

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: **A72-04159D**
Date Received: 1/12/1990
Receipt No: X777777
Received By: _____

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

1. Name: SANDRA L TURNER 208-838-2361
Address: HC 67 BOX 692
CLAYTON ID 83227

Name: ROBERT G TURNER 208-838-2361
Address: HC 67 BOX 692
CLAYTON ID 83227

2. Date of Priority: MAY 24, 1888

3. Source: THOMPSON CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	16E	25	SE	NE			CUSTER

5. Description of diverting works:
ROCK CHECK DAM DELIVERING TO EARTHEN DITCHES

6. Water is used for the following purposes:

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

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

8. Total consumptive use is 78.7 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	16E	25	NE	SE		IRR	7.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	16E	25	SE	SE		IRR	1.0
						Section Acres	8.0
	17E	30	NE	SW		IRR	1.0
			NW	SW		IRR	9.5
			SW	SW		IRR	7.0
			SE	SW		IRR	1.0
						Section Acres	18.5
						Total Acres	26.5

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

A COPY OF THE POSTED NOTICE FROM THE CUSTER COUNTY RECORDER'S
OFFICE IS ATTACHED AS EXHIBIT B.

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: _____

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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 _____

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

FEBRUARY 16, 1994

R. KEITH HIGGINSON
Director

ROBERT G OR
SANDRA L TURNER
HC 67 BOX 692
CLAYTON ID 83227

RE: RENUMBERING FOR SRBA CLAIM NO. A72-04159B

DEAR MR. & MRS. TURNER,

PLEASE FIND ENCLOSED A COPY OF YOUR ADJUDICATION CLAIMS AS THEY NOW APPEAR IN OUR RECORDS. YOUR CLAIM PREVIOUSLY NUMBERED A72-04159B HAS BEEN RENUMBERED TO **A72-04159D**. ALSO A PORTION OF THE RIGHT YOUR CLAIM WAS BASED UPON HAS BEEN SPLIT TO OTHER OWNERS AS INDICATED BY WARRANTY DEED ISSUED BY CYPRUS THOMPSON TO THE PARTIES KALENIK-HOLMES-SHINDLEDECKER.

IF YOU HAVE ANY FURTHER CORRECTIONS OR QUESTIONS PLEASE CONTACT OUR OFFICE.

SINCERELY,

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

STEVE CLELLAND
WATER RESOURCE AGENT

ENC:
SCC

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NOV 01 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

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

AUG 09 1991

DATE OF CLOSING: 8-2-91

LEGAL DESCRIPTION OF PROPERTY: Township 11 North Range 16, 17 East Department of Water Resources
Section 25, 30 1/4 of SE, SW 1/4 of NE, NW 1/4, Govt. Lot 5, 6, BM. Southern Region Office
Lot _____, Block _____, Subdivision/Townsite _____
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: A 72-04159B
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): CYPRUS THOMPSON CREEK MINING CO.
P.O. Box 62
CLAYTON Idaho 83227
- ☐ New Owner/Claimant (Purchaser): Robert E. Turner + Sandra L. Turner
- ☐ New Mailing Address: HC 67 Box 692
CLAYTON, Idaho
83227
- ☐ New Telephone Number: (208) 838-2361

* 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:

10% was allotted to Holmes-Kalenik-Shindleacker
so the remaining portion will be retained here until further
resolved in the SRBA review. (See 2-16-94)

- ☐ Attach proof of ownership, describe proof attached: Deed + Description

(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): Robert E. Turner Date 8-7-91
Sandra L. Turner Date 8-7-91
- ☐ 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: 11/7/92By: AFB

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: 11/7/92By: AFB

Claim Numbers of Split, if any:

2-16-94 see

Correction to record
another split of ownership
off of part A72-4159B

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NOV 11 1994

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

COPY

SPECIAL WARRANTY DEED

RECEIVED

AUG 09 1991

Department of Water Resources

Southern Region Office

THIS INDENTURE, made effective the 2nd day of August 1991, is by and between CYPRUS MINES CORPORATION, a Delaware corporation, with an address of 9100 East Mineral Circle, P.O. Box 3299, Englewood, Colorado 80155 (hereinafter referred to as "Grantor"), and ROBERT E. TURNER AND SANDRA L. TURNER, whose address is H/C 67, Box 692, Clayton, Idaho 83227 (hereinafter referred to as "Grantee").

WITNESSETH:

THAT, Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to the said Grantor, in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, hereby conveys unto said Grantee, its successors and assigns forever, all the estate, right, title, interest, claim and demand whatsoever, of the said Grantor, whether in law or in equity, in and to that, certain property situated in the County of Custer, State of Idaho, more particularly described in the attached Exhibit "A".

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever, of the said Grantor, both in law and in equity, of, in and to the above described property, with the hereditaments and appurtenances, and except all rights-of-way, reservations, restrictions, easements, covenants and conditions of record.

TO HAVE AND TO HOLD, the above described premises with the appurtenances, unto said Grantee, its successors and assigns, forever; and the said Grantor for its successors and assigns does covenant and agree to and with the said Grantee's successors and assigns that it is lawfully seized in fee of the aforesaid property; that it has good right to sell and convey the same to Grantee as aforesaid; and that the before conveyed properties it will specially warrant and defend against its own acts and none others.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed by and through its duly authorized officers effective the date first above written.

CYPRUS MINES CORPORATION

0199803

Custer County Reg. of
Custer County Title

Time 4:09 P.M.

8-5-91
Ethel M. Peck, Clerk
Ethel M. Peck
\$ 9.00 Deputy

FUH
H3

By:

Kevin Loughrey
Kevin Loughrey
Senior Vice-President

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NOV 01 1994

CORPORATION ACKNOWLEDGEMENT - IDAHO

STATE OF COLORADO)
) ss.
COUNTY OF ARAPAHOE)

On this the 31st day of July in the year 1991 personally appeared Kevin Loughrey, known or identified to me to be the person who executed the above instrument on behalf of Cyprus Mines Corporation, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunder set my hand and affixed my official seal the day and year in this certificate first above written.



Pat Brady
Notary Public

9100 E. Mineral Circle

Englewood, Colorado 80112
Business Address

My Commission expires: 2-28-92

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NOV 01 1994

EXHIBIT "A"

A parcel of land located in U.S. Government Lot 5, Section 25, Township 11 North, Range 16 East, and U.S. Government Lot 6, Section 30, Township 11 North, Range 17 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Southeast Corner of said Section 25, a distance of 1171.18 feet on a bearing of North 0°00'00" East, along the section line; thence South 81°24'00" East, 26.36 feet to the REAL POINT OF BEGINNING,
thence South 81°24'00" East, 129.16 feet;
thence North 34°11'22" East, 909.16 feet;
thence South 74°45'03" East, 614.50 feet to a point on the east boundary of said Lot 6;
thence North 0°01'00" West, 914.15 feet to the North boundary of Lot 6;
thence South 89°42'03" West, 1257.27 feet to the West quarter corner of Section 30,
thence North 89°50'15" West, 270.25 feet;
thence South 25°15'00" East, 67.68 feet to the North-east corner of the Hutchison parcel;
thence the following courses and distances along the Hutchison parcel:
South 25°16'23" East, 75.89 feet;
South 4°51'39" East, 128.70 feet;
South 26°53'00" East, 163.50 feet;
South 72°43'00" East, 366.82 feet;
South 17°17'00" West, 237.50 feet;
North 72°43'00" West, 366.82 feet;
North 65°09'00" West, 153.81 feet to a point in
the center of Thompson Creek;
thence South 11°57'06" West, 18.74 feet along the center of Thompson Creek
to a point on the Adams Parcel;
thence the following courses and distance along the Adams Parcel:
South 65°09'00" East, 134.28 feet;
South 27°03'32" West, 114.71 feet;
North 63°31'38" West, 158.12 feet to the center of Thompson Creek;
thence South 15°47'55" West, 77.07 feet along the center of Thompson Creek;
thence South 10°09'51" West, 520.15 feet to a point tangent to a curve;
thence a distance of 62.57 feet along a curve concave to the Southeast having
a radial of South 79°50'09" East, 45.00 feet and a central angle 79°40'09";
thence North 89°50'00" East 83.00 feet;
thence a distance of 54.62 feet along a curve concave to the Southeast having a radial
of South 0°10'00" East, 35.00 feet and a central angle of 89°25'00";
thence South 0°45'00" East, 179.85 feet; thence South 81°24'00" East, 259.19 feet to the
North-west corner of the Cyprus lot; thence South 0°48'00" East, 180.91 feet to a point
on the North bank of the Salmon River; thence South 83°48'37" East, 128.85 feet along said
North bank of the Salmon River;
thence North 0°48'00" West, 189.79 feet to the REAL POINT OF BEGINNING.

