

ORIGINAL

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: A72-10150

Date Received: 12/ 1/1989

Receipt No: M005283

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

AMENDED

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

AND/OR

Name: HARRIET HENDERSON 208-879-4563
Address: PO BOX 645
CHALLIS ID 83226

2. Date of Priority: MAY 21, 1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	2	SE	SE	SW		CUSTER

5. Description of diverting works:
CEMENT HEADGATE, ROCK DAM, OPEN DITCH FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.000		

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

8. Total consumptive use is 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	SW	NE		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14N	19E	2	SE		NE		IRR	3.0
			NE		NW		IRR	18.8
			NW		NW		IRR	19.0
			SW		NW		IRR	2.6
			SE		NW		IRR	22.4
			NE		SW		IRR	3.5
			NW		SE		IRR	0.5
							Section Acres	70.8
15N	19E	35	SW		SW		IRR	7.6
			SE		SW		IRR	2.4
							Section Acres	10.0
							Total Acres	80.8

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGE 6/26/95. jr

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

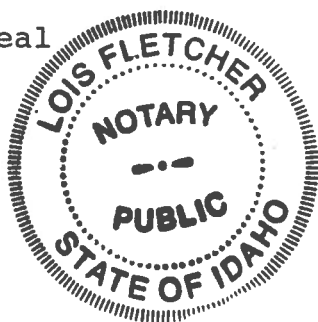
Signature of Claimant(s): Hauet Mage Hender Date: 3/2/99

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 2 day
of March 19 99 Lois Fletcher
Notary Public

Seal



Residing at Challis, ID
My Commission Expires 6-23-99

I the undersigned citizen of the United States claim fifteen hundred (1500) inches of the water of Salmon River for agricultural purposes. Said water to be taken from the River at the place where this notice is posted, being on the East side of Salmon River, about two (2) miles north from Colvins Bridge in Round Valley Buster County Idaho. — I also claim the right of way for a ditch ten (10) feet wide to carry said water from this point to a tract of land lying about one half (1/2) mile north from this notice, being Desert Land Entry to 24.

Dated Round Valley Buster } Wm J. Stethem
County Idaho May 21st 1884 }

Recorded at the request of Wm Stethem June 1st 1884
at 9. O'clock A.M. in Book A. of Water Claims Page 77
E. C. Whitsett
County Recorder.

Idaho Buster Co. April 12th 1884

Be it known to all persons that we the undersigned have this 12 day of April located and claim 1500 hundred inches of water to be taken from Junction Creeks for irrigating and other purposes, it lying 2 miles north from Lost River, these streams running through Ranches now claimed and held by J. Dougal and J. M. Franklin and F. Little

Territory of Idaho
County of Buster

I, J. M. Franklin do solemnly swear that I am acquainted with the water privilege and location described in the notice of Location herewith and according to the best of my knowledge and belief that the same has never before been located, subscribed and sworn to before me by J. M. Franklin this 12th day of April A.D. 1884

E. C. Whitsett Co Recorder

By J. H. Burnett Deputy of Lost River
Filed for record in this office April 12th 1884 at 4-20 P.M.
and duly recorded in Book A. of Water Rights Page 77.
E. C. Whitsett County Recorder

MEMORANDUM

To: Roxanne Brown
From: Teri Hranac
Subject: Water Right 72-10150
Date: March 11, 1999
CC: File

RECEIVED
APR 01 1999
Department of Water Resources
Southern Region

Roxanne:

Enclosed please find a copy of the Motion to Amend Claim, the original Amended Notice of Claim, and a copy of the document submitted in support of the Motion. I kept a copy of the Amended Notice of Claim for my file.

I thought I would get these to you before I forgot to do it. The Motion will be noticed on the April 7, 1999 Docket Sheet. Hearing will be held on May 3, 1999 at 10:30 by telephone.

The Hendersons also filed an Objection to this water right asserting the priority date should be 5/21/1884; and the township for the place of use should be T14N.

