feet to the Point of Beginning.

A fraction of HES No. 422, Section 13, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Commencing at Corner No. 11 of said HES No. 422, run thence South 20°52' East along the Easterly boundary of HES No. 422 a distance of 1215.06 feet; thence South 84°57' West 670.73 feet to the Point of Beginning and the Northeasterly corner of the tract of land herein described; thence South 20°52' East 405.02 feet; thence South 84°57' West 670.73 feet; thence North 20°52' West 405.02 feet; thence North 84°57' East 670.73 feet to the Point of Beginning, containing 6.0 acres, more or less.

All of HES No. 422, Section 13, Township 11 North Range 12 East, Boise Meridian, Custer County, Idaho, save and except land otherwise herein conveyed.

A fraction of Lot 3, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

All of said Lot 3, save and except a 30-foot right-of-way over that portion of said lot lying East of the existing slough and the old Salmon River channel.

A parcel of land located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

The SW $\frac{1}{4}$ SW $\frac{1}{4}$, save and except a parcel of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, Township 14 North Range 19 East, Boise Meridian, Custer County, Idaho, described as:

Commencing at the Southwest corner of said Section 14, a distance of 1058.85 feet on a bearing of South 89°58'16" East along the South boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the Real Point of Beginning; thence North 0°08'49" East 1347.73 feet along an existing fence line to a fence corner; thence South 81°58'13" East 265.38 feet along an existing fence line to the East boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence South 0°12'16" West 1310.79 feet to the Southeast corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 89°58'16" West 261.56 feet to the Real Point of Beginning, containing 8.002 acres, more or less.

The N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho.

A parcel of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the South quarter corner of said Section 14, a distance of 1035.35 feet on a bearing of North 0°11'26" East along the East boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the Real Point of Beginning; thence North 0°11'26" East 282.69 feet to the Northeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 89°56'20" West 1320.08 feet to the Northwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 89°56'20" West 57.10 feet to a point on an existing fence line; thence South 81°58'13" East 251.78 feet along said fence line; thence South 77°32'28" East 1154.10 feet along said fence line to the Real Point of Beginning, containing 4.211 acres, more or less.

A fraction of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

All the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, Township 14 North, Range 19 East, lying East of U.S. Highway No. 93 right-of-way.

A fraction of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

All of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 14 North, Range 19 East, Boise Meridian, save and except 2.00 acres, more or less, deeded for highway purposes.

The NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho.

All of Grantor's interest in a parcel of land lying within Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Beginning at Corner No. 1 which is identical to the East Section corner common to Sections 12 and 13, Township 11 North, Range 12 East, Boise Meridian; thence South 9° West 4.83 chains to Corner No. 2 of HES No. 421; thence South 68°38' West 60.03 chains to Corner No. 3, the Point of Beginning of this description; thence North 17°24' West 270 feet to Corner No. 1; thence North 68°38' East 120 feet to Corner No. 2; thence South 17°24' East 270 feet to Corner No. 3; thence South 68°38' West 120 feet to the Point of Beginning, containing .74 acre, more or less.

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: **A72-04139**
Date Received: / /
Receipt No: M005279
Received By: Address Change

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

1. Name: DANIEL J. MAHONEY, JR. 407-832-5566
Address: 1200 S OCEAN BLVD
PALM BEACH FL 33480

2. Date of Priority: APR 1, 1937

3. Source: WASTE WATER SPRINGS Trib. to: CHALLIS CREEK
CHALLIS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	15	NE	SW	SE		CUSTER

5. Description of diverting works:
HEADGATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.400		

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

8. Total consumptive use is 712.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	14	SW	NW		IRR	35.0
			SE	NW		IRR	20.0
			NE	SW		IRR	35.0
			NW	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	14	SW	SW		IRR	40.0
Section Acres							170.0
		15	SW	NE		IRR	5.0
			SE	NE		IRR	40.0
			NE	SE		IRR	35.0
			NW	SE		IRR	10.0
			SE	SE		IRR	25.0
Section Acres							115.0
Total Acres							285.0

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:
A72-04138, A72-00005

14. Remarks:
SOURCES FOR THIS RIGHT ARE COMMINGLED.

ADDRESS CHANGE 5/3/94 BY JG.

15. Basis of Claim: BENEFICIAL USE

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: _____

RECEIVED

APR 18 1994

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[✓] Water Right Number (s): A72-04165 A72-04167-A A71-10000 WATER RESOURCES
A72-04138 A72-04167B WESTERN REGION
A72-04139 A72-10362
A72-04140 A72-04027
A72-04166 A72-04138A

[✓] Old Mailing Address: Dan Mahoney, c/o Sawtooth Properties
375 South County Road, Suite 201
Palm Beach, FL. 33480

[✓] New Mailing Address: Daniel J. Mahoney, Jr.
1200 South Ocean Blvd.
Palm Beach, FL. 33480

~~New~~ Telephone Number: (407) 832 - 5566

[✓] Signature of Claimant: Daniel J. Mahoney Jr
Date: April 11, 1994

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: 5/3/94 By: AC

Further Action Needed:
Further Action Taken

Date: By:

Final Review and Data-Entry
Date: By:

RECEIVED

APR 19 1994

Department of Water Resources
Southern Region Office

SEND TO YOUR NEAREST
REGION OFFICE:

Western Region Office
2735 Airport Way
Boise, ID 83705
(208) 334-2190

Southern Region Office
222 Shoshone St. East
Twin Falls ID 83301
(208) 734-3578

State Office
1301 N. Orchard St.
Boise, ID 83720
(208) 327-7900

Eastern Region Office
150 Shoup Ave. #15
Idaho Falls ID 83402
(208) 525-7161

Northern Region Office
1910 Northwest Blvd. #210
Coeur d'Alene ID 83814
(208) 756-4639



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

15-Apr-1994 13:19

DANIEL J MAHONEY JR
1200 SOUTH OCEAN BLVD
PALM BEACH FL 33480

RE: Snake River Basin Adjudication (SRBA) Notices of Claim No(s).
A72-04165, A72-04167A, A72-04138 (NOT A VALID CLAIM) A72-04167B,
A72-04139, A72-10362, A72-04140, A72-04027, A72-04166, A72-04138A &
A71-10054

Change of Address Notification

Dear Claimant(s):

IDWR has received your notice of the change of address of the water right claim referenced above. Our records have been changed accordingly.

If you sold the property, please contact our office toll-free at 1/800-451-4129.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

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: **A72-04139**
Date Received: / /
Receipt No: M005279
Received By: _____

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

1. Name: DANIEL J. MAHONEY, JR. 407-832-5566
Address: 375 SOUTH COUNTRY RD.
PALM BEACH FL 33480

2. Date of Priority: APR 1, 1937

3. Source: WASTE WATER SPRINGS Trib. to: CHALLIS CREEK
CHALLIS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	19E	15	NE	SW	SE		CUSTER

5. Description of diverting works:
HEADGATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.400		

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

8. Total consumptive use is 712.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14N	19E	14	SW	NW		IRR	35.0
			SE	NW		IRR	20.0
			NE	SW		IRR	35.0
			NW	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	14	SW	SW		IRR	40.0
						Section Acres	170.0
		15	SW	NE		IRR	5.0
			SE	NE		IRR	40.0
			NE	SE		IRR	35.0
			NW	SE		IRR	10.0
			SE	SE		IRR	25.0
						Section Acres	115.0
						Total Acres	285.0

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:
A72-04138, A72-00005

14. Remarks:
SOURCES FOR THIS RIGHT ARE COMMINGLED.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



SECOND SUBMISSION
NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 12-3-91

LEGAL DESCRIPTION OF PROPERTY: Township 14 North Range 19 East
 Sections 14 & 15 1/4 of 1/4 of 1/4, Govt. Lot , BM.

Lot , Block, , Subdivision/Townsite . See attached deed for detailed description
 If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
 Assigned by IDWR: A72-04140, A72-04139, A72-04138B
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): GARTH T. AND/OR GLENIS M. CHIVERS
HC 63 BOX 1771
CHALLIS, IDAHO 83226
- ☐ New Owner/Claimant (Purchaser): DANIEL J. MAHONEY, JR.
375 South Country Rd. Mr. Bennetts
- ☐ New Mailing Address: ~~1200 SOUTH OCEAN BOULEVARD~~ as per phone call 6/11/92
PALM BEACH, FLORIDA 33480
- ☐ New Telephone Number: (407) 832 - 5566
- ☐ 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: Copy of Warranty Deed

(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) Daniel J. Mahoney Date _____
 _____ Date _____
- ☐ 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: 12/3/91 By:

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 12/3/91 By:

Claim Numbers of Split, if any:

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

MICROFILMED

MAR 18 1993

EXHIBIT "A"

A parcel of land located in S1/2NE1/4, E1/2SE1/4, Section 15 and U.S. Government Lot 3, SW1/4NW1/4, N1/2SW1/4, SW1/4SW1/4, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Southeast corner of said Section 15 and being the REAL POINT OF BEGINNING a distance of 1319.95 feet on a bearing of South 89°36'14" West along the section line; thence North 0°16'41" East, 505.32 feet to a point of the Easterly right-of-way of U.S. Highway No. 93; thence a distance of 705.93 feet along a curve concave to the Northwest having a radial of North 81°02'58" West, 2331.87 feet and a central angle of 17°20'43" along said right-of-way; thence North 0°16'41" East, 45.71 feet along the West boundary of the SE1/4SE1/4 to a point on said right-of-way; thence North 88°07'39" East, 2.49 feet along said right-of-way; thence a distance of 14.42 feet along a curve concave to the Southwest having a radial of South 80°30'23" West, 2341.67 feet and a central angle of 0°21'10" to a point on the West boundary of the SE1/4SE1/4; thence North 0°16'41" East, 1370.96 feet; thence South 89°37'24" West, 475.35 feet to a point on the Easterly right-of-way of U.S. Highway No. 93; thence a distance of 1331.37 feet along a curve concave to the Northeast having a radial of North 71°52'58" East, 3224.04 and a central angle of 23°39'37" along said right-of-way; thence North 89°29'21" East, 1942.39 feet; thence South 89°52'29" East, 2083.52 feet to a point on the West boundary of the original government meander line of 1893; thence the following courses and distances along said meander line: South 23°45' West, 225.61 feet; thence South 15°25' East, 495.00 feet thence South 57°30' East, 726.00 feet; thence South 77°45' East, 217.80 feet; thence South 28°00' East, 132.00 feet; thence South 11°00' East, 84.92 feet to a point on the South boundary of Lot 3; thence North 89°54'24" West, 393.09 feet; thence South 0°11'26" West, 1318.04 feet; thence North 89°56'20" West, 1320.08 feet; thence South 0°12'17" West, 1318.78 feet; thence North 89°58'16" West, 1320.41 feet to the REAL POINT OF BEGINNING.

ALSO

A parcel of land located in the SE1/4SW1/4 and the SW1/4SW1/4, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the South quarter corner of said Section 14, a distance of 1035.35 feet on a bearing of North 0°11'26" East along the East boundary of the SE1/4SW1/4 to the REAL POINT OF BEGINNING, thence North 0°11'26" East, 282.69 feet to the Northeast corner of

the SE1/4SW1/4; thence North 89°56'20" West, 1320.08 feet to the Northwest corner of the SE1/4SW1/4; thence North 89°56'20" West, 57.10 feet to a point on an existing fenceline; thence South 81°58'13" East, 251.73 feet along said fenceline; thence South 77°32'28" East, 1154.10 feet along said fenceline to the REAL POINT OF BEGINNING.

