

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

DEC 20 1989

Ident. Number: A72-04194
Date Received: 12/18/1989
Receipt No: E011329
Received By: HJJ

Department of Water Resources

Southern Region Office NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANN FINLAYSON 208-237-2234
Address: 374 FAIRWAY DR.
POCATELLO, ID 83201

2. Date of Priority: JUN 01, 1960

3. Source: ANNIE ROONIE CREEK Trib. to: MORGAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	19E	18	SW	SE			CUSTER

5. Description of diverting works:
CANVAS DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	06/01	10/31	1.000		
STOCKWATER	05/01	10/31	0.020		

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

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 RANGE, HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	19E	18	SW	SE		IRR	10.0
			SE	SE		IRR	10.0

Section Acres 20.0

A72-04194

Page 1

Date: 12/18/89

MICROFILMED

MAR 18 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	19E	19	NE	NE		IRR	10.0
						Section Acres	10.0
						Total Acres	30.0

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:

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 x 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): *And [illegible]* Date: 12-18-89
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of Dec 19 89 *Betty J. Thompson*
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires EXPIRES: 6-30-94

marks

R 19E

18

Point of Diversion

Mason
Creek

T 17N

19

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

MICROFILMED

MAR 18 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3000

CECIL D. ANDRUS
Governor

March 2, 1992

R. KEITH HIGGINSON
Director

A72-04194
ANN FINLAYSON
374 FAIRWAY DR.

POCATELLO

ID 83201

RE: Evidence of Priority

RESPONSE DEADLINE

MAY 1, 1992

Dear Claimant:

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

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

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

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

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 18 1993

RECEIVED

JAN 21 1994

Department of Water Resources
Southern Region Office

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: A72-04194
Date Received: 12/18/1989
Receipt No: E011329
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ANN FINLAYSON 208-237-2234
Address: 374 FAIRWAY DR.
POCATELLO ID 83201

2. Date of Priority: ~~JUN 1, 1960~~ JUNE 1, 1948

3. Source: ANNIE ROONIE CREEK Trib. to: MORGAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	19E	18	SW	SE			CUSTER

5. Description of diverting works:
CANVAS DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	06/01	10/31	1.000		
STOCKWATER	05/01	10/31	0.020		

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

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 RANGE, HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	19E	18	SW	SE		IRR	10.0
			SE	SE		IRR	10.0

MICROFILMED
NOV 01 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	20.0
		19	NE	NE	IRR	10.0
					Section Acres	10.0
					Total Acres	30.0

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:

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): *James T. Finkbeiner* Date: 1-20-94

Date: _____

MICROFILMED
NOV 01 1994

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 20 day

of January 19 94

Seal

Harlene Proctor
Notary Public

Residing at Key Bank of Id.

My Commission Expires 3-21-98

MICROFILMED

NOV 01 1994

374 Fairway Drive
Pocatello, ID 83201
January 12. 1994

RECEIVED

JAN 21 1994

Department of Water Resources
Southern Region Office

Mr. Kelly Christensen
Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Dear Kelly,

We appreciate your letter regarding our water claim on Annie Rooney Creek.

I have mailed a copy of his letter to Bob Savage to be notarized. I enclosed an envelope addressed to you so you should receive it soon.

Also, we have made corrections on the enclosed water claim and have had it notarized.

Please let us know if there is any other information you require.

Sincerely,



Ann Finlayson

MICROFILMED

NOV 01 1994

RECEIVED

JAN 19 1994

Department of Water Resources
Southern Region Office

September 21, 1993

To Whom it may concern:

This is a letter in reference to the water out of Annie Rooney Creek, which was used by the old McKinny ranch up Morgan creek. The current owner is Ann Van Atta Finlayson. In the late forties, 1948-49 & 1950 I helped the owner Emmet Donahue, put up hay & break horses. The water from the above creek was used at that time. The last time I was on the ranch was the early 1990's, at that time there was still traces of the ditches on the land that was irrigated by this stream of water.

Sincerely,



Robert N. Savage

*State of Idaho
County of Custer*

*Subscribed and sworn to before me
the 18th day Jan. 1994.*

*Eckel M. Beck
Notary Public
3-19-98*

MICROFILMED
NOV 01 1994

September 21, 1993

To Whom it may concern:

This is a letter in reference to the water out of Annie Rooney Creek, which was used by the old McKinny ranch up Morgan creek. The current owner is Ann Van Atta Finlayson. In the late forties, 1948-49 & 1950 I helped the owner Emmet Donahue, put up hay & break horses. The water from the above creek was used at that time. The last time I was on the ranch was the early 1990's, at that time there was still traces of the ditches on the land that was irrigated by this stream of water.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert N. Savage", with a long horizontal flourish extending to the right.

Robert N. Savage

MICROFILMED
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

04-Jan-1994

ANN FINLAYSON
374 FAIRWAY DR
POCATELLO ID 83201

RE: EVIDENCE OF PRIORITY AND PRIORITY DATE FOR A72-04194.

Dear Ms Finlayson

I hadn't reviewed your claim for the Annie Rooney Creek use when I made the phone call to you the other day, so I decided to follow up with a letter rather than make another phone call.

