

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: A72-07170
Date Received: 1/ 4/1990
Receipt No: S010832
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KATHRYN S HERRICK 208-336-8719
Address: 2027 SILVER CREEK LANE
BOISE ID 83706
AND/OR
Name: GERALD D HERRICK 208-336-8719
Address: 2027 SILVER CREEK LANE
BOISE ID 83706

2. Date of Priority: DEC 22, 1981

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

4. Point of Diversion:

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

5. Description of diverting works:
PUMP, MOTOR, PIPELINE, SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.680		102.00

7. Total Quantity Appropriated is:
0.680 C.F.S. (and/or) 102.00 A.F.A.

8. Total consumptive use is 192.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	18E	11	SE	SW	7	IRR	31.0
						Section Acres	31.0
		14	NE	NW	2	IRR	19.0
			SW	NW	3	IRR	14.0
						Section Acres	33.0
						Total Acres	64.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-04089, A72-04090

14. Remarks:
OWNERSHIP CHANGE 3/10/92 BY JG.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

NOTICE : CHANGE OF ADDRESS

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

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

RECEIVED

JAN 30 1995

Department of Water Resources
Southern Region

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

DEAR MR. & MRS. HERRICK,

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

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

Sincerely,



STEVE CLELLAND
Water Resource Agent

ENC:

1-27-95

THANKS STEVE...

NOTE ON A NEW ADDRESS !!

RECEIVED

JAN 30 1995

Department of Water Resources
Southern Region



A72-07170

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: A72-07170
Date Received: 1/ 4/1990
Receipt No: S010832
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: DEC 22, 1981

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

4. Point of Diversion:

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

5. Description of diverting works:
PUMP, MOTOR, PIPELINE, SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.680		102.00

7. Total Quantity Appropriated is:
0.680 C.F.S. (and/or) 102.00 A.F.A.

8. Total consumptive use is 192.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	18E	11	SE	SW	7	IRR	31.0
						Section Acres	31.0
		14	NE	NW	2	IRR	19.0
			SW	NW	3	IRR	14.0
						Section Acres	33.0
						Total Acres	64.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-04089, A72-04090

14. Remarks:
OWNERSHIP CHANGE 3/10/92 BY JG.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

HOLLAND & HART
ATTORNEYS AT LAW

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

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

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

Murray D. Feldman

March 2, 1992

RECEIVED
MAR 3 1992

Department of Water Resources

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

Attn: Adjudication Bureau

Re: Notice of Change of Water Right Ownership

Dear Adjudication Bureau:

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

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

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

Sincerely,

HOLLAND & HART

Murray D. Feldman
Murray D. Feldman

MDF:cd

Enclosures

cc: Mr. Gerald Herrick
Mr. Jed Morrison

MICROFILMED
MAR 18 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: Aug. 26, 1991

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

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

See attached legal description sheet.

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

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

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

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

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

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

☐ New Telephone Number: (208) 336-8719

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

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

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

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

Kathryn S. Herrick Date 2-24-92

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

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 3/9/92 By: KE

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 3/9/92 By: KE

Claim Numbers of Split, if any:

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

MAR 18 1993

COPY

RECEIVED

WARRANTY DEED

MAR 05 1992

Department of Water Resources

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

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

Section 1: Lot 4

Section 2: Lots 1, 7 and 8

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

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

Section 36: Lots 5 and 6

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

Section 11: Lots 6 and 7

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

including all water rights appurtenant thereto.

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

Dated: August 26, 1991

GRANTORS:

Gerald Martin
GERALD MARTIN

RECEIVED

MAR 08 1992

NOTARY PUBLIC
Notary Public Office

**COPY
NOT TO BE RECORDED**

Sharon L. Martin
SHARON L. MARTIN

Barbara Curby
BARBARA CURBY

Doris Long
DORIS LONG

James B. Martin
JAMES B. MARTIN

Robert C. Martin
ROBERT C. MARTIN

Monie Martin
MONIE MARTIN
N

STATE OF Florida)
County of _____) ss.

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

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

Notary Public
Residing at: _____
My Commission Expires: _____

STATE OF Florida)
County of Polk) : ss.

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

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

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

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

STATE OF Florida)
County of Polk) : ss.

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

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

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

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

STATE OF Florida)
County of Polk) : ss.

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

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

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

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

STATE OF Florida)
County of Polk) : ss.

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

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

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

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

STATE OF Florida)
County of Polk) ss.

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

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

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

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

14933

LEGAL DESCRIPTION OF PROPERTY

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

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

Section 1: Lot 4

Section 2: Lots 1, 7 and 8

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

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

Section 36: Lots 5 and 6

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

Section 11: Lots 6 and 7

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

18252

MICROFILMED

MAR 18 1993

SD-33

Last Name: COWART

STATE

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

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

(Menu _____)

MICROFILMED

MAR 18 1993

SD-0604-2 Township: 11N Range: 18E Section: 14			Tract:		Lot:		
S	L	STATE	O	S	Max # Records	10	
E	O	Water	W	T	Priority	Use	
L	Tract	Right No.	N	AC	G	Date	
	NWNE	A72-10512	DEPT. OF FISH & GAME	K	J	05/26/1960	19 FISH
	NENW	A72-10378	STATE OF IDAHO	C			
	NENW	A72-10378	ARIZONA, N.A., 1ST INT	C	19	J	06/01/1970
	NENW	2 A72-04089	CARLISLE, LEWIS	O	19	S	05/01/1902
	NENW	2 A72-04090	COWART, MILDRED M. (CAR	C			01 IRR
	NENW	2 A72-04090	CARLISLE, LEWIS	O	19	S	04/01/1902
	NENW	2 A72-04090	COWART, MILDRED M. (CAR	C			01 IRR
	NENW	2 A72-07170	CARLISLE, LEWIS	O	19	L	12/22/1981
	NENW	2 A72-07170	COWART, MILDRED M. (CAR	C			04 STOCK
	NWNW	A72-04089	CARLISLE, LEWIS	O	14	S	05/01/1902
	NWNW	A72-04089	COWART, MILDRED M. (CAR	C			01 IRR
	NWNW	A72-10378	ARIZONA, N.A., 1ST INT	C	14	J	06/01/1970
	NWNW	A72-10378	ARIZONA, N.A., 1ST INT	C	14	J	06/01/1970
	SWNW	A72-10378	ARIZONA, N.A., 1ST INT	C	14	J	06/01/1970
							04 STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

MAR 18 1993

ACTION REQUIRED

FROM: Judy - Adj. Sec.

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

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

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

MICROFILMED

MAR 18 1993

HOLLAND & HART
ATTORNEYS AT LAW

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

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

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

Murray D. Feldman

March 10, 1992

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

Attn: Judy

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

Dear Judy:

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

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

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

Sincerely,

HOLLAND & HART

Murray D. Feldman

MDF:cd
Enclosure

MICROFILMED
MAR 18 1993

1944/11

MARTIN
JEST
MARTIN
MARTIN
MARTIN AND ROBERT C. MARTIN

- ★ MARRIED AS JOINT TENANCY 1/5TH INTEREST
- AN UNMARRIED WOMAN 1/5TH INTEREST
- AN UNMARRIED WOMAN 1/5TH INTEREST
- AN UNMARRIED MAN 1/5TH INTEREST
- ★ MARRIED AS JOINT TENANCY 1/5TH INTEREST

* Attached are Acceptance of Joint Tenancy forms.

"EXHIBIT A"

MICROFILMED
MAR 18 1993

ACCEPTANCE OF JOINT TENANCY

STATE OF _____
County of _____ ss.

Gerald Martin

and

Sharon L. Martin

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

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

Distribution

(Type of Instrument)

which is dated

September 25, 19

executed by

First Interstate Bank of Arizona, Trustee of the

dated September 25, 1987

Gerald Martin and Sharon L. Martin

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

Tract #1 (approximately 363.70 acres)

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

Section 1: Lot 4.

Section 2: Lots 1, 7 and 8.

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

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

Section 36: Lots 5 and 6

Tract #2 (approximately 208.71 acres)

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

Section 11: Lots 6 and 7.

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

with all appurtenances.

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

Dated: Dec. 5th, 1989.

Gerald Martin
Gerald Martin

Sharon L. Martin
Sharon L. Martin

Subscribed, sworn to and acknowledged before me on
December 5th, 1989, by
Gerald Martin
and Sharon L. Martin

William S. Gordon
My commission will expire: MAR 18 1993

ACCEPTANCE OF JOINT TENANCY

STATE OF _____
County of _____ ss.

Nonie Martin

Robert C. Martin

and

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

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

of Distribution

which is dated

November 29

1989

(Type of instrument)

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

dated September 25, 1987

to

Nonie Martin and Robert C. Martin

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

which instrument conveys the following-described property:

Tract #1 (approximately 363.70 acres)

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

Section 1: Lot 4

Section 2: Lots 1, 7, and 8

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

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

Section 36: Lots 5 and 6.

Tract #2 (approximately 208.71 acres)

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

Section 11: Lots 6 and 7.

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

With all appurtenances.

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

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

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

Dated: Dec. 5th, 1989.

Nonie Martin

Robert C. Martin

Robert C. Martin

Subscribed, sworn to and acknowledged before me on

November 5th, 1989, by

Nonie Martin

and Robert C. Martin

Marie Rhodes

Notary Public

My commission will expire:

MAR 18 1993

1944

Whereof the law this instrument was filed and recorded
and indexed in DEEDS

Fee \$10

Witness my hand and official seal.
County Recorder
Deputy Recorder

Witness my hand and official seal.
County Recorder
Deputy Recorder

Comptroller
Photostatic
Fee

ARIZONA, AS 85/82

SPECIAL

WARRANTY DEED.