Thanks for your assistance with this.



Water Right Number - A72-10150

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
HENDERSON

HARRIET

HENDERSON

ALAN

*** O - ORIGINAL OWNER ***
STEPHENS

LEEROY

STEPHENS

BETH N

1 - PO BOX 645
2 -
3 -
City- CHALLIS
Phone - 208-879-4563
1 - PO BOX 645
2 -
3 -
City- CHALLIS
Phone - 208-879-4563
1 - HC 61 BOX 3028
2 -
3 -
City- CHALLIS
Phone - 208-879-4240
State- ID Zip- 83226
State- ID Zip- 83226
State- ID Zip- 83226
State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/21/1884 17 SOUTHERN J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
14N 19E 2 SE SE SW (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 2.000

+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Consumptive Use - - + + - - KW Usage - - +
2.000 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Rng Sec Tract Lot Acres Code Description County
14N 19E 19E 2 SW NE 1.0 01 IRRIGATION (37) CUSTER
14N 19E 19E 2 SE NE 3.0 01 IRRIGATION (37) CUSTER
14N 19E 19E 2 NE NW 18.8 01 IRRIGATION (37) CUSTER
14N 19E 19E 2 NW NW 19.0 01 IRRIGATION (37) CUSTER
14N 19E 19E 2 SW NW 2.6 01 IRRIGATION (37) CUSTER
14N 19E 19E 2 SE NW 22.4 01 IRRIGATION (37) CUSTER
14N 19E 19E 2 NE SW 3.5 01 IRRIGATION (37) CUSTER

removed from
TEM
5/3/99

Water right number - A72-10150

Prefix Translation: ADJUDICATION CLAIM

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	19E	2	NW SE		0.5	01	IRRIGATION	(37) CUSTER
15N	19E	35	SW SW		7.6	01	IRRIGATION	(37) CUSTER
15N	19E	35	SE SW		2.4	01	IRRIGATION	(37) CUSTER

Total Acres: 80.8

- - - Diversion Means - CEMENT HEADGATE, ROCK DAM, OPEN DITCH FLOOD IRRIGATION

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - NONE

- - - Remarks - - - - -

GEN OWNERSHIP CHANGE 6/26/95. jr

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

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

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

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

- - - Audit Fields - - - +
05/03/99 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	- 02/23/1999	Temporary Right	- P
		Receipt Number	- M005283	Water District	-
		PDU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

RECEIVED

APR 01 1999

Department of Water Resources
Southern Region

1999 APR -6 AM 11:50

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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 A72-10150

(Insert water right number)

Case 39576

STANDARD FORM 4

MOTION TO FILE:

☐ LATE NOTICE OF CLAIM

☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a separate form for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

motion granted
5/3/99
removed from
TE MP
if

☐ I have read SRBA Administrative Order 1, Rules of Procedure (amended Sept. 30, 1996).

My name is Harriet Magee Henderson

My address is Box 645
Challis ID 83226

My phone number is: Work _____ Home 208-879-4563

I am an attorney representing na

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you must attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

☒ I must amend my Notice of Claim to the use of water in the SRBA because:

Documents were found at the
Custer County Courthouse which
give evidence to supercede the
1890 priority date. Also, an error
was made in the Township number.



I am providing legal and factual documentation to support my amended Notice of Claim.
You must describe these documents and attach a readable copy.

copy of filing at Custer
county Courthouse enclosed.

I have attached:

☐ An amended Notice of Claim (available from IDWR).