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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

07-Jan-1992 11:54

ROBERT E. TURNER
SANDRA L. TURNER
HC 67 BOX 692
CLAYTON ID 83227

Re: Ownership Change for Adjudication Claim NO.(S): A72-04159^B
CYPRUS THOMPSON CREEK MINING CO.

Dear Claimant(s):

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

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy Givens', is written over the typed name.

Judy Givens
Adjudication Secretary

/jg

Enclosures

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NOV 01 1994

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

RECEIVED

JUN 13 1990

Ident. Number: A72-04159 ^B
Date Received: 1/12/1990
Receipt No: C013965
Received By: _____

Department of Water Resources
Southern Region Office

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

1. Name: CYPRUS THOMPSON CREEK MINING CO. 208-838-2200
Address: C/O BERT DOUGHTY
P.O. BOX 62
CLAYTON, ID 83227

2. Date of Priority: MAY 24, 1888

3. Source: THOMPSON CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	16E	25	SE	NE			CUSTER

5. Description of diverting works:
ROCK CHECK DAM DELIVERING TO EARTHEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	10.000		

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

8. Total consumptive use is 87.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11N	16E	25	NE	SE		IRR	7.0
			SE	SE		IRR	1.0

A72-04159 ^B

Page 1

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NOV 01 1994
Date: 05/22/90

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	8.0
	17E	30	NE	SW	IRR	1.0
			NW	SW	IRR	18.0
			SW	SW	IRR	7.0
			SE	SW	IRR	1.0
					Section Acres	27.0
					Total Acres	35.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

A COPY OF THE POSTED NOTICE FROM THE CUSTER COUNTY RECORDER'S
OFFICE IS ATTACHED AS EXHIBIT B.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

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NOV 01 1994

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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NOV 01 1994

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 72-4159 A72-04159BDate Received 1-12-90Receipt Number C013945

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JAN 12 1990

Department of Water Resources

Please type or print clearly

- Name of Claimant (s) Cyprus Thompson Creek Mining Company Phone (208) 838-2200
Mailing Address c/o Bert Doughty, P.O. Box 62, Clayton, ID Zip 83227
- Date of Priority (Only one (1) per claim) May 24, 1888
- Source of water supply (a) Thompson Creek
which is tributary to (b) Salmon River
- a. Location of existing point of diversion is: Township 11N. Range 16 E. Section 25,
1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of Custer
Additional points of diversion if any: None
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____
1/4, Govt. Lot _____ B.M., County of _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Rock check dam delivering to
earthen ditches.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from April 1 to Nov. 1 amount 10.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 10.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 87.5 acre feet per annum.

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11	N.17	E.30									1	18	7	1					27
11	N.16	E.25													7			1	8

Total number of acres irrigated 35

11. In which county (ies) are lands listed above as place of use located? Custer

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: A copy of the posted notice from the Custer County Recorder's
Office is attached as Exhibit B.

Last Name Cyprus Ident No. _____

Copies: White -State, Yellow-Claimant

See Exhibit A

[illegible]

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☒ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 72-4159

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 1

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Patrick H. Fitch, Vice President, General

Title Manager

of Cyprus Thompson Creek Mining Company, that I have signed the foregoing

Organization

document in the space below as Vice President, General of Cyprus

Title Manager

Organization

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

Signature of Authorized Agent Patrick H Fitch

Title and Organization Vice President, General Manager Date 11/17/89

State of Idaho/or _____)

County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 17th day of November, 19 89

SEAL

Notary Public Bonnie Whitman

Residing at Challis, Idaho

My Commission Expires December 22, 1992

Please Print Name Bonnie Whitman

17. Notice of Appearance:

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

Signature Scott L. Campbell

Elam, Burke and Boyd

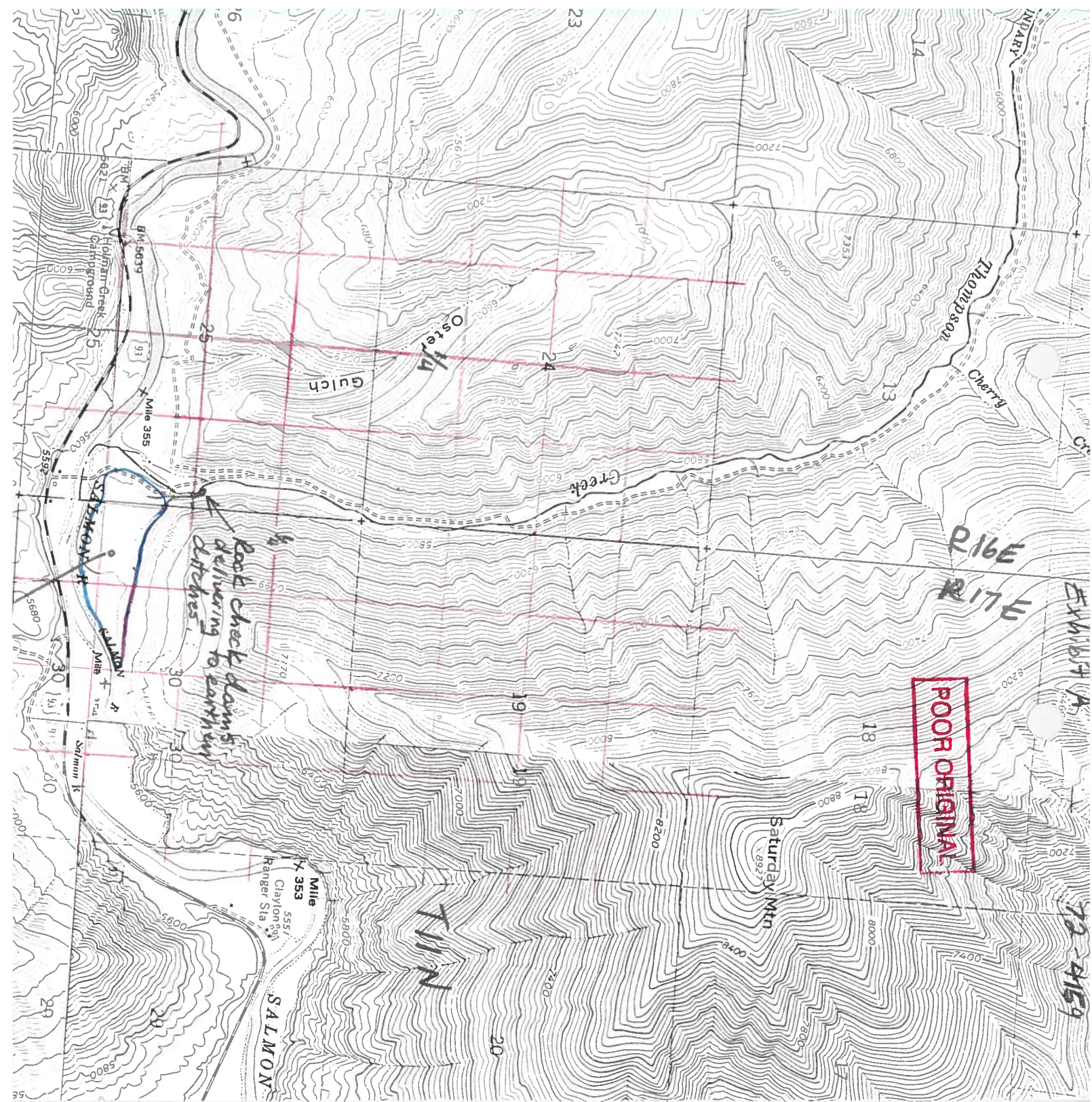
Address P.O. Box 1539, Boise, Idaho 83701

Date January 11, 1990

Last Name Cyprus Ident. Number _____

Copies White-State, Yellow-Claimant

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NOV 01 1990



Notice of Water Right.