LESS THE FOLLOWING DESCRIBED PARCEL:

A parcel of land located in the NW1/4SW1/4 and the SW1/4SW1/4, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Section 14, a distance of 1058.85 feet on a bearing of South 89°58'16" East, along the South boundary of the SW1/4SW1/4 to the REAL POINT OF BEGINNING; thence North 0°08'49" East, 1347.73 feet along an existing fenceline to a fence corner; thence South 81°58'13" East, 265.38 feet along an existing fenceline to the East boundary of the SW1/4SW1/4; thence South 0°12'16" West, 1310.79 feet to the Southeast corner of said SW1/4SW1/4; thence North 89°58'16" West, 261.56 feet to the REAL POINT OF BEGINNING.

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MAR 18 1993

WARRANTY DEED

For Value Received

GARTH T. CHIVERS and GLENIS CHIVERS, husband and wife,

the grantor S, do hereby grant, bargain, sell and convey unto

DANIEL J. MAHONEY, JR., an unmarried man,

the grantee, whose current address is 738 South County Road, Palm Beach, FL 33480,

the following described premises, in Custer County, Idaho, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

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

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

Dated: December 3rd, 1991.

Garth T. Chivers
Garth T. Chivers

Glenis Chivers
Glenis Chivers

MICROFILMED

MAR 18 1993

WARRANTY DEED

For Value Received

GARTH T. CHIVERS and GLENIS CHIVERS, husband and wife,

the grantorS, do hereby grant, bargain, sell and convey unto

DANIEL J. MAHONEY, JR., an unmarried man,

the grantee, whose current address is 738 South County Road, Palm Beach, FL 33480,

the following described premises, in Custer County, Idaho, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

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

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

Dated: November _____, 1991.

Garth T. Chivers

Glenis Chivers

Copy

STATE OF IDAHO
COUNTY OF CUSTER

On this _____ day of _____, in the year 1991, before me, a Notary Public, personally appeared GARTH T. CHIVERS & GLENIS CHIVERS, husband and wife, known or identified to me to be the person whose names are _____

STATE OF IDAHO, COUNTY OF CUSTER

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

at
this
19

minutes past

day of

o'clock M.,

in my office and duly recorded in Book

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MAR 18 1993

INSTRUMENT

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): A72-04138, A72-04140, A72-04139, A72-00005

[] Name and Address of Former Claimant(s): GARTH T. AND/OR GLENIS M. CHIVERS

HC 63 BOX 1771

CHALLIS, IDAHO 83226

[] New Claimant(s): DANIEL J. MAHONEY, JR.

[] New Mailing Address: 738 South County Road

Palm Beach, FL 33480

New Telephone Number: (407) 832 - 5566

[] Does the change in ownership result in a splitting of the water right claimed? yes XX no
If yes, then describe the portion of the water right that is now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: Warranty Deed
(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 claimant.)

[] Signature of New Claimant(s): Daniel J Mahoney

Date: _____

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MAR 18 1993

EXHIBIT "A"

Copy

A parcel of land located in S1/2NE1/4, E1/2SE1/4, Section 15 and U.S. Government Lot 3, SW1/4NW1/4, N1/2SW1/4, SW1/4SW1/4, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Southeast corner of said Section 15 and being the REAL POINT OF BEGINNING a distance of 1319.95 feet on a bearing of South 89°36'14" West along the section line; thence North 0°16'41" East, 505.32 feet to a point of the Easterly right-of-way of U.S. Highway No. 93; thence a distance of 705.93 feet along a curve concave to the Northwest having a radial of North 81°02'58" West, 2331.87 feet and a central angle of 17°20'43" along said right-of-way; thence North 0°16'41" East, 45.71 feet along the West boundary of the SE1/4SE1/4 to a point on said right-of-way; thence North 88°07'39" East, 2.49 feet along said right-of-way; thence a distance of 14.42 feet along a curve concave to the Southwest having a radial of South 80°30'23" West, 2341.67 feet and a central angle of 0°21'10" to a point on the West boundary of the SE1/4SE1/4; thence North 0°16'41" East, 1370.96 feet; thence South 89°37'24" West, 475.35 feet to a point on the Easterly right-of-way of U.S. Highway No. 93; thence a distance of 1331.37 feet along a curve concave to the Northeast having a radial of North 71°52'58" East, 3224.04 and a central angle of 23°39'37" along said right-of-way; thence North 89°29'21" East, 1942.39 feet; thence South 89°52'29" East, 2083.52 feet to a point on the West boundary of the original government meander line of 1893; thence the following courses and distances along said meander line: South 23°45' West, 225.61 feet; thence South 15°25' East, 495.00 feet thence South 57°30' East, 726.00 feet; thence South 77°45' East, 217.80 feet; thence South 28°00' East, 132.00 feet; thence South 11°00' East, 84.92 feet to a point on the South boundary of Lot 3; thence North 89°54'24" West, 393.09 feet; thence South 0°11'26" West, 1318.04 feet; thence North 89°56'20" West, 1320.08 feet; thence South 0°12'17" West, 1318.78 feet; thence North 89°58'16" West, 1320.41 feet to the REAL POINT OF BEGINNING.

ALSO

A parcel of land located in the SE1/4SW1/4 and the SW1/4SW1/4, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the South quarter corner of said Section 14, a distance of 1035.35 feet on a bearing of North 0°11'26" East along the East boundary of the SE1/4SW1/4 to the REAL POINT OF BEGINNING, thence North 0°11'26" East, 282.69 feet to the Northeast corner of

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MAR 18 1993

Copy

the SE1/4SW1/4; thence North 89°56'20" West, 1320.08 feet to the Northwest corner of the SE1/4SW1/4; thence North 89°56'20" West, 57.10 feet to a point on an existing fenceline; thence South 81°58'13" East, 251.73 feet along said fenceline; thence South 77°32'28" East, 1154.10 feet along said fenceline to the REAL POINT OF BEGINNING.

LESS THE FOLLOWING DESCRIBED PARCEL:

A parcel of land located in the NW1/4SW1/4 and the SW1/4SW1/4, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Section 14, a distance of 1058.85 feet on a bearing of South 89°58'16" East, along the South boundary of the SW1/4SW1/4 to the REAL POINT OF BEGINNING; thence North 0°08'49" East, 1347.73 feet along an existing fenceline to a fence corner; thence South 81°58'13" East, 265.38 feet along an existing fenceline to the East boundary of the SW1/4SW1/4; thence South 0°12'16" West, 1310.79 feet to the Southeast corner of said SW1/4SW1/4; thence North 89°58'16" West, 261.56 feet to the REAL POINT OF BEGINNING.

50⁰⁰

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: A72-04139
Date Received: 11-30-89
Receipt No: NOV 5279
Received By: JB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARTH T. CHIVERS 208-879-4407
Address: HC 63 BOX 1771
CHALLIS, ID 83226
AND/OR
Name: GLENIS M. CHIVERS 208-879-4407
Address: HC 63 BOX 1771
CHALLIS, ID 83226

2. Date of Priority: APR 01, 1937

3. Source: WASTE WATER Trib. to: CHALLIS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	15	NE	SW	SE		CUSTER

5. Description of diverting works:
HEADGATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.400		

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

8. Total consumptive use is 712.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A72-04139

Page 1

Date: 11/28/89

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MAR 18 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14N	19E	14	SW		NW		IRR	35.0
			SE		NW		IRR	20.0
			NE		SW		IRR	35.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
							Section Acres	170.0
		15	SW		NE		IRR	5.0
			SE		NE		IRR	40.0
			NE		SE		IRR	35.0
			NW		SE		IRR	10.0
			SE		SE		IRR	25.0
							Section Acres	115.0
							Total Acres	285.0

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:
A72-04138, A72-00005

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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: 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): Alvin M. Chivers Date: 11-30-89

Date: _____

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

Subscribed and sworn (or affirmed) before me this 30th day
of November 19 89

Notary Public

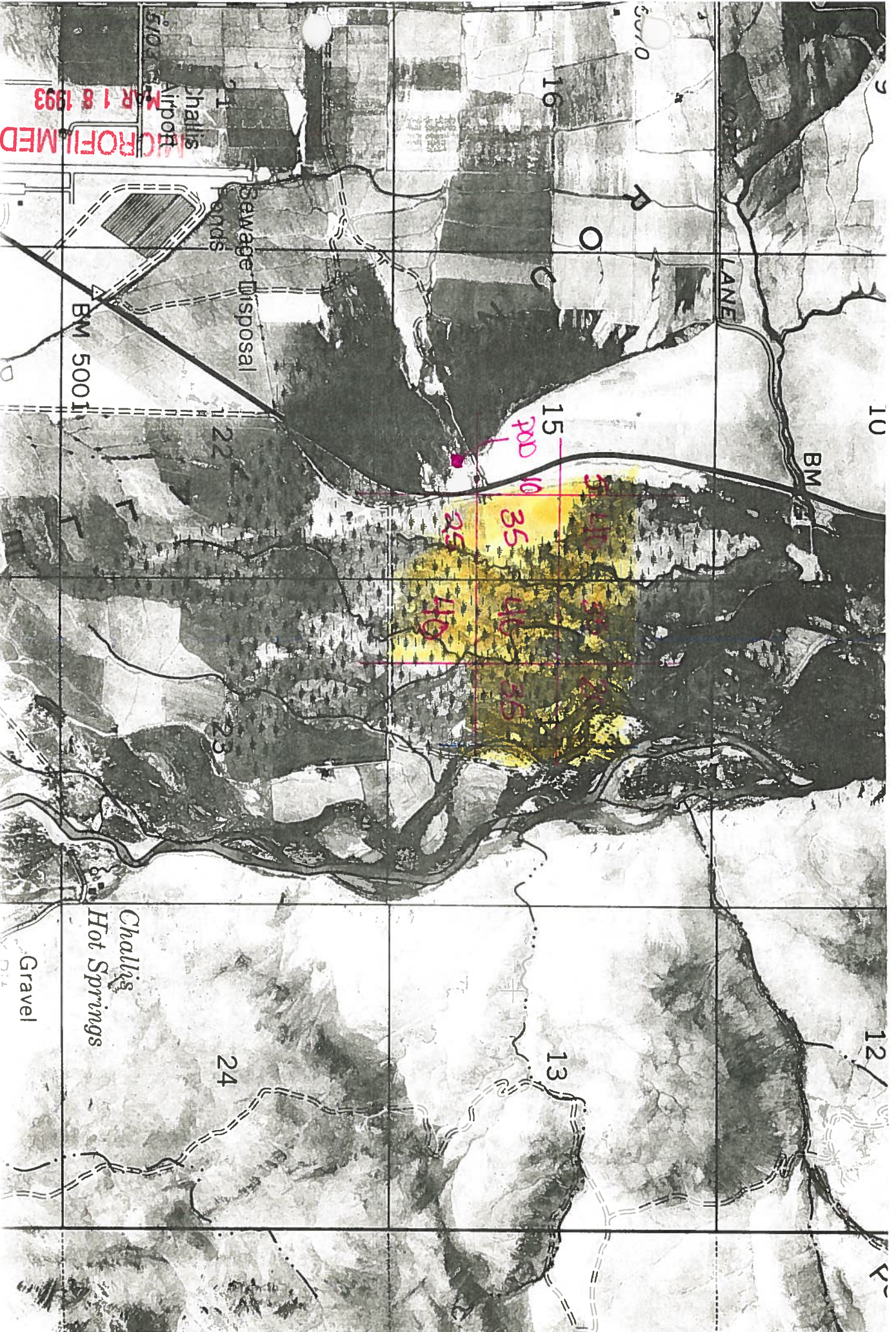
Seal

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

14N 19E

A72-04139

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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

A72-04139
GARTH T. CHIVERS
GLENIS M. CHIVERS
HC 63 BOX 1771
CHALLIS

ID 83226

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

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MAR 18 1993

JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. Box 36

CHALLIS, IDAHO 83226

(208) 879-4488

April 14, 1992

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

Re: Daniel J. Mahoney, Jr.