There is no real problem with the claim, however, there are a couple of details that do not meet the guidelines established for valid claims.

First, the evidence submitted by Bob Savage is sufficiently convincing that I would accept it as proof in order to recommend this claim as valid except that the letter was not notarized. An affidavit must be notarized before we can accept that document as a court pleading.

The second issue is the claimed priority date. You have claimed a 1960 priority date whereas the letter submitted by Bob indicates at least a 1948 priority date. Regulations do not allow an agent to change the priority date to an earlier time frame. I have enclosed a copy of your claim which you can use to amend your claim if you wish. Just line out the incorrect information, enter the correct information above or below that entry, and initial the entry. Once you have made all the corrections that you want, you must sign the claim and have your signature notarized.

I have also enclosed a handout regarding evidence of priority for your use. If you have any further questions please contact this office and I here can discuss them with you.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent
enclosures

MICROFILMED
NOV 01 1994

RECEIVED

OCT 08 1993



ANN FINLAYSON
374 Fairway Drive, Pocatello, ID 83201

Department of Water Resources
Southern Region Office

Oct 7, 1993

Dear Kelly,
Enclosed is a letter
from Bob Savage testifying
to the use of irrigating
water from Annie Padnie.

I did not get a letter
from Bud Hamilton because
Bob's letter indicated use
of the water before Bud
was using it. Eventually
Bud told us that he
definitely diverted the water
and that it was evident
he it had been diverted
long before he started
doing the irrigating.

If you need any more
information, please let
us know.

Sincerely,
Ann Finlayson

MICROFILMED

NOV 01 1994

Robert N. Savage
CUSTER COUNTY ASSESSOR
P. O. Box 597
Challis, Idaho 83226

RECEIVED

OCT 08 1993

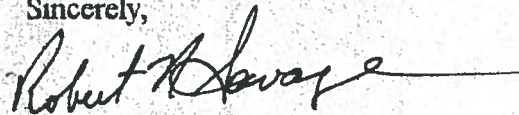
Department of Water Resources
Southern Region Office

September 21, 1993

To Whom it may concern:

This is a letter in reference to the water out of Annie Rooney Creek, which was used by the old McKinny ranch up Morgan creek. The current owner is Ann Van Atta Finlayson. In the late forties, 1948-49 & 1950 I helped the owner Emmet Donahue, put up hay & break horses. The water from the above creek was used at that time. The last time I was on the ranch was the early 1990's, at that time there was still traces of the ditches on the land that was irrigated by this stream of water.

Sincerely,



Robert N. Savage

ED

November 20, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED
DEC 07 1998
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: 72-04194

ANN FINLAYSON
374 FAIRWAY DR
POCATELLO ID 83201

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
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:

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

DATE: 12-5-98 **SIGNATURE:** 
Please print your name: Ann Finlayson

IDWR Southern Regional Office, 1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380, (208) 736-3033

Water Right Number - R72-04194

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

FINLAYSON

ANN

1 - 374 FAIRWAY DR

2 -

3 -

City- POCATELLO

Phone - 208-237-2234

State- ID Zip- 83201

VERIFIED BY. KXC
11-3-98

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/01/1948 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - -
ANNIE ROONIE CREEK MORGAN CREEK

+ - - - - Point of Diversion - - - - -
TwN Rng Sec Tract Lot RFlg County Diversion Name

17N 19E 19 SW NE NE ^{GIS} ~~69~~ (37) CUSTER

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

01 - IRRIGATION 04/15 10/15 0.220
04 - STOCKWATER 04/15 10/15 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage
0.220 0.0

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

17N 19E 19 NE NE 2.4 01 IRRIGATION (37) CUSTER
17N 19E 19 NE NE 04 STOCKWATER (37) CUSTER

Total Acres: 2.4 $f/u = 4.155$

+ - - Diversion Means - CANVAS DAM EARTH DITCH TO FLOOD IRRIGATION

+ - - Non-Irrigation Use - STOCKWATER, 100 RANGE CATTLE, AND HORSES

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - -
No Remarks found.