Notice is hereby given to all whom it may concern that J. Albert L. Small a citizen of the United States over the age of twenty one years have this day located. Five 300 Hundred inches of water for farming purposes. Situated about one mile above the mouth of Thompson Creek. The said Thompson Creek is about seven miles up the Salmon River from the town of Blayton, in the County of Luster Territory of Idaho.

Located this 24th day of May A.D. 1888.

Locator, Albert L. Small.

Territory of Idaho
County of Luster.

I, Albert L. Small do solemnly swear that I am acquainted with the Water Right described in the Notice of Location, and that the water claimed therein described or any part thereof, has not to the best of my knowledge and belief, been heretofore located according to the laws of the United States and of this Territory, or so located that the same has been abandoned or forfeited by reason of the failure of such former locator to comply in respect thereto with the requirements of said laws. Subscribed and sworn to before me this 24th day of May A.D. 1888.

Albert L. Small.

J. R. Papworth,
Justice of the Peace.

Filed for record this 18th day of June A.D. 1888, at 10 minutes past 2 o'clock A.M. and duly recorded in Book "A" of Water Rights, at page 42155. Records of the County of Luster Territory of Idaho.

J. H. Jones,
Co. Recorder.

NOV 01 1894

CLAIM # A72-04159 *B*

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

Evidence on micro fiche Claim # 72-04159

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NOV 01 1994



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

A72-04159 ^B
ROBERT G. TURNER
SANDRA L. TURNER
HC 67 BOX 692
CLAYTON

ID 83227

Letter not sent

RE: Evidence of Priority

RESPONSE DEADLINE

MAY 1, 1992

Dear Claimant:

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

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

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

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

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

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NOV 01 1994



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

24-Mar-1992

SANDRA L. TURNER
ROBERT G. TURNER
HC 67 BOX 692
CLAYTON ID 83227

RE: Snake River Basin Adjudication (SRBA)
Custer County - #A72-04159
Identification Number Change

Dear Claimants:

The Identification Number of your Notice of Claim to a Water Right has been changed from A72-04159 to A72-04159B. The suffix has been added in order to distinguish your claim from other claims that may claim a portion of the same original water right. This change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new Identification Number. Refer to this record number in any future inquiries or correspondence.

Sincerely,


Jeanie Robertson
Records Clerk

/jr
Enclosures:
Claim A72-04159B

MICROFILMED
NOV 01 1994

SD-62
MODIFY CLAIM

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 07/20/92
Time: 11:03:48

Water Right Number: A72-04159

FIRST PAGE

13. Remarks: A COPY OF THE POSTED NOTICE FROM THE CUSTER COUNTY RECORDER'S
OFFICE IS ATTACHED AS EXHIBIT B.

OWNERSHIP CHANGE 1/7/92 BY JG.

THIS CLAIM HAS BEEN RENUMBERED TO A72-04159B, BECAUSE THERE WAS
ANOTHER CLAIM FILED FOR A PORTION OF THIS RIGHT.

THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:

A72-04159A - D. ELGAN, 7.8 ACRES, 1.0 CFS

A72-04159B - R. TURNER, 35 ACRES, 10 CFS.

THIS RIGHT HAS BEEN OVER CLAIMED. ALB 3-23-92

(GOLD2=Update) (GOLD4=Prev Screen) (GOLD6=End of Data) (Enter=Exit)
(GOLD3=Add Std Rmk) (GOLD5=Next Screen) (GOLD7=Copy to Comments) (GOLD8=Cancel)

MICROFILMED
NOV 01 1994

SD-49
MODIFY CLAIM

Idaho Department of Water Resources
Adjudication Names Screen

Date: 01/07/92
Time: 11:13:57

Water Right Number: A72-04159

FIRST PAGE

Owner Codes:	O	Original Owner	P	Present Owner	L	Lien Holder
	C	Current Owner	R	Representative	A	Attorney of Record
	K	Also Known As	S	Lessee	T	Trustee

Last: CYPRUS THOMPSON CREEK MINING CO. First: _____
Address: C/O BERT DOUGHTY P.O. BOX 62
City: CLAYTON
State: ID Zip: 83227 Phone: (208) 838-2200
Owner Code: C

Name Connector: _____

Last: CAMPBELL First: SCOTT L.
Address: ELAM, BURKE AND BOYD P.O. BOX 1539
City: BOISE
State: ID Zip: 83701 Phone: (208) -
Owner Code: A

(GOLD2=Update) (GOLD4=Prev Screen) (GOLD6=End of Data) (Enter=Exit)
(GOLD5=Next Screen) (GOLD8=Cancel)

* Note - I talked to Mrs. Turner, New Applicants, she said to take Mr. Scott Campbell off as he was not their attorney. 1/7/92 11:00 am JG

MICROFILMED
NOV 01 1994

November 20, 1998

NOTICE OF ERROR
REPLY

RECEIVED
RECEIVED
DEC 21 1998
Department of Water Resources
Department of Water Resources
Southern Region

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

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

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

Water right number: 72-04159D

ROBERT G TURNER
SANDRA L TURNER
HC 67 BOX 692
CLAYTON ID 83227

ROBERT E. TURNER (DECEASED)

Daytime Telephone Number: (208) 838-2361
Evening Telephone Number: SAME

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 12/13/1998 SIGNATURE: Sandra L. Turner
Please print your name: SANDRA L. TURNER

COMMUNICATION DOCUMENTATION

Claim No. 72-04159D

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

IDWR Employee/Agent Steve Clelland

□ 

12/14/98 11:04 AM

NAME:

SANDRA TURNER

CALLIN

RE:

NOE - NAME INITIAL

She called to tell me the initial G. should be the initial E. I informed her of the process to follow and she did not seem to have any further issues at this time. I will correct the initial; the change of ownership lists the correct initial as she stated E.

AJ0749NP
No. R72-04159D

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

DATE: 12/14/98
PAGE: 1

VERIFIED BY 

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT E TURNER SANDRA L TURNER HC 67 BOX 692 CLAYTON ID 83227 (208) 838-2361	06/18/1988	IRRIGATION	04-01 10-31	0.40 CFS	
				TOTAL DIVERSION:	0.40 CFS	

Water Source: THOMPSON CREEK
Tributary to: SALMON RIVER
Point(s) of Diversion: T11N R16E S25 MESENE
Stage: BENEFICIAL USE
CUSTER County

Place of use Legal Description for: IRRIGATION											
			NE				NW				SW
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	NE NW NW NW NW NW NW NW	:	NE SW NW SW NW SW NW SW	:	NE SE NW SE NW SE NW SE NW	:	SUM
11N	16E	25	:	:	:	:	:	:	:	:	:
11N	17E	30	:	:	:	:	:	:	:	:	:
										TOTAL ACRES	15.4

POU County: CUSTER
Other Rights: NONE

- 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 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 NONE
 - ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 - CONJUNCTIVELY.