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

Whereof the Grantor, whether one or more than one, conveys to

SEE ATTACHED "EXHIBIT A"

The following real property situated in Custer
County, Idaho, together with all rights and privileges

County, Idaho, together with all rights and privileges

RECEIVED

MAR 12 1992

Department of Water Resources
Southern Region Office

- Tract #1 (approximately 363.70 acres)
Township 11 North Range 18 East, Boise Meridian, Custer County, Idaho.
Section 1: Lot 4.
Section 2: Lots 1, 7 and 8
Township 12 North Range 18 East, Boise Meridian, Custer County, Idaho.
Section 35: SE 1/4 SE 1/4, S 1/2 NW 1/4, N 1/2 SW 1/4
Section 36: Lots 5 and 6.
- Tract #2 (Approximately 208.71 acres)
Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho.
Section 11: Lots 6 and 7.
Section 14: NW 1/4 NW 1/4, Lots 2, 3, 4
with all appurtenances.

STATE OF IDAHO
COUNTY OF CUSTER

194411-18

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

ETHEL M. PECK
Ex-Officio Recorder

By Ethel M. Peck Deputy
Fees 12.00

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

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

By Jed Morrison
Jed Morrison, Trust Officer

By Thomas Richey
Thomas Richey, Trust Officer

STATE OF ARIZONA)
Pima) ss
County of XXXXXX)

On this the 5 day of January, 1990, before me, the undersigned officer,
personally appeared Jed Morrison
Thomas Richey, who acknowledged themselves to be Trust
Officers and Trust Officer of FIRST INTERSTATE BANK OF
ARIZONA, N.A., a national banking association, and as such officers being authorized so to do, to execute the
foregoing instrument for the purpose therein contained, by signing the name of the association by themselves as



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

12-Mar-1992 09:31

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

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

Dear Claimant(s):

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

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

Sincerely,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures

MICROFILMED

MAR 18 1993

50

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: A72-07170

Date Received: 12/14/1989

Receipt No: 50408/32

Received By: [Signature]

JAN 2 1990

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: DEC 22, 1981

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

4. Point of Diversion:

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

5. Description of diverting works:
PUMP, MOTOR, PIPELINE, SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.680		102.00

7. Total Quantity Appropriated is:
0.680 C.F.S. (and/or) 102.00 A.F.A.

8. Total consumptive use is 192.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	18E	11	SE	SW	7	IRR	31.0

Section Acres 31.0

A72-07170

Page 1

Date: 12/14/89

MICROFILMED

MAR 1 8 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	18E	14	NE	NW	2	IRR	19.0
			SW	NW	3	IRR	14.0
Section Acres							33.0
Total Acres							64.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-04089, A72-04090

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments:

For Organizations:

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

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

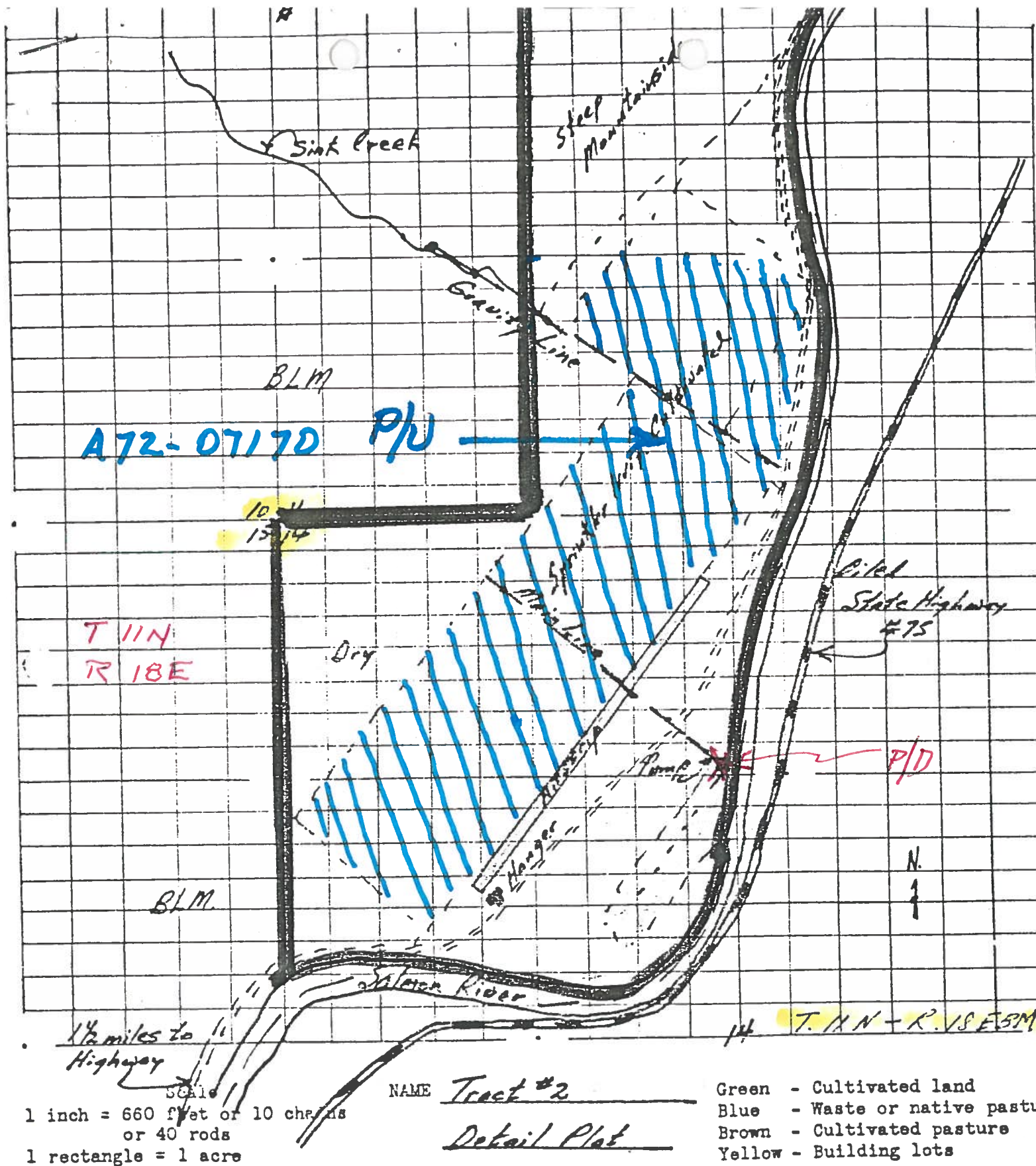
State of ~~Idaho~~ Arizona)
County of Pima) SS.

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

Edna B. Edwards
Notary Public

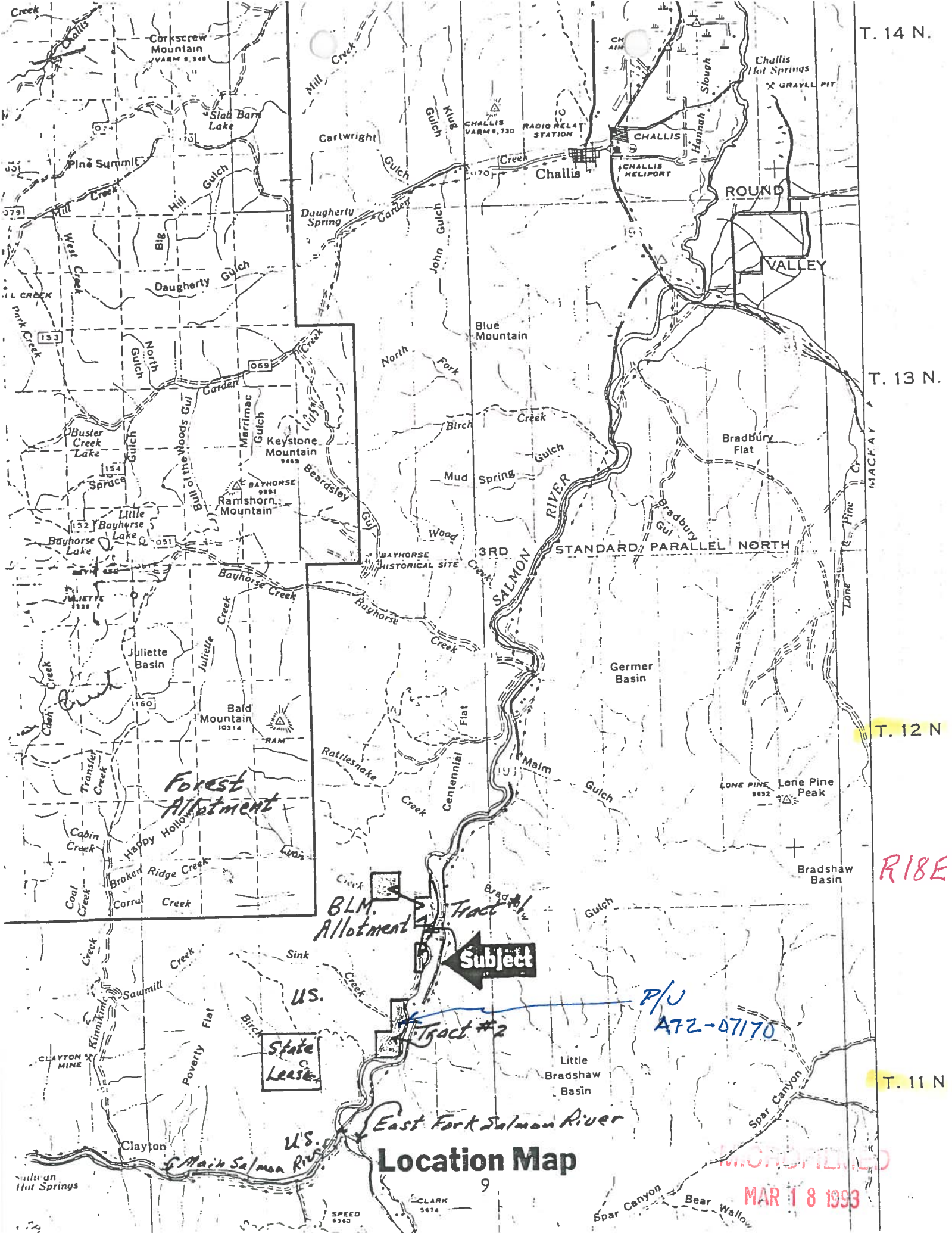
Seal

Residing at 2275 Bella Vista, Tucson, AZ
My Commission Expires My Commission Expires Oct. 31, 1993