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

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

- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

11/03/98 11:22:10
Page 2

Prefix Translation: RESEARCH

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date -
00/00/0000

+ - - Audit Fields - 11/14/92 CLELLAND 01/04/94 CHRISTEN 02/04/94 CHRISTEN 03/30/95 POST-STD 10/09/98 KCHRISTE

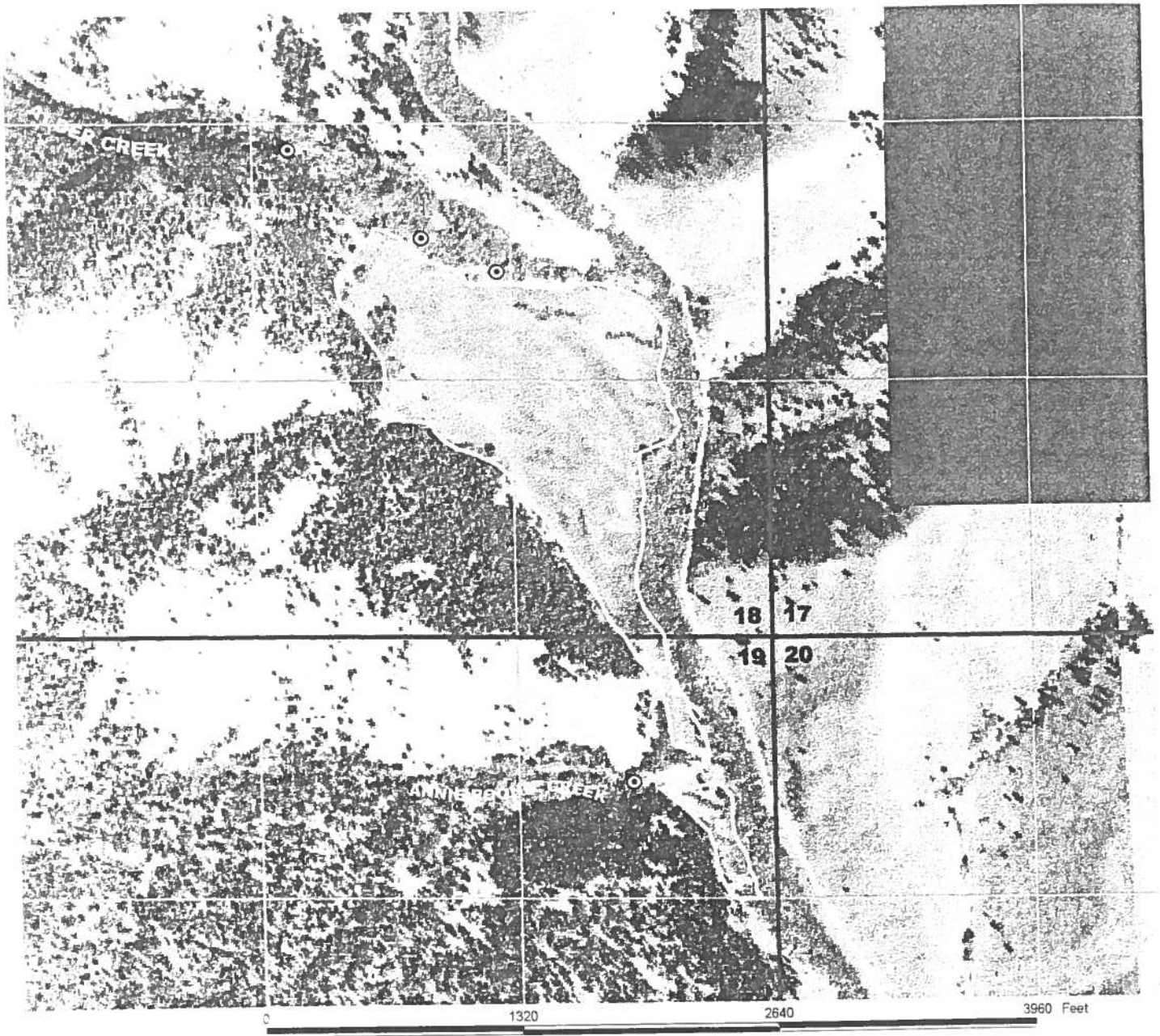
+ -Comments-

Date: 02/04/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS
CLAIM AMENDED ON 1-20-94. DATA ENTERED BY KKC ON 2-4-94.

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 08/02/1993	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/18/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 72F
Licensed Date	- 00/00/0000	Receipt Number	- E011329	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

**72-00165, 72-00166, & 72-04195 ALDER CREEK
72-04194 ANNIE ROONIE CREEK
FENLAYSON**



**RECOMMENDED PLACE OF USE
TWP 17N RNG 19E, SEC 18 & 19
data entry on October 8, 1998**



- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES

**GIS PLACE OF USE PRESENTATION
1992 USDA-F AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSE**

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-04194

DATE: 10-9, 1998

REVIEWED BY KKC

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
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
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
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
BC1	5.82	10	2.4	.16	.22 CFS
					CFS
					CFS
					CFS

TOTAL ACRES _____

DECREED RATE = _____

CLAIMED DIVERSION RATE = _____

MEASURED DIVERSION RATE = _____

AIM NUMBER 72-04194 DATE 10-8-98 TRANSFER NUMBER _____
 AGENT KKC CLAIMED ACRE TOTAL 30
 GIS ACRE TOTAL 2.4

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
AIM	17N	19E	19	10															30
GIS				2.4															2.4
COM				2.4															2.4
AIM	17N	19E	18															10	10
GIS																	0.0	0.0	2.0
COM																	0.0	0.0	2.0
AIM																			
GIS																			
COM																			
AIM																			
GIS																			
COM																			

72-DBPOU.SHP

SHAPE NOS.