Remarks: EXP
WATER IS DELIVERED THROUGH THOMPSON CREEK DITCH.
0.09 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.
RIGHT NO. 72-04159A IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: 08/26/1993 Verified Date: 12/14/1998 Objection Filed Date:
Misc: Water District Number: Field Inspection Flag: Presumption Flag:

CLAIM NUMBER A72-04159 D DATE 11/6/98
 AGENT _____

TRANSFER NUMBER _____
 CLAIMED ACRE TOTAL 26.5
 GIS ACRE TOTAL 15.4

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	11N	16E	25													7			1
GIS																7.4			0.1
RECOM																7.4			0.1
CLAIM	11N	17E	30									1	9.5	7	1				18.5
GIS												Ø	7.7	0.2	Ø				7.9
RECOM													7.7	0.2					7.9
CLAIM																			
GIS																			
RECOM																			

B72-DBPOU.SHP _____

SHAPE NOS. _____

413

B72-DBPOD.SHP _____

NOS. DESCRIPTION 259 NESENE (THOMPSON CR. PITCH)

Std Season: 4/1 10/31

15.4 Ac X .02 = .31
 + C. Loss .09
.40

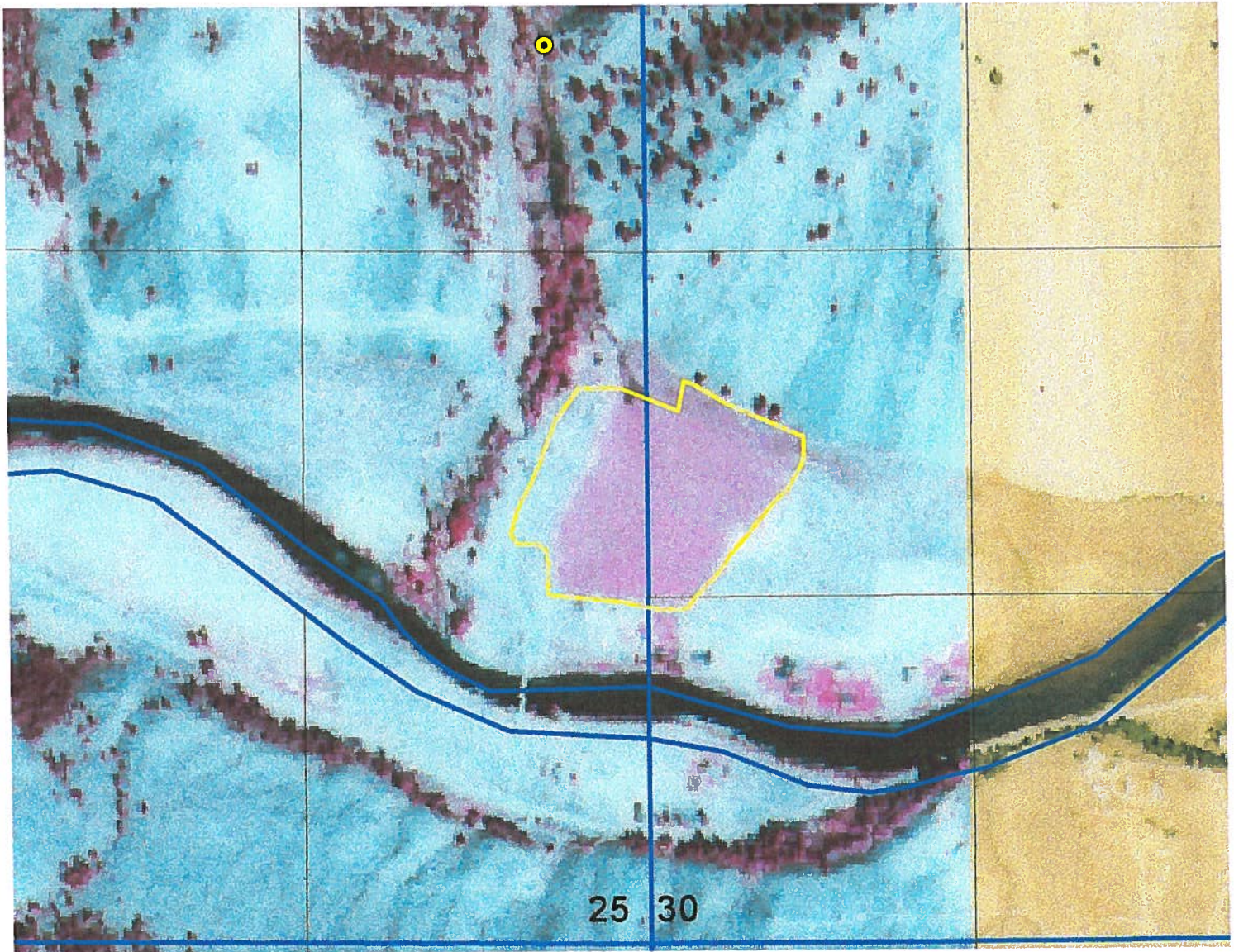
DBF TABLES UPDATED

B72-DBPOU.DBF 11/10/98
 B72-DBPOD.DBF SW

JPEG LAYOUT ✓ 72-04159D.jpg

IDAHO DEPARTMENT OF WATER RESOURCES

72-04159D



660 0 660 1320 Feet

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

TWN: 11N
RNG: 16E & 17E
SEC: 25 & 30



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

DATE: NOV. 6, 1998

R PROOF

CVR

MAPS

PHOTOS

MISC

DATE: 02/17/2001
PAGE: 1

Stage: BENEFICIAL USE

CUSTER County

SE

13.5

RIGHT NO. 72-04159A IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

02/17/94 CLELLAND

MICROFILMED
NOV 01 1994

U72
TOPO

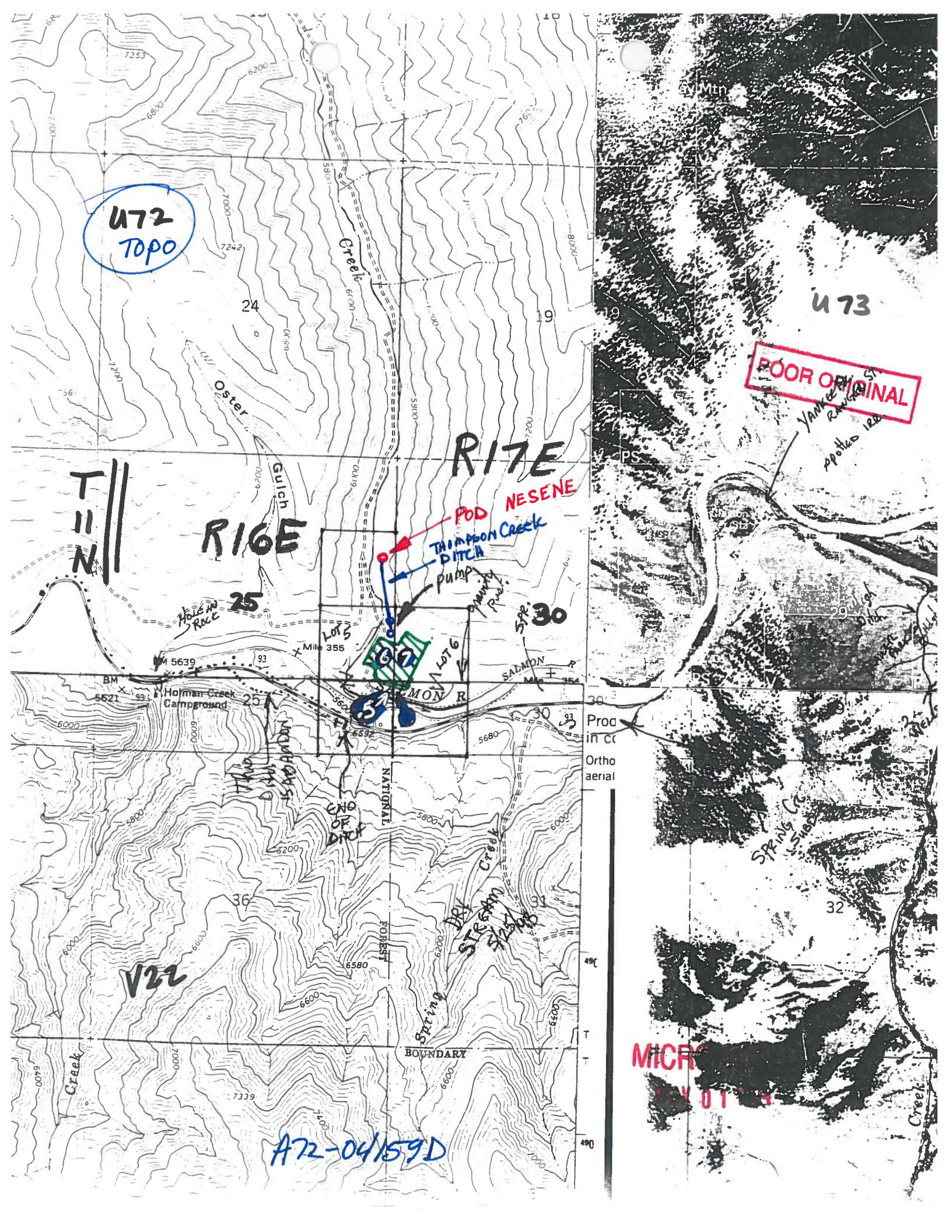
U73

POOR ORIGINAL

Yamhill River
Spotted Owl

MICRO
COPY

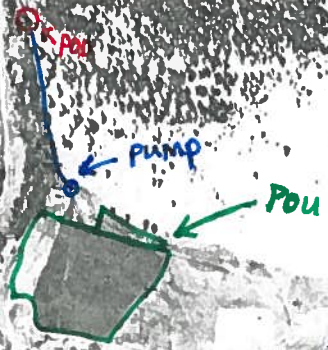
A72-04159D



CLAIM A72-4159 D INIT su
T. R. S. Q/Q 2-17-94
P/D 11N 16E 25 NESENE
PHOTO BLM AERIAL 5-3A-5
DT. & ID. 7-1-88 U72/U73

POOR ORIGINAL

MICROFILMED
NOV 01 1994



A72-04159 D

TURNER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A72-04159B

01:16:21
06/10/92

LAST: TURNER
ADDRESS: HC 67 BOX 692
CITY: CLAYTON
PHONE NUMBER: 208-838-2361
OWNER CODE: C

FIRST: SANDRA L.

STATE: ID ZIP: 83227

ADDRESS: CYPKUS THOMPSON CREEK MINING CO.
P.O. BOX 62
CITY: CLAYTON
PHONE NUMBER: 208-838-2200
OWNER CODE: 0

FIRST:

STATE: ID ZIP: 83227

LAST: TURNER
ADDRESS: HC 67 BOX 692
CITY: CLAYTON
PHONE NUMBER: 208-838-2361
OWNER CODE: C

FIRST: ROBERT G.

STATE: ID ZIP: 83227

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

CLAIM REMARKS: A COPY OF THE POSTED NOTICE FROM THE CUSTER COUNTY RECORDER'S
OFFICE IS ATTACHED AS EXHIBIT B.

OWNERSHIP CHANGE 1/7/92 BY JG.

MICROFILMED
JUN 10 1994

CONTACT PERSON:

Robert Turner

Accompanied me on the 9-7-93 exam.

DATE OF FIELD EXAM: / /

APPOINTMENT MADE: Y () N (X)

PHONE NUMBER: () - - - - -
TIME: : A () P ()

ACCOMPANIED BY:

PHONE NUMBER: () - - - - -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

Exam confined some irrigation, most of Turner's parcel is irrigated. All under sprinkler from the THP pump and mainline system. 4' Ditch divert Thompson Creek water to pump dump. Water by passed pump through earth ditches and goes on to irrigate Elgan's Plu. of

Maps used to confirm this info.