MICROFILMED

MAR 18 1993



T. 14 N.

T. 13 N.

T. 12 N.

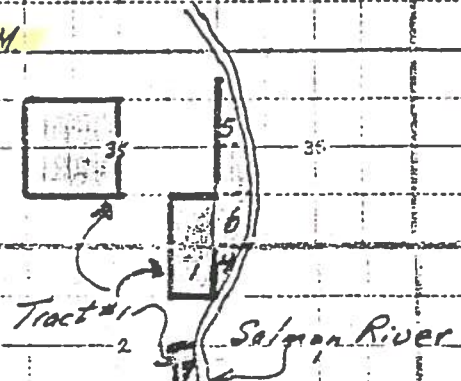
R18E

T. 11 N.

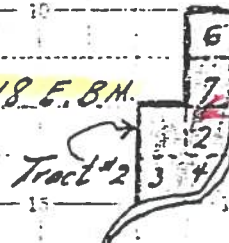
Location Map

MAR 18 1993

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



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



P/O
ATZ-07170

Legal Description Plat - Lots numbered

RECORDED
MAR 18 1993

WARRANTY DEED

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

CONVEYS AND WARRANTS TO:

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

The Broken Wing Ranch

Tract #1 (approximately 363.70 acres)
TOWNSHIP 11 NORTH, RANGE 18 EAST, BOISE MERIDIAN,
CUSTER COUNTY, IDAHO.

Section 1: Lot 4.

Section 2: Lots 1, 7 and 8.

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

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

Section 36: Lots 5 and 6.

Tract #2 (approximately 208.71 acres)

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

Section 11: Lots 6 and 7.

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

with all appurtenances.

Deeded land

Leases - *State Lease # G-8374*

BLM Allotment # 5607 Bald Mountain Allot

National Forest - Squaw Creek Allot

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

Mildred M. Cowart

Mildred M. Cowart (aka Mildred
M. Carlisle)

MICROFILMED

MAR 18 1993

WITNESSED BY:

Dale Lowrance Jerry McLean

STATE OF ARIZONA)
) SS:
COUNTY OF PIMA)

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

Bretcher Hennrich
Notary Public

My Commission Expires:

My Commission Expires May 3, 1991



186795

CUSTER COUNTY
REQUEST OF _____
Munger & Munger

'87 NOV 3 PM 1 04

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

MICROFILMED

MAR 18 1993

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

Resorted

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

FIRST CLASS

21 '89
Real Estate
Tucson

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

962

PROTECT YOUR WATER RIGHT! IMPORTANT WATER RIGHTS INFORMATION

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

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

In Re the General Adjudication of)
Rights to the Use of Water from)
the Snake River Basin Water System.)

Civil No. 39576

COMMENCEMENT NOTICE

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

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

YOU ARE HEREBY NOTIFIED THAT:

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

PLEASE CONTINUE-CONTAINS IMPORTANT WATER RIGHT INFORMATION

MAR 18 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Jan. 9, 1990

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

Dear Claimant(s):

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

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

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

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 18 1993

Proof of Priority

To all Concerned:

Notices Given:

1st. That Bertha Cooper & Timothy Cooper of Clark County Idaho have claim the use of the waters of Birch Creek & the trout of One cubic foot per second.

2d. It is intended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows: on the north side of Birch Creek, which empties into Salmon River opposite August about one and a half miles north of said Birch Creek an above described water dividing land or describe the place where said water comes from (not land mark).

3d. The purpose for said water is intended to be used in irrigation and domestic use on the land claim acquired by said claimant - The type of water used was on what was formerly known as the Timothy Cooper land claim on the west side of Salmon River about 6 miles north of Clark.

4th. It is intended to divert said water by means of ditch between a corner of the Timothy Cooper land claim is hereby the length of the proposed canal is one and one half miles. It is intended to use said water for irrigating the following described land: from a corner of said land claim this day posted and to claim of said water use on a Timothy Cooper land claim to the west of said ditch but it is intended to use said ditch.

5th. It is intended to use the work of diversion and use of said water on a Timothy Cooper land claim within 5 years (this must be in case of said ditch work).

Witness my hand at Clark County Idaho this 28 day of October 1891.

"October 28, 1891"

Timothy Cooper } Claimant
Bertha Cooper }

Birch Creek
Postal
Notice

Copy of
Microfilm
72-4089

1-20-95
SC

A72-04089

DATE: 11/16/98
PAGE: 1

Stage: LICENSE

CUSTER County

27

TOTAL ACRES

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 11, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MURRAY FELDMAN
HOLLAND & HART
PO BOX 2527
BOISE ID 83701

RE: HERRICK SRBA CLAIMS AT SINK CREEK

DEAR MR. FELDMAN,

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

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

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

Sincerely,

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

STEVE CLELLAND
Sr. Water Resource Agent

ENC:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 11, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BOB FOSTER
IDWR
VAN DREFF OFFICES STE B
SALMON ID 83467

RE: HERRICK CLAIMS AT SINK CREEK RANCH

DEAR BOB,

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

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

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

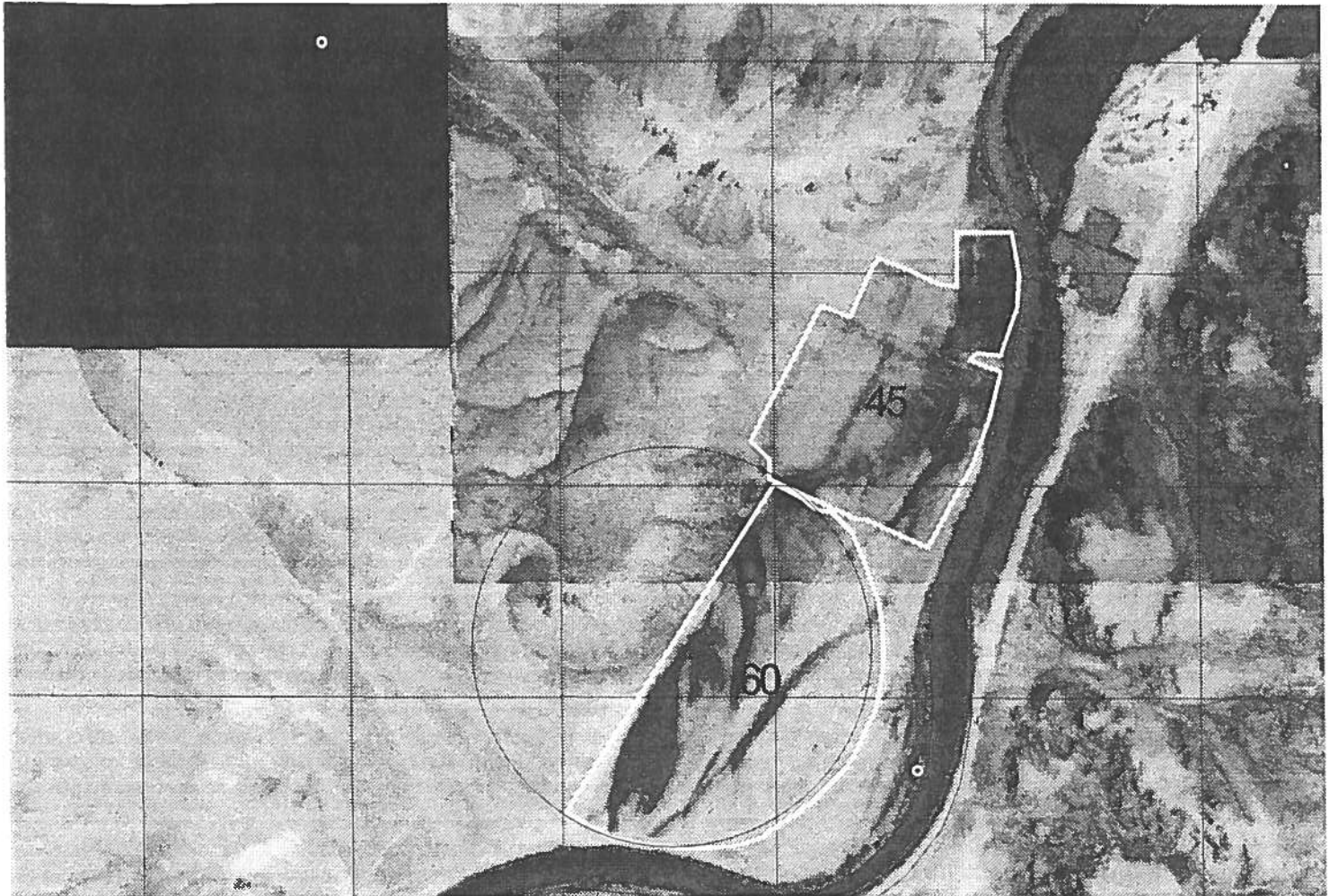
Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

IDAHO DEPARTMENT OF WATER RESOURCES

72-04090, 72-04089 & 72-07170



660 0 660 1320 1980 Feet

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



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

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

TRANSFER NUMBER _____
HOMESTEAD ENTRY NO. _____
CLAIMED ACRE TOTAL _____
GEOGRAPHIC INFO ACRES _____

B72-DBPOD.SHP

NOS	DESCRIPTION
-----	-------------

1 Sink Cr
2 SALmon R.

5/7/98 scc Upper segment shows sink creek right.
Lower segment shows Salmon R. pump rights.