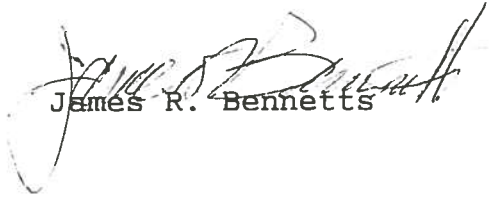
Dear Sirs:

I am enclosing various affidavits noting the water rights to which they refer. All are signed by a previous owner or party knowledgeable concerning the rights.

Please place these in the respective files. I would also request that an extension be granted so that we may have an opportunity to gain more information concerning the rights. One particular party, older than Mr. Chivers, may be available later with some meaningful recollections.

One final note which I would appreciate a response on. In regard to A72-04138, A72-04139 and A72-04140, I would believe that the source is more appropriately "springs or waste water." Could these be amended?

Very truly yours,


James R. Bennetts

JRB:jab
Enclosures

cc: Dan Mahoney

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

R. KEITH HIGGINSON
Director

20-Apr-1992 13:09

James R. Bennetts
PO Box 36
Challis, ID 83226

RE: Amending SRBA Claims A72-04138A, A72-04138B, A72-04139 & A72-04140

Dear Mr. Bennetts:

As we discussed in our phone conversation this day I have drafted the enclosed amendments to the above referenced claims. Please have the claimants look them over and if they find them satisfactory have them sign them before a notary and return them to our office.

Please note that the amendments consisted of adding "spring" as a source and adding the remark "Sources for this right are commingled."

If you or the claimants have questions please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Allen Merritt'.

Allen Merritt, P.E.
Water Rights Supervisor

MICROFILMED

MAR 18 1993

JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. Box 36

CHALLIS, IDAHO 83226

(208) 879-4488

June 5, 1992

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

Re: Dan Mahoney

Dear Sirs:

Enclosed are change in ownership forms regarding Mr. Mahoney's purchase of lands from Garth and Glenis Chivers.

If you have any questions, don't hesitate to call.

Very truly yours,


James R. Bennetts

JRB:jab
Enclosures

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

R. KEITH HIGGINSON
Director

25-Jun-1992 09:10

JAMES R. BENNETTS
ATTORNEY AT LAW
P.O. BOX 36
CHALLIS ID 83226

Re: Ownership Change for Adjudication Claim No.(s): A72-041388-
A72-04140, A72-04139, A72-0005 - GARTH T. &/OR GLENIS M. CHIVERS
TO DANIEL J. MAHONEY, JR.

Dear Mr. Bennetts:

Pursuant to the notification that you are representing the new claimant(s) on the above-referenced Adjudication Claim(s), the Department has changed the record(s) of the current owner as you requested.

Please review the record(s) and should you have any questions, please feel free to call this office.

Sincerely,

Judy Givens
Adjudication Secretary

/jg

Enclosures

MICROFILMED

MAR 18 1993

AFFIDAVIT - WATER USE

RE: WATER RIGHT NO. A72-04138
A72-04140
A72-04139

STATE OF IDAHO)
: ss.
County of Custer)

The undersigned, first being duly sworn, deposes and says as follows:

1. I am a male, born in March of 1921, presently residing in Custer County, Idaho. My parents had interests in a cattle ranch, with a winter operation near Challis where we lived at the time of my birth.

2. I have reviewed the print-out from Idaho Department of Water Resources attached and made a part hereof as Exhibit A, and am familiar with the facts stated therein. I resided on the lands described as the Place of use all during my childhood and assisted with the irrigation of these lands.

3. I can state as a fact and from my independent recollection that the lands described were put to beneficial use by the priority dates listed on the attachments, or earlier. This was accomplished by irrigation as set forth on the attached schedule.

4. I also state that I remained interested in the cattle business conducted on these and surrounding lands until very recently when I sold my ranching operation to Daniel J. Mahoney, Jr. My only extended absence was a brief period during World War II. Therefore, I have maintained contact with the yearly use of the lands and believe I have sound bases for these statements which to my best knowledge and belief are accurate and true.

DATED: March 30th, 1992.

Thomas W. Chivers
Thomas W. Chivers

SUBSCRIBED AND SWORN TO before me this 30th day of March, 1992.

James B. Bennett
Notary Public for Idaho
Residing at: Challis Idaho
My Comm. Expires: 1-13-93

MICROFILMED
MAR 18 1993

EXHIBIT A
ADJUDICATION CLAIMS PROOF READING REPORT

Water Right Number - A72-04139

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

+ - First Name - - - +

+ - - - - Address - - - - -

+ - - - -

*** C - CURRENT OWNER ***
CHIVERS

GARTH T.

1 - HC 63 BOX 1771

2 -

State- ID Zip- 83226

APR 10 1992

CHIVERS

GLENIS M.

City- CHALLIS
Phone - 208-879-4407
1 - HC 63 BOX 1771

2 -

Department of Water Resources
Southern Region OfficeCity- CHALLIS
Phone - 208-879-4407

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***

JOHN B.

1 - HC#63, BOX 1776

2 -

State- ID Zip- 83226

City- CHALLIS
Phone - 208-000-0000+ - - Priority Date - - +
04/01/1937+ - - - - Region - - - +
17 SOUTHERN+ - - - - Stage - - - +
J - BENEFICIAL USE

+ - - - - Status - - - - +

+ - - - - Source - - - - -
WASTE WATER+ - - - - Tributary - - - - -
CHALLIS CREEK+ - - - - Point of Diversion - - - - -
Stream Index (Blank if no Index Code)

14N 19E 15 NE SW SE (37) CUSTER

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

01 - IRRIGATION

04/01

11/01

2.400

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KW Usage - +
2.400 712.5

+ - - - - Twn Rng Sec Tract Lot Acres Place of Use Code Description County

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	19E	14	SW NW		35.0	01 IRRIGATION		(37) CUSTER	
14N	19E	14	SE NW		20.0	01 IRRIGATION		(37) CUSTER	
14N	19E	14	NE SW		35.0	01 IRRIGATION		(37) CUSTER	
14N	19E	14	NW SW		40.0	01 IRRIGATION		(37) CUSTER	
14N	19E	14	SW SW		40.0	01 IRRIGATION		(37) CUSTER	
14N	19E	14	SW NE		5.0	01 IRRIGATION		(37) CUSTER	
14N	19E	15	SW NE		40.0	01 IRRIGATION		(37) CUSTER	
14N	19E	15	SE NE		35.0	01 IRRIGATION		(37) CUSTER	
14N	19E	15	NE SE		10.0	01 IRRIGATION		(37) CUSTER	
14N	19E	15	NW SE		25.0	01 IRRIGATION		(37) CUSTER	

MICROFILMED
MAR 18 1993

Total Acres:

285.0

MICROFILMED

MAR 18 1993

Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - HEADGATE, DITCHES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A72-04138, A72-00005

[illegible]

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

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

+ + + + Decree Plaintiff + + + +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

++ - - Audit Fields - 11/28/89 BAUMHOFF

[illegible]

+ - - - - - 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 | - | 01/28/1986 | Old Judicial District | - | |
| Claim Received Date | - | 00/00/0000 | Last Amended Date | - | 00/00/0000 | Temporary Right | - | P |
| Proof Due Date | - | 00/00/0000 | Proof Made Date | - | 00/00/0000 | Water District | - | |
| Licensed Date | - | 00/00/0000 | Receipt Number | - | | Federal/State Indicator | - | S |
| Claims Temp Error Flg | - | | POU Ownership Flag | - | Y | Presumption Flag | - | |
| Fee Exempt Flag | - | | Name Connector | - | AND/OR | Notice of Error Flag | - | |

MICROFILMED
MAR 18 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:13:10
06/04/92

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A72-04139

| WTR 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 | | | | N | | | | |
| POINT OF DIV | Y | | | N | | | | |
| SOURCE | Y | | | N | | | | |
| PLACE OF USE | Y | | | N | | | | |
| DIV. AMOUNT
CES/VOLUME | | | | Y ~~N~~ | | | | |
| CONSUMPTIVE USE | - | | | N | | | | |
| PURPOSES | | | | N | | | | |
| PERIOD OF USE | | | | Y | | | | |
| BASIS OF CLAIM | Y | | | N | | | | |
| REMARKS | Y | | | Y | | | | |

VERIFIED BY CODES

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: 472-04139

07:13:10
06/04/92

LAST: CHIVERS FIRST: JOHN B.
ADDRESS: HC#63, BOX 1776
CITY: CHALLIS STATE: ID ZIP: 83226
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

LAST: CHIVERS FIRST: GARTH T.
ADDRESS: HC 63 BOX 1771
CITY: CHALLIS STATE: ID ZIP: 83226
PHONE NUMBER: 208-879-4407
OWNER CODE: C

LAST: CHIVERS FIRST: GLENIS M.
ADDRESS: HC 63 BOX 1771
CITY: CHALLIS STATE: ID ZIP: 83226
PHONE NUMBER: 208-879-4407

OWNER CODE: C
FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE FIELD
Y EXAMINER
CLAIM REMARKS: SOURCES FOR THIS RIGHT ARE COMINGLED.

A. AJ CLAIM: # A72-04139 PRIORITY DATE: 04-01-1937 STAGE: J

B. WR RECORD: # 72-04139 PRIORITY DATE: 04-01-1937 STAGE: S

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD EXAMINER
N

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

REMARKS:

See affidavit by Thomas Chivers dated 3/30/1992

RECOMMENDED PRIORITY DATE:
04-01-1937

REVIEWED BY *H. B. D. R.* DATE *1/12/93*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A72-04139 | 14N | 19E | 15 | NE | SW | SE | | CUSTER |

| | |
|----------------------------------|----------------------------------|
| OTHER AJ CLAIMS WITH SAME AJ POD | WR RECORDS IN SAME 40 ACRE TRACT |
| A PREFIX | R PREFIX |
| A72-00005 | NONE |

SOURCE: WASTE WATER
SPRINGS

TRIB: CHALLIS CREEK
CHALLIS CREEK

4R POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 72-04139 | 14N | 19E | 15 | | SW | SE | | CUSTER |

| | |
|-----------------------------------|---------------------------------|
| OTHER WR RECORDS WITH SAME WR POD | AJ CLAIMS IN SAME 40 ACRE TRACT |
| NONE | A PREFIX |
| | R PREFIX |
| | NONE |
| | A72-00005 |
| | A72-10430 |
| | A72-10437 |

SOURCE: WASTE WATER

TRIB: CHALLIS CREEK

C. FIELD EXAM REQUIRED?

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

MARKS:

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

SOURCE:-----TRIP:-----
REVIEWED BY:-----DATE:-----

A. ROOT WATER RIGHT NUMBERS: A72-04139
A72-10430

A72-10437

B. POUL LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | A1
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-----|-----|-----|-----|-----|-----|--|---|--|-----------------|----------------|------------------|
| 14N | 19E | 14 | SW | NW | | CHIVERS, GARTH T.
CHIVERS, GARTH T.
CHIVERS, GLENIS M.
CHIVERS, JOHN B. | A72-04139 /35.0
A72-00005 /35.0
A72-04138B /35.0 | -
72-00005 /
-
72-04138 /35.0 | 41.0 | | |
| 14N | 19E | 14 | SE | NW | | CHIVERS, GARTH T.
CHIVERS, GLENIS M.
CHIVERS, JOHN B. | A72-04139 /20.0
A72-00005 /20.0
A72-04138B /20.0 | -
-
72-04138 /20.0 | | | |
| 14N | 19E | 14 | NE | SW | | CHIVERS, GARTH T.
CHIVERS, GARTH T.
CHIVERS, GLENIS M.
CHIVERS, JOHN B. | A72-04139 /35.0
A72-00005 /35.0
A72-04138B /35.0 | -
-
72-04138 /35.0 | 40.0 | | |
| 14N | 19E | 14 | NW | SW | | CHIVERS, GARTH T.
CHIVERS, GARTH T.
CHIVERS, GLENIS M.
CHIVERS, JOHN B. | A72-04139 /40.0
A72-00005 /40.0
A72-04138B /40.0 | -
-
72-04138 /40.0 | 36.0 | | |
| 14N | 19E | 14 | SW | SW | | CHIVERS, GARTH T.
CHIVERS, GARTH T.
CHIVERS, GLENIS M.
CHIVERS, JOHN B. | A72-04139 /40.0
A72-00005 /40.0
A72-04138B /40.0 | -
-
72-04138 /40.0 | 40.0 | | |
| 14N | 19E | 15 | SW | NE | | CHIVERS, GARTH T.
CHIVERS, GARTH T.
BENDER, BEATRICE E.
BENDER, BEATRICE E.
BREEDLOVE, BARBARA C.
BREEDLOVE, BARBARA C.
CHIVERS, GLENIS M. | A72-04139 /5.0
A72-00005 /5.0
A72-10364 /
A72-10430 /2.0
A72-10437 /5.0
A72-10438 /
A72-04138B /5.0 | -
-
-
-
-
-
- | 30.0 | | 5 |
| 14N | 19E | 15 | SE | NE | | CHIVERS, GARTH T.
CHIVERS, GARTH T.
CHIVERS, GLENIS M. | A72-04139 /40.0
A72-00005 /40.0
A72-04138B /40.0 | -
72-04139 /15.0
- | 37.0 | | 37 |
| 14N | 19E | 15 | NE | SE | | CHIVERS, GARTH T.
CHIVERS, GARTH T.
CHIVERS, GLENIS M. | A72-04139 /35.0
A72-00005 /35.0
A72-04138B /35.0 | -
72-04139 /35.0
- | 39.0 | | 39 |

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-----|-----|-----|-----|-----|-----|------|---------------|---------------|-----------------|----------------|------------------|
|-----|-----|-----|-----|-----|-----|------|---------------|---------------|-----------------|----------------|------------------|

NE SE CHIVERS, JOHN B.

72-04138 710.0

TAN 19E 15

NW SE CHIVERS, GARTH T.

A72-04139 710.0 72-04139 710.0 10 32.0

NW SE CHIVERS, GARTH T.

A72-00005 110.0

NW SE GINI DITCH COMPANY INC.

A72-10480 110.0

NW SE GINI DITCH COMPANY INC.

A72-10481 110.0

NW SE GINI DITCH COMPANY INC.

A72-10482 110.0

NW SE CHIVERS, GLENIS M.

A72-04138B 110.0

NW SE PIVA, ROBERT A.

72-07479 110.0

NW SE MC KINNEY, PETER

72-00057 110.0

NW SE PIVA, MARION

72-02085 110.0

NW SE GINI DITCH ASSOC.

72-04150 114.0

TOTAL ACRES

A72-04139

285.00

4139/80.00

335.00

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y FIELD EXAMINER

POU COUNTY: CUSTER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

A. AJ CLAIMED USES:

PURPOSES
A72-04139 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
2.400 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

2.400 CFS

B. WR RECORDED USES:

PURPOSES
72-04139 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
2.400 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

2.400 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
DATABASE EXAMINER
N
N
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(✓)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(✓) N()

Explain in remarks, below.

REMARKS:

New Standard Period of Use.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 2.400 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.400 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

FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A72-04138, A72-00005

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM NO. | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|---------------------|-------------------------|-----------|----------------|-----------|----------------|
| A72-04139 | WASTE WATER SPRINGS | CHIVERS , GARTH T. | 2.400 | 0.008 | | |
| A72-00005 | WASTE WATER SPRINGS | CHIVERS , GARTH T. | 1.600 | 0.005 | | |
| A72-04138B | WASTE WATER SPRINGS | CHIVERS , GLENIS M. | 6.000 | 0.021 | | |
| A72-04140 | WASTE WATER SPRINGS | CHIVERS , GARTH T. | 0.700 | 0.116 | | |
| A72-10430 | WASTE WATER SPRINGS | BENDER , BEATRICE E. | 0.200 | 0.100 | | |
| A72-10437 | WASTE WATER SPRINGS | BREEDLOVE , BARBARA C. | 0.200 | 0.040 | | |
| A72-10480 | WASTE WATER SPRINGS | GINI DITCH COMPANY INC. | 120.000 | 0.041 | | |
| A72-10481 | WASTE WATER SPRINGS | GINI DITCH COMPANY INC. | 67.000 | 0.022 | | |
| A72-10482 | WASTE WATER SPRINGS | GINI DITCH COMPANY INC. | 25.300 | 0.008 | | |

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

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|----------|----------------------|---------------------|----------|--------|
| A72-10364 | DOMESTIC | BENDER , BEATRICE E. | FROM 01-01 TO 12-31 | .040 CFS | |

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

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

1b. CALCULATIONS

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

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

*Beneficial Use claim for 80 acres
80 x 0.02 = 1.6 cfs*

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 712.5 AF/A

ACRES ----- $\times$ CONSUMPTIVE VOL. AF/A FOR AREA 9.5 =

TOTAL CONSUMPTIVE USE ----- AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

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

TOTAL DIVERSION VOLUME ----- AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD | | REC. DIV
RATE CFS | REC. DIV
VOL. AE/A | | REC. CONS.
USE |
|----------------------|-------------------------|---------------------------|----------------------|-----------------------|----------|-------------------|
| | FROM | TO | | EXAMINER | EXAMINER | |
| IRRIGATION | 04- ~~01~~
15 | ~~11-01~~
10-15 | 2.400 | 1.6 | 712.5 | 712.5 |
| TOTAL FOR THIS RIGHT | | | 2.400 | 1.6 | | |

REVIEWED BY: _____ DATE: _____

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: 72-04139
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.400

EXAMINER

CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| A72-04139 | A72-04139 | 2.400 | - | - | 72-04139 | 2.400 |
| A72-04139 | A72-10430 | 0.200 | - | - | 72-04139 | 2.400 |
| A72-04139 | A72-10437 | 0.200 | - | - | 72-04139 | 2.400 |

TOTAL CFS 2.800

2.400

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)

FIELD
EXAMINER
N

REMARKS:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:28:44
06/04/92

PAGE: 14
PROFILE REPORT

CLAIM NUMBER: A72-04139

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|--|------------------|------------|-----------------------|-------------------|--------------------------------------|
| C | GARTH T. CHIVERS
GLENNIS M. CHIVERS
HC 63 BOX 1771
CHALLIS ID 83226
(208) 879-4407 | 04/01/1937 | IRRIGATION | 04-01 11-01 | 2.40 CFS | 2.40 CFS |
| | | | | | | 712.5 AFA |
| | | | | | | TOTAL DIVERSION:
CONSUMPTIVE USE: |

Water Source: WASTE WATER
SPRINGS

Tributary to: CHALLIS CREEK
CHALLIS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T14N R19E S15

NESWSE

CUSTER County

| Place of use | Legal Description for: | IRRIGATION | NE | NW | SW | SE | SUM |
|--------------|------------------------|------------|----------------|-------|---------------------|----------------------|-------------|
| T R S | NENE NENE SWNE SENE | Lt Ac | NENW NWNW SENW | Lt Ac | NESW NWSW SWSW SESW | NESE NWSE SWESE SESE | |
| 14N 19E 14 | | | | | | | 170.0 |
| 14N 19E 15 | | 05 | 40 | | 35 | 20 | 115.0 |
| | | | | | 35 | 40 | 40 |
| | | | | | | | 10 |
| | | | | | | | 25 |
| | | | | | | | 285.0 |
| | | | | | | | TOTAL ACRES |

FOU County: CUSTER

Other Rights: A72-04138, A72-00005

Remarks: SOURCES FOR THIS RIGHT ARE COMMINGLED.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

MAHONEY CLAIMS

75

EXAMS:

5/27/93

9/26 & 27/98

This File is Supplement to:

72-00005

← FILED HERE

72-00049

-04027

-04166

-04139

-04140

-04138 A-B

-04165

-04167 A-B

-10362

AJ0749NP
No. R72-04139

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

DATE: 12/07/98
PAGE: 1

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|------------------|--|------------------|------------|-----------------------|-------------------|---------------------|
| C | THE DANIEL J MAHONEY JR LIFETIME TRUST 1
C/O JOHN D WARD ESQ
1200 NEW HAMPSHIRE AVE
NW SUITE 800
WASHINGTON DC 200366802
(202) 776-2546 | 04/01/1937 | IRRIGATION | 04-01 10-31 | 2.40 CFS | |
| TOTAL DIVERSION: | | | | | 2.40 CFS | |

Water Source: WASTE WATER
SPRINGS

Tributary to: PHILLIPS SLOUGH
PHILLIPS SLOUGH

Stage: BENEFICIAL USE

Point(s) of Diversion:

T14N R19E S15

NESWSE

CUSTER County

Place of use Legal Description for: IRRIGATION

| NE | NW | SW | SE | SUM |
|---------------------------|-------------------|-------------------|-------------------|------|
| T R S : Lt Ac Lt Ac Lt Ac | NE NW NE NW NE NW | SE NW SE NW SE NW | NE SE NE SE NE SE | SUM |
| 14N 19E 14 : | 05 | 35 | 01 | 07 |
| 14N 19E 15 : | 05 | 35 | 01 | 07 |
| TOTAL ACRES | | | | 82.0 |

POU County: CUSTER

Other Rights: 72-00005

Conditions of Approval:

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

Remarks: POU1
USE OF THIS RIGHT WITH RIGHT NO. 72-00005 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 82.0 ACRES IN A SINGLE
IRRIGATION SEASON.

Dates: Exam Made Date: 05/27/1993 Verified Date: 12/07/1998 Objection Filed Date:

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

JM NUMBER A72-00005
A72-04139

DATE 12/4/98
AGENT Sw

TRANSFER NUMBER _____
CLAIMED ACRE TOTAL 285
GIS ACRE TOTAL 81.2

| | TWP | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | | |
|-----|-----|-----|-----|----|----|-----|----|----|----|-----|----|----|----|----|----|----|-----|----|-----|------|
| | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| AIM | 14N | 19E | 14 | | | | | | | 35 | 20 | 35 | 40 | 40 | | | | | | 170 |
| S | | | | | | | | | | 0.6 | — | — | — | — | | | | | | 0.6 |
| COM | | | | | | | | | | 1 | | | | | | | | | | 1 |
| AIM | | | 15 | | | 5 | 40 | | | | | | | | | 35 | 10 | | 25 | 115 |
| IS | | | | | | 5.1 | 35 | | | | | | | | | 31 | 2.2 | | 7.3 | 80.6 |
| COM | | | | | | 5 | 35 | | | | | | | | | 31 | 2.5 | | 7.5 | 81 |
| AIM | | | | | | | | | | | | | | | | | | | | |
| IS | | | | | | | | | | | | | | | | | | | | |
| COM | | | | | | | | | | | | | | | | | | | | |

2-DBPOU.SHP

APE NOS.
474

Rec'd ones = 82.0 Ac.