☐ Payment of the following additional fees required by IDWR:

_____	_____
_____	_____
_____	_____
_____	_____

no charge

VERIFICATION (Must be completed)

State of Idaho

County of Custer

Harriet Maye Henderson
(Insert name of person filing form)

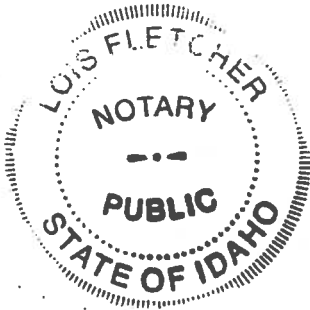
being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Harriet Maye Henderson
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on March 2, 1999
(Insert Date)



Lois Fletcher
Notary Public for East Idaho Credit Union
Residing at: Challis, ID
My Commission expires: 6-23-99

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. FAX filings will not be accepted by the SRBA Clerk of the Court. You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on Mar 5, 1999, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. 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

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)

Hauet Henderson

Signature of person or attorney mailing the form

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: A72-10150

Date Received: 12/ 1/1989

Receipt No: M005283

Received By: ownership change JK

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 2, 1890

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	2	NE	SE	SW		CUSTER

5. Description of diverting works:
CEMENT HEADGATE, ROCK DAM, OPEN DITCH 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	2.000		

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

8. Total consumptive use is 206.2 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	NE	NW		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	2	NW	NW		IRR	18.0
			SW	NW		IRR	2.0
			SE	NW		IRR	32.0
			NE	SW		IRR	3.0
Section Acres							75.0
15N	19E	35	SW	SW		IRR	7.5
Section Acres							7.5
Total Acres							82.5

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGE 6/26/95. jr

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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



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? X 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 Mayee 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

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:

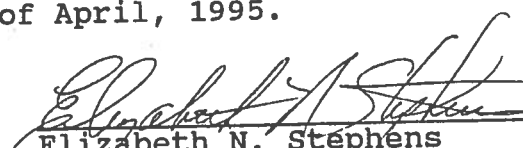
All of said Estate's right, title and interest in and to the premises situate in Custer County, Idaho, more particularly described on Exhibits A-1 and A-2 annexed hereto and by this reference made a part hereof

RECEIVED

JUN 23 1995

Department of Water Resources
Southern Region

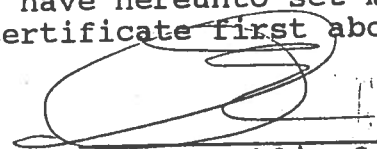
EXECUTED This 24th day of April, 1995.

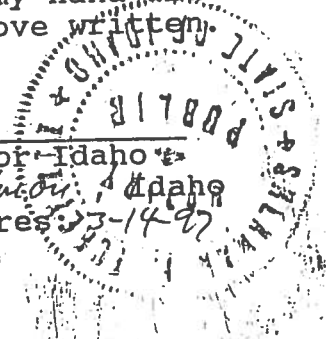

Elizabeth N. Stephens
Personal Representative

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.


Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires 3-14-97



AN UNDIVIDED ONE-HALF INTEREST IN AND TO THE

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 H. 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 H. 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/4SE/4, thence West to the Northwest corner of the NW/4SE/4, thence South to the point of beginning
of this description;
together with all and singular the tenements, hereditaments and appurtenances thereto belonging
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 Furay Jr.

Time 10:00 A.M.

4.24 1995
Ethel M. Peck, Clerk
Barbara C. Breedlove
Deputy
\$ 15.00

Exhibit "A-2"

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
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.

Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires 3-14-97

RECEIVED

JUN 22 1995

Department of Water Resources
Southern Region

COPY

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 H. 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 EBN, 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 H. 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 EBN, 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

copy
NW 1/4, thence West to the Northwest corner of the NW 1/4, thence South to the point of beginning
of this description;
together with all and singular the tenements, hereditaments and appurtenances thereunto belonging,
or in anywise appertaining.

copy

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
Sherrill Furry Jr.

Time 10:00 A.M.

