



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

SOUTHERN REGION

December 18, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ALAN HENDERSON
HARRIET HENDERSON
PO BOX 555
CHALLIS ID 83226

RE: Decreed Water Right Nos. 72-00023B, 72-00117B,
72-10149B, 72-10156, 72-10150, 72-10082, 72-10094
72-02050B
Change of Address Notification

Dear Water Right Holder(s):

Thank you for notifying us of your change in Address on the water right(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

RECEIVED

DEC 11 2000

Department of Water Resources
Southern Region

Dear Kelly,

I talked to Jeannie R, about our Garden Creek water right, it's accuracy, and she said I needed to write IDWR with our address change. So, I'm writing you, since you were involved here (so many years ago!). Our new Box number is 555, if you would please correct that & let others know. Also, our block number here is 73, not 75, and Jeannie

I think, read to me over the 'phone something about block 75 I'm not sure if that's really what I heard, or if it matters, but you might want to note that.

Thank you!

Sincerely,

Harriet Hender

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: **A72-10149B**

Date Received: 12/ 1/1989

Receipt No: X777777

Received By: ownership change
(split)

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALAN HENDERSON 208-879-4563
Address: PO BOX 645
CHALLIS ID 83226
AND
Name: HARRIET HENDERSON 208-879-4563
Address: PO BOX 645
CHALLIS ID 83226

2. Date of Priority: MAY 1, 1879

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	4	SW	SE	SE	R	CUSTER
		9	NW	NE	NW	I	CUSTER

5. Description of diverting works:
WIER IN CHALLIS CREEK, HEADGATES, DITCHES, FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.932		

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

8. Total consumptive use is 199.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	2	NW	NW		IRR	4.5
			SW	NW		IRR	26.0
			NE	SW		IRR	2.5
			NW	SW		IRR	33.0
						Section Acres	66.0
		3	NE	NE		IRR	4.5
			SE	NE		IRR	6.0
			NE	SE		IRR	3.0
						Section Acres	13.5
						Total Acres	79.5

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00023, A72-02050

14. Remarks:

THIS CLAIM REPRESENTS THE COMBINATION OF SPLITS FROM THESE
DECREED RIGHTS IN THE INDICATED PROPORTIONS:

72-00016 - 0.975CFS

72-00019A - 1.14 CFS

72-00019B - 0.014 CFS

FOR A TOTAL OF 2.129 CFS ALL FROM CHALLIS CREEK WITH THE PRIORITY
DATE OF 5-1 1879.

THE ORIGINAL SPLIT WAS DONE BY A TRANSFER OF 80". THE DITCH FOR
THIS TRANSFER WAS ABANDONED IN 1949 AND THE WATER WAS MOVED BACK
TO THE ORIGINAL ACREAGE AT THAT TIME.

THIS IS A PORTION OF A72-10149, WHICH WAS SPLIT THROUGH OWNERSHIP
CHANGE OF PORTION OF RIGHT. 6/26/95 jr

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STEPHENS, ET. AL.

Decree Plaintiff

SHAW, ET. AL.

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JUN 23 1995

Department of Water Resources
Southern Region

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township See attached 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.

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

☐ Water Right Number(s)
Assigned by IDWR: A72-00023, A72-10149, A72-10150, A72-02050

☐ Name and Address of Former Owner/Claimant(s)(Seller): Beth N. Stephens and/or Leeroy Stephens
HC 61 Box 3028
Challis, Idaho 83226

☐ New Owner/Claimant (Purchaser): Alan Henderson and/or Harriet Henderson

☐ New Mailing Address: P. O. Box 645
Challis, Idaho 83226

☐ New Telephone Number: (208) 879 - 4563

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

☐ Attach proof of ownership, describe proof attached: Warranty Deed

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

☐ Signature of New Owner/Claimant(s): Harriet Magee Henderson Date 6-21-95

☐ Signature of Former Owner/Claimant(s): Beth N. Stephens Date 6-20-95

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 6/26/95 By: [Signature]

Further Action Needed: _____

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

A72-00023 A+B

A72-10149 A+B

A72-10150

A72-02050 A+B

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

0208608

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by ELIZABETH N. STEPHENS, as Personal Representative of the Estate of LEEROY STEPHENS, deceased, Grantor, to ELIZABETH N. STEPHENS, a single woman, whose current address is HC 61, Box 3028, Challis, Idaho 83226, Grantee.

WHEREAS, Grantor is the qualified Personal Representative of said Estate, filed as Probate No. SP-94-44, in Lemhi County, Idaho; and

THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantee the real property, located in the State of Idaho, more particularly described as follows:

All of said Estate's right, title and interest in and to the premises situate in Custer County, Idaho, more particularly described on Exhibits A-1 and A-2 annexed hereto and by this reference made a part hereof

EXECUTED This 24th day of April, 1995.

Elizabeth N. Stephens
Elizabeth N. Stephens
Personal Representative

STATE OF IDAHO)
:ss.
County of Custer)

On this 24th day of April, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared ELIZABETH N. STEPHENS, known to me to be the person whose name is subscribed to the foregoing instrument as Personal Representative of the Estate of LeeRoy Stephens, and acknowledged to me that she executed the same.

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

[Signature]
Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires 03-14-97

RECEIVED

JUN 23 1995

Department of Water Resources
Southern Region

AN UNDIVIDED ONE-HALF INTEREST IN AND TO THE FOLLOWING DESCRIBED REAL PROPERTY SITUATED IN
COUNTY, IDAHO:

TOWNSHIP 14 NORTH, RANGE 19 EAST, BOISE MERIDIAN

Section 2: Lots 3, 4, 5, and 7, and that portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, lying South of Challis Creek.

Section 3: Lot 1, and that portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$ described as follows, to wit: Commencing at the SW corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 3, thence North 330 feet, thence North 58°30' East to a point on the East boundary line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, the point of beginning of this description, thence North 58°30' East to a point North 58°30' East 1900 feet from a point North 330 feet from the SW corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$; thence South 23°30' East 577 feet, thence South 27°30' East 272 feet, thence South 77°30' West 417 feet, thence South 51°30' West 145 feet, thence South 1°30' East 127 feet, thence South 13°10' West 195 feet, thence South 20°0' West 45 feet, thence South 1°30' East 54.6 feet, thence South 82°30' East 260 feet, thence North 41°0' East 445 feet, thence South 78°0' East 750 feet, more or less, to a point on the East boundary line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence North to the Northeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, thence West to the Northwest corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, thence South to the point of beginning of this description, EXCEPTING THEREFROM, that portion deeded to the State of Idaho for highway purposes, all in Township 14 North, Range 19 East of the Boise Meridian.

TOWNSHIP 15 NORTH, RANGE 19 EAST, BOISE MERIDIAN

Section 34: Lot 3, EXCEPTING THEREFROM, that portion deeded to the State of Idaho for highway purposes.

Section 35: Lots 4 and 6.

ALSO

An undivided 1.706 percent interest in N. E. Survey No. 614, embracing a portion of approximately Section 6, in Township 16 North and Section 31 in Township 17 North, all in Range 19 EBM, more particularly bounded and described as follows: Beginning at Corner No. 1 from which U. S. Location Monument #70 bears North 20°57'13" East 85.34 chains distant, thence South 12°51' West 50.13 chains to corner No. 2; thence South 85°51' West 4.26 chains to Corner No. 3; thence North 1°39' West 48.65 chains to Corner No. 4; thence North 68°31' East 10 chains to Corner No. 5; thence South 71°29' East 7.89 chains to Corner No. 1 the place of beginning.

AND

An undivided 1.919% interest in N. E. Survey No. 614, embracing a portion of approximately Section 6 in Township 16 North, and Section 31 in Township 17 North, all in Range 19 EBM, more particularly bounded and described as follows: Beginning at Corner No. 1 from which U. S. Location Monument No. 70 bears North 20°57'13" East 85.34 chains distant, thence South 12°51' West 50.13 chains to Corner No. 2; thence South 85°51' West 4.26 chains to Corner No. 3, thence North 1°39' West 48.05 chains to Corner No. 4, thence North 68°31' East 10 chains to Corner No. 5, thence South 71°29' East 7.89 chains to Corner No. 1, the place of beginning.

TOWNSHIP 14 NORTH, RANGE 19 EAST, BOISE MERIDIAN

Section 2: Lots 6, 9, & 10, the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and that portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, lying North of Challis Creek.

Section 3: Lots 2, 3, & 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, excepting that portion deeded to highway, and that portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ described as commencing at the SW corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, thence North 330 feet to the point of beginning of this description, thence North 58°30' East to a point on the East boundary line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, said Section, thence North to the NE corner of the

NW/SE/4, thence West to the Northwest corner of the NW/SE/4, thence South to the point of beginning of this description;
together with all and singular the tenements, hereditaments and appurtenances thereto belong or in anywise appertaining.

Lot 3, First Addition to Tunnel Rock Acres, a subdivision according to the Official Plat thereof now on file in the office of the County Recorder of Custer County, Idaho, all in lot 1, Section 19, Township 12 North, Range 19, East of the Boise Meridian.

208608
Custer County Rec. of
Sherm Furey Jr.
Time 10:00 A.M.
4-24-1895
Ethel M. Peck, Clerk
Barbara C. Breedlove
Deputy
\$ 12.00

Exhibit "A-2"

0208633

RECEIVED

MAY 01 1995

WARRANTY DEED

Department of Water Resou
Southern Region

FOR VALUE RECEIVED, ELIZABETH N. STEPHENS, an unmarried woman, the Grantor, does hereby Grant, Bargain, Sell and Convey unto ALAN HENDERSON and HARRIET HENDERSON, husband and wife, the Grantees, whose current address is P. O. Box 645, Challis, Idaho 83226, the following described premises, in Custer County, Idaho, to-wit:

See attached Exhibit A (Real Property)
and attached Exhibit B (Water Rights).

SUBJECT, HOWEVER, TO any adverse claim based on the assertion that the location of the Salmon River has moved.

SUBJECT ALSO TO any rights, interest or easements in favor of the Public which exist or are claimed to exist over any part of said land covered by water.

SUBJECT ALSO TO State Highway right of way as shown in Deed dated February 14, 1927, from William Stephens and Martha Stephens, husband and wife, to State of Idaho, recorded February 23, 1927, in Book 19 of Deeds at page 591, records of Custer County, Idaho.

SUBJECT ALSO TO State Highway right of way as shown in Deed dated February 14, 1927, from Thomas Stephens to State of Idaho, recorded February 23, 1927, in Book 19 of Deeds at page 592, records of Custer County, Idaho.

SUBJECT ALSO TO State Highway right of way as shown in Deed dated April 8, 1940, from Thomas Stephens, a single man, to State of Idaho, recorded May 25, 1940, in Book 25 of Deeds at page 81 under Recorder's reception No. 50793, records of Custer County, Idaho.

SUBJECT ALSO TO State Highway right of way as shown in Deed dated April 8, 1940, from William Stephens and Martha Stephens, husband and wife, to State of Idaho, recorded May 25, 1940, in Book 25 of Deeds at page 82 under Recorder's reception No. 50794, records of Custer County, Idaho.

SUBJECT ALSO TO Ditch Agreement dated November 12, 1915, from Thomas Stephens and John Stephens to William Stephens, as shown in Book 2 of Bonds and Agreements at page 252, recorded June 19, 1918, records of Custer County, Idaho.

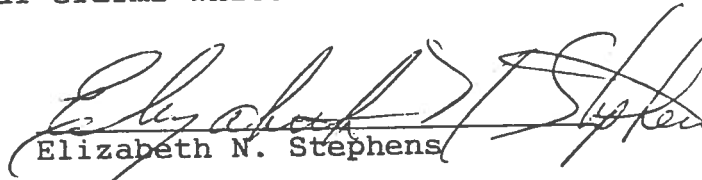
SUBJECT ALSO TO Easements contained in the Deed dated October 18, 1974 from LeeRoy Stephens, grantor, to Manley Rustin

and Betty Rustin, grantees, recorded October 21, 1974, as instrument No. 138284, records of Custer County, Idaho.

SUBJECT ALSO TO Easements contained in the Deed, from LeeRoy Stephens and Beth Stephens, husband and wife, to Ronald Malone, a single man, recorded July 30, 1985, as instrument No. 174504, records of Custer County, Idaho.

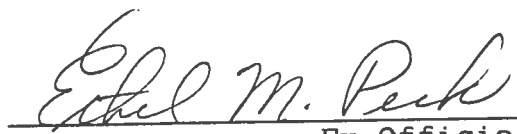
TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their successors and assigns forever. And the said Grantor to hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that they are free from all encumbrances save and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

Dated: APRIL 26, 1995


Elizabeth N. Stephens

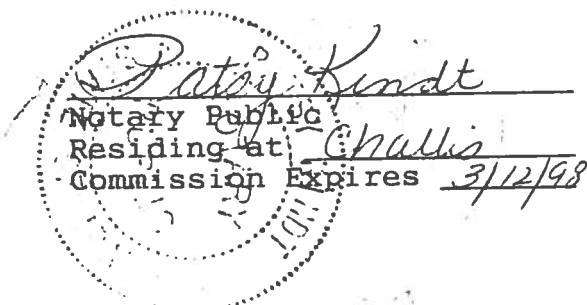
STATE OF IDAHO)
 : ss.
County of Custer)
On this 26 day of
APRIL, 1995, before
me, a Notary Public, personally appeared ELIZABETH N. STEPHENS, an unmarried woman, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

STATE OF IDAHO, COUNTY OF CUSTER
I hereby certify that this instrument was filed for record at the request of Custer County Title at 16 minutes past 13 o'clock P.M., this 27th day of April, 1995, in my office, and duly recorded in Book _____ of Deeds at page _____.


Ethel M. Peck
Ex-Officio Recorder

BY _____ Deputy

Fee: \$ 33⁰⁰
Mail to: CCT.



208633

RECEIVED

EXHIBIT A

MAY 01 1995

Department of Water Resources
Southern Region

PARCEL "A" LEGAL DESCRIPTION

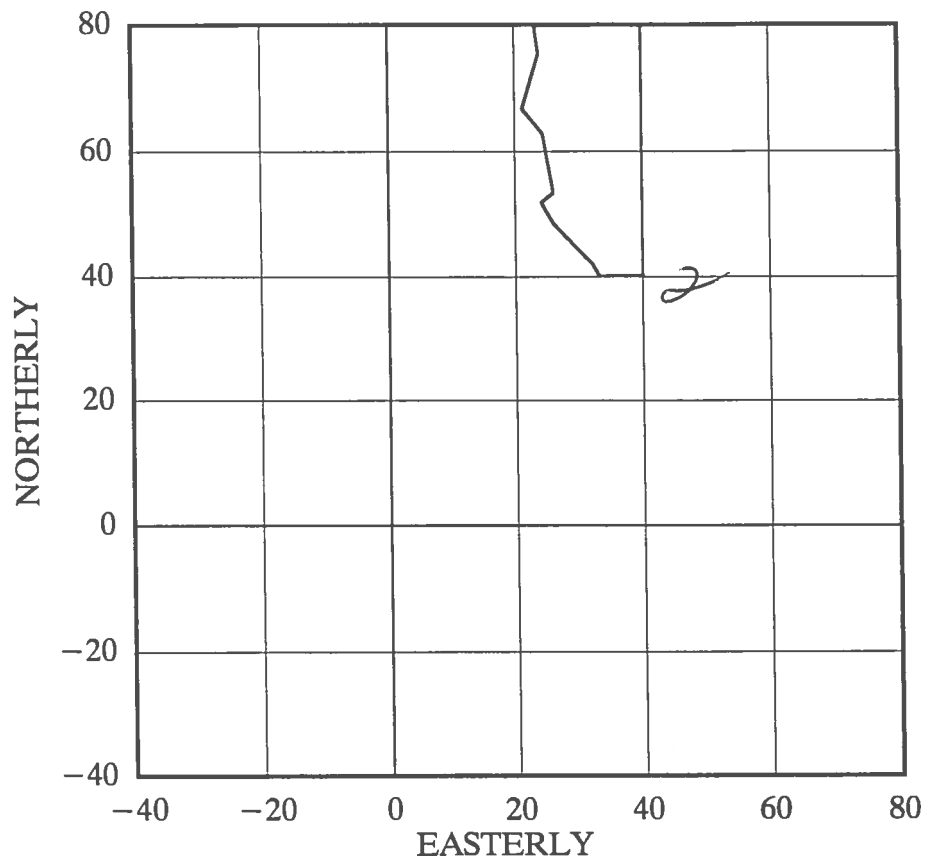
A parcel of land situated in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 2, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, being more particularly described as follows:

Beginning at the N $\frac{1}{4}$ corner of Section 2, Township 14 North, Range 19 East, Boise Meridian, Thence S 0°04'56" W 2,622.42 feet along the center $\frac{1}{2}$ line of said Section 2 to the center $\frac{1}{4}$ corner; thence S 89°35'24" W 448.28 feet along the center $\frac{1}{2}$ line of said Section 2 to a point lying on the mean high water line of the East bank of the Salmon River; thence the following courses along a meander line following said mean high water line downstream;

N 29°10'58" W	152.95 feet
N 45°06'39" W	245.98 feet
N 42°12'42" W	330.68 feet
N 29°33'46" W	253.86 feet
N 51°55'46" E	157.72 feet
N 10°00'59" W	626.84 feet
N 38°15'28" W	341.68 feet
N 16°47'37" E	594.37 feet
N 6°54'18" W	298.15 feet to a point lying on the North line of said Section 2;
thence leaving said meander line N 89°44'45" E 1,108.86 feet along said North line	
of Section 2 to the N $\frac{1}{4}$ corner of said Section 2, Township 14 North, Range 19 East,	
Boise Meridian, the point of beginning.	

parcel A

PARCEL PLOT – METES & BOUNDS
DISTANCE IS IN CHAINS



Parcel

MEETS AND BOUNDS TABLE

	X-COR	Y-COR	ANGLE		BEARING	DIST (FT)	CUM ACRES
	DEGREES			MINUTES	SECONDS		
BEGIN POINT COR.	40.00	80.00					0.11
(SEE SHEET)	39.94	40.27	0.00	4.00	56.00 SW	2622.42	0.13
	33.15	40.22	89.00	35.00	24.00 SW	448.28	-1.37
	32.02	42.24	29.00	10.00	58.00 NW	152.95	-3.82
	29.38	44.87	45.00	6.00	39.00 NW	245.98	-8.38
-QUAD COEF-	26.01	48.58	42.00	12.00	42.00 NW	330.68	-13.38
IF NE, X=1,Y=1	24.12	51.93	29.00	33.00	46.00 NW	253.86	-15.58
IF SE, X=1,Y=-1	26.00	53.40	51.00	55.00	46.00 NE	157.72	-29.45
IF SW, X=-1,Y=-1	24.35	62.75	10.00	0.00	59.00 NW	626.84	-36.46
IF NW, X=-1,Y=1	21.14	66.82	38.00	15.00	28.00 NW	341.68	-51.60
	23.74	75.44	16.00	47.00	37.00 NE	594.37	-59.01
	23.20	79.93	6.00	54.00	18.00 NW	298.15	-59.08
	40.00	80.00	89.00	44.00	45.00 NE	1108.86	-59.08

EXHIBIT A

PARCEL "B" LEGAL DESCRIPTION

A parcel of land situated in the NW $\frac{1}{4}$ of Section 2, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho; being more particularly described as follows:

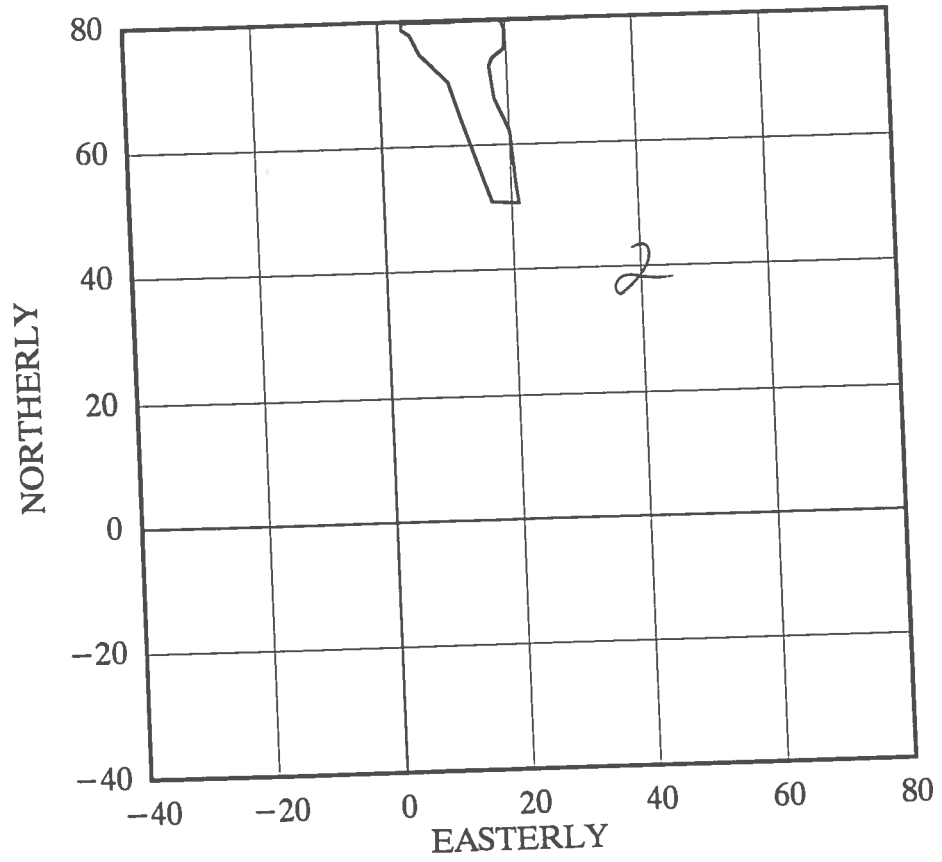
Beginning at a point which is S 89°44'45" W 1,371.11 feet along the North line of said Section 2 from the N $\frac{1}{4}$ corner of said Section 2, Township 14 North, Range 19 East, Boise Meridian, said point of beginning lying on the mean high water line of the east side of an island in the Salmon River; thence the following courses along a meander line following said mean high water line;

S 24°52'45" E	102.57 feet
S 4°41'37" W	204.79 feet
S 52°08'31" W	163.76 feet
S 21°12'20" W	88.19 feet
S 7°01'33" E	344.83 feet
S 22°41'55" E	376.18 feet
S 4°45'13" E	557.18 feet
S 7°31'58" E	214.85 feet
N 85°43'33" W	278.25 feet
N 19°23'23" W	361.24 feet
N 18°14'37" W	549.25 feet
N 16°51'30" W	436.89 feet
N 44°10'32" W	407.81 feet
N 25°14'50" W	231.72 feet
N 55°11'39" W	106.18 feet
N 10°23'51" E	70.09 feet to a point lying on the north line of said Section 2;

leaving said meander line N 89°44'45" E 1,026.73 feet along the north line of Section 2 to the Point of Beginning.

parcel B

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



parcel B

MEETS AND BOUNDS TABLE

	X-COR	Y-COR	ANGLE			BEARING DIST (FT)	CUM ACRES
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	40.00	80.00					0.10
	19.23	79.91	89.00	44.00	45.00 SW	1371.11	2.98
	19.88	78.50	24.00	52.00	45.00 SE	102.57	9.24
	19.63	75.41	4.00	41.00	37.00 SW	204.79	12.49
	17.67	73.88	52.00	8.00	31.00 SW	163.76	15.30
	17.18	72.64	21.00	12.00	20.00 SW	88.19	26.97
-QUAD COEF-	17.82	67.45	7.00	1.00	33.00 SE	344.83	38.05
IF NE, X=1,Y=1	20.02	62.19	22.00	41.00	55.00 SE	376.18	54.57
IF SE, X=1,Y=-1	20.72	53.78	4.00	45.00	13.00 SE	557.18	60.72
IF SW, X=-1,Y=-1	21.15	50.55	7.00	31.00	58.00 SE	214.85	60.06
IF NW, X=-1,Y=1	16.94	50.87	85.00	43.00	33.00 NW	278.25	47.69
	15.13	56.03	19.00	23.00	23.00 NW	361.24	27.00
	12.52	63.93	18.00	14.00	37.00 NW	549.25	8.98
	10.60	70.27	16.00	51.00	30.00 NW	436.89	-5.00
	6.30	74.70	44.00	10.00	32.00 NW	407.81	-15.94
	4.80	77.88	25.00	14.00	50.00 NW	231.72	-19.23
	3.48	78.79	55.00	11.00	39.00 NW	106.18	-23.04
	3.67	79.84	10.00	23.00	51.00 NE	70.09	-23.23
	19.23	79.91	89.00	44.00	45.00 NE	1026.73	-23.23

EXHIBIT A

PARCEL "C" LEGAL DESCRIPTION

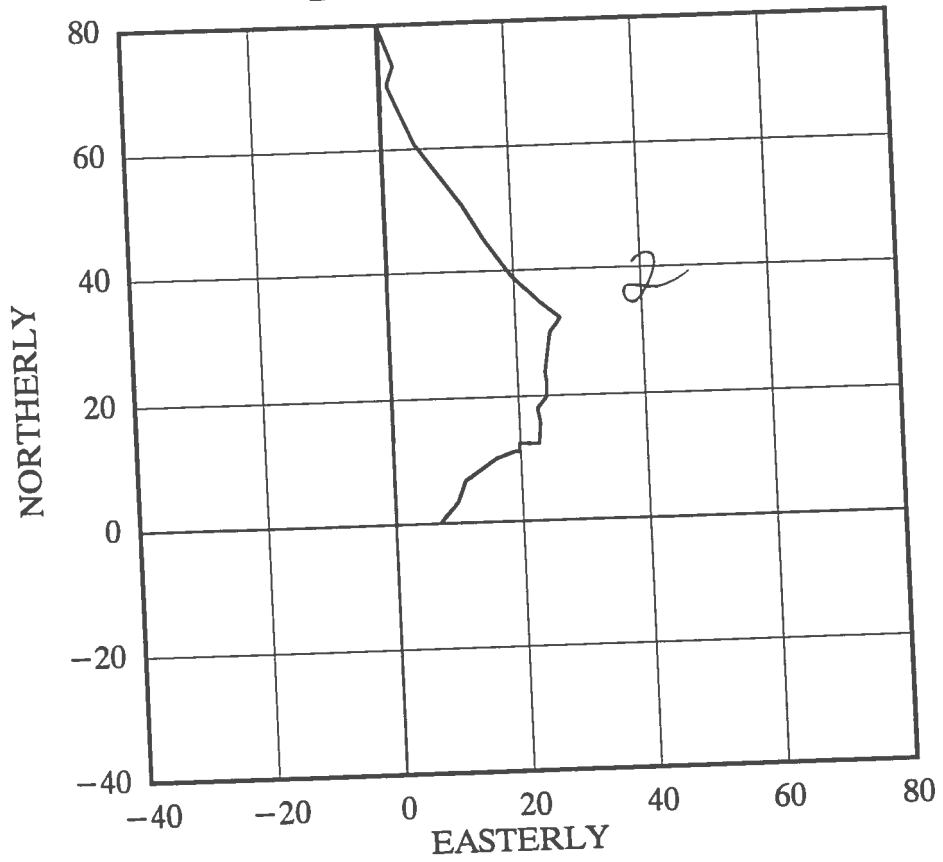
A parcel of land situated in the W $\frac{1}{2}$ of Section 2, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, being more particularly described as follows:

Beginning at the SW corner of said Section 2, thence N 0°11'07" E 5,250.03 feet along the west side of Section 2, Township 14 North, Range 19 East, Boise Meridian, to a point lying on the mean high water line of the west bank of the Salmon River; thence the following courses along a meander line following said mean high water line upstream;

S 20°02'11" E 424.06 feet
 S 19°54'59" W 220.86 feet
 S 22°28'19" E 681.85 feet
 S 34°48'21" E 815.77 feet
 S 29°38'21" E 429.59 feet
 S 34°42'01" E 462.31 feet
 S 46°11'09" E 399.34 feet
 S 50°04'02" E 272.49 feet to a $\frac{1}{2}$ " rebar set by Elmer Likes (see inst. #151742) at the mouth of Challis Creek; thence S 38°31'40" W 190.86 feet to a $\frac{1}{2}$ " rebar; thence S 8°39'20" W 429.87 feet to a $\frac{1}{2}$ " rebar; thence S 10°31'10" E 93.84 feet to a $\frac{5}{8}$ " rebar; thence S 2°33'31" W 160.45 feet to a $\frac{5}{8}$ " rebar; thence S 39°54'39" W 163.17 feet to a $\frac{5}{8}$ " rebar; thence S 9°42'13" E 149.87 feet to a $\frac{5}{8}$ " rebar; thence S 5°13'28" W 217.48 feet to a $\frac{5}{8}$ " rebar; thence N 89°37'19" W 202.22 feet to a $\frac{1}{2}$ " rebar (P.L.S. #4107); thence S 0°14'36" W 81.02 feet to a $\frac{1}{2}$ " rebar (P.L.S. #4107); thence N 89°36'17" W 47.70 feet to a $\frac{1}{2}$ " rebar (P.L.S. #4107); thence S 71°07'20" W 203.90 feet to a $\frac{1}{2}$ " rebar (P.L.S. #4107); thence S 56°11'51" W 405.20 feet to a $\frac{1}{2}$ " rebar (P.L.S. #4107); thence S 21°01'03" W 248.66 feet to a $\frac{1}{2}$ " rebar (P.L.S. #4107); thence S 42°21'33" W 265.70 feet to a $\frac{1}{2}$ " rebar (P.L.S. #4107); thence S 0°00'00" W 21.27 feet to a point on the south line of said Section 2; thence S 89°42'00" W 465.09 feet along said south line to the SW corner of Section 2, Township 14 North, Range 19 East, Boise Meridian, The Point of Beginning.

Parcel C

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



Parcel C

MEETS AND BOUNDS TABLE

	X-COR	Y-COR	ANGLE			BEARING DIST (FT)	CUM ACRES
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	0.00	0.00					1.02
	0.26	79.55	0.00	11.00	7.00 NE	5250.03	0.20
	2.46	73.51	20.00	2.00	11.00 SE	424.06	-0.39
	1.32	70.36	19.00	54.00	59.00 SW	220.86	-3.53
	5.27	60.82	22.00	28.00	19.00 SE	681.85	-12.46
	12.32	50.67	34.00	48.00	21.00 SE	815.77	-20.34
-QUAD COEF-	15.54	45.01	29.00	38.00	21.00 SE	429.59	-30.44
IF NE, X=1,Y=1	19.53	39.25	34.00	42.00	1.00 SE	462.31	-39.54
IF SE, X=1,Y=-1	23.90	35.06	46.00	11.00	9.00 SE	399.34	-46.29
IF SW, X=-1,Y=-1	27.06	32.41	50.00	4.00	2.00 SE	272.49	-52.21
IF NW, X=-1,Y=1	25.26	30.15	38.00	31.00	40.00 SW	190.86	-68.16
	24.28	23.71	8.00	39.00	20.00 SW	429.87	-71.57
	24.54	22.31	10.00	31.00	10.00 SE	93.84	-77.51
	24.43	19.88	2.00	33.00	31.00 SW	160.45	-82.00
	22.84	17.99	39.00	54.00	39.00 SW	163.17	-87.15
	23.23	15.75	9.00	42.00	13.00 SE	149.87	-94.73
	22.93	12.47	5.00	13.00	28.00 SW	217.48	-94.68
	19.86	12.49	89.00	37.00	19.00 NW	202.22	-97.12
	19.86	11.26	0.00	14.00	36.00 SW	81.02	-97.11
	19.14	11.27	89.00	36.00	17.00 NW	47.70	-98.88
	16.21	10.27	71.00	7.00	20.00 SW	203.90	-103.54
	11.11	6.85	56.00	11.00	51.00 SW	405.20	-107.21
	9.76	3.33	21.00	1.00	3.00 SW	248.66	-109.71
	7.05	0.36	42.00	21.00	33.00 SW	265.70	-109.94
	7.05	0.04	0.00	0.00	0.00 SW	21.27	-109.95
	0.00	0.00	89.00	42.00	0.00 SW	465.09	-109.95

EXHIBIT A

PARCEL "D" LEGAL DESCRIPTION

A parcel of land situated in the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 35, Township 15 North, Range 19 East, Boise Meridian, Custer County, Idaho; being more particularly described as follows:

Beginning at the NE corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 35, thence 0°00'40" E 2,193.30 feet to a point lying on the mean high water line of the east bank of the Salmon River; thence the following courses along a meander line following said mean high water line downstream;

N 30°52'13" W 26.74 feet

N 13°28'07" W 593.23 feet

N 63°52'44" W 94.70 feet

N 7°31'53" E 142.31 feet

N 34°38'09" W 178.88 feet

N 17°55'24" W 218.96 feet

N 20°21'24" W 293.83 feet

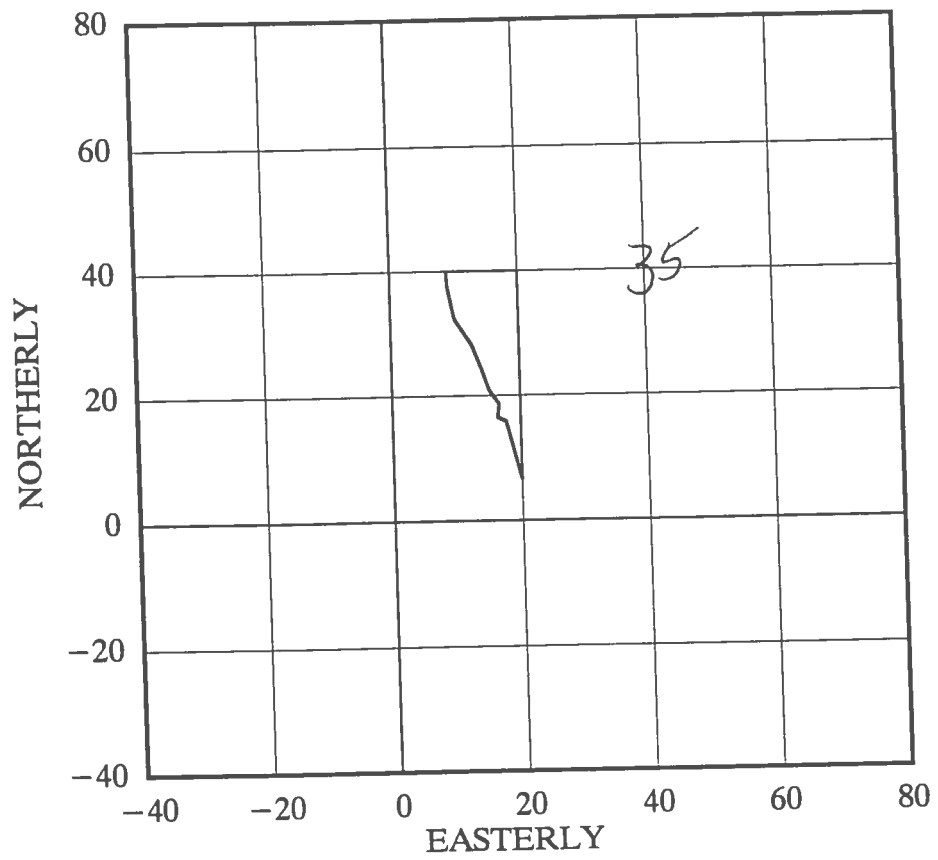
N 32°10'19" W 325.60 feet

N 10°19'17" W 358.98 feet

N 3°02'11" W 149.45 feet to a point lying on the north line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 15 North, Range 19 East, Boise Meridian; thence leaving said meander line N 89°52'13" E 734.71 feet along said north line to the NE corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 35, the Point of Beginning.

parcel D

PARCEL PLOT – METES & BOUNDS
DISTANCE IS IN CHAINS



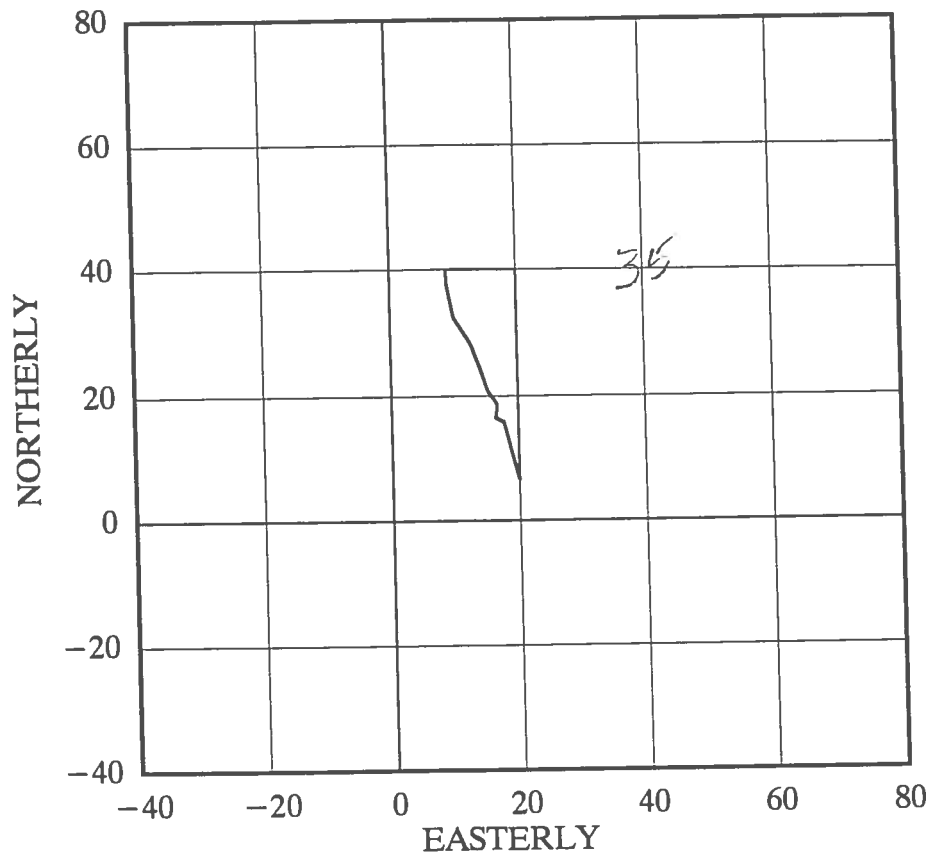
panel D

MEETS AND BOUNDS TABLE

	X-COR	Y-COR	ANGLE		BEARING	DIST (FT)	CUM ACRES
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	20.00	40.00					-0.01
	20.01	6.77	0.00	0.00	40.00 E	2193.30	-0.01
	19.80	7.12	30.00	52.00	13.00 NW	26.74	-1.11
	17.71	15.86	13.00	28.00	7.00 NW	593.23	-1.29
	16.42	16.49	63.00	52.00	44.00 NW	94.70	-2.03
	16.70	18.63	7.00	31.00	53.00 NE	142.31	-2.93
-QUAD COEF-	15.16	20.86	34.00	38.00	9.00 NW	178.88	-4.62
IF NE, X=1,Y=1	14.14	24.01	17.00	55.00	24.00 NW	218.96	-7.39
IF SE, X=1,Y=-1	12.59	28.19	20.00	21.00	24.00 NW	293.83	-11.04
IF SW, X=-1,Y=-1	9.96	32.36	32.00	10.00	19.00 NW	325.60	-16.67
IF NW, X=-1,Y=1	8.99	37.71	10.00	19.00	17.00 NW	358.98	-19.17
	8.87	39.98	3.00	2.00	11.00 NW	149.45	-19.19
	20.00	40.00	89.00	52.00	13.00 NE	734.71	-19.19

parcel D

PARCEL PLOT – METES & BOUNDS
DISTANCE IS IN CHAINS



parcel 1

MEETS AND BOUNDS TABLE

	X-COR	Y-COR	ANGLE		BEARING DIST (FT)		CUM ACRES
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR.	20.00	40.00					-0.01
(SEE SHEET)	20.01	6.77	0.00	0.00	40.00 SE	2193.30	-0.01
	19.80	7.12	30.00	52.00	13.00 NW	26.74	-1.11
	17.71	15.86	13.00	28.00	7.00 NW	593.23	-1.29
	16.42	16.49	63.00	52.00	44.00 NW	94.70	-2.03
	16.70	18.63	7.00	31.00	53.00 NE	142.31	-2.93
-QUAD COEF-	15.16	20.86	34.00	38.00	9.00 NW	178.88	-4.62
IF NE, X=1,Y=1	14.14	24.01	17.00	55.00	24.00 NW	218.96	-7.39
IF SE, X=1,Y=-1	12.59	28.19	20.00	21.00	24.00 NW	293.83	-11.04
IF SW, X=-1,Y=-1	9.96	32.36	32.00	10.00	19.00 NW	325.60	-16.67
IF NW, X=-1,Y=1	8.99	37.71	10.00	19.00	17.00 NW	358.98	-19.17
	8.87	39.98	3.00	2.00	11.00 NW	149.45	-19.19
	20.00	40.00	89.00	52.00	13.00 NE	734.71	-19.19