2-DBPOD.SHP

OS. DESCRIPTION
323 \$15, NESWSE

IF TABLES UPDATED

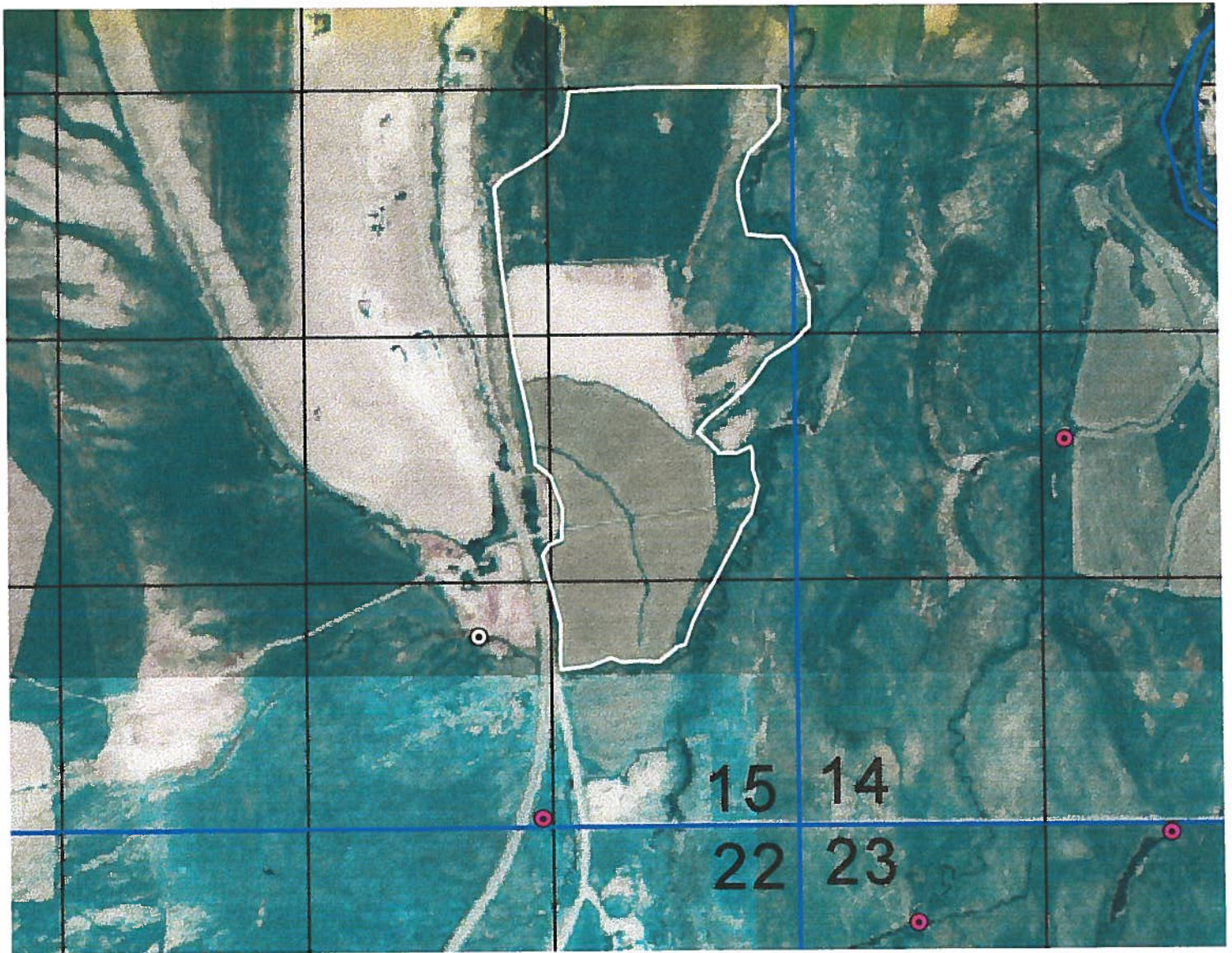
2-DBPOU.DBF ✓

2-DBPOD.DBF ✓

LEG LAYOUT ✓ 72-00005.jpg

IDAHO DEPARTMENT OF WATER RESOURCES

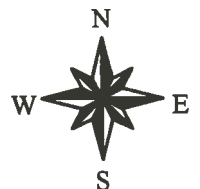
72-00005 & 72-04139



660 0 660 1320 Feet

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

TWN: 14N
RNG: 19E
SEC: 14 & 15



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

DATE: DEC. 4, 1998

MONEY CLAIM REVIEW

12/4/98

see

| ^D
(160 ac) | CLAIM | cfs | POU | SOURCE |
|--------------------------|--------|-----|--------|----------------------------|
| | -0005 | 1.6 | 285 | SPRINGS / CHALLIS CREEK |
| | REC. | 1.6 | 82 Ac. | SPR. / PHILLIPS SL. |
| | -4139 | 2.4 | 285 | WW SPRINGS / CHALLIS CREEK |
| | REC. | 2.4 | 82 Ac. | WW / PHILLIPS SL. |
| <hr/> | | | | |
| | -10362 | 1.5 | 65 Ac | unnamed SPR. / Phillips |
| | -4140 | 0.7 | 6 Ac | WW Spring / CHALLIS CR. |

| | | | | |
|-----------------------------------|------------------|---------|-----------------|-----------------------|
| (SW) Limit Combined POU 167.3 Ac. | -00049 | .49 | 110 Ac | TEANALT SL. / S.R. |
| | Rec'd: | .49 cfs | → 110 Ac | |
| | -4027 | 5.68 | 142 Ac | unnamed SPR. / S.R. |
| | | | → 142 | Ti Slough |
| | -4166 | 1.0 | 30 Ac | unnamed SPRING / S.R. |
| | ~~-4166~~ | | → 30 (Apn 67Ac) | |
| <hr/> | | | | |
| | -4165 | 1.0 | 36 Ac | unnamed SPR. / S.R. |
| | | | → 30.5 Ac | |

| | | | | |
|-------------------|------------------|------|--------------------|---------------------------------|
| (SW) Combined w/o | -4167 A | 1.14 | 35 Ac | SPRING WASTEWATER / CHALLIS CR. |
| | B | 1.0 | 25 Ac | Phillips SL. / S.R. |
| | Rec'd { A-
B- | | → 35 Ac | |
| | | | → ~~25~~ 22 | |
| | -4138 A | 0.76 | 38 Ac | WW SPR. / S.R. |
| | B | 6.0 | 285 Ac | " " |
| | Rec'd { A-
B- | .76 | → 38 | |
| | | 6.0 | → 216 Ac | Same |