B72-DBPOU.SHP

SHAPE NOS

1 72-4090

2 72-4089, 72-7170

5/11/98 see update shape file, recommend 60 ACSs.
(under pivot)

DBF TABLES UPDATED

B72-DBPOD.DBF

B72-DBPOU.DBF

10/20/99 sa
update to GIS & jpg layout

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

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

May 7, 1998 4:45pm

NAME:
MURRAY FELDMAN

CALLIN

RE:
HERRICK CLAIMS

HE HAS SPOKEN TO ALLEN M. AND WAS FORWARDED TO ME... HE REPRESENTS MRS. HERRICK AND WOULD LIKE TO GET ANY INFO ON THIS SINK CREEK THAT I MAY HAVE PREPARED. I OFFERED TO SEND HIM THE WORK FROM THE GIS MAPS I PREPARED.

SEND TO:

HOLLAND & HART
PO BOX 2527
BOISE ID 83701

PHONE: 342-5000

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

August 23, 1996

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

A72-07170

Dear Mr. Bennetts:

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

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

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

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

sent
R72-0
R72-0
R72-1

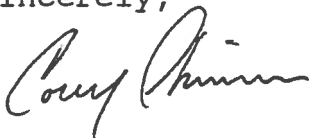
August 23, 1996
PAGE 2

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

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

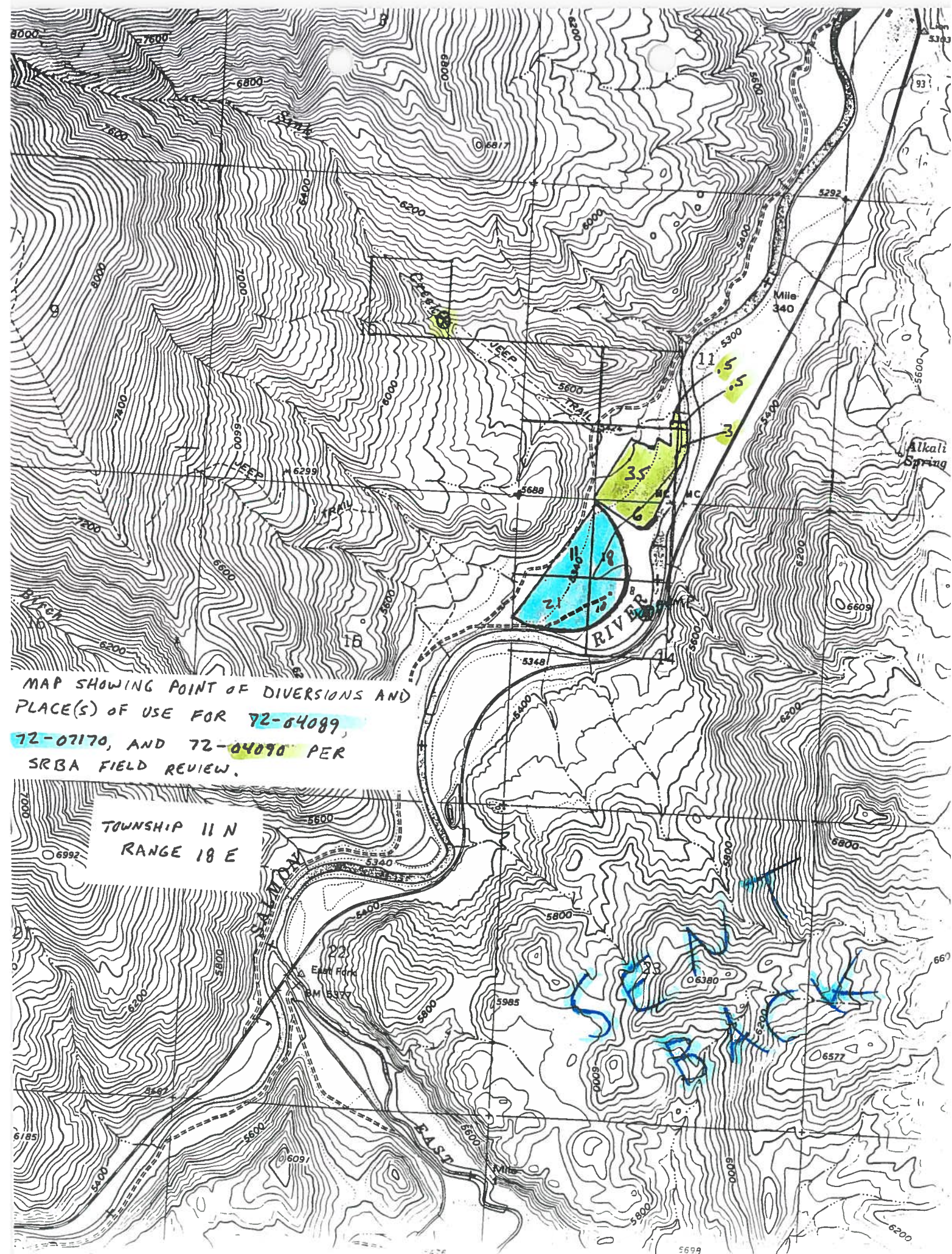
If you have any questions or need any further assistance, feel free to contact me at your convenience.

Sincerely,



Corey Skinner, EIT
Dam Safety Section

Enclosures



JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. Box 36

CHALLIS, IDAHO 83226-0036

FAX

TELEPHONE
(208) 879-4488

(208) 879-4248

July 17, 1996

RECEIVED

JUL 19 1996

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

Department of Water Resources
Southern Region

Dear Steve:

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

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

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

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

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

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

Again, call me with questions.

Very truly yours,

James R. Bennetts

APPLICATIONS
SENT BACK
08/23/96

JRB:k
Enclosures

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

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other
2. Describe the reason for the proposed changes Applicant wishes to move point of diversion for a portion of right leaving existing point of diversion for balance of right.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|--|
| <u>A72-04089</u> | <u>05/01/1902</u> | <u>7.6</u> | <u>Irrigation</u> | <u>04/01</u> to <u>11/01</u> (old PC) |
| <u>A72-04089</u> | <u>05/01/1902</u> | <u>1.4</u> | <u>Irrigation</u> | <u>04/01</u> to <u>11/01</u> (new PC) |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
2. Total amount of water being transferred 1.4 cubic feet per second and/or acre-feet per annum.
3. Source of water Sink Creek tributary to Salmon River (sinks)
4. Point(s) of Diversion:

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

5. Lands irrigated or place of use:

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

Total acres 81

PART 1**6. General Information:**

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

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

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

☒ Tax Notice ☐ Warranty Deed ☐ Other 3. Source of water Salmon River - Birch Creek tributary to Snake River - Salmon River4. Date or priority May 1, 1902

5. Water is used for the following purpose:

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

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

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use:

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

Total acres 819. Describe any other water rights used for the same purpose as described above A72-04090 Sink Creek diversio
covers some of same lands

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.4 cfs for Irrigation purposes from 04/01 to 11/01
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres 81