155

claimed rate 1.00 Soils .22 limit factor.
 Measurement - dry at (estimate) capacity > .22 cfs

72-DBPOD.SHP

OS. DESCRIPTION

69 Sec 19
SW NENE

BF TABLES UPDATED

72-DBPOU.DBF ☒

72-DBPOD.DBF ☒

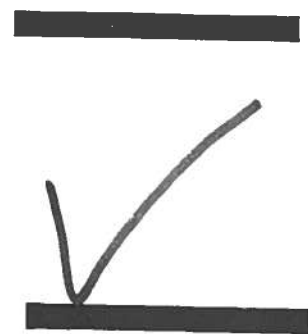
R PROOF

CVR

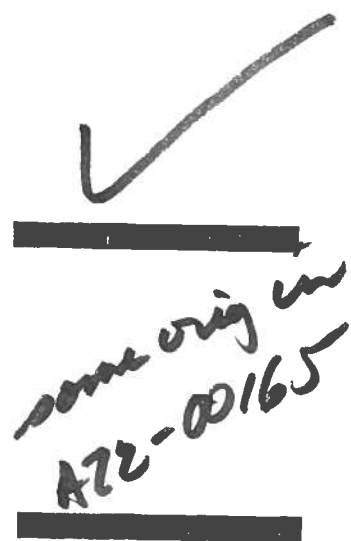
MAPS

PHOTOS

MISC



orig in
A72-00165



some orig in
A72-00165

(REGIONAL)

Water Right Number - R72-04194

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
FINLAYSON

ANN

1 - 374 FAIRWAY DR.

VERIFIED BY *KRC*

2 -
3 -
City- POCATELLO
Phone - 208-237-2234

State- ID Zip- 83201

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

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/01/1948 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - - + - - - - - Tributary - - - - - +
ANNIE ROONIE CREEK MORGAN CREEK

+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

17N 19E 19 SW NE NE (37) CUSTER

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15	10/15	0.290		
04 - STOCKWATER		04/15	10/15	0.020		

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.290 7.5

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
17N	19E	19	NE NE		3.0		01	IRRIGATION	(37) CUSTER
17N	19E	19	NE NE				04	STOCKWATER	(37) CUSTER

Total Acres: 3.0

+ - - Diversion Means - CANVAS DAM EARTH DITCH TO FLOOD IRRIGATION

+ - - Non-Irrigation Use - STOCKWATER, 100 RANGE CATTLE, AND HORSES

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - -
No Remarks found.

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

MICROFILMED
NOV 01 1994

Prof.: Tania + Jon: DESEARPH

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

Decree Plaintiff - - - +

Decree Dat
00/00/0000

Date: 02/04/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS
CLAIM AMENDED ON 1-20-94. DATA ENTERED BY KKC ON 2-4-94.

02/04/94 CHRISTEN

Adjudication Rights Dates and Flags Area

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 12/18/1989

Receipt Number
POU Ownership Flag
Name Connector

Civil Case Number
Old Case Number
Old Judicial District
Temporary Right
Water District
Federal/State Indica
Presumption Flag
Notice of Error Flag

NOV 10 1994

06/05/92

PAGE: 1
 GENERAL INFORMATION

CLAIM NUMBER: A72-0A194

LAST: FINLAYSON
 ADDRESS: 374 FAIRWAY DR.
 CITY: POCATELLO
 PHONE NUMBER: 208-237-2234

FIRST: ANN

STATE: ID ZIP: 83201

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
 N

FIELD
 EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

Dick Finlayson

PHONE NUMBER: () -

DATE OF FIELD EXAM: 8/2/93

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

ACCOMPANIED BY:

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: *husband*

DIRECTIONS TO PROPERTY / REMARKS:

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NOV 01 1994

A. AJ CLAIM: # A72-04194 PRIORITY DATE: 06-01-1960 STAGE: 5
B. WR RECORD: # 72-04194 PRIORITY DATE: 06-01-1960 STAGE: 5

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

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

REMARKS:

*Priority date amended on 1-20-94 to make the
Priority date as fabricated through the Affidavit submitted by
Ed Savage. Affidavit is direct personal knowledge and
is considered acceptable*

RECOMMENDED PRIORITY DATE

~~06-01-1960~~

6-1-1948

DEVIEWED BY

KKC

DATE

2-4-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	ENTY
A72-04194	17N	19E	19		SW	SE		CUSTEP

OTHER AJ CLAIMS WITH SAME AJ POD
 A PREFIX R PREFIX
 NONE NONE

SOURCE: ANNIE RODNIE CREEK

TRIB: MORGAN CREEK

P. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	ENTY
72-04194	17N	19E	18		SW	SE		CUSTER

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

NONE

SOURCE: ANNIE RODNIE CREEK

TRIB: MORGAN CREEK

C. FIELD EXAM REQUIREMENT

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	4

REMARKS:

This claim as well as Deeded rights A72-00165, 00166 were claimed approx 3/8th of a mile NW of the actual legal description. The discrepancy resulted from this area being an unmerged area & the construction of section corners being off. Based upon current mapping I am recommending a different legal description for the P/D. No physical change in location has occurred since the original beneficial use was established.