MAHONEY
REVIEW

↓ DECREE
-005

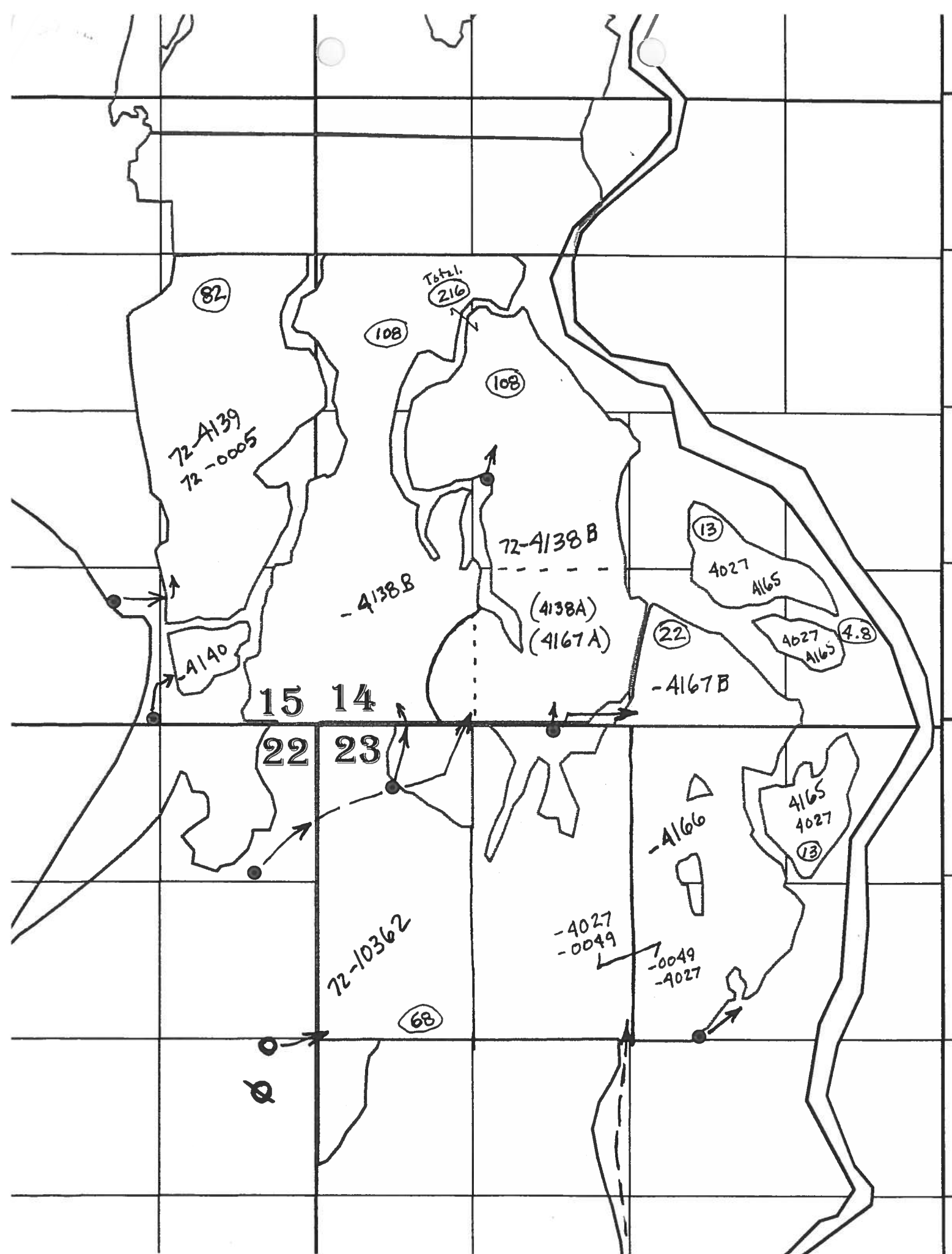
Decree
-049

GINI DITCH
POY

ROAD

GINI DITCH

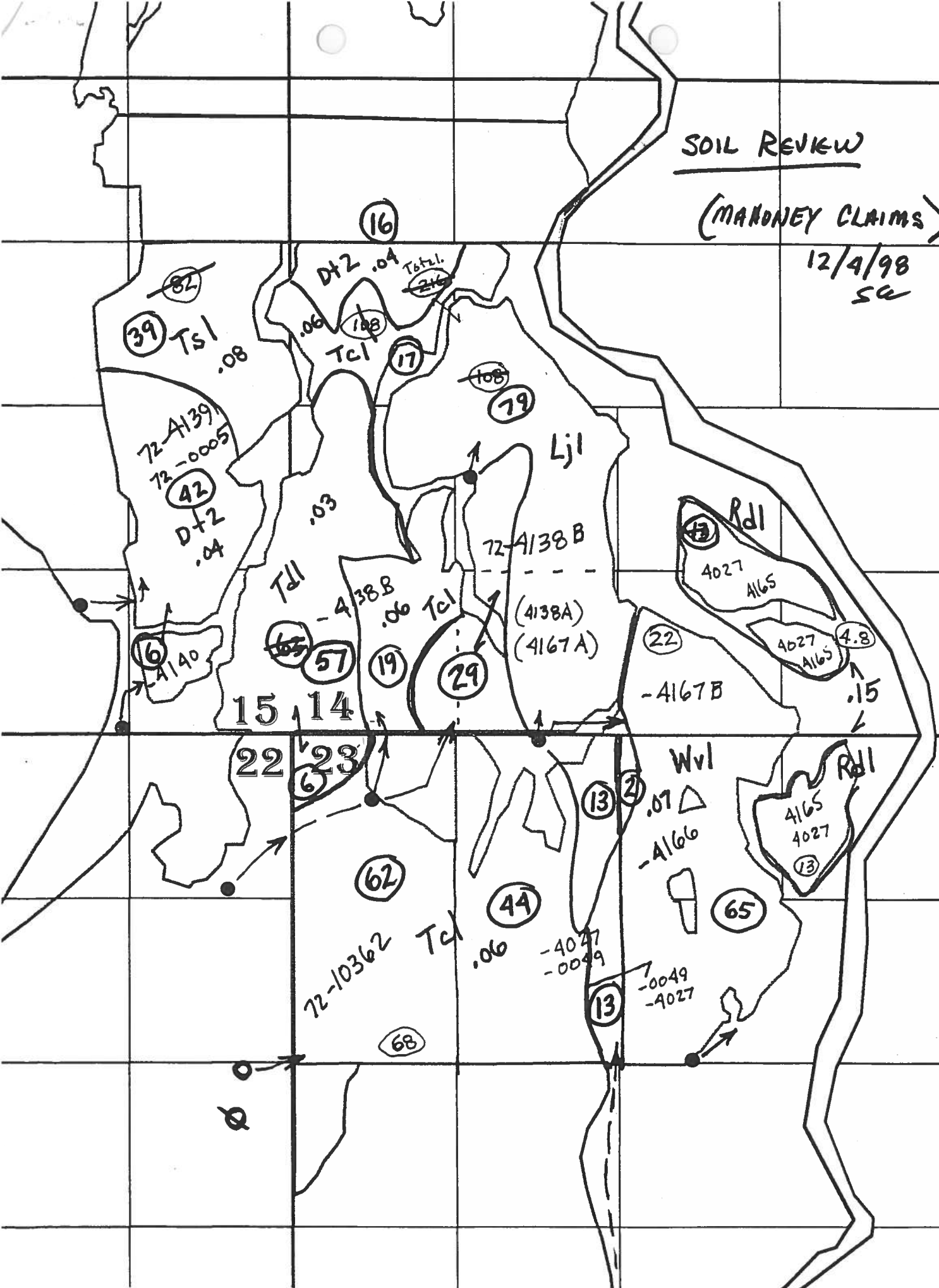
Tewalt Slough



SOIL REVIEW

(MANONEY CLAIMS)

12/4/98
SC



REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

A72-00005
A72-04139

DATE: 12/4, 1998

REVIEWED BY su

CHALLIS AREA SOIL REVIEW

| SOIL TYPE | BORDER CFS/AC | | FURROW CFS/AC | | OPTIMUM ROTATION | |
|-----------|---------------|------|---------------|------|------------------|---------|
| | PAST | ALFA | PAST | ALFA | PASTURE | ALFALFA |
| ATC | .15 | .13 | | | 6.49 | 7.62 |
| BB1 | .09 | .09 | | | 6.09 | 6.17 |
| BC1 | .16 | .17 | | | 5.82 | 5.46 |
| BK1 | .07 | .06 | | | 10.62 | 11.86 |
| BT1 | .18 | .16 | | | 3.99 | 4.19 |
| BT2 | .41 | .32 | | | 2.34 | 2.87 |
| CB1 | .06 | .06 | | | 11.55 | 13.47 |
| CHA | .21 | .21 | | | 4.52 | 4.76 |
| CP1 | .36 | .36 | | | 2.61 | 2.78 |
| DAF | .18 | .15 | | | 5.33 | 7.27 |
| DB1 | .13 | .11 | | | 5.66 | 6.65 |
| DBB | .13 | .11 | | | 5.71 | 6.69 |
| DBC | .13 | .11 | | | 5.71 | 6.69 |
| DMF | .18 | .21 | | | 5.12 | 4.72 |
| DRF | .18 | .19 | | | 9.08 | 9.68 |
| DT2 | .05 | .04 | | | 12.46 | 16.50 |
| DWA | .14 | .14 | | | 4.79 | 5.01 |
| G01 | .10 | .12 | | | 12.47 | 10.51 |
| KEG | .08 | .07 | | | 8.73 | 10.06 |
| MBF | .15 | .12 | | | 7.65 | 5.81 |
| MUG | .15 | .14 | | | 4.54 | 4.98 |
| NDL | .13 | .12 | | | 5.30 | 6.06 |

| SOIL TYPE | BORDER CFS/AC | | FURROW CFS/AC | | OPTIMUM ROTATION | |
|-----------|---------------|------|---------------|------|------------------|---------|
| | PAST | ALFA | PAST | ALFA | PASTURE | ALFALFA |
| PD2 | .11 | .12 | | | 5.15 | 4.74 |
| Q | .26 | .21 | | | 13.2 | 10.4 |
| RD1 | .14 | .15 | | | 4.89 | 4.57 |
| RE2 | .29 | .21 | | | 3.15 | 4.74 |
| RP1 | .19 | .21 | | | 4.89 | 4.57 |
| SH1 | .06 | .05 | | | 9.37 | 12.10 |
| SOC | .08 | .07 | | | 7.38 | 8.08 |
| SSA | .15 | .14 | | | 4.79 | 5.01 |
| SXF | .12 | .11 | | | 6.14 | 6.80 |
| TC1 | .06 | .06 | | | 9.82 | 9.55 |
| TD1 | .04 | .03 | | | 12.46 | 16.50 |
| TS1 | .08 | .08 | | | 9.82 | 9.55 |
| WB2 | .13 | .13 | | | 5.37 | 5.43 |
| WAA | .19 | .16 | | | 3.81 | 4.23 |
| WBB | .17 | .14 | | | 3.36 | 3.84 |
| WC1 | .07 | .06 | | | 11.24 | 13.45 |
| WPT | .19 | .15 | | | 3.16 | 3.69 |
| WV1 | .07 | .06 | | | 11.24 | 13.45 |
| XHS | | | | | | |
| YN1 | .18 | .14 | | | 5.38 | 6.92 |

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

| SOIL TYPE | OPTIMAL / ROTATION (chart) | ACTUAL / ROTATION (field) | * ACRES PER SOIL TYPE (field) | * RATE PER ACRE (chart) | = TOTAL DIVERSION RATE |
|-----------|----------------------------|---------------------------|-------------------------------|-------------------------|------------------------|
| D42 | / | | * 42 | * .04 | = 1.68 CFS |
| TS1 | / | | * 40 | * .08 | = 3.20 CFS |
| | / | | * | * | = 4.88 cfs |
| | / | | * | * | = CFS |

TOTAL ACRES 82

DECREED RATE =
CLAIMED DIVERSION RATE = 1.6 + 2.4 = 4.00 cfs
MEASURED DIVERSION RATE =

| USE PERIOD | DIVERSION | DIVERSION |
|------------|-----------|-----------|
| FROM | TO | RATE |
| ----- | ----- | ----- |
| 04-01 | 11-01 | 2.40 CFS |

TOTAL DIVERSION: 2.40 CFS

Stage: STATUTORY CLAIM

SH SE

St

| | NENE | NANE | SANE | SENE | NENW | NANW | SWNW | SENW | NESW | NWSW | SWSW | SESW | NESE | NHSE | SHSE | SESE | SUM |
|-------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-----|
| T | lt | Ac | lt | Ac | lt | Ac | lt | Ac | lt | Ac | lt | Ac | lt | Ac | lt | Ac | lt |
| R | lt | Ac | lt | Ac | lt | Ac | lt | Ac | lt | Ac | lt | Ac | lt | Ac | lt | Ac | lt |
| S | lt | Ac | lt | Ac | lt | Ac | lt | Ac | lt | Ac | lt | Ac | lt | Ac | lt | Ac | lt |
| 14N | 19E | 15 | 05 | 15 | | | | | | | | | 35 | 10 | 15 | | |
| TOTAL ACRES | | | | | | | | | | | | | | | | | |
| 80.0 | | | | | | | | | | | | | | | | | |
| 80.0 | | | | | | | | | | | | | | | | | |

Other Water Rights Listing Overlapping Place(s) of use:

| | | | | | |
|----------|----------|----------|----------|----------|----------|
| 72-00005 | 72-00057 | 72-02085 | 72-04138 | 72-04140 | 72-04150 |
|----------|----------|----------|----------|----------|----------|

Remarks: TRIB. CLAIMED AS PHELPS' SLOUGH; USGS MAP SHOWS CHALLIS CR.

| | | | |
|--------|----------------|----------------|------------|
| Dates: | App. Received: | Priority Date: | 04/01/1937 |
|--------|----------------|----------------|------------|

| | |
|-----------------|--------------------|
| Proof Due Date: | Proof Made Date: |
| Exam Made Date: | Exam Sent to S.O.: |

Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 00/00/00

PAGE: 1
GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:37:32
05/27/95
37
CLAIM NUMBER: A72-04139

LAST: MAHONEY JR
ADDRESS: 1200 S OCEAN BLVD
CITY: PALM BEACH
PHONE NUMBER: 407-832-5566
STATE: FL ZIP: 33480

OWNER CODE: C

LAST: CHIVERS
ADDRESS: HC 63 BOX 1771
CITY: CHALLIS
PHONE NUMBER: 208-879-4407
STATE: ID ZIP: 83226

OWNER CODE: 0

LAST: CHIVERS
ADDRESS: HC 63 BOX 1771
CITY: CHALLIS
PHONE NUMBER: 208-879-4407
STATE: ID ZIP: 83226

OWNER CODE: 0

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

CLAIM REMARKS: SOURCES FOR THIS RIGHT ARE COMMINGLED.

ADDRESS CHANGE 5/3/94 BY JG.
CHANGED ADDRESSES TO MATCH FOR MAILING PURPOSES ONLY 3/27/95 DMS

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: # A72-04139 PRIORITY DATE: 04-01-1937 STAGE: J

B. WR RECORD: # 72-04139 PRIORITY DATE: 04-01-1937 STAGE: S

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:

REVIEWED BY

DATE

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | 1/4 | LOT | FLAG | POD | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-----------|-----------|------|-----|-----|-----|-----|-----|------|-----|--------|----------------|------------------|
| A72-04139 | 14N | 19E | 15 | NE | SW | SE | | | | CUSTER | | |

OTHER AJ CLAIMS WITH SAME AJ POD

MR RECORDS IN SAME 40 ACRE TRACT

A PREFIX
A72-00005 R PREFIX
A72-10430 R72-00005
A72-10437 72-07523
72-07524

SOURCE: WASTE WATER
SPRINGS

TRIB: CHALLIS CREEK
CHALLIS CREEK

B. MR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | 1/4 | LOT | FLAG | POD | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|----------|-----------|------|-----|-----|-----|-----|-----|------|-----|--------|----------------|------------------|
| 72-04139 | 14N | 19E | 15 | SW | SE | | | | | CUSTER | | |

OTHER MR RECORDS WITH SAME MR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

72-07523
72-07524
A72-00005
A72-10430
A72-10437 R72-00005

SOURCE: WASTE WATER

TRIB: CHALLIS CREEK

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()

1. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

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 (____)

| TPP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD | FLAG | COUNTY | DIVERSION NAME | DIVERSION NBR |
|------|------|------|-----|-----|-----|-----|-----|------|--------|----------------|---------------|
| 14N | 19E | 15 | NE | SW | SE | | | | CUSTER | | |

SOURCE: _____

TRIB: _____

REVIEWED BY:

DATE: _____

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

A. ROOT WATER RIGHT NUMBERS:

| | |
|-----------|--|
| A72-04139 | |
| A72-10430 | |
| A72-10437 | |
| R72-04139 | |
| R72-10430 | |
| R72-10437 | |

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-----|-----|-----|-----|-----|-----|----------------------|-------------------|---------------|-----------------|----------------|------------------|
| 14N | 19E | 14 | SW | NW | | MAHONEY JR, DANIEL J | A72-04139 / 35.0 | - | / | | 41.0 |
| | | | SW | NW | | MAHONEY JR, DANIEL J | A72-00005 / 35.0 | - | / | | |
| | | | SW | NW | | MAHONEY JR, DANIEL J | A72-041388 / 35.0 | - | / | | |
| | | | SW | NW | | MAHONEY JR, DANIEL J | R72-00005 / 35.0 | - | / | | |
| | | | SW | NW | | MAHONEY JR, DANIEL J | R72-041388 / 35.0 | - | / | | |
| | | | SW | NW | | MAHONEY JR, DANIEL J | R72-04139 / 35.0 | - | / | | |
| | | | SW | NW | | CHIVERS, JOHN B. | 72-04138 / 35.0 | | / | | |
| 14N | 19E | 14 | SE | NW | | MAHONEY JR, DANIEL J | A72-04139 / 20.0 | - | / | | |
| | | | SE | NW | | MAHONEY JR, DANIEL J | A72-00005 / 20.0 | - | / | | |
| | | | SE | NW | | MAHONEY JR, DANIEL J | A72-041388 / 20.0 | - | / | | |
| | | | SE | NW | | MAHONEY JR, DANIEL J | R72-00005 / 20.0 | - | / | | |
| | | | SE | NW | | MAHONEY JR, DANIEL J | R72-041388 / 20.0 | - | / | | |
| | | | SE | NW | | MAHONEY JR, DANIEL J | R72-04139 / 20.0 | - | / | | |
| | | | SE | NW | | CHIVERS, JOHN B. | 72-04138 / 20.0 | | / | | |
| 14N | 19E | 14 | NE | SW | | MAHONEY JR, DANIEL J | A72-04139 / 35.0 | - | / | | 40.0 |
| | | | NE | SW | | MAHONEY JR, DANIEL J | A72-00005 / 35.0 | - | / | | |
| | | | NE | SW | | MAHONEY JR, DANIEL J | A72-041388 / 35.0 | - | / | | |
| | | | NE | SW | | MAHONEY JR, DANIEL J | R72-00005 / 35.0 | - | / | | |
| | | | NE | SW | | MAHONEY JR, DANIEL J | R72-041388 / 35.0 | - | / | | |
| | | | NE | SW | | MAHONEY JR, DANIEL J | R72-04139 / 35.0 | - | / | | |
| | | | NE | SW | | CHIVERS, JOHN B. | 72-04138 / 35.0 | | / | | |
| 14N | 19E | 14 | NW | SW | | MAHONEY JR, DANIEL J | A72-04139 / 40.0 | - | / | | 36.0 |
| | | | NW | SW | | MAHONEY JR, DANIEL J | A72-00005 / 40.0 | - | / | | |
| | | | NW | SW | | MAHONEY JR, DANIEL J | A72-041388 / 40.0 | - | / | | |
| | | | NW | SW | | MAHONEY JR, DANIEL J | R72-00005 / 40.0 | - | / | | |
| | | | NW | SW | | MAHONEY JR, DANIEL J | R72-041388 / 40.0 | - | / | | |
| | | | NW | SW | | MAHONEY JR, DANIEL J | R72-04139 / 40.0 | - | / | | |
| | | | NW | SW | | CHIVERS, JOHN B. | 72-04138 / 40.0 | | / | | |
| 14N | 19E | 14 | SW | SW | | MAHONEY JR, DANIEL J | A72-04139 / 40.0 | - | / | | 40.0 |
| | | | SW | SW | | MAHONEY JR, DANIEL J | A72-00005 / 40.0 | - | / | | |

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | MR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES | | |
|-----|-----|-----|-----|-----|-----|------------------------|-------------------|---------------|-----------------|----------------|------------------|--|--|
| 14N | 19E | 15 | SM | SM | | MAHONEY JR, DANIEL J | A72-041388 / 40.0 | - | / | | | | |
| | | | SM | SM | | MAHONEY JR, DANIEL J | R72-00005 / 40.0 | - | / | | | | |
| | | | SM | SM | | MAHONEY JR, DANIEL J | R72-041388 / 40.0 | - | / | | | | |
| | | | SM | SM | | MAHONEY JR, DANIEL J | R72-04139 / 40.0 | - | / | | | | |
| | | | SM | SM | | CHIVERS, JOHN B. | | 72-04138 | / | 40.0 | | | |
| | | | SM | SM | | | | | | | | | |
| | | | SM | SM | | MAHONEY JR, DANIEL J | A72-04139 / 5.0 | 72-04139 | / | 5.0 | | | |
| | | | SM | SM | | BENDER, BEATRICE E | A72-10430 / 2.0 | - | / | | | | |
| | | | SM | SM | | BENDER, BEATRICE E | A72-10364 / | - | / | | | | |
| | | | SM | SM | | BREEDLOVE, BARBARA C | A72-10438 / | - | / | | | | |
| 14N | 19E | 15 | SM | SM | | MAHONEY JR, DANIEL J | A72-00005 / 5.0 | - | / | | | | |
| | | | SM | SM | | MAHONEY JR, DANIEL J | A72-041388 / 5.0 | - | / | | | | |
| | | | SM | SM | | MAHONEY JR, DANIEL J | R72-00005 / 5.0 | - | / | | | | |
| | | | SM | SM | | MAHONEY JR, DANIEL J | R72-041388 / 5.0 | - | / | | | | |
| | | | SM | SM | | MAHONEY JR, DANIEL J | R72-04139 / 5.0 | - | / | | | | |
| | | | SM | SM | | MAHONEY JR, DANIEL J | R72-10364 / | - | / | | | | |
| | | | SM | SM | | BENDER, BEATRICE E | R72-10438 / | - | / | | | | |
| | | | SM | SM | | BREEDLOVE, BARBARA C | A72-10437 / 5.0 | - | / | | | | |
| | | | SM | SM | | | | | | | | | |
| | | | SM | SM | | MAHONEY JR, DANIEL J | A72-04139 / 40.0 | 72-04139 | / | 15.0 | | | |
| 14N | 19E | 15 | SE | SE | | MAHONEY JR, DANIEL J | A72-00005 / 40.0 | 72-00005 | / | | | | |
| | | | SE | SE | | MAHONEY JR, DANIEL J | A72-041388 / 40.0 | - | / | | | | |
| | | | SE | SE | | MAHONEY JR, DANIEL J | R72-00005 / 40.0 | - | / | | | | |
| | | | SE | SE | | MAHONEY JR, DANIEL J | R72-041388 / 40.0 | - | / | | | | |
| | | | SE | SE | | MAHONEY JR, DANIEL J | R72-041388 / 40.0 | - | / | | | | |
| | | | SE | SE | | MAHONEY JR, DANIEL J | R72-04139 / 40.0 | - | / | | | | |
| | | | SE | SE | | | | | | | | | |
| | | | SE | SE | | MAHONEY JR, DANIEL J | A72-04139 / 35.0 | 72-04139 | / | 35.0 | | | |
| | | | SE | SE | | MAHONEY JR, DANIEL J | A72-00005 / 35.0 | 72-00005 | / | | | | |
| | | | SE | SE | | MAHONEY JR, DANIEL J | A72-041388 / 35.0 | - | / | | | | |
| 14N | 19E | 15 | NE | SE | | MAHONEY JR, DANIEL J | A72-04139 / 35.0 | 72-04139 | / | 35.0 | | | |
| | | | NE | SE | | MAHONEY JR, DANIEL J | A72-00005 / 35.0 | 72-00005 | / | | | | |
| | | | NE | SE | | MAHONEY JR, DANIEL J | A72-041388 / 35.0 | - | / | | | | |
| | | | NE | SE | | MAHONEY JR, DANIEL J | R72-00005 / 35.0 | - | / | | | | |
| | | | NE | SE | | MAHONEY JR, DANIEL J | R72-041388 / 35.0 | - | / | | | | |
| | | | NE | SE | | MAHONEY JR, DANIEL J | R72-041388 / 35.0 | - | / | | | | |
| | | | NE | SE | | MAHONEY JR, DANIEL J | R72-04139 / 35.0 | - | / | | | | |
| | | | NE | SE | | CHIVERS, JOHN B. | | 72-04138 | / | 10.0 | | | |
| | | | NE | SE | | | | | | | | | |
| | | | NE | SE | | | | | | | | | |
| 14N | 19E | 15 | SM | SE | | MAHONEY JR, DANIEL J | A72-04139 / 10.0 | 72-04139 | / | 10.0 | | | |
| | | | SM | SE | | GINI DITCH COMPANY INC | A72-10480 / 10.0 | - | / | | | | |
| | | | SM | SE | | GINI DITCH COMPANY INC | A72-10481 / 10.0 | - | / | | | | |
| | | | SM | SE | | GINI DITCH COMPANY INC | R72-10480 / 10.0 | - | / | | | | |
| | | | SM | SE | | GINI DITCH COMPANY INC | R72-10481 / 10.0 | - | / | | | | |
| | | | SM | SE | | GINI DITCH COMPANY INC | A72-10482 / 10.0 | - | / | | | | |
| | | | SM | SE | | MAHONEY JR, DANIEL J | A72-00005 / 10.0 | - | / | | | | |
| | | | SM | SE | | MAHONEY JR, DANIEL J | A72-041388 / 10.0 | - | / | | | | |
| | | | SM | SE | | MAHONEY JR, DANIEL J | R72-00005 / 10.0 | - | / | | | | |
| | | | SM | SE | | MAHONEY JR, DANIEL J | R72-041388 / 10.0 | - | / | | | | |
| 14N | 19E | 15 | SM | SE | | MAHONEY JR, DANIEL J | R72-04139 / 10.0 | - | / | | | | |
| | | | SM | SE | | GINI DITCH COMPANY INC | R72-10482 / 10.0 | - | / | | | | |
| | | | SM | SE | | SHANNON, MICHAEL D | 72-00057 | / | | | | | |
| | | | SM | SE | | PIVA, MARION | 72-02085 | / | 5.0 | | | | |
| | | | SM | SE | | | | | | | | | |
| | | | SM | SE | | | | | | | | | |
| | | | SM | SE | | | | | | | | | |
| | | | SM | SE | | | | | | | | | |
| | | | SM | SE | | | | | | | | | |
| | | | SM | SE | | | | | | | | | |

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-----|-----|-----|-----|-----|-----|----------------------|-------------------|-----------------|-----------------|----------------|------------------|
| | | | | | | GINI DITCH ASSOC. | | 72-04150 / 14.0 | | | |
| | | | NM | SE | | PIVA, ROBERT A | | 72-07479 / | | | |
| | | | NM | SE | | PIVA, ROBERT A | | 72-07523 / 7.0 | | | |
| 14N | 19E | 15 | SE | SE | | MAHONEY JR, DANIEL J | A72-04139 / 25.0 | 72-04139 / 15.0 | | | 40.0 |
| | | | SE | SE | | MAHONEY JR, DANIEL J | A72-00005 / 25.0 | 72-00005 / | | | |
| | | | SE | SE | | MAHONEY JR, DANIEL J | A72-04138B / 25.0 | - / | | | |
| | | | SE | SE | | MAHONEY JR, DANIEL J | A72-04140 / 6.0 | 72-04140 / 6.0 | | | |
| | | | SE | SE | | MAHONEY JR, DANIEL J | R72-00005 / 25.0 | - / | | | |
| | | | SE | SE | | MAHONEY JR, DANIEL J | R72-04138B / 25.0 | - / | | | |
| | | | SE | SE | | MAHONEY JR, DANIEL J | R72-04139 / 25.0 | - / | | | |
| | | | SE | SE | | MAHONEY JR, DANIEL J | R72-04140 / 6.0 | - / | | | |
| | | | SE | SE | | CHIVERS, JOHN B. | | 72-04138 / 25.0 | | | |

ADDITIONAL POU FOUND

| | | | | |
|-------------|-----------|--------|-------|--------|
| TOTAL ACRES | A72-04139 | 285.00 | 80.00 | 335.00 |
|-------------|-----------|--------|-------|--------|