EXHIBIT A

PARCEL "E" LEGAL DESCRIPTION

A parcel of land situated in the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 35, Township 15 North, Range 19 East, Boise Meridian, Custer County, Idaho; being more particularly described as follows:

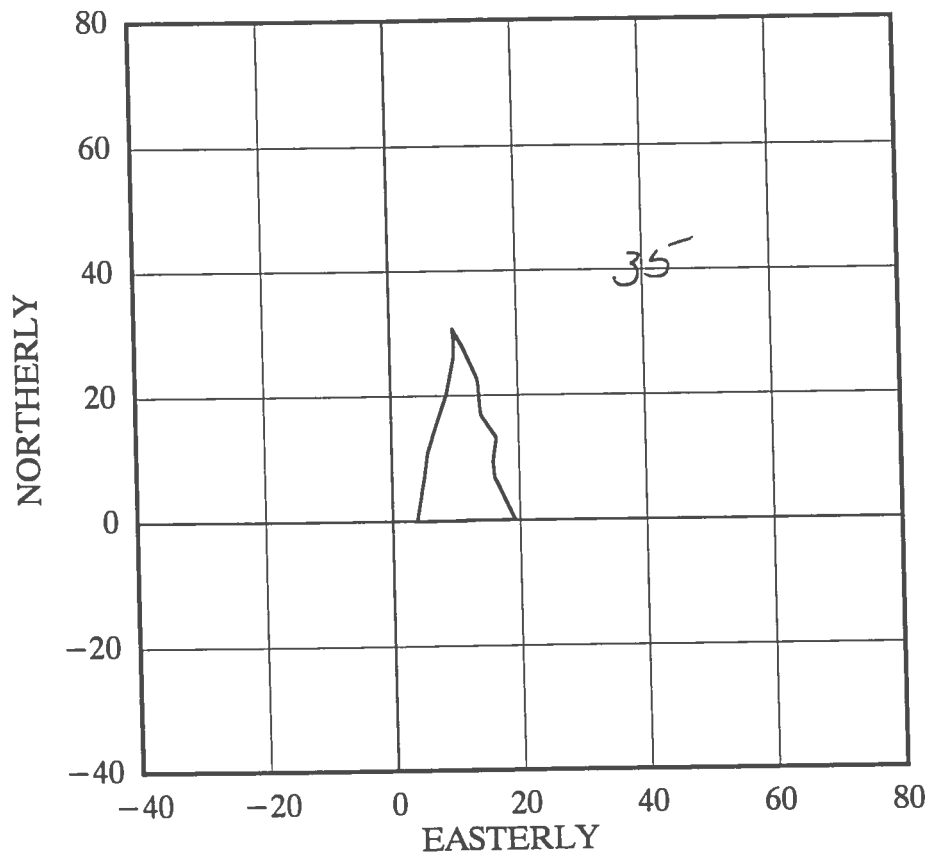
Beginning at a point that is N 89°44'45" E 243.92 feet along the south line of Section 35, Township 15 North, Range 19 East, Boise Meridian, from the SW corner of said Section 35; said Point of Beginning is lying on the mean high water line of the west side of an island in the Salmon River; thence the following courses along a meander line following said high water line;

N 10°23'51" E 495.07 feet
N 7°29'56" E 232.75 feet
N 18°18'36" E 283.90 feet
N 19°15'20" E 366.69 feet
N 11°52'37" E 388.15 feet
N 1°29'12" E 170.03 feet
N 4°47'52" W 139.61 feet
S 29°30'45" E 222.68 feet
S 22°19'36" E 373.60 feet
S 4°48'22" E 369.29 feet
S 33°09'59" E 289.36 feet
S 9°51'21" W 241.98 feet
S 4°01'40" E 177.55 feet
S 25°47'23" E 138.60 feet

S 24°52'45" E 361.40 feet to a point lying on the south line of Section 35, Township 15 North, Range 19 East, Boise Meridian; thence leaving said meander line S 89°44'45" W 1,026.73 feet along said south line of Section 35 to the Point of Beginning.

Parcel E

PARCEL PLOT – METES & BOUNDS
DISTANCE IS IN CHAINS



parcel E

MEETS AND BOUNDS TABLE

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)	CUM ACRES
	DEGREES MINUTES SECONDS							
BEGIN POINT COR.	0.00	0.00						0.00
(SEE SHEET)	3.70	0.02	89.00	44.00	45.00 NE	243.92	3.23	
	5.05	7.39	10.00	23.00	51.00 NE	495.07	5.08	
	5.51	10.89	7.00	29.00	56.00 NE	232.75	7.60	
	6.86	14.97	18.00	18.00	36.00 NE	283.90	11.68	
-QUAD COEF-	8.69	20.22	19.00	15.00	20.00 NE	366.69	17.03	
IF NE, X=1,Y=1	9.90	25.97	11.00	52.00	37.00 NE	388.15	19.59	
IF SE, X=1,Y=-1	9.97	28.55	1.00	29.00	12.00 NE	170.03	21.68	
IF SW, X=-1,Y=-1	9.79	30.66	4.00	47.00	52.00 NW	139.71	18.56	
IF NW, X=-1,Y=1	11.46	27.72	29.00	30.00	45.00 SE	222.68	11.99	
	13.61	22.49	22.00	19.00	36.00 SE	373.60	4.28	
	14.07	16.91	4.00	48.00	22.00 SE	369.29	-1.33	
	16.47	13.24	33.00	9.00	59.00 SE	289.36	-7.17	
	15.85	9.63	9.00	51.00	21.00 SW	241.98	-11.44	
	16.03	6.95	4.00	1.00	40.00 SE	177.55	-14.56	
	16.95	5.05	25.00	47.00	23.00 SE	138.60	-23.55	
	19.25	0.09	24.00	52.00	45.00 SE	361.40	-23.63	
	3.70	0.02	89.00	44.00	45.00 SW	1026.73	-23.63	
	3.70	0.02					-23.63	
	3.70	0.02					-23.63	
	3.70	0.02					-23.63	
	3.70	0.02					-23.63	

EXHIBIT A

PARCEL "F" LEGAL DESCRIPTION

A parcel of land situated in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 15 North, Range 19 East, Boise Meridian, Custer County, Idaho; being more particularly described as follows:

Beginning at a point that is N 89°52'13" E 93.97 feet along the center $\frac{1}{2}$ line of said Section 35 from the west $\frac{1}{4}$ corner of said Section 35, Township 15 North, Range 19 East, Boise Meridian; said Point of Beginning is lying on the mean high water line of the west side of an island in the Salmon River; thence the following courses along a meander line following said high water line;

S 49°24'28" E 343.44 feet

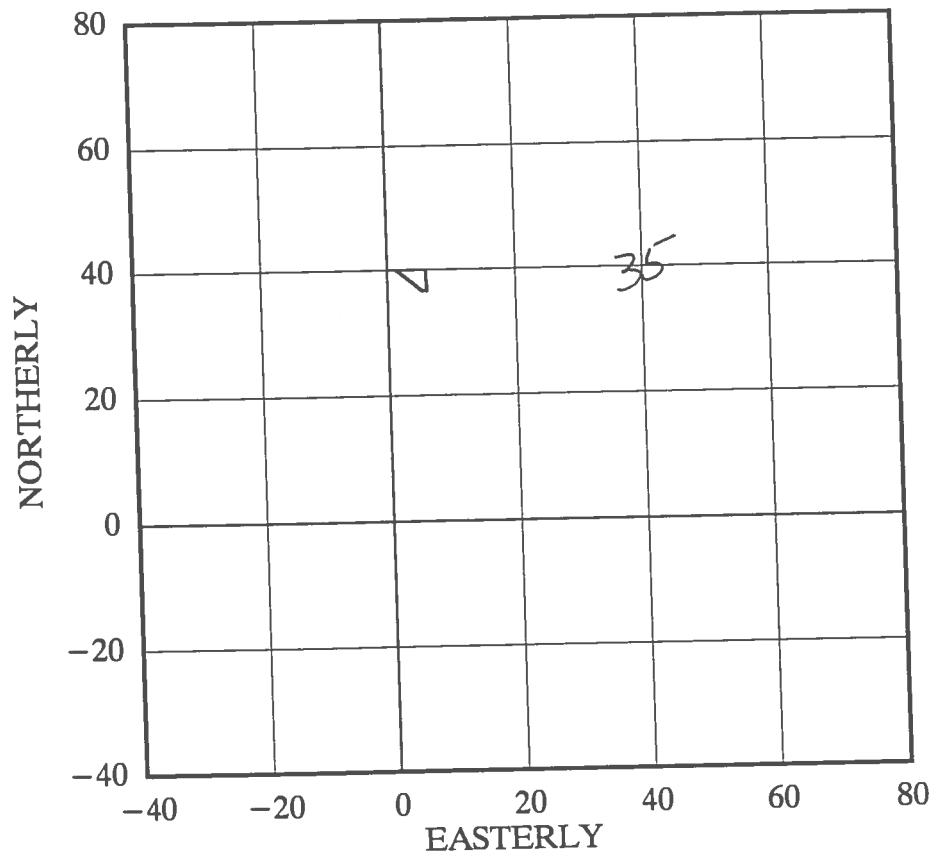
N 86°17'07" E 42.39 feet

N 1°46'38" W 190.14 feet

N 10°44'12" W 31.89 feet to a point lying on the center $\frac{1}{2}$ line of said Section 35; thence leaving said meander line S 89°52'13" W 291.25 feet along the center $\frac{1}{2}$ line of Section 35, Township 15 North, Range 19 East, Boise Meridian, to the Point of Beginning.

parc F

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



parcel F

MEETS AND BOUNDS TABLE

	X-COR	Y-COR	ANGLE			BEARING DIST (FT)	CUM ACRES
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR.	0.00	40.00					0.00
(SEE SHEET)	1.42	40.00	89.00	52.00	13.00 NE	93.97	-1.15
	5.38	36.62	49.00	24.00	28.00 SE	343.44	-1.13
	6.02	36.66	86.00	17.00	7.00 NE	42.39	0.59
	5.93	39.54	1.00	46.00	38.00 NW	190.14	0.87
-QUAD COEF-	5.84	40.01	10.00	44.00	12.00 NW	31.89	0.87
IF NE, X=1,Y=1	1.42	40.00	89.00	52.00	13.00 SW	291.25	0.87

EXHIBIT A

PARCEL "G" LEGAL DESCRIPTION

A parcel of land situated in the W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 35, Township 15 North, Range 19 East, Boise Meridian, Custer County, Idaho; being more particularly described as follows:

Beginning; at a point that is S 0°01'44" E 19.41 feet along the west line of said Section 35 from the west $\frac{1}{4}$ corner of Section 35, Township 15 North, Range 19 East, Boise Meridian, said Point of Beginning is lying on the mean high water line of the west bank of the Salmon River; thence the following courses along a meander line following said mean high water line upstream;

S 42°23'00" E 292.46 feet

S 33°34'11" E 272.65 feet

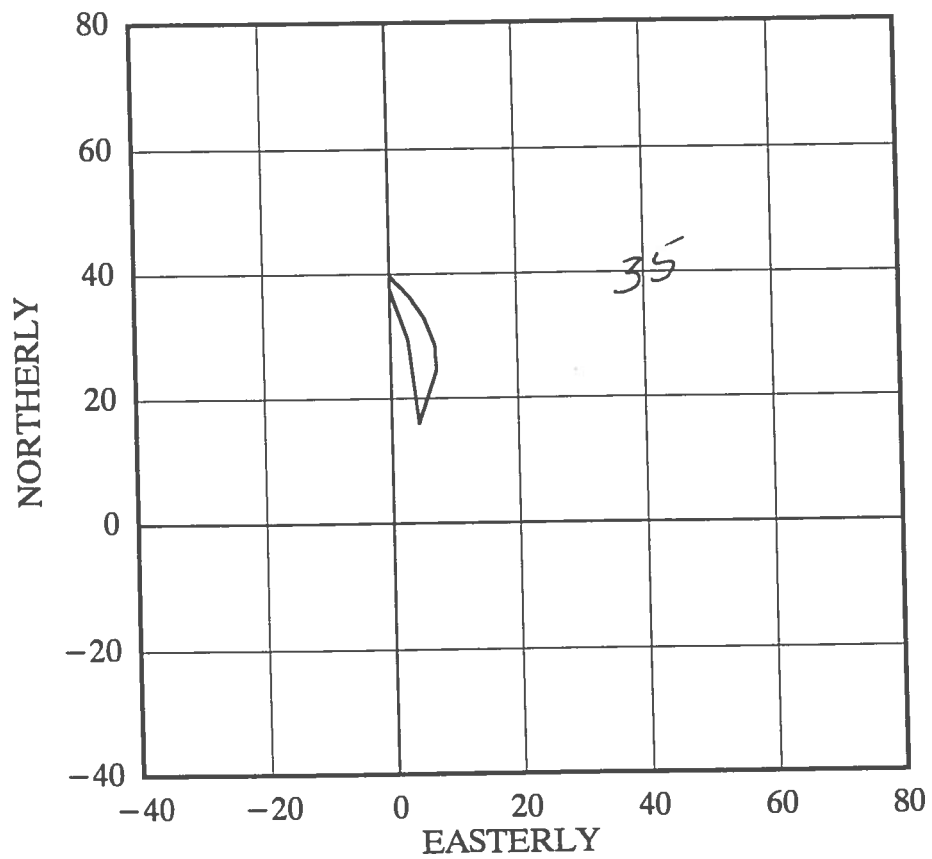
S 19°46'36" E 324.09 feet

S 1°39'40" E 267.80 feet

S 18°41'24" W 578.40 feet to a point lying on the easterly right of way line of U.S. Highway No. 93; thence leaving said meander line 889.55 feet along a right of way curve to the left; said curve having a radius of 2,110 feet, a central angle of 24°09'19", and a chord of 882.98 feet which bears N 6°28'03" W; thence N 18°32'42" W 567.36 feet along said right of way to a point lying on the west line of Section 35, Township 15 North, Range 19 East, Boise Meridian; thence N 0°01'14" W 148.52 feet along said west line to the Point of Beginning.

parcel G

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



parcel G

MEETS AND BOUNDS TABLE

	X-COR	Y-COR	ANGLE		BEARING	DIST (FT)	CUM ACRES
	DEGREES			MINUTES	SECONDS		
BEGIN POINT COR.	0.00	40.00					-0.00
(SEE SHEET)	0.00	39.71	0.00	1.00	44.00 SE	19.41	-0.49
	2.99	36.43	42.00	23.00	0.00 SE	292.46	-1.91
	5.27	32.99	33.00	34.00	11.00 SE	272.65	-4.73
	6.93	28.37	19.00	46.00	36.00 SE	324.09	-7.57
-QUAD COEF-	7.05	24.31	1.00	39.00	40.00 SE	267.80	-12.25
IF NE, X=1,Y=1	4.24	16.01	18.00	41.00	24.00 SW	578.40	-7.62
IF SE, X=1,Y=-1	2.74	29.31	6.00	28.00	3.00 NW	882.98	-6.50
IF SW, X=-1,Y=-1	0.00	37.46	18.00	32.00	42.00 NW	567.36	-6.50
IF NW, X=-1,Y=1	0.00	39.71	0.00	1.00	14.00 NW	148.52	-6.50

EXHIBIT A

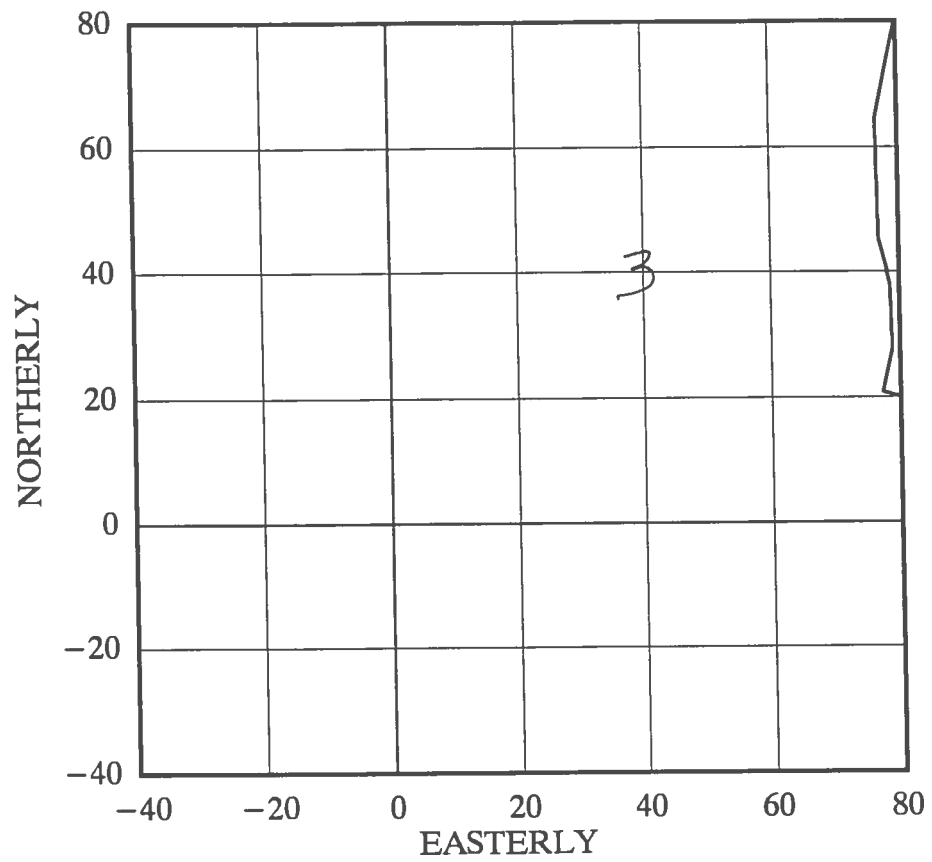
PARCEL "1" LEGAL DESCRIPTION

A parcel of land situated in the East $\frac{1}{2}$ of Section 3, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho; being more particularly described as follows:

Beginning at the NE corner of said Section 3; thence S $0^{\circ}11'07''$ W 3,955.42 feet along the east line of said Section 3, Township 14 North, Range 19 East, Boise Meridian to a point; thence N $72^{\circ}57'51''$ W 183.28 feet to a point on the easterly right of way line of U.S. Highway No. 93; thence N $12^{\circ}19'23''$ E 463.04 feet along said right of way line to a point; thence 674.84 feet along a right of way curve to the left to a point; said curve having a radius of 1,458.94 feet and a chord of 668.84 feet which bears N $0^{\circ}48'58''$ W; thence N $14^{\circ}10'46''$ W 154.71 feet along said right of way to a point; thence N $89^{\circ}35'24''$ E 12.68 feet along said right of way to a point; thence N $14^{\circ}10'46''$ W 366.52 feet along said right of way to a point; thence 1,273.33 feet along a right of way curve to the right to a point; said curve having a radius of 2,789.81 feet and a chord of 1,262.31 feet which bears N $0^{\circ}59'12''$ W; thence N $11^{\circ}58'18''$ E 973.36 feet along said right of way to a point; thence 62.01 feet along a right of way curve to the left to a point lying on the north line of said Section 3; said curve having a radius of 5,779.58 feet and a chord of 62.01 feet which bears N $11^{\circ}39'51''$ E; thence N $89^{\circ}44'45''$ E 21.05 feet along said north line of Section 3 to the NE corner of Section 3, Township 14 North, Range 19 East, Boise Meridian, the Point of Beginning.