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

17N 19E 19 SW NE NE

SOURCE: ANNIE ROONIE CREEK TRIP: MORGAN CREEK

DEVIEWED BY: KKC DATE: 1-4-94

A. ROOT WATER RIGHT NUMBERS: A72-04194

B. POB LISTING

TWP	ENG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	REQD ACRES
17N	19E	18	SW	SE		PINAYSON, ANN HOGAN, MIKE	A72-04194 710.0	72-04194 710.0	9.0		
			SW	SE		HOGAN, MIKE		72-00165 /			
17N	19E	18	SE	SE		PINAYSON, ANN HOGAN, MIKE	A72-04194 710.0	72-04194 710.0	14.0		
			SE	SE		HOGAN, MIKE		72-00165 /			
17N	19E	19	NE	NE		PINAYSON, ANN HOGAN, MIKE	A72-04194 710.0	72-04194 710.0			
			NE	NE		HOGAN, MIKE		72-00165 /			
			NE	NE		HOGAN, MIKE		72-00165 /			
TOTAL ACRES							A72-04194 30.00	30.00	23.00		

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

C. FIELD EXAM REQUIRED?

DOE TO POB DISCREPANCY? (Y/N)

DATABASE EXAMINER

POB COUNTY: CUSTER

DISCREPANCY FLAG:

REMARKS:

I found only 3 acres being irrigated (see also attached sup. doc). Based upon legal description adjustments, this area could not irrigate ground is sec 18.

RECOMMENDATIONS:

TOTAL ACRES:

3

REVIEWED BY:

KKC

DATE:

1-4-94

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A. AS CLAIMED USES:

672-04194 IRRIGATION
672-04194 STOCKWATER

4-15 10-15 day to dept
standards.
MONTH/DAY
FROM 06-01 TO 10-31
4-15 10-15
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.000 CFS
.020 CFS
1.020 CFS

B. WR RECORDED USES:

PURPOSES
72-04194 IRRIGATION
72-04194 STOCKWATER

MONTH/DAY
FROM 06-01 TO 10-31
FROM 05-01 TO 10-31
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.000 CFS
.020 CFS
1.020 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?
RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

Based upon check analysis for 3 hrs the required rate for this property to .29 CFS which represents the legal limit.

claimed = 1.00 CFS & capacity of system estimated to be greater than
0.30 CFS.

therefore I am recommending 0.29 CFS

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

AT TOTAL CLAIMED DIVERSION RATE:
WR ROOT RIGHT TOTAL DIVERSION RATE:

1.020 CFS
1.020 CFS

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

FLOW MEASUREMENT REQUIRED?

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

FIELD
DATABASE EXAMINER
Y

MEASUREMENT METHOD

See Attachments FLOW MEASUREMENT
SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N()

OTHER RIGHTS LISTED IN CLAIM: NONE

IF YES COMPLETE OVERLAP REVIEW

NO CLAIMS FOUND WITH SAME FOU AND IRRIGATION USAGE

NO RIGHTS WITH SAME FOU BUT NOT USED FOR IRRIGATION

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1.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 3 $\times$ 0.02 CFS/ACRE = .06 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 75.0 AE/A

ACRES 3 $\times$ CONSUMPTIVE VOL. AE/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 7.5 AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A AE/A

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

TOTAL DIVERSION VOLUME N/A AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y (☐) N (☐)

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

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DTU
RATE DES

REC. DTU
VOL. AE/A

REC. CONC.
USR

IRRIGATION
STOCKWATER

~~05-01~~
4-15

~~10-31~~
10-15

~~1.000~~
0.020

~~EXAMINER~~
.29

~~EXAMINER~~
EXAMINER

~~75.0~~
7.5

TOTAL FOR THIS RIGHT

1.020

REVIEWED BY:

KKC

DATE:

1-4-94

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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: 72-04194

TOTAL DIVERSION RATE OF WR SPLITS

N/A
DATABASE
1.020

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

472-04194

1.020

-

72-04194

1.020

TOTAL CFS

1.020

1.020

DIVERSION RATE REVIEW

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

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

Stacy A. Christensen

DATE:

TITLE:

2-4-94

Snake River Agent

WP ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFICATION DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y		KKC 8-2-93 KNC	Y	N	6 KNC 2-4-94 KNC 1-1-94		
SOURCE			"	N	"	"		
PLACE OF USE	Y		"	Y	"	"		
DIV. AMOUNT CFS/VOLUME			"	Y	"	"		
CONSUMPTIVE USE	-		"	Y	6	"		
PURPOSES			"	N	"	"		
PERIOD OF USE			"	Y	"	"		
PASTS OF CLAIM			"	Y	"	"		
REMARKS			"	Y	"	"		

"VERIFIED BY" CODES

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

MAPS USED:

DATE:

ASCS 2-3 1968
 ORTHO Q440 S-74 1957
 NAPP SCS 5025 MAP 243-32
~~DATA~~ USDA-F 1789-122 9-4-91

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

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9625

ALDER CREEK

ALDER CREEK
P14

P101

P102

P103

ANNIE KOWITZ CREEK

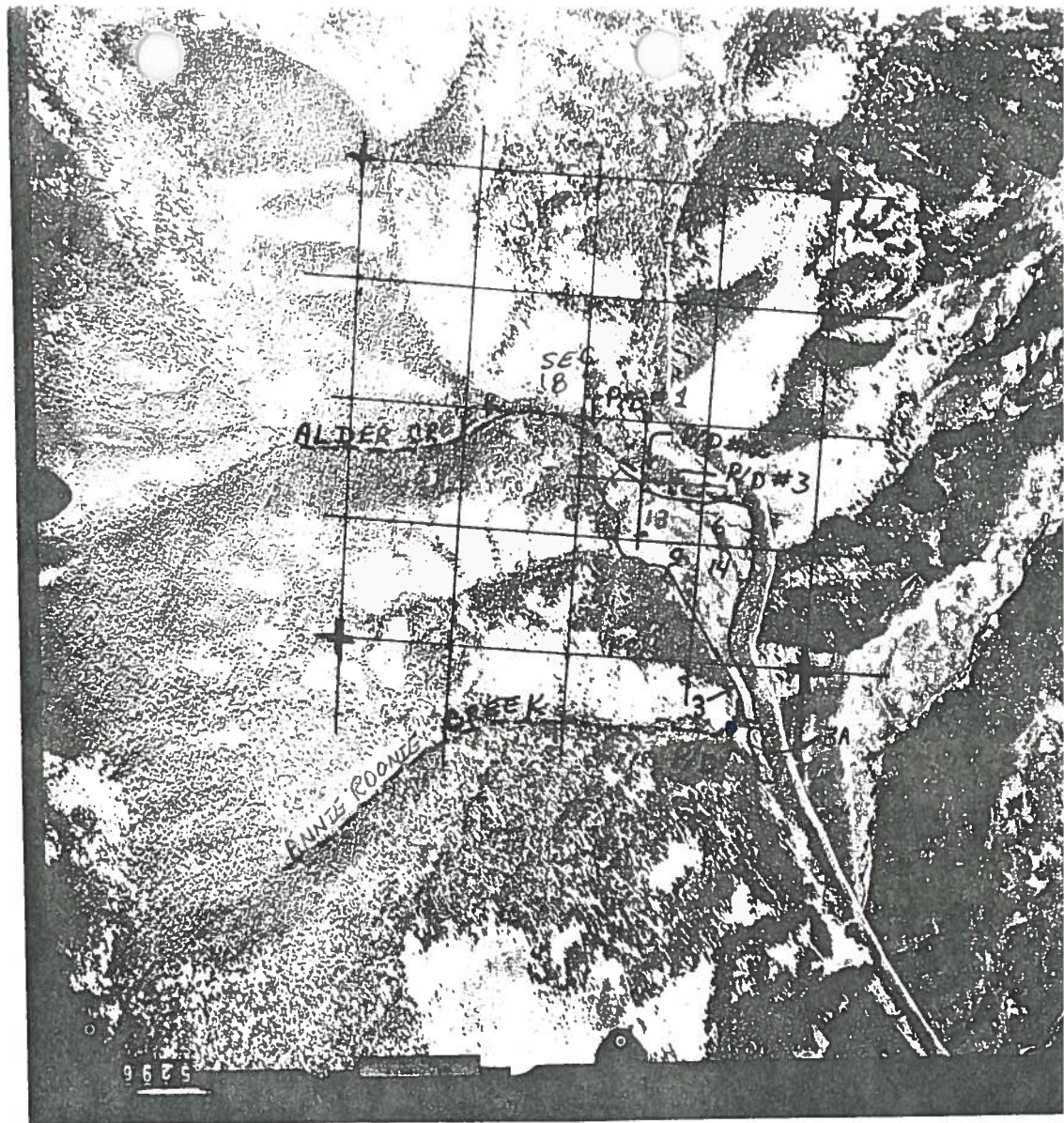
P104

ANNIE KOWITZ CREEK
P14

CLAIM A72-04194 INTL KKC
T. R. S. Q/Q
P/D
PHOTO ID-USDAT 1789-122 9-4-91
200%

NOT RECORDED
9/12/1994

POOR ORIGINAL



Section overlay determined by creating a transparency of the Black Mountain 1974 Quad map and aligning the roads on each map and then marking the Section corners.

Reduced 74%

USDA-F AERIAL PHOTO
1789-122

9-4-91 Flight

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A72-00165, 00166

CLAIM 04194, 04195 INIT KKC

T. R. S. Q/Q

P/D 17N 19E 18

PHOTO USDA-F

DT.&ID. 9-4-91 Flight

P/DS 17N-19E 5-18

NW NW
NE NW
SE NW

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NOV 01 1964

HES-263
17N AP4
19E

1966 Survey

8-20-93

Field Exam
Notes

A72-00165, 00166
CLAIM 04194, 04183 INIT KKC
T. R. S. Q/Q
P/D ASCS 2-3
PHOTO 1968 ELIGHT
DT. ID.

POOR ORIGINAL



CLAIM # A72-04194
DATE PHOTO TAKEN; 8-2-93
PICTURE # 1

POOR ORIGINAL

This is a photo of the P/D. Annie Rooney Creek and the ditch has become a common channel which is deeper than the original Annie Rooney drainage route. No actual diversion works are necessary to convey Annie Rooney water into the ditch system. The channel runs through the center of this picture set with the original Annie Rooney Creek channel running to the left at the point where my tablet lays. You are looking roughly southeast.