POU COUNTRY: 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 |
|------------|---------------------|----------------------|-----------|----------------|-----------|----------------|
| A72-04139 | WASTE WATER SPRINGS | MAHONEY JR, DANIEL J | 2.400 | 0.008 | | |
| A72-00005 | WASTE WATER SPRINGS | MAHONEY JR, DANIEL J | 1.600 | 0.005 | | |
| R72-00005 | WASTE WATER SPRINGS | MAHONEY JR, DANIEL J | 1.600 | 0.005 | | |
| R72-04138B | WASTE WATER SPRINGS | MAHONEY JR, DANIEL J | 5.240 | 0.018 | | |
| A72-04138B | WASTE WATER SPRINGS | MAHONEY JR, DANIEL J | 6.000 | 0.021 | | |
| R72-04139 | WASTE WATER SPRINGS | MAHONEY JR, DANIEL J | 1.600 | 0.005 | | |

| CLAIM NO. | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|---------------------|------------------------|-----------|----------------|-----------|----------------|
| R72-04140 | WASTE WATER SPRINGS | MAHONEY JR, DANIEL J | 0.120 | 0.020 | | |
| A72-04140 | WASTE WATER SPRINGS | MAHONEY JR, DANIEL J | 0.700 | 0.116 | | |
| A72-10430 | SLOUGH | BENDER, BEATRICE E | 0.200 | 0.100 | | |
| A72-10437 | SLOUGH | BREEDLOVE, BARBARA C | 0.200 | 0.040 | | |
| A72-10480 | SALMON RIVER | GINI DITCH COMPANY INC | 120.000 | 0.041 | | |
| R72-10480 | SALMON RIVER | GINI DITCH COMPANY INC | 120.000 | 0.041 | | |
| A72-10481 | SALMON RIVER | GINI DITCH COMPANY INC | 67.000 | 0.022 | | |
| R72-10481 | SALMON RIVER | GINI DITCH COMPANY INC | 67.000 | 0.022 | | |
| R72-10482 | SALMON RIVER | GINI DITCH COMPANY INC | 25.300 | 0.008 | | |
| A72-10482 | SALMON RIVER | GINI DITCH COMPANY INC | 25.300 | 0.008 | | |

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

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|----------|----------------------|---------------------|-----------|--------|
| A72-10364 | DOMESTIC | BENDER, BEATRICE E | FROM 01-01 TO 12-31 | 0.040 CFS | |
| A72-10438 | DOMESTIC | BREEDLOVE, BARBARA C | FROM 01-01 TO 12-31 | 0.040 CFS | |
| R72-10364 | DOMESTIC | BENDER, BEATRICE E | FROM 01-01 TO 12-31 | 0.040 CFS | |
| R72-10438 | DOMESTIC | BREEDLOVE, BARBARA C | FROM 01-01 TO 12-31 | 0.040 CFS | |

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A72-04138, A72-00005

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()

() NAPP, IDMR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

TOTAL ACRES: _____ **N/A(____)**

REVIEWED BY:

DATE: _____

A. AJ CLAIMED USES:

| PURPOSE OF USE | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A72-04139 IRRIGATION | FROM 04-01 TO 11-01 | 2.400 CFS | |
| TOTAL DIVERSION RATE/VOLUME | | 2.400 CFS | |

B. WR RECORDED USES:

| PURPOSE OF USE | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 72-04139 IRRIGATION | FROM 04-01 TO 11-01 | 2.400 CFS | |
| TOTAL DIVERSION RATE/VOLUME | | 2.400 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.
Y() N()
- E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?
Y() N()
- F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDMR STANDARDS?
Y() N()
- G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDMR STANDARDS?
Y() N()
* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDMR 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: _____

AJ CLAIM TOTAL DIVERSION RATE: 2.400 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.400 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)

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()

1b. CALCULATIONS

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 = 712.5 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 ()

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

| REC.
PURPOSE OF USE | REC. PERIOD | | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|------------------------|-------------|-------|----------------------------|-----------------------|----------------------------|
| | FROM | TO | | | |
| IRRIGATION | 04-01 | 11-01 | DATABASE EXAMINER
2.400 | DATABASE EXAMINER | DATABASE EXAMINER
712.5 |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| TOTAL FOR THIS RIGHT | | | 2.400 | | 712.5 |

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 _____
FOREFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

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

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-04139
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.400

EXAMINER

CFS

SPLITS:

| OLD RIGHT NUMBERS | CURRENT CLAIM NUMBERS | DIVERSION RATE | CURRENT "R" CLAIM NUM. | "R" DIV. RATE | WR RIGHT NUMBERS | DIVERSION RATE |
|-------------------|-----------------------|----------------|------------------------|---------------|------------------|----------------|
| A72-04139 | R72-04139 | 1.600 | R72-04139 | 1.600 | 72-04139 | 2.400 |
| A72-04139 | R72-1043D | 0.200 | R72-10430 | 0.200 | 72-04139 | 2.400 |
| A72-04139 | R72-10437 | 0.200 | R72-10437 | 0.200 | 72-04139 | 2.400 |
| | R72-04139 | 1.600 | R72-04139 | 1.600 | 72-04139 | 2.400 |

TOTAL CFS

3.600

3.600

2.400

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 N 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
TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION COPY INCLUDED IN FILE?

| | | | |
|---------------------------------------|--------------------|-------------|-----------|
| () 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 | Y | | | | | | | |
| POINT OF DIV | | | | | | | | |
| SOURCE | Y | | | | | | | |
| PLACE OF USE | Y | | | | | | | |
| DIV. AMOUNT
CFS/VOLUME | | | | | | | | |
| CONSUMPTIVE USE | - | | | | | | | |
| PURPOSES OF USE | | | | | | | | |
| PERIOD OF USE | | | | | | | | |
| BASIS OF CLAIM | Y | | | | | | | |
| REMARKS | Y | | | | | | | |

BARCODE UPDATED
WHOM/DATE

CLAIM NUMBER: A72-04139

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|------------------|---------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C | DANIEL J MAHONEY JR | 04/01/1937 | IRRIGATION | 04-01 11-01 | 2.40 CFS | |
| TOTAL DIVERSION: | | | | | 2.40 CFS | 712.50 AFA |
| CONSUMPTIVE USE: | | | | | | |

Water Source: WASTE WATER
SPRINGS

Tributary to: CHALLIS CREEK
CHALLIS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T14N R19E S15

NESWSE

CUSTER County

| Place of use Legal Description for: IRRIGATION | | | | | | | | | | | |
|--|-----|----|----|----|----|----|----|----|----|----|-------|
| NE | | | NW | | | SW | | | SE | | |
| T | R | S | NE | SE | NW | SW | NE | SE | NW | SW | SUM |
| 14N | 19E | 14 | 05 | 40 | 35 | 20 | 35 | 40 | 40 | 35 | 170.0 |
| 14N | 19E | 15 | 05 | 40 | 35 | 20 | 35 | 40 | 40 | 35 | 115.0 |
| TOTAL ACRES | | | | | | | | | | 25 | 285.0 |

POU County: CUSTER

Other Rights: A72-04138, A72-00005

Remarks: SOURCES FOR THIS RIGHT ARE COMMINGLED.

ADDRESS CHANGE 5/3/94 BY JG.
CHANGED ADDRESSES TO MATCH FOR MAILING PURPOSES ONLY 3/27/95 DMS

Dates: Exam Made Date: Verified Date:
Misc: Water District Number: 72C Field Inspection Flag:
Presumption Flag:

R PROOF



CVR

MAPS

PHOTOS

MISC

MICROFILMED

MAR 18 1993

Water Right Number - R72-04139

Prefix Translation:

RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
MAHONEY, JR.

DANIEL J.

1 - 375 SOUTH COUNTRY RD.
2 -
3 -
City - PALM BEACH
Phone - 407-832-5566

State- FL Zip- 33480

*** O - ORIGINAL OWNER ***
CHIVERS

GARTH T.

1 - HC 63 BOX 1771
2 -
3 -

State- ID Zip- 83226

CHIVERS

GLENIS M.

City - CHALLIS
Phone - 208-879-4407
1 - HC 63 BOX 1771
2 -
3 -

State- ID Zip- 83226

Priority Date - - -
04/01/1937

Region - - -
17 SOUTHERN

Stage - - -
J - BENEFICIAL USE

Status - - -

Source - - -
WASTE WATER
SPRINGS

Tributary - - -
CHALLIS CREEK
CHALLIS CREEK

Point of Diversion - - -
Twn Rng Sec Tract Lot RFlg County
14N 19E 15 NE SW SE (37) CUSTER

Code Description Period from Period to Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 2.400

Total Div. Rate - - - Total Div. Volume - - -
~~2.400~~ 1.6 712.5

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Code | Description | County |
|-----|-----|-----|-------|-----|-------|---------------|------|-------------|--------|
| 14N | 19E | 14 | SW NW | | 35.0 | 01 IRRIGATION | (37) | CUSTER | |
| 14N | 19E | 14 | SE NW | | 20.0 | 01 IRRIGATION | (37) | CUSTER | |
| 14N | 19E | 14 | NE SW | | 35.0 | 01 IRRIGATION | (37) | CUSTER | |
| 14N | 19E | 14 | NW SW | | 40.0 | 01 IRRIGATION | (37) | CUSTER | |
| 14N | 19E | 14 | SW SW | | 40.0 | 01 IRRIGATION | (37) | CUSTER | |
| 14N | 19E | 15 | SW NE | | 5.0 | 01 IRRIGATION | (37) | CUSTER | |
| 14N | 19E | 15 | SE NE | | 40.0 | 01 IRRIGATION | (37) | CUSTER | |
| 14N | 19E | 15 | NE SE | | 35.0 | 01 IRRIGATION | (37) | CUSTER | |
| 14N | 19E | 15 | NW SE | | 10.0 | 01 IRRIGATION | (37) | CUSTER | |

MICROFILMED
MAR 18 1993

Water right number - R72-04139

Prefix Translation: RESEARCH

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|-------------|
| 14N | 19E | 15 | SE SE | | 25.0 | 01 | IRRIGATION | (37) CUSTER |

Total Acres: 285.0

- - - Diversion Means - HEADGATE, DITCHES

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - 72-04138 & 72-00005

REMARKS
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF _____ CFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF _____ AF, AND TO THE IRRIGATION
OF A COMBINED TOTAL OF _____ ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00005 & 72-042388. ~~72-04139~~
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHT IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00005.

*Claimed in
WR 72-04139*

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

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

+ - - - - Decree Plaintiff - - - - - + - - - - Decree Defendant - - - - - + - - - - Decree Date - - - - -
00/00/0000

+ - - - - Comments - - - - -
Date: 06/12/1992 User Id: GIVENS Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP RECEIVED 6/8/92 ORIGINAL OWNER GARTH T. &/OR GLENIS CHIVERS NEW OWNER DANIEL J. MAHONEY, JR. COPY OF WARRANTY
DEED SUBMITTED WITH FORM.
Date: 01/12/1993 User Id: WORSTELL Subject: COPIED FROM REMARKS
SOURCES FOR THIS RIGHT ARE COMMINGLED.

+ - - - - Audit Fields - - - - -
01/12/93 WORSTELL

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

| Court Report Filing | Field Inspection Made | Civil Case Number |
|----------------------|-----------------------|-----------------------|
| - 00/00/0000 | - 00/00/0000 | - 39576 |
| Objection Filed Date | Field Inspection Flag | Old Case Number |
| - 00/00/0000 | - | - |
| Response Filed Date | Verified Date | Old Judicial District |
| - 00/00/0000 | - 04/20/1992 | - P |
| Claim Received Date | Last Amended Date | Temporary Right |
| - 00/00/0000 | - | - |
| Receipt Number | Water District | |
| - M005279 | - | - |

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MAR 18 1993

AJ0743NP
(OD-124)

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

01/12/93 11:58:37
Page 3

Water right number - R72-04139

Prefix Translation: RESEARCH

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

| POU Ownership Flag | - Y | Federal/State Indicator - S |
|--------------------|----------|-----------------------------|
| Name Connector | - AND/OR | Presumption Flag - |
| | | Notice of Error Flag - |

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