Parcel H

PARCEL PLOT – METES & BOUNDS
DISTANCE IS IN CHAINS



parcel H

MEETS AND BOUNDS TABLE

	X-COR	Y-COR	ANGLE			BEARING DIST (FT)	CUM ACRES
	DEGREES MINUTES SECONDS						
BEGIN POINT COR.	80.00	80.00					0.58
(SEE SHEET)	79.81	20.07	0.00	11.00	7.00 SW	3955.42	0.46
	77.15	20.88	72.00	57.00	51.00 NW	183.28	-0.98
	78.65	27.74	12.00	19.00	23.00 NE	463.04	-2.43
	78.50	37.87	0.00	48.00	58.00 NW	668.84	-2.83
-QUAD COEF-	77.93	40.14	14.00	10.00	46.00 NW	154.71	-2.83
IF NE, X=1,Y=1	78.12	40.14	89.00	35.00	24.00 NE	12.68	-4.21
IF SE, X=1,Y=-1	76.76	45.53	14.00	10.00	46.00 NW	366.52	-10.72
IF SW, X=-1,Y=-1	76.43	64.65	0.00	59.00	12.00 NW	1262.31	-13.66
IF NW, X=-1,Y=1	79.49	79.08	11.00	58.00	18.00 NE	973.36	-13.69
	79.68	80.00	11.00	39.00	51.00 NE	62.01	-13.69
	80.00	80.00	89.00	44.00	45.00 NE	21.05	-13.69

EXHIBIT B
(Water Rights)

Water Right No. A72-00023, .29 cfs 18.2
Water Right No. A72-10149, .9328 cfs 12.14
Water Right No. A72-10150, 2.0 cfs 18.5
Water Right No. A72-02050, .792 cfs 14.7
Water Right No. A72-10156, 1.244 cfs 15.5

Water Right Number - A72-10149

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

*** C - CURRENT OWNER ***
STEPHENS
BETH N
1 - HC 61 BOX 3028
2 -
3 -
City- CHALLIS
Phone - 208-879-4240
1 - HC 61 BOX 3028
2 -
3 -
City- CHALLIS
Phone - 208-879-4240
State- ID Zip- 83226

STEPHENS

LEEROY

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
STEPHENS

DANIEL

1 -
2 -
3 -
City- X
Phone - 208-000-0000

State- ID Zip- 0

Priority Date - + 05/01/1879 17 SOUTHERN D - DECREED + Status - +

Source - + CHALLIS CREEK + Tributary - + SALMON RIVER +

Twn Rng Sec Tract Lot RFlg County Point of Diversion Diversion Name
14N 19E 9 NW NE NW 1 (37) CUSTER
4 SW SE SE R (37) CUSTER

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 2.129 .9328 cfs

Total Div. Rate - + 2.129 Total Div. Volume - + Total Div. Capacity - + Total Consumptive Use - + KW Usage - +
375.0

Twn	Rng	Sec	Tract	Lot	Acre	Place of Use	Code	Description	County
14N	19E	2	NW NW	4	4.5	4.5	01	IRRIGATION	(37) CUSTER
14N	19E	2	SW NW	26.0	26.0	26.0	01	IRRIGATION	(37) CUSTER
14N	19E	2	NE SW	2.5	2.5	2.5	01	IRRIGATION	(37) CUSTER
14N	19E	2	NW SW	33.0	33.0	33.0	01	IRRIGATION	(37) CUSTER
14N	19E	3	NE NE	18	22.5	4.5	01	IRRIGATION	(37) CUSTER
14N	19E	3	SE NE	20	26.0	26.0	01	IRRIGATION	(37) CUSTER
14N	19E	3	NE SE	20	23.0	23.0	01	IRRIGATION	(37) CUSTER
14N	19E	3	SE SE	2.5	2.5	2.5	01	IRRIGATION	(37) CUSTER
15N	19E	34	SE SE	10	10.0	10.0	01	IRRIGATION	(37) CUSTER

Total Acres: 70.5 150.0 74.5

1.1902 Stephens

14410
Hend.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-303
Fax (208) 736-303

PHILIP E. BATT
Governor

KARL J. DREHER
Director

June 27, 1995

ALAN AND HARRIET HENDERSON
PO BOX 645
CHALLIS ID 83226

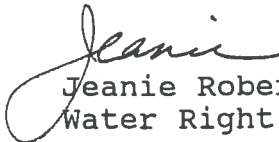
RE: SRBA CLAIM A72-00023, A72-02050, A72-10149

DEAR CLAIMANT:

Pursuant to the notification that you purchased a portion of the property to which the above referenced adjudication claims are appurtenant, the Department has split the original claims into parts A and B. Your portions have been renumbered to A72-00023B, A72-02050B, and A72-10149B. A72-10150 has also been changed to your name. (We will have to wait to complete the change on A72-10156 until further review.) Please find enclosed a copy of the computer generated claims noting the changes.

Please review the records and if you have any corrections, notify this office.

Sincerely,


Jeanie Robertson
Water Right Agent

/jlr
Enclosures:



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

June 27, 1995

TOM COATES
C/O JAMES R BENNETTS
PO BOX 36
CHALLIS ID 83226-0036

RE: Stephens/Henderson Change of Ownership

Dear Tom:

I am returning the Transfer Application and check for the fees. After reviewing it with my supervisor and an allocations agent, we have determined that we cannot accept it for several reasons.

The transfer proposes to move the .156 cfs of water that Mrs. Stephens has retained to 23 acres in the NESE of Section #3, but makes no mention of what acres are to be removed from the original place of use.

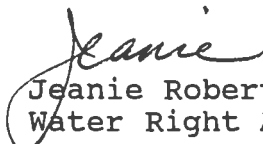
Claim #A72-10156 was originally filed for 54 acres and 1.4 cfs. Mrs. Stephens retained .156 cfs of this right, which is 12%. If we were to figure the proportionate share of acres at 12% of the right, she would be entitled to 6 acres, not the 23 you proposed in the transfer application.

Since this is a Beneficial Use claim, it will need further examination to determine how it will be recommended in the adjudication before we can base a transfer on it.

We will contact you later this summer when we have a better idea of the right's status and perhaps then we can complete the split of the ownership on this right. I have split the other rights as we agreed and have enclosed copies of each.

If you have any questions, please feel free to give me a call at the office.

Sincerely,


Jeanie Robertson
Water Right Agent, Adjudication

cc: Beth Stephens
Alan and Harriet Henderson

JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. Box 36

CHALLIS, IDAHO 83226-0036

TELEPHONE
(208) 879-1488

FAX
(208) 879-1248

June 19, 1995

RECEIVED

JUN 23 1995

Department of Water Resources
Southern Region

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

RE: Stephens to Henderson Change of Ownership

Dear Jeanie:

Please find enclosed the proper documents to complete the change of ownership from Stephens to Henderson.

You and I had discussed the possibilities involving the transfer of Water Right 72-10156, and I want to clarify the wishes of the parties involved in this right. Mrs Stephens and the Hendersons have made it clear that one portion of that right is to remain in Mrs. Stephens' ownership (.156 cfs), and the other portion (1.244 cfs) is to transfer with the property Henderson is purchasing.

In order to accomplish the transfer of the right, I have made application for change in both the POD and POU for Mrs. Stephens, and also application for change of ownership from Stephens to Hendersons on a portion of that right. This is done separate from the other changes of ownership. The reason for this is to perhaps simplify and better describe the full intent of both parties.

I have also enclosed the proper description of the other changes of ownership concerning water rights A72-00023, 10149, 10150, and 02050. You will notice that reference to A72-10156 has been deleted from that transfer and is being done through the change in POD, POU and split of that right. The new application showing the splits of the right should reflect that Mrs. Stephens' interests will be re-numbered as "A" and the Hendersons' interests as "B".

Jeanie Robertson
June 19, 1995
Page 2

If you have any further questions concerning these transfers,
please feel free to contact this office.

Very truly yours,

Tom Coates

Tom Coates, Paralegal

TC:k

Enclosures

cc: Beth Stephens
Alan and Harriet Henderson

Approved:
James W. Beatty



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor PHIL BATT

R. KEITH HIGGINSON
Director

May 8, 1995

LEEROY AND BETH STEPHENS
HC 61 BOX 3028
CHALLIS ID 83226

RE: CHANGE OF OWNERSHIP

Mr. and Mrs. Stephens:

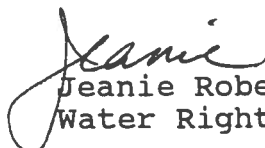
I have been reviewing the Change of Ownership sent in on the property you sold to the Hendersons. There are a couple of issues that I am unable to resolve at this point.

The main problem is that you have retained a portion of the water for A72-10156 (54 acres), but it appears to me that you no longer own any of the acres to which this claim is appurtenant. Based on the parcel descriptions in the Warranty Deed, it appears you retained the land on the West side of the highway and sold the land on the East side. I have enclosed a copy of the original map filed with A72-10156 back in 1989. What acres are you claiming to go with the 0.156 cfs of water you are retaining?

I am also enclosing a map of the way I split the 150 acres described by A72-00023, A72-02050, and A72-10149, per your metes and bounds exhibits. Do you agree with this split? If not, please change the numbers to what you feel is correct. Since you have assigned all of A72-10150 to the Hendersons, there is no problem with that one.

Please look over the enclosed information at your earliest convenience and call me at the office.

Sincerely,


Jeanie Robertson
Water Right Agent, Adjudication

/jlr
Enclosures:

cc: Alan and Harriet Henderson, with same enclosures

19E

McNabbs Point

4824

33

34

15N

Gulch

10 BM 4824

14N

4

3

150 Acres described by A72-00023
A72-02050
A72-10149

- the 66 acres in Section 2 to Hendersons
- the 10 acres in Section 34 to Stephens
- Section 2 lands split as follows:

Hendersons

Stephens

NENE 4.5
SENE 6
NESE 3
SESE 0
13.5

18 = 22.5
20 = 26
20 = 23
2.5
60.5

BM

LANE

5070

MICROFILMED

18 1993

A72-10149

150



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

MAY 01 1995

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

Department of Water Resources
Southern Region

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range See attached Deed
 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.

- ☐ 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) A72-00023, .29 cfs; A72-10149, .9328 cfs;
 Assigned by IDWR: A72-10150, 2.0 cfs; A72-02050, .792 cfs;
A72-10156, 1.244 cfs
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Elizabeth
Beth N. Stephens and Leroy Stephens
HC 61 Box 3028
Challis, Idaho 83226
- ☐ New Owner/Claimant (Purchaser): Alan Henderson and Harriet Henderson
- ☐ New Mailing Address: P. O. Box 645
Challis, Idaho 83226
- ☐ New Telephone Number: (208) 879 - 4563
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
As noted above.

- ☐ Attach proof of ownership, describe proof attached: _____

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

- ☐ Signature of New Owner/Claimant(s) x Harriet Mager Henderson Date 4/26/95
x Alan Henderson Date 4/26/95
- ☐ Signature of Former Owner/Claimant(s): x Beth N. Stephens Date 4/26/95
 Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

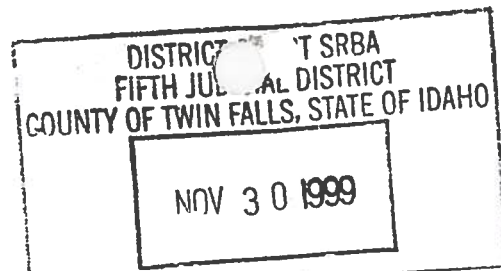
Claim Numbers of Split, if any:

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

RECEIVED

NOV 6 1999

Department of Water Resources



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

In Re SRBA

Subcase No. 72-10149B

Case No. 39576

Standard Form 5

STIPULATED ELEMENTS
OF A WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Allan Henderson
Harriet Henderson

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Allan Henderson

Date

Harriet Henderson

11/30/99

Harriet Henderson

Date

IDWR CONCURRENCE:

Jamie Robertson
Sr. Water Res. Agent

11/30/99
Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown

11/30/99

Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

AS TO FORM

Date

11/30/99

Date

Standard Form 5

Subcase No. 72-10149B

PAGE 1

data entry
complete per
SF 5-14-00
R

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-23-1999
PAGE: A-1

RIGHTS FROM: SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-10149B

NAME AND ADDRESS: ALAN HENDERSON
HARRIET HENDERSON
PO BOX 645
CHALLIS ID 83226

SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.932 CFS

PRIORITY DATE: 05/01/1879

POINT OF DIVERSION: T14N R19E S04 SESESE (R) Within CUSTER County
S09 NWNENWPURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE
IRRIGATION 04-01 10-31QUANTITY
0.932 CFSPLACE OF USE: IRRIGATION Within CUSTER County
T14N R19E S02 Lot 5 (NWNW) 2.4 Lot 6 (SWNW) 2.4 Lot 9 (NESW) 5.3 NWSW 28
NWNW 2.4 SWNW 2.4 NESW 5.3
S03 Lot 1 (NENE) 2.3 SENE 5.2
NENE 2.4
67.2 ACRES TOTALUSE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 67.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00023B, 72-02050B, 72-10149B, 72-10156.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:WATER RIGHT NO. SOURCE
NONE NONETHE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:WATER RIGHT NO. SOURCE
NONE NONE

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: NOV-23-1999

PAGE: A-2

72-10149B (CONT.)

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

FWP
N/S
H.H.

SF5 - 72-10149B

CERTIFICATE OF MAILING

I certify that on 11/30, 1999, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

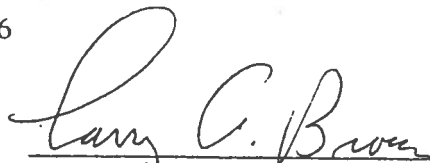
Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Alan & Harriet Henderson
P. O. Box 645
Challis, Idaho 83226



Signature of person or attorney mailing the form

RIGHTS FROM: SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-10149B

NAME AND ADDRESS: ALAN HENDERSON
HARRIET HENDERSON
PO BOX 645
CHALLIS ID 83226

SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.932 CFS

PRIORITY DATE: 05/01/1879

POINT OF DIVERSION: T14N R19E S04 SESESE (R) Within CUSTER County
S09 NWNENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.932 CFS

PLACE OF USE:	IRRIGATION	Within CUSTER County		
	T14N R19E S02	Lot 5 (NWNW) 2.4	Lot 6 (SWNW) 2.4	Lot 9 (NESW) 5.3
		~~NWNW 2.4~~	~~SWNW 2.4~~	~~NESW 5.3~~
	S03	Lot 1 (NENE) 2.3	SENE 5.2	
		~~NENE 2.3~~		
	67.2 ACRES TOTAL			

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 67.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00023B, 72-02050B, 72-10149B, 72-10156.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: NOV-23-1991
PAGE: A-2

72-10149B (CONT.)

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

SF5 - 72-10149B

Robertson, Jean

From: Robertson, Jean
Sent: Friday, November 19, 1999 9:17 AM
To: Denniston, Sara
Subject: 72-00023B, 72-02050B, 72-10149B, 72-10156 (Henderson)

I also put Lot Number descriptions in these, which is what the BLM requested, for the Place of Use. I have talked to the claimant and she is in agreement. I told her we might send SF5's out, but if there wasn't time, we could sign off at the hearings. These R records have also updated and are ready for SF5's if you want to go for it...

Robertson, Jean

From: Denniston, Sara
Sent: Thursday, November 18, 1999 2:24 PM
To: Robertson, Jean
Subject: RE: Objections needing "Clarifying language"

As long as you know the claimant agrees, go ahead and change the R record.

> -----Original Message-----

> **From:** Robertson, Jean
> **Sent:** Thursday, November 18, 1999 1:49 PM
> **To:** Denniston, Sara
> **Subject:** Objections needing "Clarifying language"

>

> A couple of the objections I'm responsible for just want some
> lot numbers put in by the BLM..If these appear to be correct
> (the lot numbers, that is) can or should I prepare some R
> records with those corrections to either send off for SF5 or
> take with me to Challis?

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HARRIET HENDERSON	05/01/1879	IRRIGATION	04-01 10-31	0.932 CFS	
C	ALAN HENDERSON					
	PO BOX 645					
	CHALLIS ID 83226					
	(208) 879-4563					
TOTAL DIVERSION:					0.932 CFS	

Water Source: CHALLIS CREEK Tributary to: SALMON RIVER Stage: DECREED

Point(s) of Diversion: T14N R19E S09 CUSTER County
Point(s) of Re-diversion: T14N R19E S04 SESESE CUSTER County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	
T R S	NENE NWNE SWNE SENE	NENW NWNW SWNW SENW	NESS NWSW SWSW SESW	NESE NWSE SUSE SESE	
14N 19E 2	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM
14N 19E 3	: 01-02	: 05-02 06-24	: 09-05 28	:	59.7
					7.5
					67.2
					TOTAL ACRES

POU County: CUSTER

Other Rights: 72-00023B, 72-02050B

Conditions of Approval:

- C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN BASIN 72:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 - CONJUNCTIVELY.