TOPO MAP U72 & V22 (no QPS available)

Acecor's plat map

Blm Serial 5-34-5 dated 7-1-88

NAPP PHOTOS:
#446-56 date 9-22-88 V 23 NW
#443-125 date 9-14-88 V 22 NE

A. AJ CLAIM: # A72-04159B PRIORITY DATE: 05-24-1888 STAGE: S (5)
B. WR RECORD: # 72-04159 PRIORITY DATE: 05-24-1888 STAGE: S

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

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

REMARKS: "located" water affidavit filed 6-18-1888

RECOMMENDER PRIORITY DATE: 6-18-1888
05-24-1888

REVIEWED BY *See* DATE 2-17-94

MICROFILMED
NOV 01 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-04159B	11N	16E	25		SE	NE		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A72-04159A NONE

NE

SOURCE: THOMPSON CREEK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

GHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-04159	11N	16E	25		SE	NE		CUSTER

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

SOURCE: THOMPSON CREEK

TRIB: SALMON RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	<i>X</i>

REMARKS:

Confirmed the POD at Howe Valley by stream, TPO & Blm and.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC.

1/4 1/4

1/4

LOT

COUNTY

11N 16E 25

NE SE

NE

SOURCE: THOMPSON CREEK

TRIB: SALMON RIVER

REVIEWED BY:

SW

DATE:

2-17-94

See Thompson Creek Data

MICROFILMED
NOV 01 1994

A. ROOT WATER RIGHT NUMBERS: A72-04159A
A72-04159B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
T1N	16E	25	NE	SE	5	TORNER, SANDRA L. MILLICK, LUCILLE A. SIMON, PETER A. CYPRUS, THOMPSON CREEK MINING C SIMON, PETER A.	A72-04159B 7.0 A72-07361 / A72-10466 / A72-04159 / 7.0 72-07449 / 3.0	72-07361 / 0.6 72-04159 / 7.0 72-07449 / 3.0		6.0	
T1N	16E	25	SE	SE	5	TORNER, SANDRA L. CYPRUS, THOMPSON CREEK MINING C	A72-04159B 7.0 A72-10488 / 8.0	72-04159 / 1.0		(250' x 100') = 0.57 A.C.	0.5
T1N	17E	30	NE	SW		TORNER, SANDRA L. CYPRUS, THOMPSON CREEK MINING C	A72-04159B 7.0 A72-04159 / 1.0	72-04159 / 1.0		(none)	0
T1N	17E	30	NW	SW	6	TORNER, SANDRA L. ELGAN, DOUGLAS L. CYPRUS, THOMPSON CREEK MINING C	A72-04159B 7.0 A72-04159A / 7.8	72-04159 / 18.0			7.0
T1N	17E	30	SW	SW	6	TORNER, SANDRA L. MOATZ, CHIP CLEAVES, CLARENCE M. CYPRUS, THOMPSON CREEK MINING C	A72-04159B 7.0 A72-10358 / A72-10007 /	72-04159 / 7.0 72-07287 / 1.0 72-07410 / 1.0 72-07426 / 0.5 72-07440 / 0.6		0.34 A.C. (100' x 150')	0
T1N	17E	30	SW	SW	6	KALENIK, PETER SHINDEDECKER, JOHN B. BRISSENDEN, MARJORIE F.					
T1N	17E	30	SE	SW	8	TORNER, SANDRA L. ENDERLIN, SHARON ARLENE SMOUSE, JOY T. SMOUSE, JOY T. ENDERLIN, R. W. CYPRUS, THOMPSON CREEK MINING C	A72-04159B 7.0 A72-10103 / 7.0 72-04100 / 6.0 72-04113 / 72-04114 / 72-04159 / 1.0				0
TOTAL ACRES							A72-04159B	35.00		NONE	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, YES (X) NO ()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?
DUE TO POU DISCREPANCY? (Y/N)

DATABASE EXAMINER
Y

POU COUNTY: CUSTER

A72-4159A ELGAN

13.5

PRESUMPTION FLAG:

REMARKS:

Confirmed 13.5 Acres of actual irrigation by manual methods.
Plot map, Blm aerial w/ Grid.

RECOMMENDATIONS:

TOTAL ACRES:

13.5

REVIEWED BY:

See

DATE:

2-17-94

* POU is all under sprinkler system irrigation.