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

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

2. Point(s) of Diversion:

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

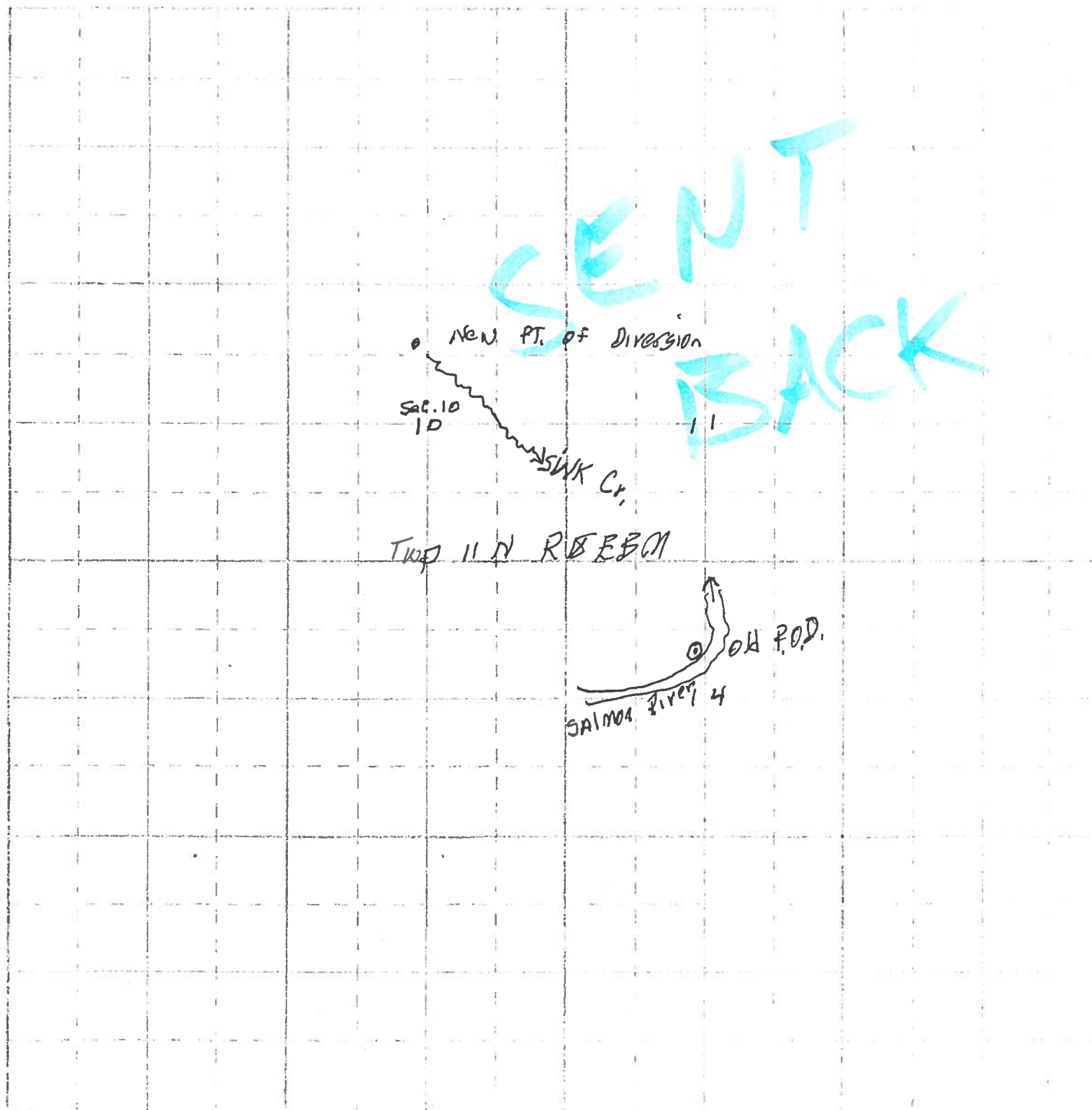
3. Lands irrigated or place of use:

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

Total acres 81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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

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

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

No change except less disturbance and impact on river

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

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

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

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

Gerald D. Herrick
(Signature of Applicant)

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

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

My commission expires 1-21-99

FOR DEPARTMENT USE ONLY

Transfer contains pages and attachments

Received by Date Protest filed by

Prelim. check by Fee

Receipted by Date

Published in Copies of protest forwarded by

Pub. dates Hearing held by Date

Watermaster recommendation requested on Recommended for ☐ approval ☐ denial

 rec'd. by

Copy of transfer sent to lien holder

R PROOF

CVR

MAPS

PHOTOS

MISC

—

X

X

—

—

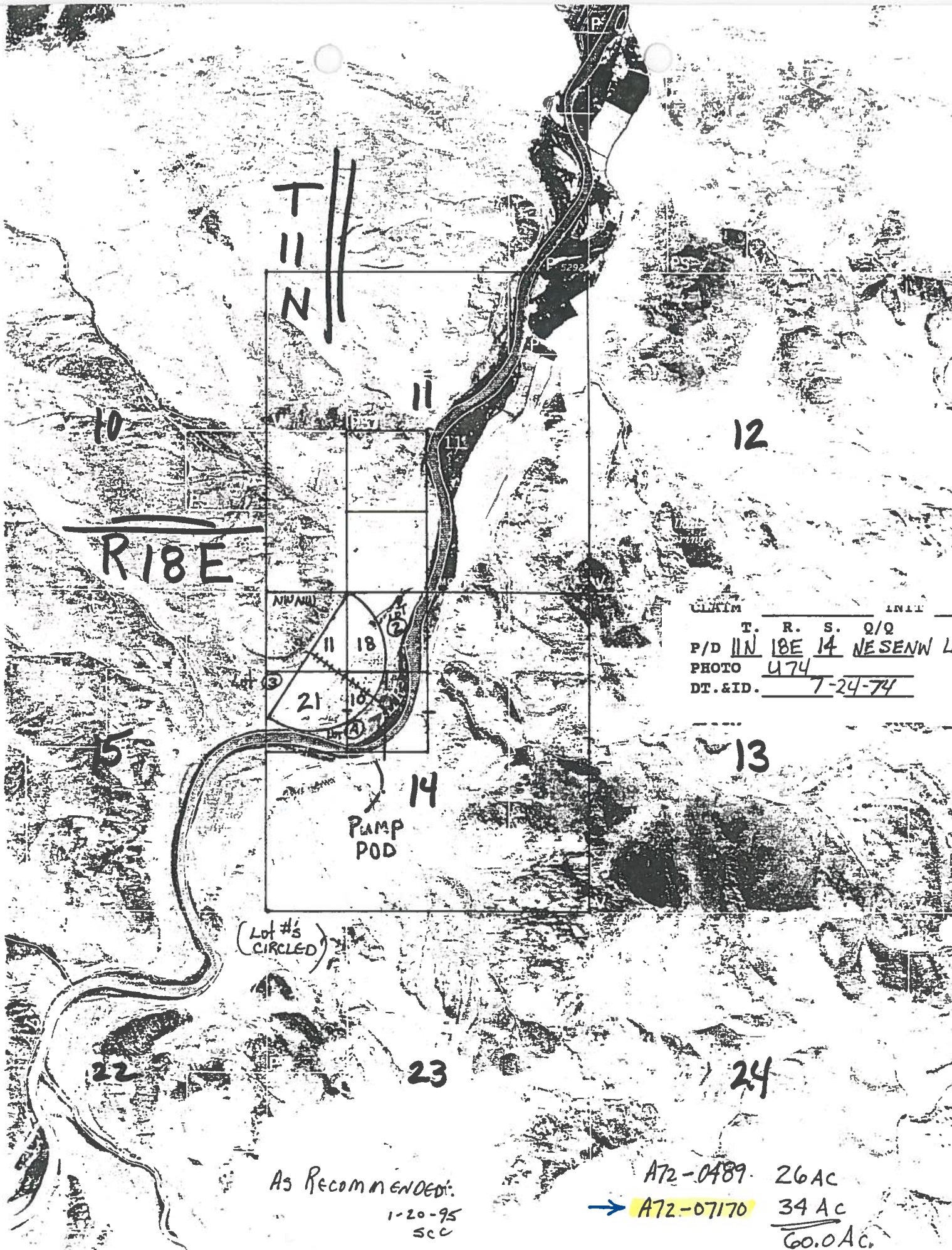
Stage: LICENSE

CUSTER County

2.

TOTAL ACRES

01/20/95 SCLELLAN



WATER 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			9-9-93 9-10-93 SW	N		SW 1-20-95	SW 1-20-95	SW 1-20-95
POTENTIAL OF DIU	(Y)			(Y) 10A	1456			
SOURCE				N				
PLACE OF USE	(Y)			(Y)	14 5,6			
DIU AMOUNT CFS/UNITIME	(Y)			N				
CONSUMPTIVE USE	(Y)			(Y)	6.			
PIPELINES				N				
POTENTIAL OF USE				(Y)	6.			
BASIS OF CLAIM	(Y)			N				
REMARKS	Y			(Y)	6.			

*VERIFIED BY CODES

TOPO MAP/OPTUN-PO = 1
 ASGS 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.

SW
1-27-93

* See 472-04089
for Complete Review

STATUS: A77-07170

INVESTMENT

[illegible]

R

9+333 1.10ENST

CLISTER County

11/15

1-20-95
Su

60.0

LAST: CARLISLE
ADDRESS: HC 67 BOX 2092
CITY: CHALLIS
PHONE NUMBER: 208-900-0000
OWNER CODE: 0
FIRST: LEWIS
STATE: ID ZIP: 83236

LAST: COMART
ADDRESS: X JED MORRISON TRUST OFFICER
FIRST INTERSTATE BANK OF AZ.
P.O. BOX 350
CITY: TUCSON
PHONE NUMBER: 602-792-5175
OWNER CODE: 0
FIRST: MILDRED M. (CARLISLE)
STATE: AZ ZIP: 85702

LAST: HERRICK
ADDRESS: 2170 E. GOSSEMER LN.
CITY: BOISE
PHONE NUMBER: 208-336-8719
OWNER CODE: 0
FIRST: KATHRYN S.
STATE: ID ZIP: 83706

LAST: HERRICK
ADDRESS: 2170 E. GOSSEMER LN.
CITY: BOISE
PHONE NUMBER: 208-336-8719
OWNER CODE: 0
FIRST: GERALD D.
STATE: ID ZIP: 83706
FIELD EXAM REQUIRED?
VERIFICATION REQUIRED TO REMARKS?
CLAIM REMARKS: OWNERSHIP CHANGE 3/10/92 BY JG.
FIELD EXAMINER

CONTACT PERSON: _____

PHONE NUMBER: () -

DATE OF FIFTH EXAM: / /

APPOINTMENT MADE: Y () N ()

TIME: () A () P ()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / PREMISES: _____

See Complete Review in file A72-4089

A. AT CLAIM: # A72-07170 PRIORITY DATE: 12-22-1981 STAGE: 1
B. WR RECORD: # 72-07170 PRIORITY DATE: 12-22-1981 STAGE: 1

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

APP APPROPRIATE REASONS TO QUESTION THE PRIORITY DATE CLAIMED? (Y/N) *(X)*
IF YES, EXPLAIN.