Remarks: POU1

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 67.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00023B, 72-02050B, 72-101498, 72-10156.

GEN

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

Dates: Exam Made Date: Verified Date: Objection filed Date:

Misc: Water District Number: 72C Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/26/1995 User-ID: JROBERTS Subject: OWNERSHIP CHANGE/SPLIT
Form received 6/23/95, original owner Beth Stephens - new owners
Alan and Harriet Henderson. Copy of Warranty Deed submitted with
form. A72-101498 also changed. jr

Date: 11/17/1998 User-ID: JROBERTS Subject: COPIED FROM REMARKS
THIS CLAIM REPRESENTS THE COMBINATION OF SPLITS FROM THESE
DECREED RIGHTS IN THE INDICATED PROPORTIONS:
72-00016 - 0.975CFS
72-00019A - 1.14 CFS
72-00019B - 0.014 CFS
FOR A TOTAL OF 2.129 CFS ALL FROM CHALLIS CREEK WITH THE PRIORITY
DATE OF 5-1 1879.
THE ORIGINAL SPLIT WAS DONE BY A TRANSFER OF 80". THE DITCH FOR
THIS TRANSFER WAS ABANDONED IN 1949 AND THE WATER WAS MOVED BACK
TO THE ORIGINAL ACREAGE AT THAT TIME.

THIS IS A PORTION OF A72-10149, WHICH WAS SPLIT THROUGH OWNERSHIP
CHANGE OF PORTION OF RIGHT. 6/26/95 jr

Date: 11/21/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 01/13/1999 User-ID: JROBERTS Subject: ADDED ACREAGE
PER NOE, ADDED ACRES IN NESW AND NWSW SECTION 2.

Date: 11/18/1999 User-ID: JROBERTS Subject: ADDED LOT NUMBERS TO POU
PER BLM OBJECTION, LOT NUMBERS WERE ADDED TO THE PLACE OF USE.

Audit: 11/18/99 JROBERTS

19E

1	02 LT04	02 LT03	02 LT02	03 LT01	02 LT04	02 LT03	02 LT02	02 LT01	01 LT04	01 LT03	01 LT02	01 LT01
E	02 SWNW	02 LT05	02 SWNE	02 SENE	02 LT06	02 LT07	02 SWNE	02 SENE	01 SWNW	01 SENW	01 SWNE	01 SENE
E	02 MWSW	02 NE3W	02 MWE	02 NESE	02 MWSW	02 LT08	02 NESE	01 LT05	01 LT06	01 LT07	01 LT08	01 LT08
E	03 SW3W	03 SE3W	03 SWSE	03 SESE	02 SW3W	02 SWSE	02 SESE	01 LT09	01 SE3W	01 SWSE	01 SESE	01 SESE
E	10 MWNW	10 MENW	10 MWE	10 NESE	11 MWNW	11 LT02	11 LT01	11 MENE	12 LT01	12 MENW	12 MWE	12 NESE
E	10 SWNW	10 SENW	10 SWNE	10 SENE	11 SWNW	11 LT03	11 LT04	11 SENE	12 LT02	12 SENW	12 SWNE	12 SENE
E	10 MWSW	10 NE3W	10 MWE	10 NESE	11 MWSW	11 NE3W	11 LT05	11 NESE	12 LT03	12 NE3W	12 MWE	12 NESE
E	10 SW3W	10 SE3W	10 SWSE	10 SESE	11 SW3W	11 LT07	11 LT08	11 SESE	12 LT04	12 SE3W	12 SWSE	12 SESE
E	15 MWNW	15 MENW	15 MWE	15 NESE	14 MWNW	14 LT02	14 LT01	14 MENE	13 LT01	13 MENW	13 MWE	13 NESE
E	15 SWNW	15 SENW	15 SWNE	15 SENE	14 SWNW	14 LT03	14 LT04	14 SENE	13 LT02	13 SENW	13 SWNE	13 SENE
E	15 MWSW	15 NE3W	15 MWE	15 NESE	14 MWSW	14 NE3W	14 LT05	14 LT06	13 LT03	13 NE3W	13 MWE	13 NESE

08 LT04	08 LT03	08 LT02	08 LT01	05 LT04	05 LT03	05 LT02	05 LT01	04 LT04	04 LT03	04 LT02	04 LT01	03 LT04	03 LT03	03 LT02	03 LT01	02 LT04	02 LT03	02 LT02	02 LT01	01 LT04	01 LT03	01 LT02	01 LT01
08 LT05	08 SE04	08 SW04	08 SE03	05 SW04	05 SE04	05 LT03	05 SE02	04 SW04	04 SE04	04 SW03	04 SE03	03 SW04	03 LT03	03 SW02	03 SE02	02 LT04	02 LT03	02 SW02	02 SE02	01 SW04	01 SE04	01 SW03	01 SE03
08 LT06	08 NE03	08 NW03	08 NE02	05 NW03	05 NE03	05 NW02	05 NE02	04 NW03	04 NE03	04 NW02	04 NE02	03 NW03	03 NE03	03 NW02	03 NE02	02 NW03	02 LT03	02 NW02	02 NE02	01 LT03	01 LT02	01 LT01	01 LT00
08 LT07	08 SE03	08 SW03	08 SE02	05 SW03	05 SE03	05 SW02	05 SE02	04 SW03	04 SE03	04 SW02	04 SE02	03 SW03	03 SE03	03 SW02	03 SE02	02 SW03	02 LT02	02 SW02	02 SE02	01 LT02	01 LT01	01 LT00	01 LT00
07 LT06	07 LT05	07 NW05	07 NE05	08 NW04	08 NE04	08 NW03	08 NE03	09 NW04	09 NE04	09 NW03	09 NE03	10 NW04	10 NE04	10 NW03	10 NE03	11 NW04	11 LT02	11 LT01	11 NE02	12 LT01	12 NE01	12 NW02	12 NE02
07 LT02	07 SE04	07 SW04	07 SE03	08 SW04	08 SE04	08 SW03	08 SE03	09 SW04	09 SE04	09 SW03	09 SE03	10 SW04	10 SE04	10 SW03	10 SE03	11 SW04	11 LT03	11 LT04	11 SE04	12 LT02	12 SE04	12 SW03	12 SE03
07 LT03	07 NE03	07 NW03	07 NE02	08 NW03	08 NE03	08 NW02	08 NE02	09 NW03	09 NE03	09 NW02	09 NE02	10 NW03	10 NE03	10 NW02	10 NE02	11 NW03	11 NE03	11 LT05	11 NE02	12 LT03	12 NE03	12 NW02	12 NE02
07 LT04	07 SE03	07 SW03	07 SE02	08 SW03	08 SE03	08 SW02	08 SE02	09 SW03	09 SE03	09 SW02	09 SE02	10 SW03	10 SE03	10 SW02	10 SE02	11 SW03	11 LT07	11 LT08	11 SE02	12 LT04	12 SE03	12 SW02	12 SE02
18 LT01	18 NE04	18 NW04	18 NE03	17 NW04	17 NE04	17 NW03	17 NE03	18 NW04	18 NE04	18 NW03	18 NE03	15 NW04	15 NE04	15 NW03	15 NE03	14 NW04	14 LT02	14 LT01	14 NE02	13 LT01	13 NE01	13 NW02	13 NE02
18 LT02	18 SE04	18 SW04	18 SE03	17 SW04	17 SE04	17 SW03	17 SE03	18 SW04	18 SE04	18 SW03	18 SE03	15 SW04	15 SE04	15 SW03	15 SE03	14 SW04	14 LT03	14 LT04	14 SE04	13 LT02	13 SE04	13 SW03	13 SE03
18 LT06	18 LT05	18 LT04	18 LT03	17 LT04	17 NE03	17 NW03	17 SE02	18 NW03	18 NE03	18 NW02	18 SE02	15 NW03	15 NE03	15 NW02	15 SE02	14 NW03	14 NE03	14 LT05	14 LT06	13 LT03	13 NE03	13 NW02	13 SE02
18 LT07	18 SE03	18 SW03	18 SE02	17 SW03	17 SE03	17 SW02	17 SE02	18 SW03	18 SE03	18 SW02	18 SE02	15 SW03	15 SE03	15 SW02	15 SE02	14 SW03	14 SE03	14 SW02	14 LT07	13 LT04	13 SE03	13 SW02	13 SE02
19 LT01	19 NE04	19 NW04	19 NE03	20 NW04	20 NE04	20 NW03	20 NE03	21 NW04	21 NE04	21 NW03	21 NE03	22 NW04	22 NE04	22 NW03	22 NE03	23 NW04	23 NE04	23 NW03	23 LT02	24 LT01	24 NE01	24 NW02	24 NE02
19 LT02	19 SE04	19 SW04	19 SE03	20 SW04	20 SE04	20 SW03	20 SE03	21 SW04	21 SE04	21 SW03	21 SE03	22 SW04	22 SE04	22 SW03	22 SE03	23 SW04	23 SE04	23 SW03	23 LT03	24 LT02	24 LT03	24 LT04	24 LT05
19 LT03	19 NE03	19 NW03	19 NE02	20 NW03	20 NE03	20 NW02	20 NE02	21 NW03	21 NE03	21 NW02	21 NE02	22 NW03	22 NE03	22 NW02	22 NE02	23 NW03	23 NE03	23 LT05	24 NW03	24 NE03	24 NW02	24 SE02	
19 LT04	19 SE03	19 SW03	19 SE02	20 SW03	20 SE03	20 SW02	20 SE02	21 SW03	21 SE03	21 SW02	21 SE02	22 SW03	22 SE03	22 SW02	22 SE02	23 SW03	23 SE03	23 LT07	24 SW03	24 SE03	24 SW02	24 SE02	
20 LT01	20 NE04	20 NW04	20 NE03	29 NW04	29 NE04	29 NW03	29 NE03	28 NW04	28 NE04	28 NW03	28 NE03	27 NW04	27 NE04	27 NW03	27 NE03	26 NW04	26 NE04	26 LT02	27 LT01	25 NW03	25 NE03	25 NW02	25 NE02
20 LT02	20 SE04	20 SW04	20 SE03	29 SW04	29 SE04	29 SW03	29 SE03	28 SW04	28 SE04	28 SW03	28 SE03	27 SW04	27 SE04	27 SW03	27 SE03	26 SW04	26 SE04	26 LT03	27 LT02	25 SW03	25 SE03	25 SW02	25 SE02
20 LT03	20 NE03	20 NW03	20 NE02	29 NW03	29 NE03	29 NW02	29 NE02	28 NW03	28 NE03	28 NW02	28 NE02	27 NW03	27 NE03	27 NW02	27 NE02	26 NW03	26 NE03	26 LT05	27 LT04	25 NW03	25 NE03	25 NW02	25 SE02
20 LT04	20 SE03	20 SW03	20 SE02	29 SW03	29 SE03	29 SW02	29 SE02	28 SW03	28 SE03	28 SW02	28 SE02	27 SW03	27 SE03	27 SW02	27 SE02	26 SW03	26 SE03	26 LT07	27 LT06	25 SW03	25 SE03	25 SW02	25 SE02
21 LT01	21 NE04	21 NW04	21 NE03	32 NW04	32 NE04	32 NW03	32 NE03	31 NW04	31 NE04	31 NW03	31 NE03	30 NW04	30 NE04	30 NW03	30 NE03	29 NW04	29 NE04	29 LT02	30 LT01	28 NW03	28 NE03	28 NW02	28 NE02
21 LT02	21 SE04	21 SW04	21 SE03	32 SW04	32 SE04	32 SW03	32 SE03	31 SW04	31 SE04	31 SW03	31 SE03	30 SW04	30 SE04	30 SW03	30 SE03	29 SW04	29 SE04	29 LT05	30 LT04	28 SW03	28 SE03	28 SW02	28 SE02
21 LT03	21 NE03	21 NW03	21 NE02	32 NW03	32 NE03	32 NW02	32 NE02	31 NW03	31 NE03	31 NW02	31 NE02	30 NW03	30 NE03	30 NW02	30 NE02	29 NW03	29 NE03	29 LT07	30 LT08	28 NW03	28 NE03	28 NW02	28 SE02
21 LT04	21 SE03	21 SW03	21 SE02	32 SW03	32 SE03	32 SW02	32 SE02	31 SW03	31 SE03	31 SW02	31 SE02	30 SW03	30 SE03	30 SW02	30 SE02	29 SW03	29 SE03	29 LT09	30 LT08	28 SW03	28 SE03	28 SW02	28 SE02

SRBA

SUBCASE SUMMARY REPORT 72-10149B

[Return to SRBA Home Page](#)

SRBA
11-18-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 72-10149B FILE#: 00253
CLAIMANT: HENDERSON, HARRIET
STATUS: AT ISSUE
WATER SOURCE: CHALLIS CREEK, SALMON RIVER
ISSUES: PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.

****** PARTIES INVOLVED ******

HARRIET HENDERSON
USDI BLM
ALAN HENDERSON

PRO SE
ATTY: US DEPARTMENT OF JUSTICE
PRO SE

****** ROA ENTRIES ******

06-02-1999	OBJ 01 F/B USDI BLM	RB	10-04-1999 0001
10-21-1999	NOTICE SETTING INITIAL HEARING	1S	11-30-1999 0400

[Return to SRBA Home Page](#)

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

11/18/99 16:39:4
Page 1

Water Right Number - 72-10149B

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

HENDERSON

HARRIET

1 - PO BOX 645

2 -

3 -

City- CHALLIS

State- ID Zip- 83226

Phone - 208-879-4563

HENDERSON

ALAN

1 - PO BOX 645

2 -

3 -

City- CHALLIS

State- ID Zip- 83226

Phone - 208-879-4563

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - -
05/01/1879 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + - - - - - Tributary - - - - -
CHALLIS CREEK SALMON RIVER

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

14N	19E	9	NW NE NW			(37) CUSTER	
		4	SE SE SE	R		(37) CUSTER	FROG CREEK

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

01 - IRRIGATION	04/01	10/31	0.932	
-----------------	-------	-------	-------	--

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage -
0.932 0.0

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

14N	19E	2	NW NW		2.4	01	IRRIGATION	(37) CUSTER
14N	19E	2	SW NW		24.0	01	IRRIGATION	(37) CUSTER
14N	19E	2	NE SW		5.3	01	IRRIGATION	(37) CUSTER
14N	19E	2	NW SW		28.0	01	IRRIGATION	(37) CUSTER
14N	19E	3	NE NE		2.3	01	IRRIGATION	(37) CUSTER
14N	19E	3	SE NE		5.2	01	IRRIGATION	(37) CUSTER

Total Acres: 67.2

+ - - Diversion Means - WIER IN CHALLIS CREEK, HEADGATES, DITCHES, FLOOD IRRIGATION

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 72-000238, 72-02050B

Water right number - 72-10149B

Prefix Translation: WATER RIGHT

+ - - - - - Remarks - - - - -

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 67.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00023B, 72-02050B, 72-10149B, 72-10156.

GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

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

7200016
7200019A
7200019B

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

C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 72:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

+ - - - Decree Plaintiff - - - +
STEPHENS, ET. AL.

+ - - - Decree Defendant - - - +
SHAW, ET. AL.

+ - Decree Date -
00/00/0000

+ - - Audit Fields - 06/26/95 JROBERTS 06/27/95 JROBERTS 11/16/98 TFAWCETT 11/17/98 JROBERTS 11/21/98 AJU10-DS
01/13/99 JROBERTS 01/17/99 CPDSHAFF 02/04/99 ADT-DSHA 06/08/99 UPD-SEGB

+ - - - - - Comments - - - - -

Date: 06/26/1995 User Id: JROBERTS Subject: OWNERSHIP CHANGE/SPLIT
Form received 6/23/95, original owner Beth Stephens - new owners Alan and Harriet Henderson. Copy of Warranty Deed submitted w
form. A72-10149B also changed. jr
Date: 11/17/1998 User Id: JROBERTS Subject: COPIED FROM REMARKS
THIS CLAIM REPRESENTS THE COMBINATION OF SPLITS FROM THESE
72-00016 - 0.975CFS
72-00019B - 0.014 CFS
DATE OF 5-1 1879.
THIS TRANSFER WAS ABANDONED IN 1949 AND THE WATER WAS MOVED BACK
***** THIS IS A PORTION OF A72-10149, WHICH WAS SPLIT THROUGH OWNERSI
CHANGE OF PORTION OF RIGHT. 6/26/95 jr
Date: 11/21/1998 User Id: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
Date: 01/13/1999 User Id: JROBERTS Subject: ADDED ACREAGE
PER NOE, ADDED ACRES IN NESW AND NWSW SECTION 2.

DECREED RIGHTS IN THE INDICATED PROPORTIONS:
72-00019A - 1.14 CFS
FOR A TOTAL OF 2.129 CFS ALL FROM CHALLIS CREEK WITH THE PRIOR
THE ORIGINAL SPLIT WAS DONE BY A TRANSFER OF 80". THE DITCH I
TO THE ORIGINAL ACREAGE AT THAT TIME.
OF RECORD THRU AJU10.

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

11/18/99 16:40:03
Page 3

Water right number - 72-101498

Prefix Translation: WATER RIGHT

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

Court Report Filing	- 01/29/1999	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 06/02/1999	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 01/13/1999	Old Judicial District	-
Claim Received Date	- 12/01/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 72C
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-

Water Right Number - R72-101498 Prefix Translation: RESEARCH Old (D) Number -

*** C - CURRENT OWNER ***
HENDERSON HARRIET 1 - PO BOX 645 State- ID Zip- 83226
2 -
3 -
City- CHALLIS
Phone - 208-879-4563
1 - PO BOX 645
2 -
3 -
City- CHALLIS
Phone - 208-879-4563 State- ID Zip- 83226

HENDERSON ALAN

+ - - Priority Date - - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1879 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
CHALLIS CREEK SALMON RIVER

+ - - - - TwN Rng Sec Tract Lot RFlg County Point of Diversion - - - - - +
14N 19E 9 NW NE NW (37) CUSTER FROG CREEK
4 SE SE SE R (37) CUSTER

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.932

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +
0.932 0.0

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
14N	19E	2	NW NW	5	2.4	01	IRRIGATION	(37) CUSTER
14N	19E	2	SW NW	6	24.0	01	IRRIGATION	(37) CUSTER
14N	19E	2	NE SW	9	5.3	01	IRRIGATION	(37) CUSTER
14N	19E	2	NW SW		28.0	01	IRRIGATION	(37) CUSTER
14N	19E	3	NE NE	1	2.3	01	IRRIGATION	(37) CUSTER
14N	19E	3	SE NE		5.2	01	IRRIGATION	(37) CUSTER

Total Acres: 67.2

+ - - Diversion Means - WIER IN CHALLIS CREEK, HEADGATES, DITCHES, FLOOD IRRIGATION

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 72-00023B, 72-02050B

Water right number - R72-10149B

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 67.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-000238, 72-020508, 72-101498, 72-10156.

GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

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

7200016
7200019A
72000198

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

C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 72:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

+ - - - - - Decree Plaintiff - - - + - - - - - Decree Defendant - - - +
STEPHENS, ET. AL. SHAW, ET. AL. 00/00/0000

+ - - - - - Comments - - - - - +

Date: 06/26/1995 User Id: JROBERTS Subject: OWNERSHIP CHANGE/SPLIT
Form received 6/23/95, original owner Beth Stephens - new owners Alan and Harriet Henderson. Copy of Warranty Deed submitted with
form. A72-10149B also changed. jr

Date: 11/17/1998 User Id: JROBERTS Subject: COPIED FROM REMARKS
THIS CLAIM REPRESENTS THE COMBINATION OF SPLITS FROM THESE

72-00016 - 0.975CFS
72-00019B - 0.014 CFS
DATE OF 5-1 1879.