TABLET



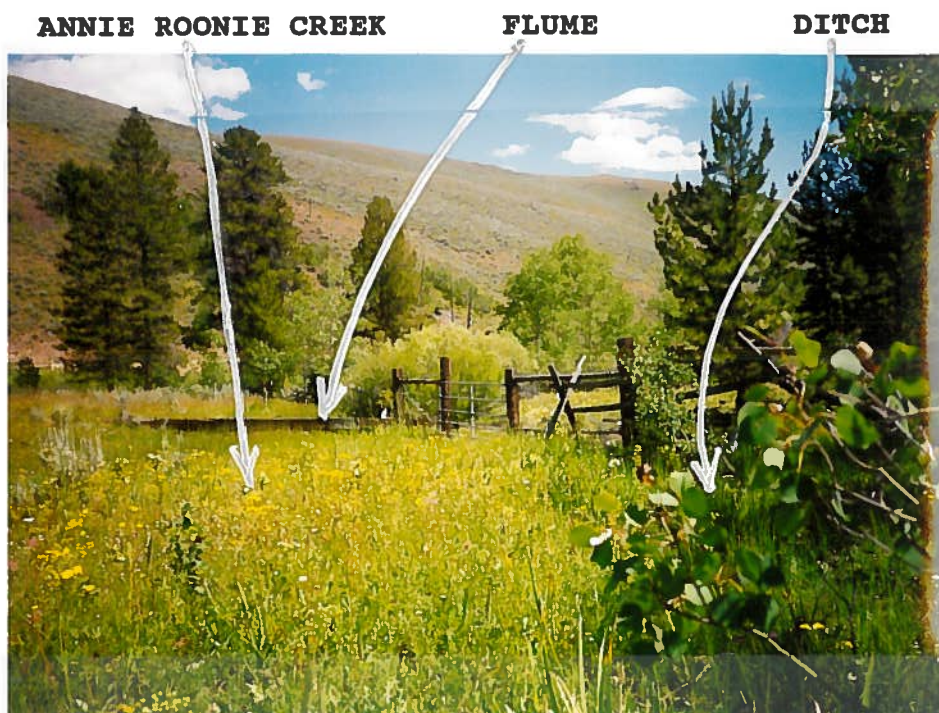
MICROFILMED

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CLAIM # A72-04194
DATE PHOTO TAKEN; 8-2-93
PICTURE # 2

POOR ORIGINAL

This photo is looking east southeast approximately 100' east of the P/D. Annie Rooney Creek channel is along the left side of this photo and the ditch is within the greener vegetation along the right side. The flume was built in 1993 to carry Alder Creek wastewater across the channel.



PICTURE # 3

This picture is looking northwest and shows the relationship of the three systems from the other direction.



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CLAIM # A72-04194
DATE PHOTO TAKEN; 8-2-93
PICTURE # 4

POOR ORIGINAL

This photo set shows the ditch constructed within two weeks prior to this exam. It is my understanding that if any water went beyond this point it was just conveyed through vehicle ruts and not in a deliberate manner for irrigation purposes. The new ditch runs for probably 1/2 mile or more (not measured) southeast. At this time this is considered the end of the P/U for irrigation from Annie Roonie Creek. Note the trees on the far hillside. They appear as an isolated clump of trees on the 9-4-91 USDA-F AERIAL PHOTO 1789-122. You are looking north northeast.



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FIELD EXAM ATTACHMENT

DATE: 10-4-94PAGE: 1/1AGENT: KKCFILES: A72-04194ATTACHMENT SUBJECT: System description

The system is a ditch from Annie Rooney Creek running from the stream to the P/T for approx 150ft to flood irrigation. The stream flow is low under normal circumstances and the ditch has become the normal channel for all Annie Rooney water. Only during high spring water flows does any water pass the diversion point.

Irrigation covers 3 Acres and although water did flow further south ^{along} ~~through~~ the roadway no evidence of intent to utilize that flow for irrigation was found. A flume was built this year (1993) to carry Alder Creek water across Annie Rooney Cr. and a ditch was constructed to extend the ditch southward beyond the current P/T. This use is not recognized as a valid water right under this recommendation (see pictures). ~~in A~~ Virtually no water was flowing at the date therefore no measurement was made. The ditch capacity, by observation, is capable of carrying well in excess of the required flows calculated using the SCS Border Program. This ditch was slightly larger than the 'Main Western Most' diversion for the decreed rights A72-00165 & 00166 and the slope for this ditch is greater (see A72-00165 for measurement notes & pictures).

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CLAIM NO. --- A72-04194
 AGENT ----- KKC
 DATE ----- 01/04/94

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

 SOIL CHARACTERISTICS

Soil Type = BC1; BIGLOST...GRAVELLY FINE SANDY LOAM
 Source of Soils Data = Printout From SCS State Office

soil depth (inches)		AWC (in/in)		PH		organic (%)		soil depth (ft)	AWC (inches)	intake family	
lower	upper	lower	upper	lower	upper	lower	upper			flood	furrow
0	5	0.11	0.14	6.6	7.8	2	3	1	1.57	3	0.7
5	23	0.12	0.15	6.6	7.8			1	1.71		
23	60	0.02	0.04	6.6	7.8			3	3.44		
								4	3.80		
								5	4.17	alternate method	
										NA	NA