REMARKS:

OK as per license

===== RECOMMENDED PRIORITY DATE: 12-22-1981 =====

DEPUTED BY:

su

DATE 1-20-95

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
672-07170	11N	18E	14		SE	NE	4	CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
72-04089 NONE

WR RECORDS IN SAME 40 ACRE TRACT

72-04018
72-04089

SOURCE: SALMON RIVER

TRF: SNAKE RIVER

P. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-07170	11N	18E	14		SE	NE	4	CUSTER

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

72-04018
72-04089

A72-04089 NONE

SOURCE: SALMON RIVER

TRF: SNAKE RIVER

C. FIELD EXAM REQUIREMENTS

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

REMARKS:

Source of POD Confirmed by Stanz, OPS, MPP.

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

11N 18E 14 NE SE NW 4 LOT

COUNTY

SOURCE: CAMDEN RIVER TRIP: SNAKE RIVER

REVISED BY: *SW* DATE: *1-20-95*

FDS

A. FRONT WATER RIGHT NUMBERS: A72-07170
 B. FOU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	A1 #/ACRES	MP #/ACRES	LANDSAT DATA	FIELD EXAM.	PERMAN. ACRES
11N	18E	11	SE	SW	7	HERRICK, KATHRYN S.	A72-07170 /31.0	72-07170 /2.0			39.0
			SE	SW	7	HERRICK, GERALD D.	A72-04089 /31.0	72-04089 /10.0			
			SE	SW	7	HERRICK, GERALD D.	A72-04090 /31.0	72-04090 /41.0			
			SE	SW		HERRICK, GERALD D.	A72-10378 /31.0				
11N	18E	14	NE	NE	2	HERRICK, KATHRYN S.	A72-07170 /19.0	72-07170 /12.0			27.0
			NE	NE	2	HERRICK, GERALD D.	A72-04089 /19.0	72-04089 /12.0			
			NE	NE	2	HERRICK, GERALD D.	A72-04090 /19.0	72-04090 /2.0			
			NE	NE		HERRICK, GERALD D.	A72-10378 /19.0				
18E	14		SW	SW	3	HERRICK, KATHRYN S.	A72-07170 /14.0	72-07170 /10.0			23.0
			SW	SW	3	HERRICK, GERALD D.	A72-04089 /14.0	72-04089 /17.0			
			SW	SW		HERRICK, GERALD D.	A72-10378 /14.0				
TOTAL ACRES							A72-07170	64.00		24.00	89.00

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

C. FIELD EXAM REQUIRED?
 YES TO FOU DISCREPANCY? (Y/N) DATABASE EXAMINER FOU COUNTY: CUSTER

PRESCRIPTION FLAG:

REMARKS:

*Unrecorded Transfer of shifted area due to addition of first system.
 (Transfer?)*

34 linear acres w/in Poll of 60 Acres

DEFINITIONS:
 TOTAL ACRES: *34/60 Poll*
 REVIEWED BY: *Se*
 DATE: *1-20-95*

A. AS CLAIMED USES:

72-07170 PURPOSES
IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

IRRIGATION QUANTITY

680 CFS 102.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

680 CFS 102.00 AF/A

B. AS RECORDED USES:

72-07170 PURPOSES
IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY

680 CFS 102.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

680 CFS 102.00 AF/A

C. SUSPENSION FLAG:

C. FIELD EXAM REQUIRED?

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

DATABASE FIELD
EXAMINER

N
N
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO AS STANDARDS OF OTHERS?

Y () N (X)
Y (X) N ()

Explain in remarks below.

REMARKS:

Std Season 4-15 to 10-15

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AT TOTAL CLAIMED DIVERSION RATE: 0.680 CFS
WR FOOT RIGHT TOTAL DIVERSION RATE: 0.680 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 STAFF OR DIVERSION RATE DISCREPANCY? (Y/N)

FILED
DATABASE EXAMINER
N

MEASUREMENT METHOD

FLOW MEASUREMENT

SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 772-04089, 772-04090

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DTU RATE	DTU RATE/ACRE	DTU VOL.	DTU VOL./ACRE
772-07170	SALMON RIVER	HERBERT KATHRYN S.	0.680	0.010	103.00	1.59
772-04089	SALMON RIVER	HERBERT GERALD D.	9.000	0.111		
772-04090	BIRCH CREEK	HERBERT GERALD D.	1.000	0.018		
772-10370	STAY CREEK	HERBERT GERALD D.	9.000	0.111		
	UNIDENTIFIED					

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

10.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1. IRRIGATION RATE

ACRES 34 $\times$ 0.02 CFS/ACRE = 0.68 CFS
(Taken from p/u review)

TOTAL AMOUNT CLAIMED EXCEEDS 0.02 CFS/ACRE

Y () N (X)

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 192.0 AF/A

ACRES 34 $\times$ CONSUMPTIVE VOL. (AF/A) FOR AREA

2.5 =

TOTAL CONSUMPTIVE USE 85 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 102.00 AF/A

ACRES 102 $\times$ DIVERSION VOL. (AF/A) FOR AREA

TOTAL DIVERSION VOLUME 102 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y () N ()

REMARKS: (Include limitations on consumptive use for combined rights.)

* as per license 0.02 cfs/acre

RECOMMENDATIONS:

REC
VIRPUS

REC. PERIOD
FROM TO

REC. DTU
DATE CFS

REC. DTU
VUL. AE/A

REC. CONS.
HSF

IPRIGATION

04-02 ¹⁵ 10-15
1101

DATABASE EXAMINER
0.680

DATABASE EXAMINER
102.0

DATABASE EXAMINER
102.0

TOTAL FOR THIS RIGHT

0.680

102.0

102.0

85

REVIEWED BY:

Sc

DATE: 1-20-95

per Lewis

K06
F05

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
REVIEW
NEEDS
REVIEW

B. SPLIT WATER RIGHT REVIEW

PLOT WATER RIGHT NUMBER: 72-07170

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.680

EXAMINER

CPS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"D" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

672-07170

0.680

-

72-07170

0.680

TOTAL CPS

0.680

0.680

DIVERSION RATE REVIEW

DO THE SUM CPS RATE OF THE SPLITS EQUAL THE PLOT RIGHT CPS RATE? (Y/N)
IF NO, IS THE WRITING REVIEW SHEET ATTACHED? (Y/N)

DATABASE
Y

FILED
EXAMINER

REMARKS:

N/A

AUTHENTICATION:

SIGNATURE:

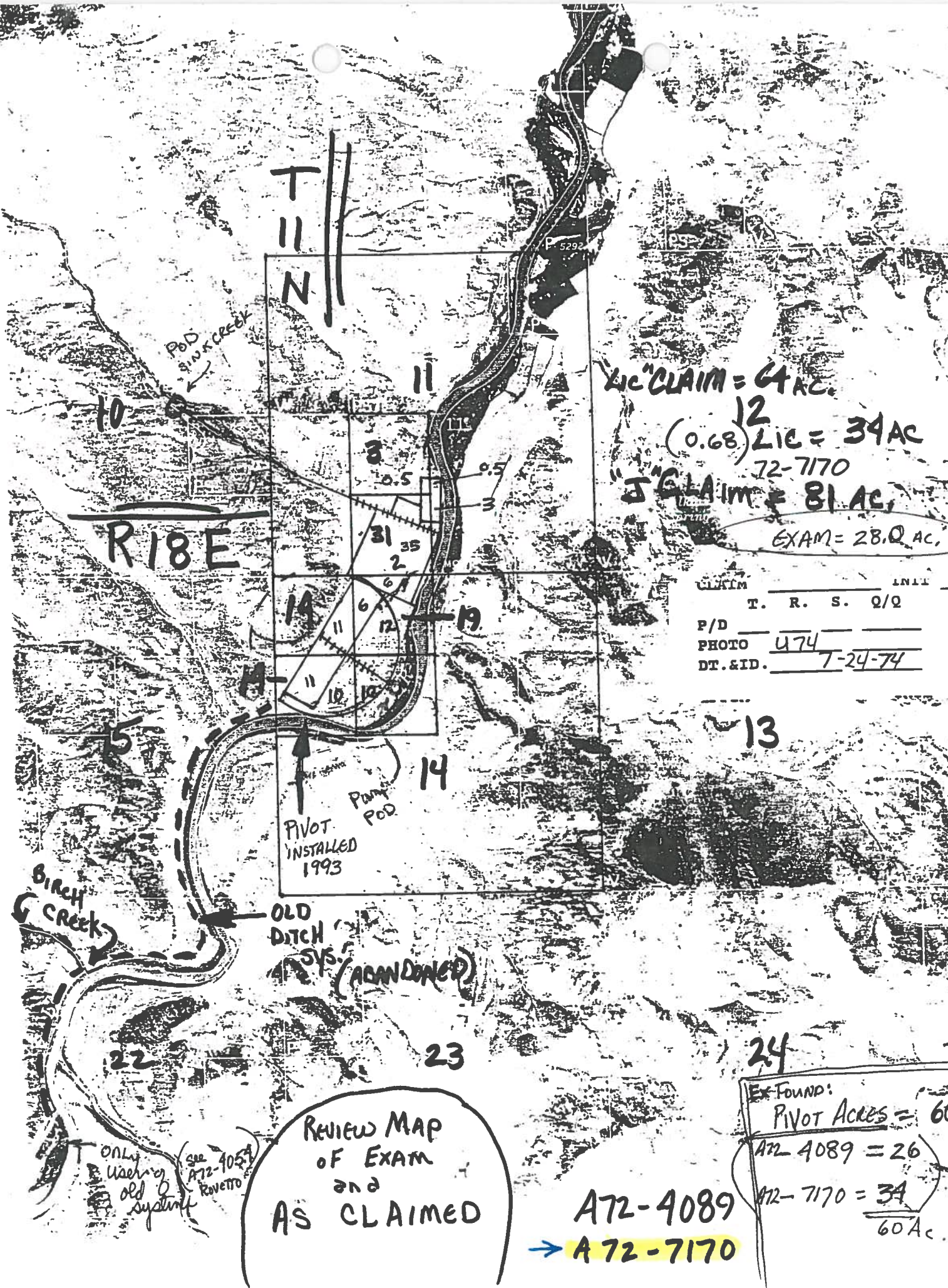
Jim O'Dell

DATE:

1-20-95

NAME OF PLOT EXAMINER:

TITLE:



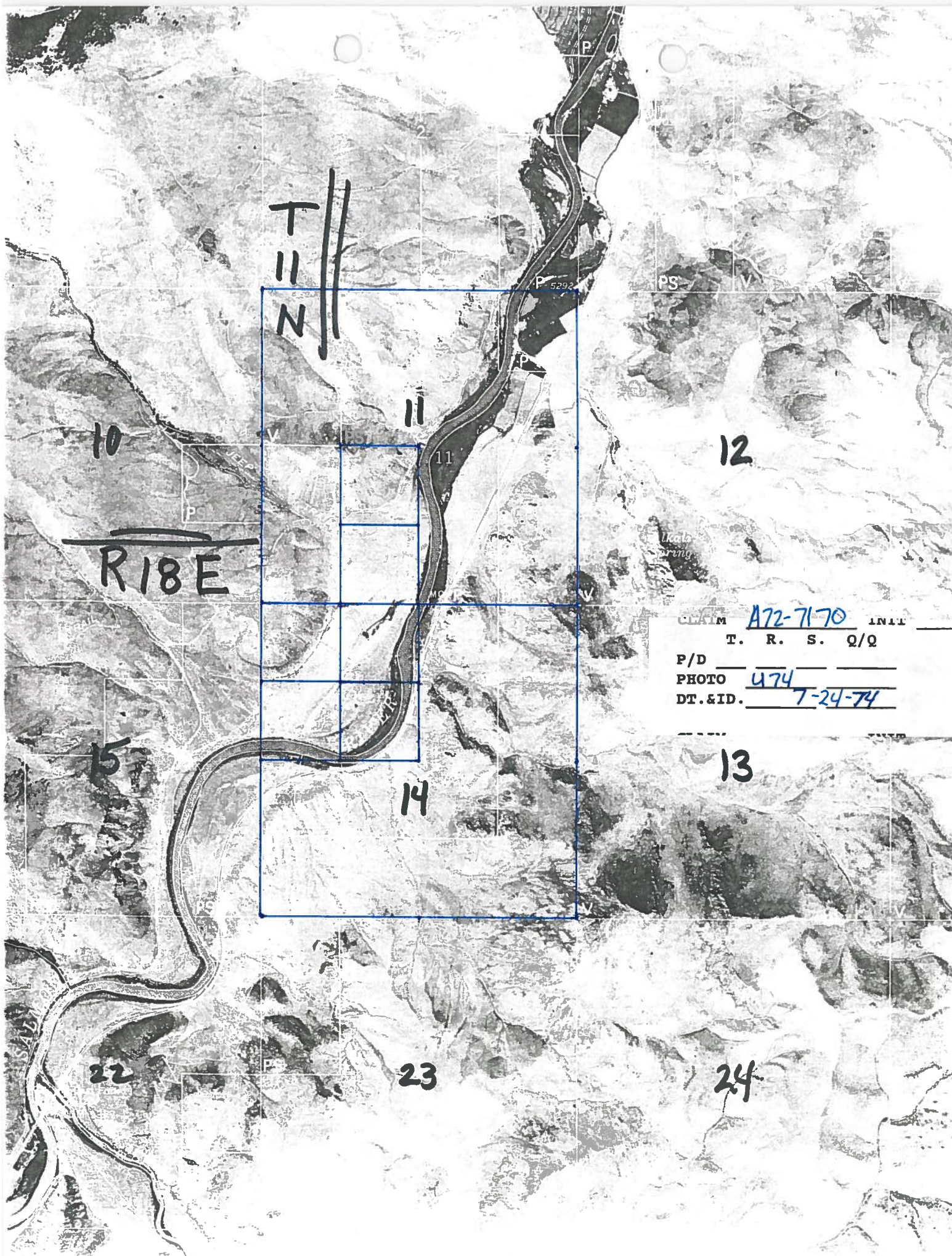
LISTING OF MAPS USED IN REVIEW OF THIS FILE

CLAIM NUMBER: A72-4089 .
A72-7170

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

=====

REMARKS:



T
I
N

10

12

R18E

14

13

22

23

24

CLAIM A72-71-70 INIT
T. R. S. Q/Q
P/D
PHOTO 474
DT.&ID. 7-24-74

R 18 E

04 LT02	04 LT02	04 LT01	03 LT04	03 LT02	03 LT02	03 LT01	02 LT04	02 LT02	02 LT02	02 LT01	01 LT04	01 LT02	01 LT02	01 LT01
04 SENW	04 SWNE	04 SENE	03 SWNW	03 SENW	03 SWNE	03 SENE	02 SWNW	02 SENW	02 SWNE	02 LT05	01 LT05	01 SENW	01 SWNE	01 SENE
04 NESW	04 NWSE	04 NESE	03 NWSW	03 NESW	03 NWSE	03 NESE	02 NWSW	02 NESW	02 NWSE	02 LT07	01 LT08	01 NESW	01 NWSE	01 NESE
04 SESW	04 SWSE	04 SESE	03 SWSW	03 SESW	03 SWSE	03 SESE	02 SWSW	02 SESW	02 SWSE	02 LT08	01 LT07	01 SESW	01 SWSE	01 SESE
09 NENW	09 NNWE	09 NENE	10 NNWW	10 NENW	10 NNWE	10 NENE	11 NNWW	11 NENW	11 LT02	11 LT01	12 NNWW	12 NENW	12 NNWE	12 NENE
09 SENW	09 SWNE	09 SENE	10 SWNW	10 SENW	10 SWNE	10 SENE	11 SWNW	11 SENW	11 LT03	11 LT04	12 SWNW	12 SENW	12 SWNE	12 SENE
09 NESW	09 NWSE	09 NESE	10 NWSW	10 NESW	10 NWSE	10 NESE	11 NWSW	11 LT08	11 LT05	11 NESE	12 NWSW	12 NESW	12 NWSE	12 NESE
09 ESW	09 SWSE	09 SESE	10 SWSW	10 SESW	10 SWSE	10 SESE	11 SWSW	11 SESW	11 SWSE	11 SESE	12 SWSW	12 SESW	12 SWSE	12 SESE
18 ENW	18 NNWE	18 NENE	15 NNWW	15 NENW	15 NNWE	15 NENE	14 NNWW	14 LT02	14 LT01	14 NENE	13 NNWW	13 NENW	13 NNWE	13 NENE
18 ENW	18 SWNE	18 SENE	15 SWNW	15 SENW	15 SWNE	15 LT02	14 LT02	14 LT04	14 LT05	14 SENE	13 SWNW	13 SENW	13 SWNE	13 SENE
18 ESW	18 NWSE	18 NESE	15 NWSW	15 NESW	15 LT04	15 LT01	14 LT07	14 LT08	14 NWSE	14 NESE	13 NWSW	13 NESW	13 NWSE	13 NESE
18 ESW	18 SWSE	18 SESE	15 SWSW	15 SESW	15 LT05	15 LT02	14 SWSW	14 SESW	14 SWSE	14 SESE	13 SWSW	13 SESW	13 SWSE	13 SESE
21 ENW	21 NNWE	21 NENE	22 NNWW	22 LT08	22 LT07	22 LT01	23 NNWW	23 NENW	23 NNWE	23 NENE	24 NNWW	24 NENW	24 NNWE	24 NENE
1 NW	21 SWNE	21 SENE	22 LT08	22 LT02	22 LT03	22 LT04	23 SWNW	23 SENW	23 SWNE	23 SENE	24 SWNW	24 SENW	24 SWNE	24 SENE
1 SW	21 NWSE	21 NESE	22 LT10	22 LT05	22 NWSE	22 NESE	23 NWSW	23 NESW	23 NWSE	23 NESE	24 NWSW	24 NESW	24 NWSE	24 NESE
1 SW	21 SWSE	21 SESE	22 LT11	22 LT06	22 SWSE	22 SESE	23 SWSW	23 SESW	23 SWSE	23 SESE	24 SWSW	24 SESW	24 SWSE	24 SESE
8 NW	28 NNWE	28 LT01	27 LT01	27 NENW	27 NNWE	27 NENE	28 NNWW	28 NENW	28 NNWE	28 NENE	25 NNWW	25 NENW	25 NNWE	25 NENE
3 SW	28 LT04	28 LT05	27 SWNW	27 SENW	27 SWNE	27 SENE	28 SWNW	28 SENW	28 SWNE	28 SENE	25 SWNW	25 SENW	25 SWNE	25 SENE
3 SW	28 LT08	28 NESE	27 NWSW	27 NESW	27 NWSE	27 NESE	28 NWSW	28 NESW	28 NWSE	28 NESE	25 NWSW	25 NESW	25 NWSE	25 NESE
3 SW	28 SWSE	28 SESE	27 SWSW	27 SESW	27 SWSE	27 SESE	28 SWSW	28 SESW	28 SWSE	28 SESE	25 SWSW	25 SESW	25 SWSE	25 SESE

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A72-7170

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Lewis &/or Mildred Carlisle
of Challis, Idaho, has complied with the terms and conditions of Permit
No. 72-7170 issued pursuant to Application for Permit dated December 22, 1981
and has submitted proof to the Department of Water Resources on August 13, 1982
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.83 cfs of water from Salmon River
tributary to SNAKE RIVER, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use Period of Use Rate of Diversion Annual Volume

Irrigation from April 1 to November 1 at 0.68 cfs and 102.0 acre feet

from _____ to _____ at _____ cfs and _____

from _____ to _____ at _____ cfs and _____

(both dates inclusive)

Subject, however, to the condition that no more than 0.68 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 102.0 acre feet per year, said waters to be diverted within the Gov. Lot 4 (SEANWA) Section 14, Twp 11N, Rge 18E in the County of Custer

Description and location of place of use:

[illegible]Total number of acres irrigated 34

A72-07170

CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14TH day of

OCTOBER, 19 86.