THIS TRANSFER WAS ABANDONED IN 1949 AND THE WATER WAS MOVED BACK
***** THIS IS A PORTION OF A72-10149, WHICH WAS SPLIT THROUGH OWNERSHIP

CHANGE OF PORTION OF RIGHT. 6/26/95 jr
Date: 11/21/1998 User Id: AUJ10-DS Subject: AUJ10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AUJ10.

Date: 01/13/1999 User Id: JROBERTS Subject: ADDED ACREAGE
PER NOE, ADDED ACRES IN NESW AND NWSW SECTION 2.
Date: 11/18/1999 User Id: JROBERTS Subject: ADDED LOT NUMBERS TO POU
PER BLM OBJECTION, LOT NUMBERS WERE ADDED TO THE PLACE OF USE.

Water right number - R72-101498

Prefix Translation: RESEARCH

+ - - Audit Fields - - +
11/18/99 JROBERTS

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +									
Court Report Filing	-	01/29/1999	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576	
Objection Filed Date	-	06/02/1999	Field Inspection Flag	-		Old Case Number	-		
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-		
Claim Received Date	-	12/01/1989	Last Amended Date	-	00/00/0000	Temporary Right	-	P	
			Receipt Number	-	X777777	Water District	-	72C	
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S	
			Name Connector	-	AND/OR	Presumption Flag	-		
						Notice of Error Flag	-		

JR

RECEIVED

JUN 29 1999

Department of Water Resources
Southern Region

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

In Re SRBA

A. Subcase 72-10149B

(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Alan & Harriet Henderson

Address: PO Box 645 Challis, ID 83226

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached _____

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

State of Idaho)

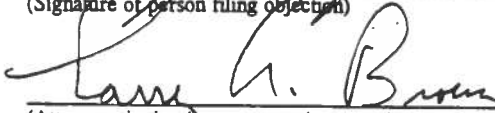
) ss.

County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 1, 1999



John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 2nd, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Alan & Harriet Henderson
Address: PO Box 645 Challis, ID 83226
Name:
Address:
Name:
Address:
Name:
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-26-1999
PAGE: A-148

RIGHTS FROM: SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-10149B
NAME & ADDRESS: HARRIET HENDERSON
ALAN HENDERSON
PO BOX 645
CHALLIS ID 83226
MIXED OWNERSHIP
CLARIFY W LOT DESCRIPTIONS.
SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.932 CFS
PRIORITY DATE: 05/01/1879
POINT OF DIVERSION: T14N R19E S09 NWNEW ✓ Within CUSTER County
S04 SESESE ✓ (REDIVERSION)
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 0.932 CFS
PLACE OF USE: IRRIGATION Within CUSTER County
T14N R19E S02 LOT 4/5 (NWNW) 2.4 ✓ LOT 6/7 (SWNW) 2.4 ✓ * NESW 5.3 BLM/PVT NWSW 28 ✓
S03 LOT 1 (NENE) 2.3 ✓ SENE 5.2 ✓
67.2 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 67.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00023B, 72-02050B, 72-10149B, 72-10156.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

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

NESW = LOT 9 = PUT
LOT 8 = BLM

att.
Jeannie
Robertson

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

In Re SRBA)

Case No. 39576)

A. Subcase

72-10150
72-10156
72-10149B
72-00023B

(Insert water right number)

72-02650B

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
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Name & Address of Attorney, if any:

Larry A. Brown 208 387-0833; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494
United States Department of Justice: Environment and Natural Resource Division: General Litigation Section
550 West Fort Street, MSC 033, Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Alan & Harriet Henderson

Address: PO Box 645 Challis, ID 83226

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

State of Idaho)

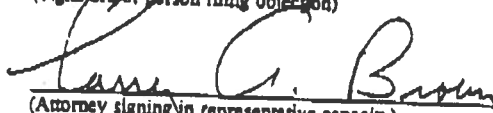
) ss.

County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 1, 1999


John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on June 2nd, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Alan & Harriet Henderson
Address: PO Box 645 Challis, ID 83226

Name:
Address:

Name:
Address:

Name:
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-26-1999
PAGE: A-148

RIGHTS FROM: SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER
 RIGHT NUMBER: 72-10149B

NAME & ADDRESS: HARRIET HENDERSON
 ALAN HENDERSON
 PO BOX 645
 CHALLIS ID 83226

MIXED OWNERSHIP
 CLARIFY W LOT DESCRIPTIONS.

SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.932 CFS

PRIORITY DATE: 05/01/1879

POINT OF DIVERSION: T14N R19E S09 S04 NWNEW ✓ SESESE ✓ (REDIVERSION) Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
 IRRIGATION 04-01 10-31 0.932 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
 T14N R19E S02 Lot 4/5 (NWNW) 2.4 ✓ Lot 6/7 (SWNW) 2.4 ✓ * NESW 5.3 BLM/PUT NWSW 28 ✓
 S03 Lot 1 (NENE) 2.3 ✓ SENE 5.2 ✓
 67.2 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
 A COMBINED TOTAL OF 67.2 ACRES IN A SINGLE IRRIGATION SEASON.
 COMBINED RIGHT NOS.: 72-00023B, 72-02050B, 72-10149B, 72-10156.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 RIGHTS IN BASIN 72:

WATER RIGHT NO. SOURCE
 NONE NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO. SOURCE
 NONE NONE

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

NESW = LOT 9 = PUT
 LOT 8 = BLM



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

SOUTHERN REGION

DIRK KEMPTHORN
GOVERNOR

KARL J. DREHER
DIRECTOR

January 15, 1999

ALAN HENDERSON
HARRIET HENDERSON
PO BOX 645
CHALLIS ID 83226

RE: 72-00023B, 72-02050B, 7210149B, 72-10150, 72-10156

Dear Mr. and Mrs. Henderson,

This letter is in response to the Notices of Error (NOEs) you recently filed with IDWR regarding the Director's proposed recommendations of the claims listed above. Your NOEs questioned the acres in the Place of Use on all of the claims, and also the Priority Date on 72-10150.

I have re-drawn the areas in question on the GIS aerial photo/maps and have been able to change the recommendations of 72-00023B, 72-02050B, and 72-10149B from 61 acres to 67.2 acres; 72-10156 from 46.7 acres to 52.2 acres; and 72-10150 from 70.5 acres to 80.8 acres. Based on the evidence you submitted, I also allowed your claimed priority date of May 2, 1890 on 72-10150.

I have enclosed new Preliminary Recommendations and corrected maps for these claims. You should be receiving the actual Director's Reports by the end of the month which will reflect these corrections.

Sincerely,

Jeanie Robertson
Senior Water Resource Agent

AJ5853NP
3

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: January 15, 1999
PAGE: 3

RIGHT NUMBER: 72-10149B

NAME AND ADDRESS: HARRIET HENDERSON
ALAN HENDERSON
PO BOX 645
CHALLIS ID 83226

SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.932CFS

PRIORITY-DATE: 05/01/1879

POINT OF DIVERSION T14N R19E S09 NWNEW Within CUSTER County
S04 SESESE (R)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.932 CFS

PLACE OF USE:	IRRIGATION	Within CUSTER County			
	T14N R19E S02	NWNW 2.4	SWNW 24	NESW 5.3	NWSW 28
	S03	NENE 2.3	SENE 5.2		
	67.2 ACRES TOTAL				

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 67.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00023B, 72-02050B, 72-10149B, 72-10156.

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

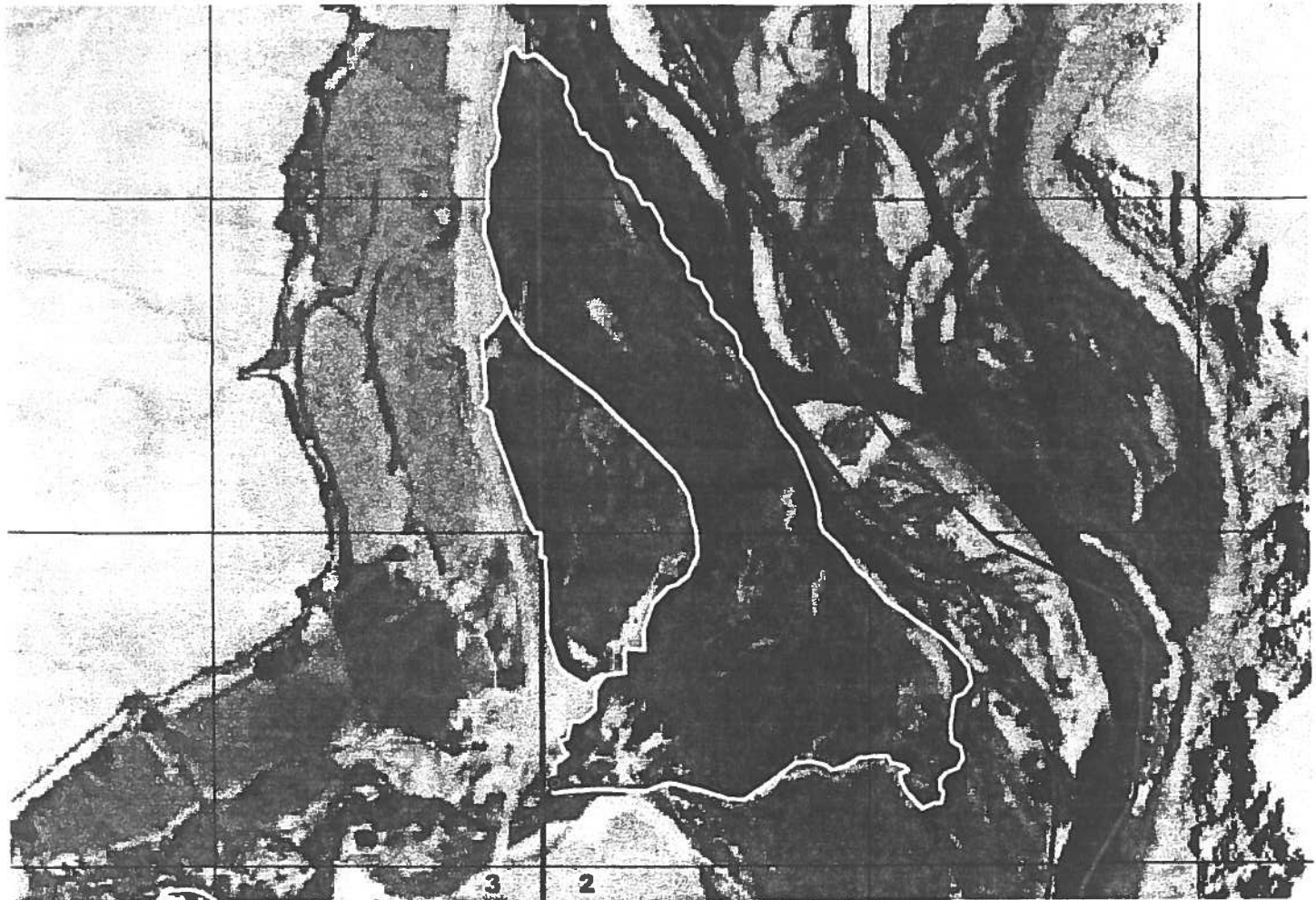
ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

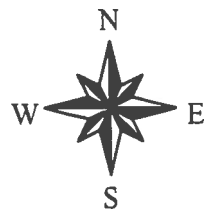
IDAHO DEPARTMENT OF WATER RESOURCES

72-00023B, 72-02050B, 72-10149B



0 660 1320 1980 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON JAN.15, 1999
TWP 14N, 19E, SEC . 2 & 3



RECOMMENDED PLACE OF USE

⊙ RECOMMENDED POINT OF DIVERSION

□ SECTION LINES

□ QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

DIVERSION
VOLUME

04-01 10-31	0.93 CFS

TOTAL DIVERSION:	0.93 CFS

Stage: DECREED

CUSTER County
CUSTER County

SE

TOTAL ACRES

Other Rights: 72-00023B, 72-02050B

C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER

- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 72:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 67.2 ACRES IN A SINGLE IRRIGATION SEASON.
A COMBINED RIGHT NOS.: 72-000238, 72-020508, 72-101498, 72-10156.

WATER DISTRICT 72-C.

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/26/1995 User-ID: JROBERTS Subject: OWNERSHIP CHANGE/SPLIT

Form received 6/23/95, original owner Beth Stephens - new owners
Alan and Harriet Henderson. Copy of Warranty Deed submitted with
form. A72-101498 also changed. jr

Date: 11/17/1998 User-ID: JROBERTS Subject: COPIED FROM REMARKS
THIS CLAIM REPRESENTS THE COMBINATION OF SPLITS FROM THESE
DECREED RIGHTS IN THE INDICATED PROPORTIONS:

72-00016 - 0.975CFS
72-00019A - 1.14 CFS

72-00019B - 0.014 CFS
FOR A TOTAL OF 2.129 CFS ALL FROM CHALLIS CREEK WITH THE PRIORITY
DATE OF 5-1 1879.

THE ORIGINAL SPLIT WAS DONE BY A TRANSFER OF 80". THE DITCH FOR
THIS TRANSFER WAS ABANDONED IN 1949 AND THE WATER WAS MOVED BACK
TO THE ORIGINAL ACREAGE AT THAT TIME.

THIS IS A PORTION OF A72-10149, WHICH WAS SPLIT THROUGH OWNERSHIP
CHANGE OF PORTION OF RIGHT. 6/26/95 jr

Date: 11/21/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 01/13/1999 User-ID: JROBERTS Subject: ADDED ACREAGE
PER NOE, ADDED ACRES IN NESW AND NWSW SECTION 2.

Audit: 01/13/99 JROBERTS

November 20, 1998

**NOTICE OF ERROR
REPLY**

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: 72-10156 72-00023B, 720205B, 72-10149

HARRIET HENDERSON
ALAN HENDERSON
PO BOX 645
CHALLIS ID 83226

72-10156

Daytime Telephone Number: 208-879-4563
Evening Telephone Number: Same

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

acreage irrigated

2. Describe the changes you wish to make in the proposed recommendation:

area by the ~~ditch~~ ^{Challis Creek} could be added

3. Give a brief explanation as to why you disagree with these portions:

the whole area has been irrigated

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

DATE: 12/9/98 SIGNATURE: Harriet Magee Henderson
Please print your name: Harriet Magee Henderson

November 20, 1998

**NOTICE OF ERROR
REPLY**

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: 72-10149B

HARRIET HENDERSON
ALAN HENDERSON
PO BOX 645
CHALLIS ID 83226

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: _____

SIGNATURE: _____

Please print your name: _____

Harriet Magee Henderson

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HARRIET HENDERSON	05/01/1879	IRRIGATION	04-01 10-31	0.93 CFS	
C	ALAN HENDERSON PO BOX 645 CHALLIS ID 83226 (208) 879-4563					
					TOTAL DIVERSION:	0.93 CFS

Water Source: CHALLIS CREEK

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion: T14N R19E S09
Point(s) of Re-diversion: T14N R19E S04

NNNN
SESESE

CUSTER County
CUSTER County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE								
T	R S	lt	Ac	lt	Ac	lt	Ac	lt	Ac	lt	Ac	lt	Ac	SUM
14N	19E	2	:	:	:	:	:	:	:	:	:	:	:	53.2
14N	19E	3	:	:	:	:	:	:	:	:	:	:	:	7.5
TOTAL ACRES														60.7

POU County: CUSTER

Other Rights: 72-000238, 72-020508

Remarks: POU1
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 60.7 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-000238, 72-020508, 72-101498, 72-10156.

GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

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

Misc: Water District Number: 72C Field Inspection Flag:
Presumption Flag:

CLAIM NUMBER 72-00023B
72-02050B
72-10149B

DATE 10/19/98
AGENT [Signature]

TRANSFER NUMBER _____
CLAIMED ACRE TOTAL 79.5
GIS ACRE TOTAL 61

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	14N	19E	2					4.5	26			2.5	33							6
GIS	14N	19E	2					2.4	24.3			1.8	25							5
RECOM	14N	19E	2					2.4	24.3			1.8	25							5
CLAIM	14N	19E	3	4.5			6									3				1.
GIS	14N	19E	3	2.3			5.2									0				7
RECOM	14N	19E	3	2.3			5.2									0				1
CLAIM																				
GIS																				
RECOM																				

↑
data entered
as 24.0

B72-DBPOU.SHP

SHAPE NOS.

245 = 47 Ac.
246 = 14 Ac.