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NOV 01 1994

A. AJ CLAIMED USES:
PURPOSES
A72-04159B IRRIGATION
FROM ~~04-01~~ ^{MONTH/DAY} ~~10-11-01~~ ^{4-15 to 10-15}
DIVERSION QUANTITY
10,000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED 10,000 CFS

B. WR RECORDED USES:

PURPOSES
72-04159 IRRIGATION
FROM 04-01 TO 11-01
DIVERSION QUANTITY
10,000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED 10,000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED
RECOMMEND TO WR STANDARDS OF OTHER?

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

REMARKS:

Std season - gave the larger season since it is on the line.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N(X)

AS TOTAL CLAIMED DIVERSION RATE: 10.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 10.000 CFS

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

FLOW MEASUREMENT REQUIRED?

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

FIELD EXAMINER yes

MEASUREMENT METHOD

FLOW MEASUREMENT

SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-04159B	THOMPSON CREEK	TURNER, SANDRA L.	10.000	0.285		
A72-04159A	SALMON RIVER	ELGAN, DOUGLAS L.	1.000	0.128		
A72-10103	SALMON RIVER	ENDERLIN, SHARON ARLENE	0.340	0.024		
A72-10488	GROUNDWATER					
	SALMON RIVER	CYPRUS THOMPSON CREEK MINING C	0.160	0.020		
CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME	
A72-07361	STOCKWATER	MILLICK, LUCILLE A.	FROM 04-01 TO 10-15	.020 CFS	1.80 AF/A	

**Ditch can not be used as per Hubble Analysis*

$$\frac{8.8(7HP)(6.70)}{2 + (60 \times 2.31)} = \frac{43.12}{138.6} = \underline{\underline{0.31 cfs}}$$

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NOV 01 1994

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 13.5 $\times$ 0.02 CFS/ACRE = 0.27 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? ☒ YES ☐ NO

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? ☒ YES ☐ NO ***

1b. CALCULATIONS
Huble analysis for all gravity system = 0.039 cfs/ac

2. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = 87.5 AF/A
ACRES 13.5 $\times$ CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

allow 1" per acre for sprinkler rate
0.27 cfs

3. IRRIGATION DIVERSION VOLUME 33.8
CLAIMED DIVERSION VOLUME = AF/A
ACRES 13.5 $\times$ DIVERSION VOL. AF/A FOR AREA 2.5 =
TOTAL DIVERSION VOLUME AF/A

Conveyance losses:

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:
SEE ATTACHED SHEET? ☐ YES ☐ NO
 $\frac{0.18 \text{ cfs}}{2} = 0.09 \text{ cfs}$

1/2 split with A72-4159A (Egan)

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

0.36 total cfs

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. RATE CFS	DIV EXAMINER	REC. VOL. AF/A	DIV EXAMINER	REC. USE	CONS. EXAMINER
IRRIGATION	15 04-01 10-15 11-01	10.000 2.0.000	0.36	N/A	N/A	97.5 97.5	33.8

TOTAL FOR THIS RIGHT

REVIEWED BY:

sw

DATE:

2-17-94

DOZ
FOS

MICROFILMED
NOV 01 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()

NEEDS
REVIEW
()
()
()

E. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-04159

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
10.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
72-04159	A72-04159A A72-04159B	1.000 10.000	-	-	72-04159	10.000
TOTAL CFS		11.000				10.000

DIVERSION RATE REVIEW

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

DATABASE
N

FIELD
EXAMINER

REMARKS:

OK

AUTHENTICATION:

SIGNATURE:

Steve Bell

DATE:

2-17-94

NAME OF FIELD EXAMINER:

TITLE:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:16:21
06/10/92
CLAIM NUMBER: A72-459D

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			8-26-93 9-7-93 Sw	(Y)	6. official p. 1185	Sw 2-17-94	Sw 2-17-94	2-13-94 Sw
POINT OF DTD	Y			(Y)				
SOURCE				N				
PLACE OF USE	Y			(Y)	12456			
DIV. AMOUNT CFS/VOLUME				(Y)	6. (HA)			
CONSDMPTIVE USE	-			(Y)	6.			
PURPOSES				N				
PERIOD OF USE				(Y)	6.			
BASIS OF CLAIM	Y			(Y)	.			
REMARKS	Y			(Y)	6.			

VERIFIED BY CODES

TOPO MAP/ORTHO-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.

MICROFILMED
NOV 01 1994

CLAIM NUMBER: A72-041597/D

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SANDRA L. TURNER C ROBERT G. TURNER HC 67 BOX 692 CLAYTON ID 83227 (208) 838-2361	05/27/1988	IRRIGATION	04-X-15.1075	10.00 CFS 10.00 CFS	27.5 AEA 33.8

Water Source: THOMPSON CREEK

Tributary to: SALMON RIVER

Stage: SEPARATION CLAIM
CUSTER County

Point(s) of Diversion:

T11N R16E S25

NESSENE

Via Thompson Creek Ditch

Area of use		Legal Description for:		IRRIGATION		NW		SW		SE		SUM	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt
11N	16E	25	:	:	:	:	:	:	:	:	:	:	:
11N	17E	30	:	:	:	:	:	:	:	:	:	:	:
				TOTAL ACRES		6-7		6-7		5-6		5-6	
						13.5							

POU County: CUSTER

Other Rights: NONE

Remarks: A COPY OF THE POSTED NOTICE FROM THE CUSTER COUNTY RECORDER'S OFFICE IS ATTACHED AS EXHIBIT B.
OWNSHIP CHANGE 1/7/92 BY JG.

Minto Gmn.

Dates: Exam Made Date: 8-26-93
Misc: Water District Number: Verified Date: Field Inspection Flag: No
Presumption Flag: No

F01
D02
F05

MICROFILMED
NOV 01 1994

ORIGINAL
MICROFILMED
NOV 01 1987

$$\begin{array}{r} 8.5 \\ 7.0 \\ 13.0 \\ 1.5 \\ \hline 30 \text{ Ac.} \end{array}$$

Robert E Turner
199803

28.62 AC +

13 Ac irrigated

1) by scaled plot
Est 750' x 750'

2) SKETCH ON Blm
W/ GRID

T 89-1
7.78
Douglas Elgar
SUB

4159A

7.8 Ac.
1.0 cf3

+ 89-9
8.54 ac x und. v
Holmes
Kalamit to by
a Shrub/deciduous
128657
197908
SUS

4159 E
MICROFILMED
NOV 01 1987

A72-4159 D

T1572

Sec. 23

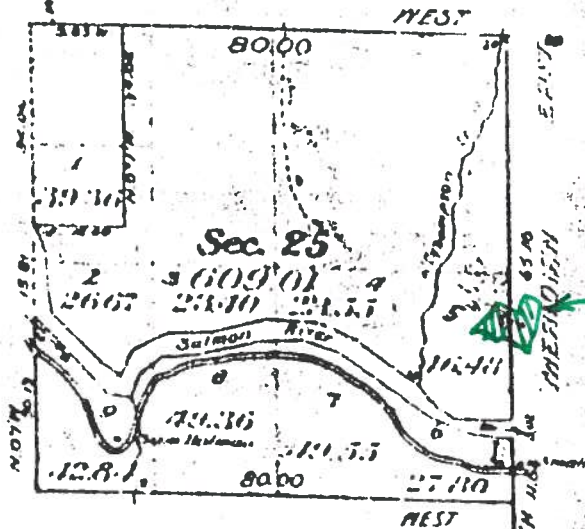
Sec. 24

POOR ORIGINAL

Sec. 26

Sec. 35

Sec. 36



Areas in Acres	
Public Land	
Indian Reservation	
Indian Allotments	
Mineral Claims	
Water Surface	
Total Area	

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Lat. 41° 14' 10" N.
Long. 114° 28' W.

Scale 40 Ch.

Mean Magnetic Declination

TIN RILE

The above map of Township No. 11 North Range No. 16 East of the 114th Meridian Idaho is strictly conformable to the field notes of the survey in this office, which have been examined and approved.

U.S. Surveyor General's Office,

Laurel, Idaho, September 27, 1901.