Director

A72-7170

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Department of Water Resources

72-7170
Permit No.

CONTACT WITH PERMIT HOLDER

DATE INITIALS

REMARKS

☐ Appointment letter mailed.☒ Telephone call made:
(List Telephone No. used)

6-12-83 TB

Called Marion Resner
538-2228 who is caretaker
of the property☒ Appointment scheduled for:
(Date, time, location)

6-16-83 TB

EXAMINATION

Date 6-16-83 Accompanied by Marion Resner Total Q measured 1.83 cfs ✓

If source is surface water, estimate total flow of source 4500 cfs

Methods of measurement Nozzle size and Pressure Meets Permit requirements? yes

Measurement calculations: Volume 34.8 cfs @ 102.0 AF/Acre
 2 NELSON 100FA Big Gun Sprinklers with 1" dia. nozzle @ 54 PSI = 414 gpm
 2 1/4 mile wheel lines 64 1/4" nozzles @ 42 PSI = 356.4 gpm
 1 hand line 1 1/4" x 1/2" @ 42 PSI = 10.9 gpm, 1 1/4" x 1/2" @ 40 PSI = 9.2 gpm, 3/32" x 1/8" @ 40 PSI = 7.3 gpm
 1 1/4" x 1/8" @ 40 PSI = 10.7 gpm, 7/32" x 1/8" @ 40 PSI = 12.7 gpm. Total = 821.2 gpm = 1.83 cfs ✓

WELL/DIVERSION NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	50	GE	DSJ42329	Ruroa	No 116			

System Description 8" MAIN LINE 1520' to Base of Mt. 2-100 FA Nelson Big Gun Sprinklers.
 2 1/4 mile wheel lines, 64 1/4" nozzles @ 42 PSI @ 102.0 AF/Acre and 46 PSI @ 102.0 AF/Acre
 1 hand line with 5 heads 1 1/4" x 1/2" @ 42 PSI, 1 1/4" x 1/2" @ 40 PSI, 3/32" x 1/8" @ 40 PSI, 7/32" x 1/8" @ 40 PSI
 *Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS
USEIrrigation requirement = 3.0 ✓
Q (cfs) V (afa)AFA/Acre
FROM TO

Irrigation ✓

0.68 cfs ✓

102 ✓

Apr. 1 ✓ Nov. 1 ✓

Total 0.68 cfs 102.0 AF

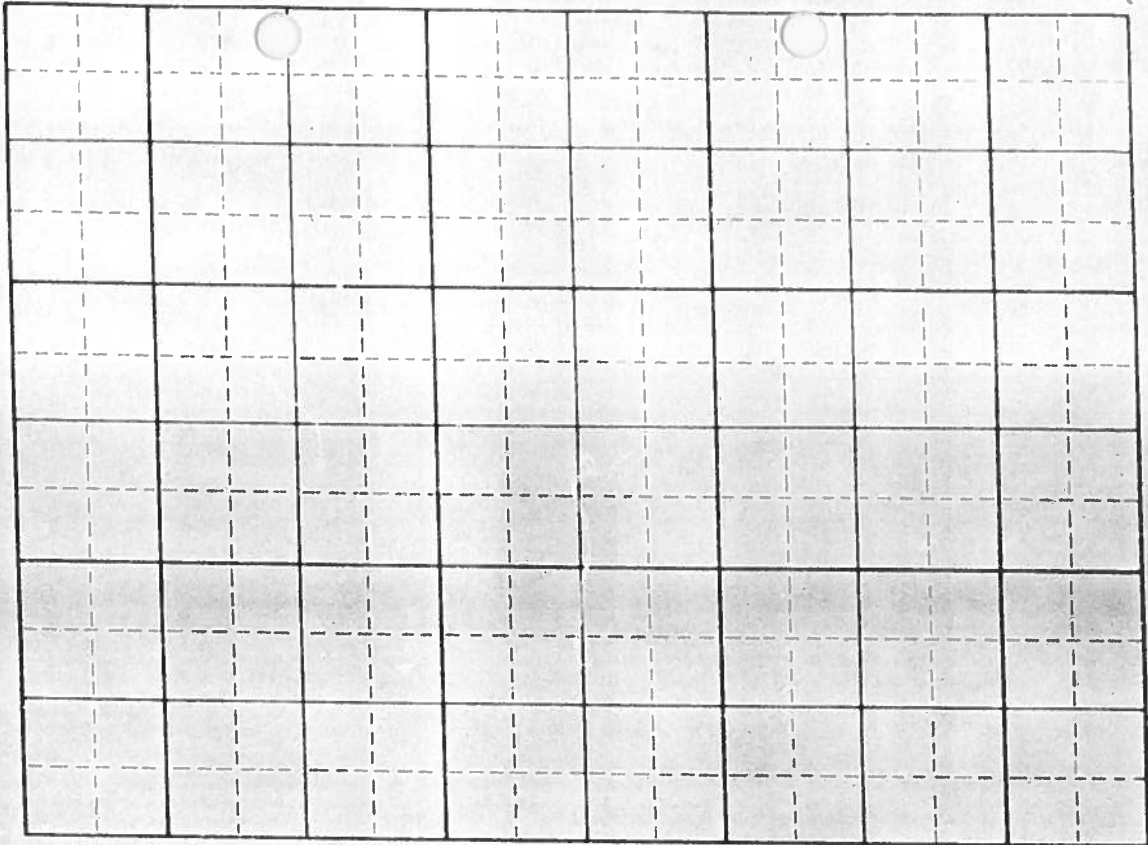
Remarks Nozzle size of big guns obtained from Butte Irrigation in Paul
 Mr. Carlson is deceased Mr. Resner is now running the ranch for Mrs. Carlson.
 This same system supplies water for claim # 72-4089

Q_{allow} = 0.68 cfs Cited onV_{allow} = 34.2 cfs X 2.0 AF/Acre/Acre = 102.0 AF/Acre

Overlap Review per VAX: pld-72-4089, 72-4018-claims
 pl-72-4089, 72-4090-claims, NO overlap. NO overlap

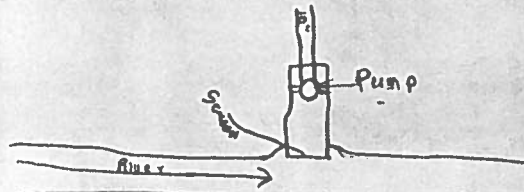
A72-7170

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion:

Lot #4 Sec. 14 Twp 11 N. Rge 18 E. (SE NW)

Place(s) of Use

TWP	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11 N	18 E	14					12		10	10									32
		11					12		13	14									2
														2					2
														11.7					

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☒ None

☐ Other

Examiner's Signature

Jerry D. Blum

Checked by

Approved by

Ray Walker

Date 9-19-13

Date 12-13-83

Date 10-7-86

A72-7170



72-7170
LIC. EXAM MAP

note
1-20-95

A72-7170

FIELD NOTE
~~CONVERSATION~~ MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A72-4089

A72-4090

RE: CHANGE IN IRRIGATION SYSTEM

A72-7170

DATE 5-25-93

NAME OF PARTY

HERRICK

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

(See photos from roll R72-5)

Water Right Number - 72-07170

Prefix Translation:

WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
CARLISLE

LEWIS

1 - HC 67 BOX 2092
2 -
3 -

City- CHALLIS
Phone -

State- ID Zip- 83226

CARLISLE

MILDRED

1 - HC 67 BOX 2092
2 -
3 -
City- CHALLIS
Phone -

State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - - + + - - - Stage - - - - + + - - - Status - - - - +
12/22/1981 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + - - - - - Tributary - - - - - +
SALMON RIVER SNAKE RIVER

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

11N 18E 14 SE NW 4 (37) CUSTER

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume - - - - - +
01 - IRRIGATION 04/01 11/01 0.680 102.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.680 102.00 1.830

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
11N	18E	11	SE SW	7	2.0	01	IRRIGATION	(37) CUSTER
11N	18E	14	NE NW	2	12.0	01	IRRIGATION	(37) CUSTER
11N	18E	14	SW NW	3	10.0	01	IRRIGATION	(37) CUSTER
11N	18E	14	SE NW	4	10.0	01	IRRIGATION	(37) CUSTER

Total Acres: 34.0

+ - - Diversion Means - PUMP, MOTOR, PIPELINE, SPRINKLER

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

Water right number - 72-07170

Prefix Translation:

WATER RIGHT

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

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

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

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

+ - - - - Comments - - - - - +
No Comments Found

+ - - - - Audit Fields - 10/22/86 05/28/88 CONVERT
+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 04/01/1983	Field Exam Made	- 06/16/1983	Field Exam Fee	-
Approved/Denied	- 03/15/1982	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 01/01/1900	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 10/22/1986	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 10/14/1986	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		