Master updated 1-19-99
[Signature]

de 11-16
[Signature]

B72-DBPOD.SHP

NOS. DESCRIPTION

128 14N, 19E, 04 SESESE
125 14N, 19E, 09 NWNE NW

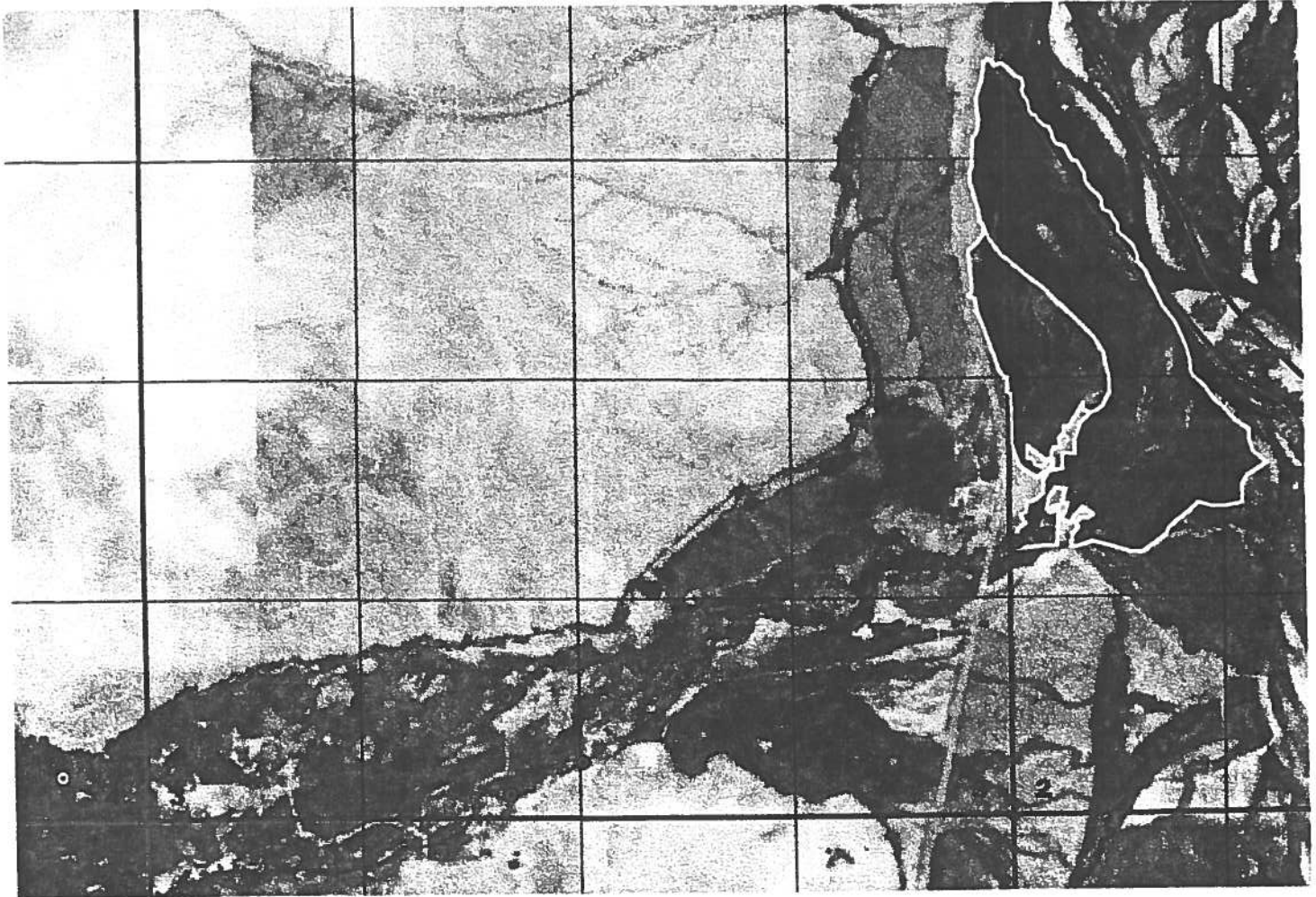
DBF TABLES UPDATED

B72-DBPOU.DBF ☒

B72-DBPOD.DBF ☒

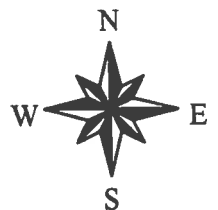
IDAHO DEPARTMENT OF WATER RESOURCES

72-00023B, 72-02050B, 72-10149B



0 660 1320 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON OCT. 19, 1998
TWP 14N, 19E, SEC . 2 & 3



RECOMMENDED PLACE OF USE

⊙ RECOMMENDED POINT OF DIVERSION

□ SECTION LINES

□ QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

REVIEW OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-00023B 72-02050B
72-10149B 72-10156

DATE: 11/17, 1998

REVIEWED BY JR

CHALLIS AREA SOIL REVIEW

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

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

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

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

SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION / (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
<u>Rd1</u>	<u>4.89</u>	<u>?</u>	<u>25</u>	<u>.14</u>	= <u>3.5</u> CFS
<u>Wb2</u>	<u>5.37</u>	<u>?</u>	<u>13</u>	<u>.13</u>	= <u>1.69</u> CFS
<u>Wc1</u>	<u>11.24</u>	<u>?</u>	<u>22</u>	<u>.07</u>	= <u>1.54</u> CFS
					= <u>6.73</u> CFS <u>total</u>

TOTAL ACRES 60

DECREED RATE = _____
CLAIMED DIVERSION RATE = _____
MEASURED DIVERSION RATE = _____

72-00023B - 29 CFS
72-02050B - .792
72-10149B - .932
72-10156 - 1.4
3.414
rev-a

SD-4110
INQUIRY

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 11/17/9
Time: 10:16:5

Water Right Number: A72-10149

FIRST PAGE

GEN

THIS CLAIM REPRESENTS THE COMBINATION OF SPLITS FROM THESE
DECREED RIGHTS IN THE INDICATED PROPORTIONS:

72-00016 - 0.975CFS

72-00019A - 1.14 CFS

72-00019B - 0.014 CFS

FOR A TOTAL OF 2.129 CFS ALL FROM CHALLIS CREEK WITH THE PRIORIT
DATE OF 5-1 1879.

THE ORIGINAL SPLIT WAS DONE BY A TRANSFER OF 80". THE DITCH FO
THIS TRANSFER WAS ABANDONED IN 1949 AND THE WATER WAS MOVED BACK
TO THE ORIGINAL ACREAGE AT THAT TIME.

CURRENT ADDRESS (1989) IS P.O. BOX 645, BATTLE MOUNTAIN NEVADA
89820.

THIS RIGHT HAS BEEN SPLIT AS FOLLOWS:

A72-10149A STEPHENS 1.1962 CFS 70.5 AC

A72-10149B HENDERSON .9328 CFS 79.5 AC

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

SD-0611-2 Basin: 72 Starting Water Right: 0001

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	72-00016	STEPHENS, DANIEL 1.3	C	05/01/1879	D/	CHALLIS CREEK	IRR	W
-	A72-00016	SPLIT RIGHT .975 COMBINED RIGHT (72-1049)	C	05/01/1879	/Z	CHALLIS CREEK SPLIT RIGHT COMBINED RIGHT	IRR	A
-	A72-00016A	WEBB, LUCILLE	C	05/01/1879	D/	CHALLIS CREEK	IRR	A
-		SCHUT, PAUL	C					
-	R72-00016A	WEBB, LUCILLE 325	C	05/01/1879	D/	CHALLIS CREEK	IRR	A
-		SCHUT, PAUL	C					

* Decreed copied to Water Right Database
(Enter=Continue) (GOLD6=Print Profile Rpt)

(GOLD7=This Query)
(GOLD8=Cancel)

(Menu _____)

SD-4110
INQUIRY

Id Department of Water Resources
Adjudication Remarks Screen

Date: 11/17/9
Time: 10:22:3

Water Right Number: A72-00016

FIRST PAGE

GEN

THIS NUMBER HAS BEEN SPLIT AS FOLLOWS:

A72-00016A: WEBB (SHOAF), .325 CFS

THE REMAINING PORTION 0.975 CFS HAS BEEN COMBINED WITH 72-00019A
AND A PORTION OF 72-00019B AS THEY ALL HAVE THE SAME DIVERSIONS
AND DELIVERY SYSTEM, SOURCE AND PRIORITY DATES. SEE A72-10149.

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

SD-0611-2 Basin: 72 Starting Water Right: 00016

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	72-00016	STEPHENS, DANIEL	C	05/01/1879	D/	CHALLIS CREEK	IRR	W
-	A72-10149	SPLIT RIGHT	C	05/01/1879	/Z	CHALLIS CREEK SPLIT RIGHT	IRR	A
-	R72-10149	SPLIT RIGHT	C	05/01/1879	/Z	CHALLIS CREEK SPLIT RIGHT	IRR	A
-	A72-10149A	STEPHENS, BETH N	C	05/01/1879	D/	CHALLIS CREEK	IRR	A
-	A72-10149B	HENDERSON, HARRIET HENDERSON, ALAN	C C	05/01/1879	D/	CHALLIS CREEK	IRR	A
-	R72-10149A	STEPHENS, BETH N	C	05/01/1879	D/	CHALLIS CREEK	IRR	A
-	R72-10149B	HENDERSON, HARRIET HENDERSON, ALAN	C C	05/01/1879	D/	CHALLIS CREEK	IRR	A
-	A72-00016	SPLIT RIGHT COMBINED RIGHT	C C	05/01/1879	/Z	CHALLIS CREEK SPLIT RIGHT COMBINED RIGHT	IRR	A
-	A72-00016A	WEBB, LUCILLE	C	05/01/1879	D/	CHALLIS CREEK	IRR	A

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)
(Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu _____)

Serial	Water Right No.	Name Last, First	Owner	Priority Date	STG/STS	Source	Use Desc
---	A72-00016A	SCHUT, PAUL	C	05/01/1879	D/		
---	A72-00016	SPLIT RIGHT	C	05/01/1879	/Z	CHALLIS CREEK	IRR
---		COMBINED RIGHT	C			SPLIT RIGHT	
---						COMBINED RIGHT	
---	R72-00016A	WEBB, LUCILLE	C	05/01/1879	D/	CHALLIS CREEK	IRR
---		SCHUT, PAUL	C				

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)
(Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu _____)

SD-0611-2 Basin: 72 Starting Water Right: 00019

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc
-	72-00019			00/00/0000	/		
-	72-00019A	STEPHENS, JOHN	C	05/01/1879	D/	CHALLIS CREEK	IRR
-	72-00019B	STEPHENS, THOMAS	C	05/01/1879	D/	CHALLIS CREEK	IRR
-	A72-10149	SPLIT RIGHT	C	05/01/1879	/Z	CHALLIS CREEK SPLIT RIGHT	IRR
-	A72-00019C	WEBB, LUCILLE	C	05/01/1879	D/	CHALLIS CREEK	IRR
-		SCHUT, PAUL	C				
-	R72-00019C	WEBB, LUCILLE	C	05/01/1879	D/	CHALLIS CREEK	IRR
-		SCHUT, PAUL	C				
-	R72-10149	SPLIT RIGHT	C	05/01/1879	/Z	CHALLIS CREEK SPLIT RIGHT	IRR
-	A72-10149A	STEPHENS, BETH N	C	05/01/1879	D/	CHALLIS CREEK	IRR
-	A72-10149B	HENDERSON, HARRIET	C	05/01/1879	D/	CHALLIS CREEK	IRR
-		HENDERSON, ALAN	C				
-	R72-10149A	STEPHENS, BETH N	C	05/01/1879	D/	CHALLIS CREEK	IRR

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)
 (Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu ____)

SD-0611-2 Basin: 72 Starting Water Right: 00019

Water Right No.	Name Last, First	W N	Priority Date	STG/ STS	Source	Use Desc
R72-10149B	HENDERSON, HARRIET	C	05/01/1879	D/	CHALLIS CREEK	IRR
A72-00019A	HENDERSON, ALAN	C				
	SPLIT RIGHT	C	05/01/1879	/Z	CHALLIS CREEK	IRR
	COMBINED RIGHT	C			SPLIT RIGHT	
					COMBINED RIGHT	
A72-00019B	COMBINED RIGHT	C	05/01/1879	/Z	CHALLIS CREEK	IRR
	SPLIT RIGHT	C			SPLIT RIGHT	
					COMBINED RIGHT	
A72-00019C	WEBB, LUCILLE	C	05/01/1879	D/	CHALLIS CREEK	IRR
	SCHUT, PAUL	C				
A72-00019A	SPLIT RIGHT	C	05/01/1879	/Z	CHALLIS CREEK	IRR
	COMBINED RIGHT	C			SPLIT RIGHT	
					COMBINED RIGHT	
A72-00019B	COMBINED RIGHT	C	05/01/1879	/Z	CHALLIS CREEK	IRR
	SPLIT RIGHT	C			SPLIT RIGHT	
					COMBINED RIGHT	

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)
 (Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu ____)

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc
	R72-00019			00/00/0000	/Z		
	R72-00019C	WEBB, LUCILLE	C	05/01/1879	D/	CHALLIS CREEK	IRR
		SCHUT, PAUL	C				

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)
(Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu ____)

14N19E

- decreed - 00019 (137" or 2.74 cfs)
 - 00014 (105" or 2.3 cfs)

1	04 LT04	04 LT03	04 LT02	04 LT01	03 LT04	03 LT03	03 LT02	03 LT01	02 LT04	02 LT03	02 LT02	02 LT01	01 LT04	01 LT03	01 LT02	01 LT01	
E	04 SWNW	04 SENW	04 SWNE	04 SESE	03 SWNW	03 LT05	03 SWNE	03 SESE	02 LT06	02 LT07	02 SWNE	02 SESE	01 SWNW	01 SENW	01 SWNE	01 SESE	
E	04 NWSW	04 NESW	04 NWSE	04 NESE	03 NWSW	03 NESW	03 NWSE	03 NESE	02 NWSW	02 LT08	02 NESE	01 LT05	01 LT06	01 LT07	01 LT08		
E	04 SWSW	04 SESW	04 SWSE	04 SESE	03 SWSW	03 SESW	03 SWSE	03 SESE	02 SWSW	01 LT09	02 LT04	02 SWSE	02 SESE	01 LT09	01 SESW	01 SWSE	01 SESE
E	09 NNW	09 NENW	09 NNNE	09 NENE	10 NNW	10 NENW	10 NNNE	10 NENE	11 NNW	11 LT02	11 LT01	11 NENE	12 LT01	12 NENW	12 NNNE	12 NENE	
E	09 SWNW	09 SENW	09 SWNE	09 SESE	10 SWNW	10 SENW	10 SWNE	10 SESE	11 SWNW	11 LT03	11 LT04	11 SESE	12 LT02	12 SENW	12 SWNE	12 SESE	
E	09 NWSW	09 NESW	09 NWSE	09 NESE	10 NWSW	10 NESW	10 NWSE	10 NESE	11 NWSW	11 NESW	11 LT05	11 NESE	12 LT03	12 NESW	12 NWSE	12 NESE	
E	09 SWSW	09 SESW	09 SWSE	09 SESE	10 SWSW	10 SESW	10 SWSE	10 SESE	11 SWSW	11 LT07	11 LT08	11 SESE	12 LT04	12 SESW	12 SWSE	12 SESE	
	16 NNW	16 NENW	16 NNNE	16 NENE	15 NNW	15 NENW	15 NNNE	15 NENE	14 NNW	14 LT02	14 LT01	14 NENE	13 LT01	13 NENW	13 NNNE	13 NENE	
	16 SWNW	16 SENW	16 SWNE	16 SESE	15 SWNW	15 SENW	15 SWNE	15 SESE	14 SWNW	14 LT03	14 LT04	14 SESE	13 LT02	13 SENW	13 SWNE	13 SESE	
	16 NWSW	16 NESW	16 NWSE	16 NESE	15 NWSW	15 NESW	15 NWSE	15 NESE	14 NWSW	14 NESW	14 LT05	14 LT06	13 LT03	13 NESW	13 NWSE	13 NESE	
	16 SWSW	16 SESW	16 SWSE	16 SESE	15 SWSW	15 SESW	15 SWSE	15 SESE	14 SWSW	14 SESW	14 SWSE	14 LT07	13 LT04	13 SESW	13 SWSE	13 SESE	
	21 NNW	21 NENW	21 NNNE	21 NENE	22 NNW	22 NENW	22 NNNE	22 NENE	23 NNW	23 NENW	23 NNNE	23 LT02	24 LT01	24 NENW	24 NNNE	24 NENE	
	21 SWNW	21 SENW	21 SWNE	21 SESE	22 SWNW	22 SENW	22 SWNE	22 SESE	23 SWNW	23 SENW	23 LT03	23 LT04	24 LT02	24 LT03	24 LT04	24 LT05	
	21 NWSW	21 NESW	21 NWSE	21 NESE	22 NWSW	22 NESW	22 NWSE	22 NESE	23 NWSW	23 NESW	23 LT06	23 LT05	24 NWSW	24 NESW	24 NWSE	24 NESE	
	21 SWSW	21 SESW	21 SWSE	21 SESE	22 SWSW	22 SESW	22 SWSE	22 SESE	23 SWSW	23 SESW	23 LT07	23 LT08	24 SWSW	24 SESW	24 SWSE	24 SESE	

Cal 5-13-80

72-A
RECEIVED

NOV 1 1974

Department of Water Resources
Southern District Office

In the District Court of the Sixth Judicial District of the State of Idaho,
for the County of Custer.

John Stephens, Daniel Stephens, John W. Stephens,
William Millick, R. W. Philps, Thomas Chivers,
Peter McKinney, Mary Baxter, as Administratrix of
the Estate of Walter Baxter, deceased, Jonathan
Job, William Babcock, E. P. Wilson, Ida B. Wilson,
Julia Funkhouser, as Executrix of the Estate of
Charles Funkhouser, deceased, Julia Funkhouser,
Arthur Wilkinsen, William Eddy, John M. Kushaw,
Charles Fagan, Ralph Baxter, Allie Stephens, and
William Stephens,

Plaintiffs,

vs.

C. O. Shaw, S. I. Shaw, Patrick Sexton, A. D.
Kelley, C. H. Beggs, W. A. Pierson, A. L. Harper,
William Klug, Geo. L. Simmons, J. C. Fox, Geo.
Coryell, Jos. M. Hill, and L. E. Welch,

Defendants.

DECREE.

This cause coming on to be heard this 9th day of October, 1911,
before the Court, sitting without a jury, Geo. E. Keyes, Esq., and F.
J. Cowen, Esq., appearing as counsel for the plaintiffs and M. A. Brown,
Esq., appearing as counsel for certain defendants, and L. M. Glennon, Esq.,
appearing as counsel for certain defendants, and all of the said
parties having by their respective counsel, in open court, submitted
to the court their agreed statement of facts, and the same having
been duly considered by the court, and from which the court has deter-
mined its findings of fact and conclusions of law, which findings and
conclusions have been filed herein, wherein Judgment has been ordered
to be entered in accordance therewith.

Whereupon it is ordered, adjudged and decreed, and this does or-
der, adjudge and decree as follows:

72-0001 1. That the plaintiff, William Babcock, be and he is hereby
awarded the right to the use of 159 inches of the flow of the waters
of Challis Creek for the irrigation of his land, described as the
south half of the southwest quarter and the south half of the south-
east quarter of section nine, township fourteen north, range nineteen
east Boise Meridian, his right thereto to date from May 1st, 1879.

72-0002 2. That the plaintiff, Mary Baxter, as Administratrix of the
Estate of Walter Baxter, deceased, be and she hereby is awarded the
right to the use of 200 inches of the flow of the waters of Challis

Challis Creek, for the irrigation of his land, described as the north half of the northeast quarter and the north half of the northwest quarter of section sixteen, and the northwest quarter of the northwest quarter of section fifteen, all in township 14 north, range 19 east Boise Meridian, his right thereto to date from May 1st, 1879.

12. That the plaintiff, William Millick, be and he is hereby awarded the right to the use of 196 inches of the flow of the waters of Challis Creek, for the irrigation of his land, described as the south half of the southwest quarter of section three, the northeast quarter of the northwest quarter of section ten, the north half of the northeast quarter of section nine, the northwest quarter of the northwest quarter of section ten and the south half of the southeast quarter of section four, all in township 14 north, range 19 east Boise Meridian, his right thereto to date from May 1st, 1879.

13. That the plaintiff, R. W. Philips, be and he is hereby awarded the right to the use of 85 inches of the flow of the waters of Challis Creek, for the irrigation of his land, described as the east half of the northeast quarter, the east half of the southeast quarter of section ten, township 14 north, range 19 east Boise Meridian, his right thereto to date from May 1st, 1879.

14. That the plaintiff, John M. Pushaw, be and he is hereby awarded the right to the use of 125.6 inches of the flow of the waters of Challis Creek, for the irrigation of his land, described as the west half of the southeast quarter of section eight and the west half of the northeast quarter of section seventeen, all in township 14 north, range 19 east Boise Meridian, his right thereto to date from April 24th, 1909.

15. That the plaintiff, Allie Stephens, be and she is hereby awarded the right to the use of 20 inches of the flow of the waters of Challis Creek for the irrigation of her land, described as the southeast quarter of the northeast quarter of section nine, township 14 north, range 19 east Boise Meridian, her right thereto to date from June 10th, 1909.

16. That the plaintiff, Daniel Stephens, be and he is hereby awarded the right to the use of 65 inches of the flow of the waters of Challis Creek for the irrigation of his land, described as the south half of the northeast quarter and the west half of the southeast quarter

of section three, township 14 north, range 19 east Boise Meridian, his right thereto to date from May 1st, 1879.

17. That the plaintiff, Daniel Stephens, be and he is hereby awarded the right to the use of 77.4 inches of the flow of the waters of Challis Creek for the irrigation of his land, described as the west half of the northeast quarter and the southeast quarter of the northwest quarter of section ten, township 14 north, range 19 east Boise Meridian, his right thereto to date from September 11th, 1909.