Management Allowed Deficit (MAD)

crop	root depth (ft)	stress point (INCHES)	MAD
alfalfa (hay or seed)	5	0.5	2.08
corn (field or silage)	4	0.5	1.90
grain (winter or spring)	4	0.5	1.90
pasture (or grass hay)	3	0.5	1.72
other (enter below)			

=====

FIELD NOTES AND CALCULATIONS

	FIELD 1	FIELD 2	FIELD 3	FIELD 4
FIELD WIDTH	1045	0		
IRRIGATION DAYS	4			
DRY DAYS	6			
SET TIME(hours)	8			
CALCULATED RUN (run = acres*43560/width)				
LENGTH (RUN) =	125			
CALCULATED BORDER WIDTH (ditch length/irr days * cha				
WIDTH =	35			
THEORETICAL ROTATION (mad/net irr req in inches per				
SELECTED MAD =	1.72			
ROTATION =	7.5 DAYS			

 PEAK IRRIGATION DIVERSION REQUIREMENT AT FIELD

Weather Station = CHALLIS
 Figure No = 10-15

crop	acres	system	recomm. eff.	Net Irrigation Requirement (mm/day)						
				mar	apr	may	jun	jul	aug	sep
PASTURE	3	FLOOD	7.5	1.47	3.84	4.87	5.86	4.56	3.23	2.07
ALFALFA		FLOOD		1.28	4.51	5.65	6.25	4.45	2.52	0.7

Summary	3		8	1.47	3.84	4.87	5.86	4.56	3.23	2.07
Peak Net Irrigation Requirement (mm/day) =				5.86						

+++++

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

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GRADED BORDER EVALUATION

Job name: A72-04194

By: KKC

Location: BC1 SOILS FOR 3 ACRES

Date: Jan 4, 1994

Roughness coefficient (n)= 0.250

Intake family (If)=3.00

Slope (S)= 0.0200 ft/ft

Border width (W)= 35 ft

Net application (Fn)= 1.72 inches

Border length (L)= 125 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)	Note
0.25	Gross depth is less than required gross application depth					
0.26	Gross depth is less than required gross application depth					
0.27	Gross depth is less than required gross application depth					
0.28	Gross depth is less than required gross application depth					
0.29	0.008	22.91	20.84	0.35	7.5	
0.30	0.009	23.70	20.84	1.14	7.3	
0.31	0.009	24.49	20.84	1.93	7.0	
0.32	0.009	25.28	20.84	2.72	6.8	
0.33	0.009	26.07	20.84	3.51	6.6	
0.34	0.010	26.86	20.84	4.30	6.4	

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8-2-93

- Roll #1
- ✓ Pic # 5 shows the Northern most P/D and is looking NW
 - ✓ Pic #6 shows the next downstream P/D (approx 60' from Woodshed) looking NNE
 - ✓ #7 last P/D looking W approx 100 east of second P/D
 - ✓ 3 pan shots looking E to S. (so looks toward end of old corner stake.

Roll #2 then pan shots showing P/G out side ASCS Field boundary south of farmstead.

- ✓ #4 looking east across 2nd ditch south of ASCS Boundary
- ✓ #5 looking N NW near same spot.
- ✓ #6 at Southern end of P/G looking N showing flume crossing Annie Roonie.

change systems

- ✓ #7 P/D on Annie Roonie not distinct both E
- ✓ #8 Approx 100 E of #7 looking SE showing flume over channel & current ditch
- ✓ #9 P/D looking NNE to NNW @ end of P/G for Annie Roonie Div.
- ✓ 11. looking NW showing Annie Roonie Div flume, old Annie Roonie Channel.

end of roll 2

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8-2-93

A72-00165 cont

Roll #3.

Flume first installed in 1983 to carry
Alder Creek wastewater So. of Annie Rooney Creek
Annie Rooney Creek flow was too small to measure.

✓ Pic # Pan 1 thru 3: showing P/U & Litch carrying water to
P/U North of P/U outlined by ASCS. (old system)

1 pic taken at each measurement point
starting upstream & going down, in order.

X X X

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FIELD EXAM ATTACHMENT

DATE: 12-13-93

PAGE: 1/1

AGENT: KKC

FILES: Claims where SCS soils

BASIS FOR SOIL TYPE ANALYSIS Info. not available as of this date

ATTACHMENT SUBJECT: AREA OF CONCERN:

17 N 18 E SEC. 25, 36

17 N 19 E SEC. 18, 19, 20, 21, 29 & 31

16 N 19 E SEC. 6

Available soils identification of Ground surrounding Morgan Creek ends with SCS map 243-32 which covers the junction of Morgan Creek & West Fork of Morgan Creek. The irrigated ground in this area (covered by claims A72-00158A, 00159A & 00160A) is classified as BCL. The physical appearance of this ground is similar to the irrigated parcels within the above legal descriptions therefore I have selected this soil type for the excess flow analysis.

Soils analysis conducted by the Forest Service and provided by the claimant for rights A72-00165/00166 excludes private ground from their descriptions. The surrounding analyzed grounds are the steeper, timbered slopes that do not match the irrigated ground profile.

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Forest service soils information referenced in system description Attachment (dated 1-3-94) is found in A72-00165 only.

Claimant request for information & Frank Hitchcock's response is found in A72-00165 only.

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