Laurel A. ...
Surveyor

LT03	NESW	NWSE	NESE	NWSW	NESW	NWSE	NESE	NWSW	NESW	NWSE	NESW
18 LT04	18 SESW	18 SWSE	18 SESE	17 SWSW	17 SESW	17 SWSE	17 SESE	16 SWSW	16 SESW	16 SWSE	16 SESE
19 LT01	19 NENW	19 NWNE	19 NENE	20 NWNW	20 NENW	20 NWNE	20 NENE	21 NWNW	21 NENW	21 NWNE	21 NENE
19 LT02	19 SENW	19 SWNE	19 SENE	20 SWNW	20 SENW	20 SWNE	20 SENE	21 SWNW	21 SENW	21 SWNE	21 SENE
19 LT03	19 NESW	19 NWSE	19 NESE	20 NWSW	20 NESW	20 NWSE	20 NESE	21 NWSW	21 NESW	21 NWSE	21 NESE
19 LT04	19 SESW	19 SWSE	19 SESE	20 SWSW	20 SESW	20 SWSE	20 SESE	21 SWSW	21 SESW	21 SWSE	21 SESE
30 LT01	30 NENW	30 NWNE	30 NENE	29 LT05	29 LT03	29 LT02	29 LT01	28 LT01	28 NENW	28 NWNE	28 NENE
30 LT02	30 SENW	30 SWNE	30 SENE	29 LT04	29 LT07	29 LT08	29 LT09	29 LT10	28 LT03	28 SWNE	28 SENE
30 LT08	30 LT05	30 LT04	30 LT03	29 LT06	29 LT11	29 NESW	29 NWSE	29 NESE	28 NWSW	28 LT05	28 LT04
30 LT07	30 LT08	30 LT09	30 LT10	29 SWSW	29 SESW	29 SWSE	29 SESE	28 SWSW	28 LT06	28 LT07	28 LT08
31 LT01	31 NENW	31 NWNE	31 NENE	32 NWNW	32 NENW	32 NWNE	32 NENE	33 NWNW	33 NENW	33 LT02	33 LT01
31 LT02	31 SENW	31 SWNE	31 SENE	32 SWNW	32 SENW	32 SWNE	32 SENE	33 SWNW	33 SENW	33 SWNE	33 SENE
31 LT03	31 NESW	31 NWSE	31 NESE	32 NWSW	32 NESW	32 NWSE	32 NESE	33 NWSW	33 NESW	33 NWSE	33 NESE
	31 SESW	31 SWSE	31 SESE	32 SWSW	32 SESW	32 SWSE	32 SESE	33 SWSW	33 SESW	33 SWSE	33 SESE

POW



POOR ORIGINAL

MICROFILMED
NOV 01 1994

A72-4159D

CONVEYANCE LOSS - WORSTELL

AGENT -----SCC
 DATE -----16-Feb-94
 CONVEYANCE OR
 SOURCE NAME -----THOMPSON CREEK DITCH
 RELATED CLAIMS -A72-04159 SPLITS

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	1200	4.0	3.00	0.18	1.17	1.17	0.1555	0.18	1.35
2				0.00		0.00	0.0000	0.00	0.00
3				0.00		0.00	0.0000	0.00	0.00
4				0.00		0.00	0.0000	0.00	0.00
5				0.00		0.00	0.0000	0.00	0.00
6				0.00		0.00	0.0000	0.00	0.00
7				0.00		0.00	0.0000	0.00	0.00
8				0.00		0.00	0.0000	0.00	0.00
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00
TOTALS	1200			0.18	1.17			0.18	

split 1/2
 w/ A72-4159A
 ELGAN

A72-4159 D

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

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

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NOV 01 1994

 SOIL CHARACTERISTICS

CLAIM NO. --- A72-04159 SPLITS
 AGENT ----- SCC
 DATE ----- 02/16/94

Lotus Program:
 IRR-PRAC.WK3
 Date form revised:
 4/21/93 by KKC

Soil Type = BK1; BOCK...SILT LOAM, LOAM, GRAVELLY LOAM, FINE SANDY
 Source of Soils Data = Printout From SCS State Office

soil depth (inches)		AWC (in/in)		PH		organic (%)		soil depth (ft)	AWC (inches)	intake family	
lower	upper	lower	upper	lower	upper	lower	upper			flood	furrow
0	18	0.14	0.2	6.6	8.4	1	3	1	2.04	2	0.55
18	48	0.14	0.2	7.4	8.4			1	2.21		
48	60	0.03	0.05	7.4	8.4			3	6.12		
								4	8.16	alternate	
								5	8.64	method	
										NA	NA

Management Allowed Deficit (MAD)

crop	root depth (ft)	stress point (INCHES)	MAD
alfalfa (hay or seed)	5	0.5	4.32
corn (field or silage)	4	0.5	4.08
grain (winter or spring)	4	0.5	4.08
pasture (or grass hay)	3	0.5	3.06
other (enter below)			

FIELD NOTES AND CALCULATIONS

	FIELD 1	FIELD 2	FIELD 3	FIELD 4
FIELD WIDTH	4020	0		
IRRIGATION DAYS	17.6			
DRY DAYS	0			
SET TIME(hours)	8			
CALCULATED RUN (run = acres*43560/width)				
LENGTH (RUN) =	325			
CALCULATED BORDER WIDTH (ditch length/irr days * cha				
WIDTH =	76			
THEORETICAL ROTATION (mad/net irr req in inches per				
SELECTED MAD =	4.32			
ROTATION =	17.6 DAYS			

PEAK IRRIGATION DIVERSION REQUIREMENT AT FIELD

Weather Station = CHALLIS
 Figure No = 10-15

			Net Irrigation Requirement (mm/day)								
crop	acres	system	recomm. eff.	mar	apr	may	jun	jul	aug	sep	oct
PASTURE		FLOOD			1.47	3.84	4.87	5.86	4.56	3.23	2.07
ALFALFA	30	FLOOD	26.4		1.28	4.51	5.65	6.25	4.45	2.52	0.7

Summary	30		26		1.28	4.51	5.65	6.25	4.45	2.52	0.70
Peak Net Irrigation Requirement (mm/day) =					6.25						

 Program Operation based upon "GUIDELINES FOR THE EVALUATION OF IRRIGATION DIVERSION RATES"
 HUBBLE ENGINEERING INC. OCTOBER 1991
 Soil Characteristics based upon SOIL CONSERVATION SERVICE STUDIES
 Peak Irrigation Diversion based upon ALLEN & BROCKWAY WEATHER INFORMATION 1983

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NOV 01 1994

A72-4159D

GRADED BORDER EVALUATION

Job name: A72-04159 SPLITS
By: SCC

Location: BK1 SOILS 30 AC ALF
Date: Feb 16, 1994

Roughness coefficient (n)= 0.150 Intake family (If)=2.00
Slope (S)= 0.0100 ft/ft Border width (W)= 76 ft
Net application (Fn)= 4.32 inches Border length (L)= 325 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
1.10	Gross depth is less than required	gross application depth				
1.11	Gross depth is less than required	gross application depth				
1.12	Gross depth is less than required	gross application depth				
1.13	Gross depth is less than required	gross application depth				
1.14	Gross depth is less than required	gross application depth				
1.15	Gross depth is less than required	gross application depth				
1.16	Gross depth is less than required	gross application depth				
1.17	0.015	16.37	11.97	0.08	26.4	
1.18	0.016	16.51	11.97	0.22	26.2	
1.19	0.016	16.65	11.97	0.36	25.9	