18. That the plaintiff, John W. Stephens, be and he is hereby awarded the right to the use of 186.2 inches of the flow of the waters of Challis Creek for the irrigation of his land, described as the north half of the southeast quarter of section nine and the west half of the southwest quarter of section ten and the northeast quarter of the southwest quarter of section nine, and also that certain tract of land commencing at a point on the south line of the northwest quarter of section nine, township 14 north, range 19 east Boise Meridian; 900 feet west of the southeast corner of said northwest quarter of said section nine, in township 14 north, range 19 east Boise Meridian and running from said point in a northerly direction 700 feet to a post standing 900 feet west of the east line of said northwest quarter of said section nine. Thence east 426 feet to a post. Thence north 1080 feet to Challis Creek, striking said Challis Creek at a point 450 feet west of the east side line of said northwest quarter of said section nine. Thence east 257 feet to a post. Thence south 1780 feet to the south line of said northwest quarter of said section nine, striking said south line at a point 25 feet west of the southeast corner of said northwest quarter of said section nine. Thence west along the south line of said northwest quarter of said section nine, 875 feet to place of commencement, his right there to to date from May 1st, 1879.

19. That the plaintiff, John Stephens, be and he is hereby awarded the right to the use of 137 inches of the flow of the waters of Challis Creek, for the irrigation of his land, described as the lot 6 and the northwest quarter of the southwest quarter of section two and the east half of the southeast quarter of section three, in township 14 north, range 19 east Boise Meridian, his right thereto to date from May 1st, 1879.

20. That the plaintiff, Arthur Wilkinson, be and he is hereby

29. That the cross complainant, Patrick Sexton, be and he is hereby awarded the right to the use of 71 inches of the flow of the waters of Whit Valley Creek, same being a tributary of Challis Creek, for the irrigation of his land, described as a portion of unsurveyed land situated approximately on portions of sections 32 and 33, in township 14 1/2 N north, range 19 east Boise meridian, containing 147.34 acres, his right thereto to date from May 1st, 1897.

30. That the cross complainant, C. C. Shaw, be and he is hereby awarded the right to the use of 50 inches of the flow of the waters of Eddy Creek, a tributary of Challis Creek, for the irrigation of his land described as that certain ranch of fifty acres situated on Eddy Creek about one mile from the mouth of said creek in sections 34 and 27, township 15 north, range 18 east Boise meridian, his right thereto to date from May 30th, 1903.

31. That the cross complainant, L. E. Welch, be and he is hereby awarded the right to the use of 52 inches of the flow of the waters of Challis Creek for the irrigation of his land, described as the south half of the southeast quarter and the east half of the southwest quarter of section five, township 14 north, range 19 east Boise meridian, his right thereto to date from February 26th, 1909.

72-0032. That the defendants, J. C. Fox, Geo. Coryell and J. M. Hill, be and they are hereby awarded the right to the use of (See supplementary Decree File 265) cubic feet per second of the flow of the waters of Challis Creek, under the terms and conditions imposed by the license or permits of the State Engineer of the State of Idaho, their right thereto to date from the 22nd day of July, 1909, and the said defendants are given until the 22nd day of January, 1912, to perform one fifth of the work necessary to divert the said amount of water, and until the 22nd day of July, 1918, thereafter to complete such diversion works and put the said amount of water to a beneficial use, as provided by the terms of their said permit.

Done in open Court this 9th day of October, 1911

J. M. Stevens,

Judge.

Filed November 21st, 1911.

E. J. Michael,

Clerk

Water Right Number - 72-00016

Prefix Translation: WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
STEPHENS
Last Name -
First Name -
Address -
Status -
DANIEL
1 -
2 -
3 -
City -
State -
Zip -
Phone -

Priority Date - 05/01/1879
Region - 17 SOUTHERN
Stage - D - DECREED
Tributary - SALMON RIVER

Source - CHALLIS CREEK
Point of Diversion -
Diversion Name -
Diversion Rate -
Diversion No. -

Code -
Description -
Period From -
Period To -
Water Use -
Diversion Rate -
Diversion Volume -
01 - IRRIGATION
1.300

Total Div. Rate - 1.300
Total Div. Volume -
Total Div. Capacity -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	19E	3	SW NE			01 IRRIGATION			37 CUSTER
14N	19E	3	SE NE			01 IRRIGATION			37 CUSTER
14N	19E	3	NW SE			01 IRRIGATION			37 CUSTER
14N	19E	3	SW SE			01 IRRIGATION			37 CUSTER

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

Remarks -
No Remarks found.

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

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

- - - Decree Plaintiff -
Decree Defendant -
Decree Date -
STEPHENS, ET. AL.
SHAW, ET. AL.
10/09/1911

Prefix Translation: WATER RIGHT

No Comments Found

Water Rights Dates and Flags Area			
Proof Due Date	00/00/0000	Field Exam Made	00/00/0000
Approved/Denied	00/00/0000	Protested Date	00/00/0000
Proof Made Date	00/00/0000	Hearing Date	00/00/0000
Exam to S.O. Date	00/00/0000	Verified Date	01/14/1985
Order Show Cause	00/00/0000	Receipt Number	
Licensed Date	00/00/0000	Appl Received	00/00/0000
Decree Date	10/09/1911	Name Connector	
Presumption Flag			
		Field Exam Fee	
		Swan Falls	
		Temporary Right	P
		DLE/Carey Act	
		Water District	72C
		Transfer/Amended	
		POU Ownership Flag	

SD-4110
INQUIRY

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 06/17
Time: 14:09

Water Right Number: A72-00019A FIRST PAGE
GEN THIS NUMBER HAS BEEN SPLIT AS FOLLOWS:

A72-00019C: WEBB (SHOAF), 1.411 CFS.

|
11-30-89
|

THIS RIGHT HAS BEEN CLAIMED FOR THE ENTIRE 57" BY LEEROY STEPH
CLAIM A72-00019C HAS BEEN FILED AS A SPLIT OF THIS RIGHT W
IT SHOULD HAVE BEEN A SPLIT OF THE "B" PORTION. THE COMPUTER
RECORD SHOWS THE PLACE OF USE FOR "B" BASED UPON A TRANSFER DC
IN APPROX. 1914. THIS WATER WAS TRANSFERRED BACK TO THE ORIGI
LANDS DECREED TO, IN ABOUT 1949. THE TRANSFER INVOLVED 80" AN
SHOAF'S HAVE BEEN RECEIVING 70" WITH WAINSCOTT GETTING 9.3".
|

THE 57" CLAIMED BY L. STEPHENS HAS BEEN COMBINED WITH 0.7" OF
72-00019B AND A PORTION OF 72-00016 UNDER THE CLAIM A72-10149.
|

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit
(GOLD8=Canc

SD-4110
INQUIRY

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 06/17
Time: 14:10

Water Right Number: A72-00019A
GEN

THE AMOUNTS CLAIMED BY SHOAF AND STEPHENS AND THE 9.3" FOR
WAINSCOTT EQUAL THE TOTAL AMOUNTS DECREED FOR 72-00016 AND
72-00019 COMBINED. (THEY HAVE THE SAME PRIORITY DATES)

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit
(GOLD8=Canc

SD-4110
INQUIRY

Idaho Department of Water Resources
Water Rights Remarks Screen

Date: 06/17/9
Time: 09:51:1

Water Right Number: 72-00019

FIRST PAGE

13. Remarks:

Type

Remark

GEN

SPLIT INTO 72-0019A & 72-0019B BY TRANS. 199.

(GOLD4=Prev Screen)

(GOLD6=End of Data)

(Enter=Exit)

(GOLD5=Next Screen)

(GOLD8=Cancel)

STATE OF IDAHO

OFFICE OF STATE ENGINEER

CERTIFICATE NO. 199, AUTHORIZING TRANSFER OF WATER

RIGHT.

WATER DISTRICT NO. 3-B.

Permission is hereby granted Thomas Stephens, of Challis, County of Custer, State of Idaho, to transfer the use of eighty (80) inches of the waters of Challis Creek, in the County of Custer and State of Idaho, from the lands upon which it is now used, i.e., Lot six ^{SW NW} (6) and the Northwest quarter of Southwest quarter ($NW\frac{1}{4} SW\frac{1}{4}$), Section 2, and the East half of the Southeast Quarter ($E\frac{1}{2} SE\frac{1}{4}$), Section 3, in Township 14 North, Range 19 East of the Boise Meridian, to the following described lands, to-wit: the Northwest quarter of the Southeast ^{NW SE} quarter ($NW\frac{1}{4} SE\frac{1}{4}$), and Lots two (2), Three (3) and four (4) ^{NE SE}, Section 34, Township 15 North, Range 19 East of the Boise Meridian, said water to be diverted at a point about the center of the northeast quarter ($NE\frac{1}{4}$), Section 7, Township 14 North, Range 19 East of the Boise Meridian.

The water right appurtenant to the above described lands was adjudged by decree, dated October 9, 1911, of James M. Stevens, Judge of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Custer, in the matter of John Stephens, et al, plaintiffs, vs. C.C. Snow, et al, defendants.

Witness, My hand and the seal of my office at Boise, Idaho, this 14th day of March,

1917.

J.H. SMITH,

State Engineer.

72-00198

FILE 72-A 72-0019

STATE OF IDAHO
OFFICE OF STATE ENGINEER
CERTIFICATE NO. 199, AUTHORIZING TRANSFER OF WATER
RIGHT.
WATER DISTRICT NO. 3-B.

Permission is hereby granted Thomas Stephens, of Challis, County of Custer, State of Idaho, to transfer the use of eighty (80) inches of the waters of Challis Creek, in the County of Custer and State of Idaho, from the lands upon which it is now used, i.e., Lot six (6) and the Northwest quarter of Southwest quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 2, and the East half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$), Section 3, in Township 14 North, Range 19 East of the Boise Meridian, to the following described lands, to-wit: the Northwest quarter of the Southeast quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), and Lots two (2), Three (3) and four (4), Section 34, Township 15 North, Range 19 East of the Boise Meridian, said water to be diverted at a point about the center of the northeast quarter (NE $\frac{1}{4}$), Section 7, Township 14 North, Range 19 East of the Boise Meridian.

The water right appurtenant to the above described lands was adjudged by decree, dated October 9, 1911, of James M. Stevens, Judge of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Custer, in the matter of John Stephens, et al, plaintiffs, vs. C.C. Shaw, et al, defendants.

Witness, My hand and the seal of my office at Boise, Idaho, this 14th day of March, 1917.

J.H. SMITH,
State Engineer.

Seal.

Application for Transfer of Water Right

STATE OF IDAHO.

County of Custer } ss.

Thomas Stephens

, being first duly sworn, deposes and says:

That his name is Thomas Stephens; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Challis, Custer county, Idaho

That he is the owner and using a certain water right of Eighty inches of the waters of Challis Creek

County of Custer, State of Idaho, decreed to John Stephens by decree of Judge Hon. James H. Stevens of the Sixth Judicial District of the State of Idaho, in and for the County of Custer, in the case of John Stephens et al vs. G. C. Shaw et al said decree bearing date of Oct 9, 1911

(or obtained by virtue of License No. _____ issued by the State Engineer of the State of Idaho, dated _____), for the purpose of irrigating the following described lands situate, lying and being in the County of Custer and State of Idaho, to-wit: Lot 6 and the NW 1/4 of the SW 1/4 of Sec 2 and the E 1/2 of the SE 1/4 of Sec 3 in Tp 14 N.P. 19 E.B.M.

and is the person (or the representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. by deed of conveyance from said John Stephens

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream at SE 1/4 of Sec 2

and conducted to the above described lands through a ditch as per map hereto attached and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of eighty of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Custer and State of Idaho to-wit: the northwest quarter of the southeast quarter and lots 2, 3 and 4 of Section 34 in Township 15 North of Range 19 E.B.M.

That his reasons for desiring to make such transfer are as follows: The land here before irrigated by said eighty inches of water can be irrigated from a ditch already constructed from Salmon River and the land intended to be irrigated after the proposed transfer can only be covered by water from Challis Creek, and this applicant has given a good and valuable consideration for said decreed right

STATE OF IDAHO.

County of Custer ss.

I, H. M. Welch, Watermaster of Challis,
County of Custer, State of Idaho, whose postoffice address is Challis
Custer, County, Ida, have read or heard read the foregoing affidavit and petition of
Thomas Stephens and, of my own knowledge, believe the same to be
true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;
and I hereby endorse my approval of said petition, and request that the State Engineer issue the certificate of
transfer as petitioned; or ~~(do not approve of the issuance of the certificate of transfer prayed for)~~ for the
following reasons:

H. M. Welch
Watermaster.

Notice having been duly published for thirty days of the intention of the above named
Thomas Stephens to apply to the State Engineer of the State of Idaho for a certificate
authorizing the transfer of water as set forth in this affidavit and petition herein, and an opportunity having
been given to any and all persons opposing said transfer to present their objections in a public hearing before
me at the office of Geo. E. Hayes, Jr. Idaho June 17th, 1916, according to
the terms of said notice;

And it not appearing at said hearing that anyone would be materially injured by such transfer:
I hereby recommend that the said State Engineer of the State of Idaho issue his certificate to said appli-
cant, authorizing the transfer as prayed for in his petition; or ~~(and it appearing at said hearing that the follo-~~
~~wing injuries would be sustained by such transfer as petitioned)~~

I hereby record and that the State Engineer do ~~not~~ issue the certificate authorizing the transfer sought
hereinabove.

Geo. E. Hayes
Commissioner of Water Division

By

STATE OF IDAHO,

County of Buster } ss.

I, H. M. Welsh Watermaster of Challis County of Buster State of Idaho, whose postoffice address is Challis Buster, County, Ida, have read or heard read the foregoing affidavit and petition of Thomas Stephens and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the State Engineer issue the certificate of transfer as petitioned; or ~~(do not approve of the issuance of the certificate of transfer prayed for)~~ for the following reasons:

H. M. Welsh
Watermaster.

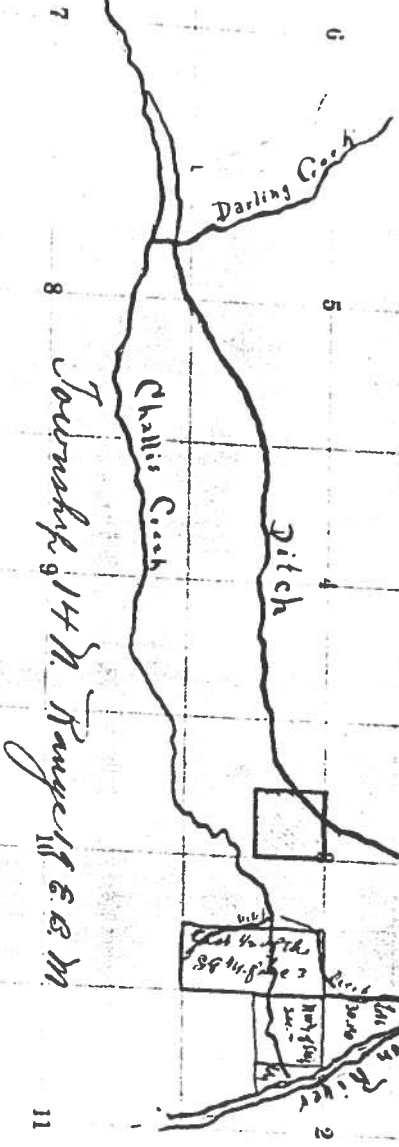
Notice having been duly published for thirty days of the intention of the above named Thomas Stephens to apply to the State Engineer of the State of Idaho for a certificate authorizing the transfer of water as set forth in this affidavit and petition herein, and an opportunity having been given to any and all persons opposing said transfer to present their objections in a public hearing before me at the office of Geo. E. Hayes, Jr. ^{Idaho} Challis June 17th, 1916, according to the terms of said notice;

And it not appearing at said hearing that anyone would be materially injured by such transfer:
I hereby recommend that the said State Engineer of the State of Idaho issue his certificate to said applicant, authorizing the transfer as prayed for in his petition; or ~~(and it appearing at such hearing that the following injuries would be sustained by such transfer)~~

I hereby recommend that the State Engineer do ~~not~~ issue the certificate authorizing the transfer sought hereinabove.

Geo. E. Hayes, Jr.
Commissioner of Water Division
By _____

Township



Township 14 N. Range 18 E. & M.

Water Right Number - R72-10149B

Prefix Translation: RESEARCH

Old (D) Number -

Last Name -

First Name -

Address -

*** C - CURRENT OWNER ***
HENDERSON

ALAN

1 - PO BOX 645
2 -
3 -

State- ID Zip- 83226

HENDERSON

HARRIET

City- CHALLIS
Phone - 208-879-4563
1 - PO BOX 645
2 -
3 -

State- ID Zip- 83226

City- CHALLIS
Phone - 208-879-4563

Priority Date -
05/01/1879

Region -
17 SOUTHERN

Stage -
D - DECREED

Status -

Source -
CHALLIS CREEK

Tributary -
SALMON RIVER

Twn Rng Sec Tract Lot RFlg County Point of Diversion

14N 19E 9 NW NE NW 1 (37) CUSTER
4 SW SE SE R (37) CUSTER

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

01 - IRRIGATION 04/01 11/01

0.932

Total Div. Rate - + Total Div. Volume - + Total Consumptive Use - + KW Usage - +
0.932 199.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	19E	2	NW NW		4.5	01	IRRIGATION	(37) CUSTER
14N	19E	2	SW NW		26.0	01	IRRIGATION	(37) CUSTER
14N	19E	2	NE SW		2.5	01	IRRIGATION	(37) CUSTER
14N	19E	2	NW SW		33.0	01	IRRIGATION	(37) CUSTER
14N	19E	3	NE NE		4.5	01	IRRIGATION	(37) CUSTER
14N	19E	3	SE NE		6.0	01	IRRIGATION	(37) CUSTER
14N	19E	3	NE SE		3.0	01	IRRIGATION	(37) CUSTER

Total Acres: 79.5

- - - Diversion Means - WATER IN CHALLIS CREEK, HEADGATES, DITCHES, FLOOD IRRIGATION

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - A72-00023, A72-02050

Water right number - R72-101498

Prefix Translation: RESEARCH

REMARKS
THIS CLAIM REPRESENTS THE COMBINATION OF SPLITS FROM THESE
DECEED RIGHTS IN THE INDICATED PROPORTIONS:

72-00016 - 0.975CFS
72-00019A - 1.14 CFS
72-00019B - 0.014 CFS
FOR A TOTAL OF 2.129 CFS ALL FROM CHALLIS CREEK WITH THE PRIORITY
DATE OF 5-1 1879.
THE ORIGINAL SPLIT WAS DONE BY A TRANSFER OF 80". THE DITCH FOR
THIS TRANSFER WAS ABANDONED IN 1949 AND THE WATER WAS MOVED BACK
TO THE ORIGINAL ACREAGE AT THAT TIME.

THIS IS A PORTION OF A72-10149, WHICH WAS SPLIT THROUGH OWNERSHIP
CHANGE OF PORTION OF RIGHT. 6/26/95 jr

7200016
7200019A
7200019B

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff - STEPHENS, ET. AL.

Decree Defendant - SHAW, ET. AL.

Decree Date - 00/00/0000

Comments -
Date: 06/26/1995 User Id: JROBERTS Subject: OWNERSHIP CHANGE/SPLIT
Form received 6/23/95, original owner Beth Stephens - new owners Alan and Harriet Henderson. Copy of Warranty Deed submitted with
form. A72-10149B also changed. jr

Audit Fields - 06/26/95 JROBERTS

Adjudication Rights Dates and Flags Area
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 12/01/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - X777777 Water District - 72C
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - AND Presumption Flag -
Notice of Error Flag -