4.24 1995
Ethel M. Peck, Clerk
Barbara C. Breedlove
Deputy

\$ 15.00

Exhibit "A-2"

MAY 01 1995

WARRANTY DEED

Department of Water Resources
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

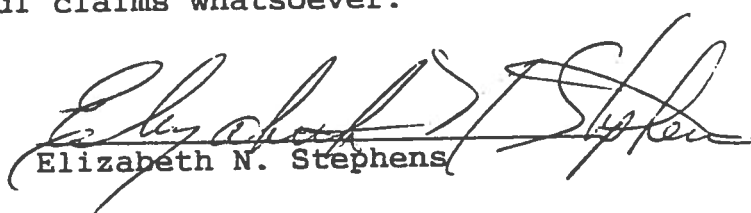
and Betty Rustin, grantees, recorded October 21, 1974, as instrument No. 138284, records of Custer County, Idaho.

COPY

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.

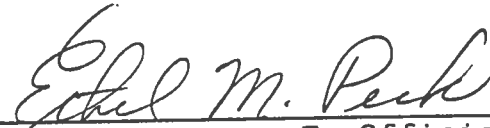
TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their successors and assigns forever. And the said Grantor to hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that they are free from all encumbrances save and 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)
County of Custer) : ss.
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: \$ 33.⁰⁰
Mail to: CCT.

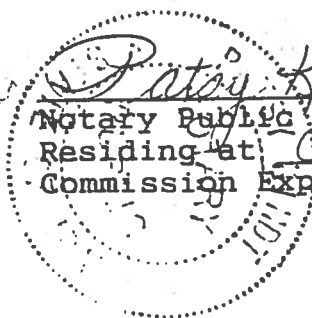

Patsy Kindt
Notary Public
Residing at Challis
Commission Expires 3/12/98

EXHIBIT A

208633
RECEIVED

MAY 01 1995

Department of Water Resou
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;

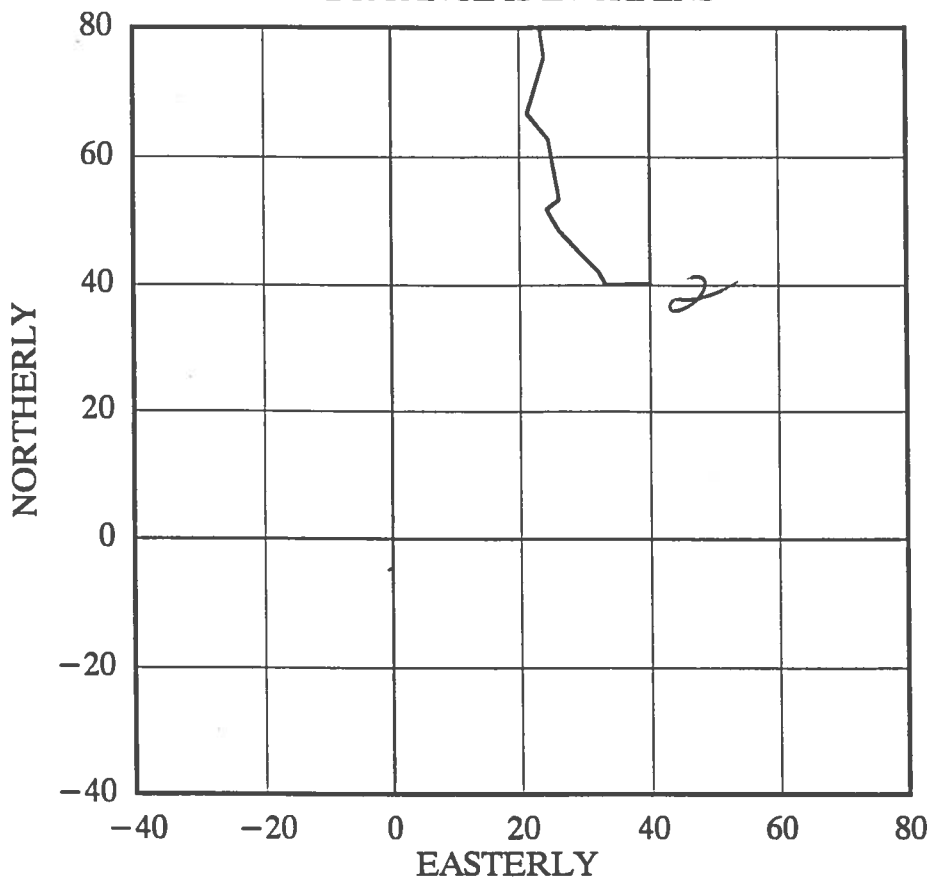
N 29°10'58" W	152.95 feet
N 45°06'39" W	245.98 feet
N 42°12'42" W	330.68 feet
N 29°33'46" W	253.86 feet
N 51°55'46" E	157.72 feet
N 10°00'59" W	626.84 feet
N 38°15'28" W	341.68 feet
N 16°47'37" E	594.37 feet
N 6°54'18" W	298.15 feet to a point lying on the North line of said Section 2;