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A72-4159D

MRB

XHS

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1994

NOV 01 1994

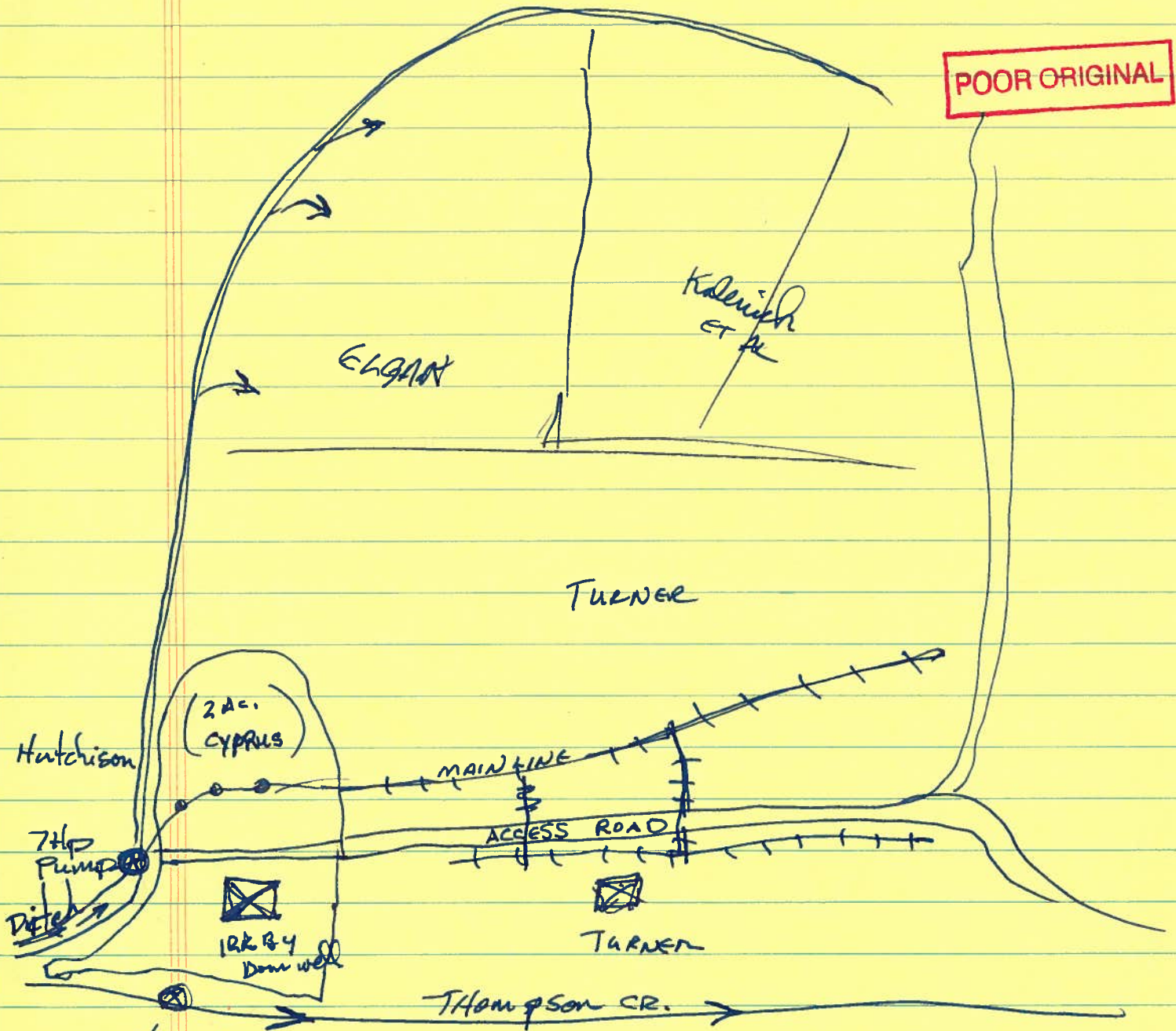
NOT AN ORIGINAL

A72-41590

9-7-93

Cyprus bought
in 1981

POOR ORIGINAL



Dry since
1968 till now
(per MR. Turner)

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NOV 01 1994

(Spoke to
MR Turner
this day)

TEEL pump—
MOD: 2P104 code: NM

DAYTON Motor—

MOD: # 9K653, 2HP, 3450 Rpm (DATE CODE: J91) NO ELEC. SERVICE NO OUT put LINES

9-7-93

Re: 72-4159 splits

— appears ELGAN & Turner have
valid uses, diversions and Rights

— Kalenick has no system or use for
over 5 years (since 1981?)

— Hutchinson is developing a new
use to pump from the Creek
but to date has not used water
since 1968 when he bought P.O.U.

MICROFILMED

NOV 1 1994

8-26-93

1:30pm

Thompson Creek Ditch

No meas. made at this time flow is obviously reduced in the Ditch 4-5" below normal ~~high~~ water mark. Est. 80" flowing.

* USGS gaging Station on Thompson Cr.

— also on Squaw Creek

— Possible measurements for stream capacity

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B-26-93
SCU
FIELD
Exam

POOR ORIGINAL

Not to
SCALE
See
Plot map



Thompson Creek Area

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NOV 01 1994

9-7-93

Re: 72-4159 splits

— appears ELGAN & Turner have
valid uses, diversions and Rights

— Kalenick has no system or use for
over 5 years (since 1981?)

— Hutchinson is developing a new
use to pump from the Creek
but to date has not used water
since 1968 when he bought POY.

MICROFILMED

NOV 1 1994

POOR ORIGINAL

TURNER A72-4159 BD

A72-4159D



mpson Creek Ditch



↓ FLOW



DITCH
INTO
PIPE



END
OF
PIPE

↓ FLOW

PHOTO: R72-35 by SCC 8-26-93

POOR ORIGINAL



TURNER Pump From
Thompson Creek Ditch.



By Pass Ditch AROUND
TURNER pump.



MAINLINE TO
TURNER POU

TURNER
A72-4159

MICROFILMED
NOV 01 1994

8-26-93

PHOTO:
R72-35
by SCC

POOR ORIGINAL



PLACE OF USE IS ALL
UNDER SPRINKLER.

A72-4159D

TURNER

9-7-93

PHOTO: A72-36
By SCC

A72-4159D

FILED
1993

INTER-DEPARTMENT MEMO

TO: File A72-04159 & A72-04159B

SUBJECT: CHANGE OF OWNERSHIP

FROM: Judy *JS*

DATE: 5/24/93

This file had been placed in Correspondence File...waiting for Cyprus Mines to send plot map (Allen called their office 12/01/92) This file has been re-numbered.....A72-04159 to A72-04159B. Steve Clelland is presently working with applicants.

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() For your information

() Response required

signature

5/4/93

A72-4159B
TURNER

Steve

Mr. Turner (A72-04159B) called and was disturbed that Mr. Hutchison (A72-04159C) had a pump in the creek. He indicated that Mr. Hutchison's property has never been irrigated before and said the water is low and he has the first right on the creek and needs all the water. He then indicated that the Turner div. is above the Hutchison's div. so I don't know what the possible rub is here. You may wish to closely examine this situation.

AD

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NOV 01 1994

POOR ORIGINAL

Notice of Water Right.

Notice is hereby given to all whom it may concern that I, Albert L. Small a citizen of the United States now the age of twenty one years have this day located Five, 500 Hundred inches of water for farming purposes, situated about one mile above the mouth of Thompson Creek. The said Thompson Creek is about seven miles up the Salmon River from the town of Blayton, in the County of Custer Territory of Idaho.
Located this 21st day of May A.D. 1888.

Locater, Albert L. Small.

Territory of Idaho
County of Custer.

I, Albert L. Small do solemnly swear that I am acquainted with the Water Right described in the Notice of Location, and that the water claimed therein described is my best thereof, has not to the best of my knowledge and belief been heretofore located according to the laws of the United States and of this Territory, or it is located that the same has been abandoned or forfeited by reason of the failure of such former locators to comply in respect thereto with the requirements of said laws. Subscribed and sworn to before
Albert L. Small.

on this 21st day of May A.D. 1888.

J. R. Papworth.

Justice of the Peace.

Filed for record this 18th day of June A.D. 1888, at 10 minutes past 1 o'clock P.M. and duly recorded in Book "A" of Water Rights, at page 155. Records of the County of Custer Territory of Idaho.

June 18th
1888
recorded

W. Gay, MICROFILMED
NOV 01 1994