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

COPY

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



parcel 1

COPY

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

April 4, 1992

Home of Ralph Hutchison
Challis, Id.

Concerning Water Right
A-72-10150

and

A 72-10156

of Lee Roy + Bob Stephens
Challis Id.

RECEIVED

APR 24 1992

Department of Water Resources
Southern Region Office

I do certify that these water
diversions listed has been
used for beneficial use of
irrigation since I have been
a Resident of Custer County in
1926. The ditches were
established prior to this date

ICROFILMED

MAR 18 1993

Ralph W. Hutchison

0208633

RECEIVED

MAY 01 1995

WARRANTY DEED

Department of Water Resources
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:

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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.

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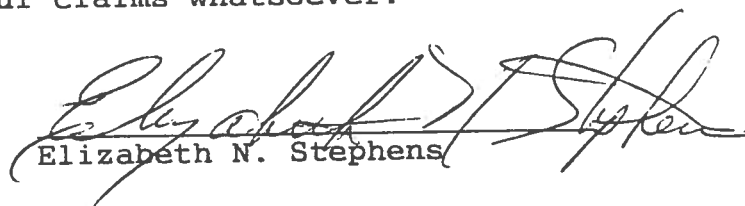
208655

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

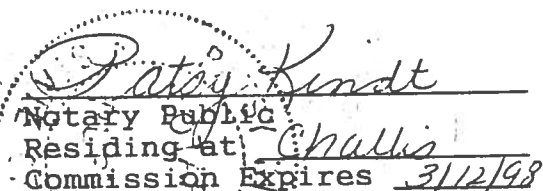
STATE OF IDAHO)
 : ss.
County of Custer)
On this 26 day of
APRIL, 1995, before
me, a Notary Public, personally appeared ELIZABETH N. STEPHENS, an unmarried woman, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the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


Notary Public
Residing at Challis
Commission Expires 3/12/98

208633
RECEIVED

MAY 01 1995

Department of Water Resources
Southern Region

EXHIBIT A

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:

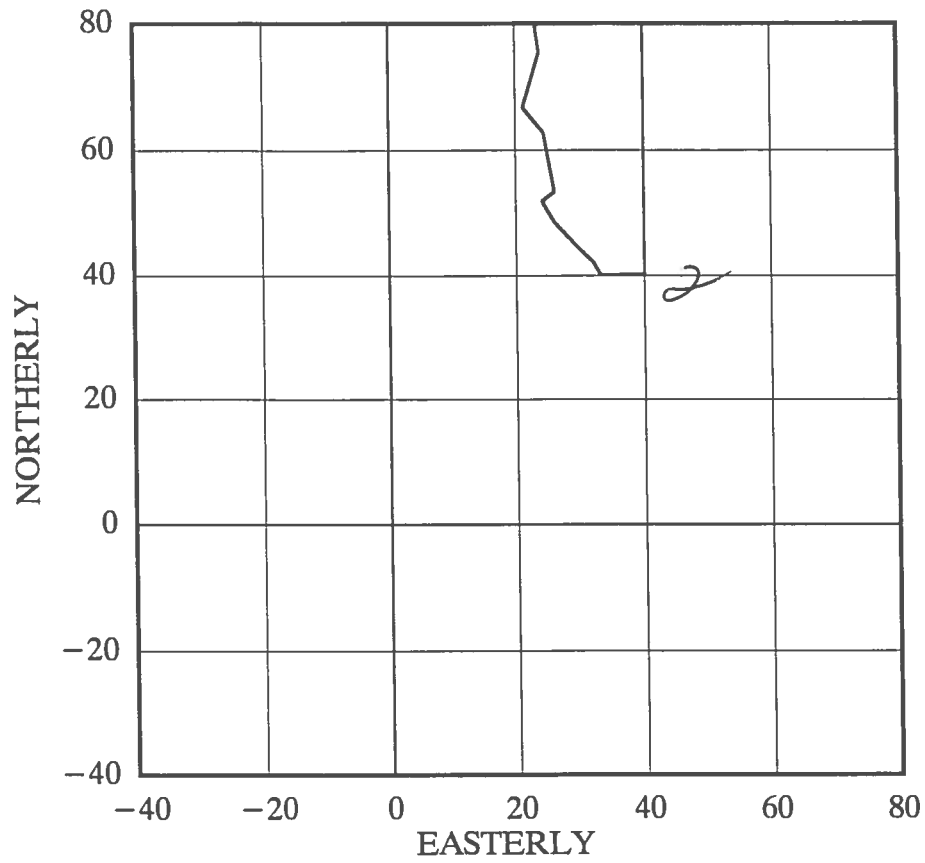
Beginning at the N $\frac{1}{4}$ corner of Section 2, Township 14 North, Range 19 East, Boise Meridian, Thence S 0°04'56" W 2,622.42 feet along the center $\frac{1}{2}$ line of said Section 2 to the center $\frac{1}{4}$ corner; thence S 89°35'24" W 448.28 feet along the center $\frac{1}{2}$ line of said 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:

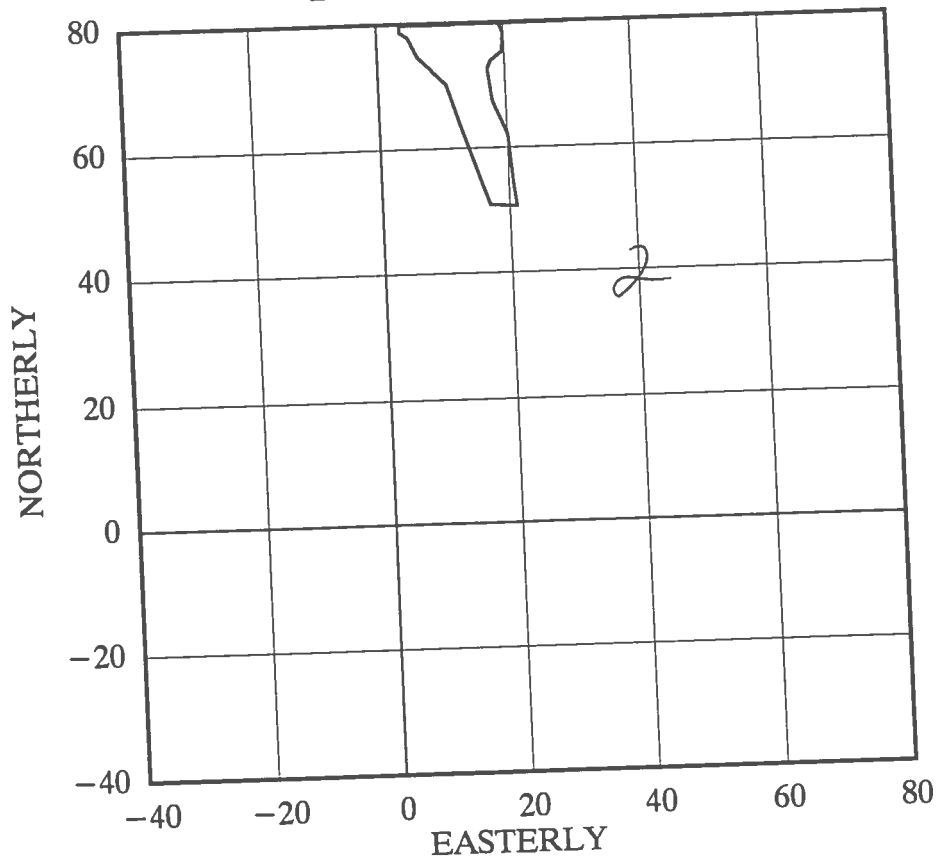
Beginning at a point which is S 89°44'45" W 1,371.11 feet along the North line of said Section 2 from the N $\frac{1}{4}$ corner of said Section 2, Township 14 North, Range 19 East, Boise Meridian, said point of beginning lying on the mean high water line of the east side of an island in the Salmon River;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

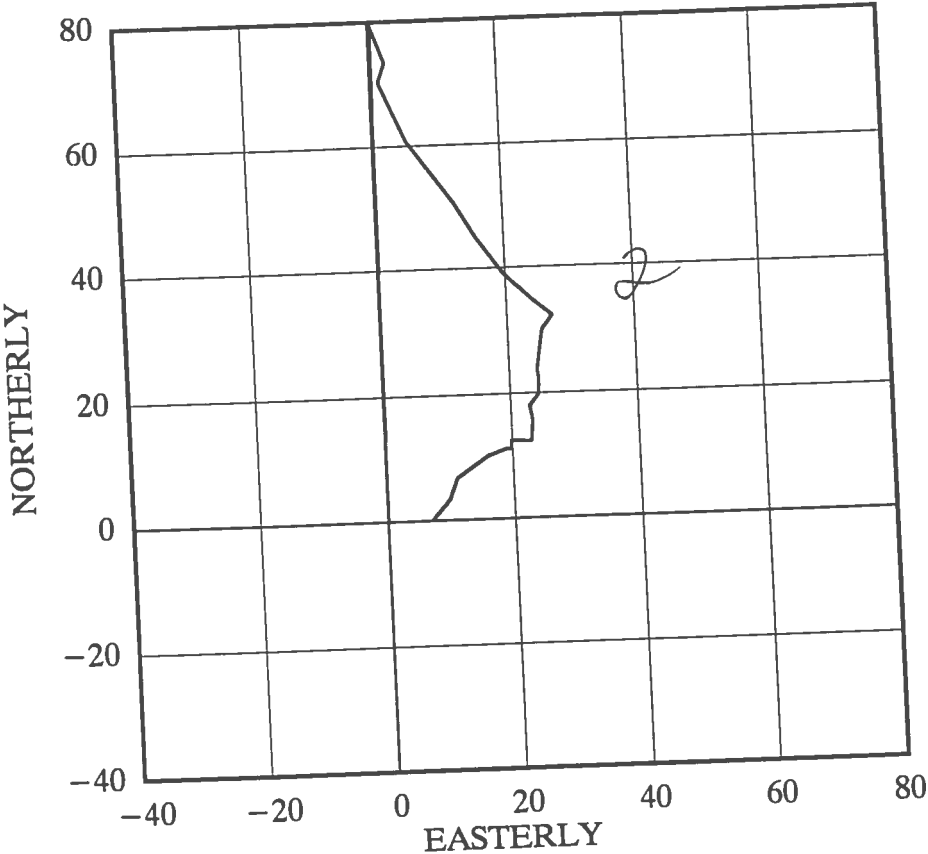
A parcel of land situated in the W $\frac{1}{2}$ of Section 2, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, being more particularly described as follows:

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 8

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:

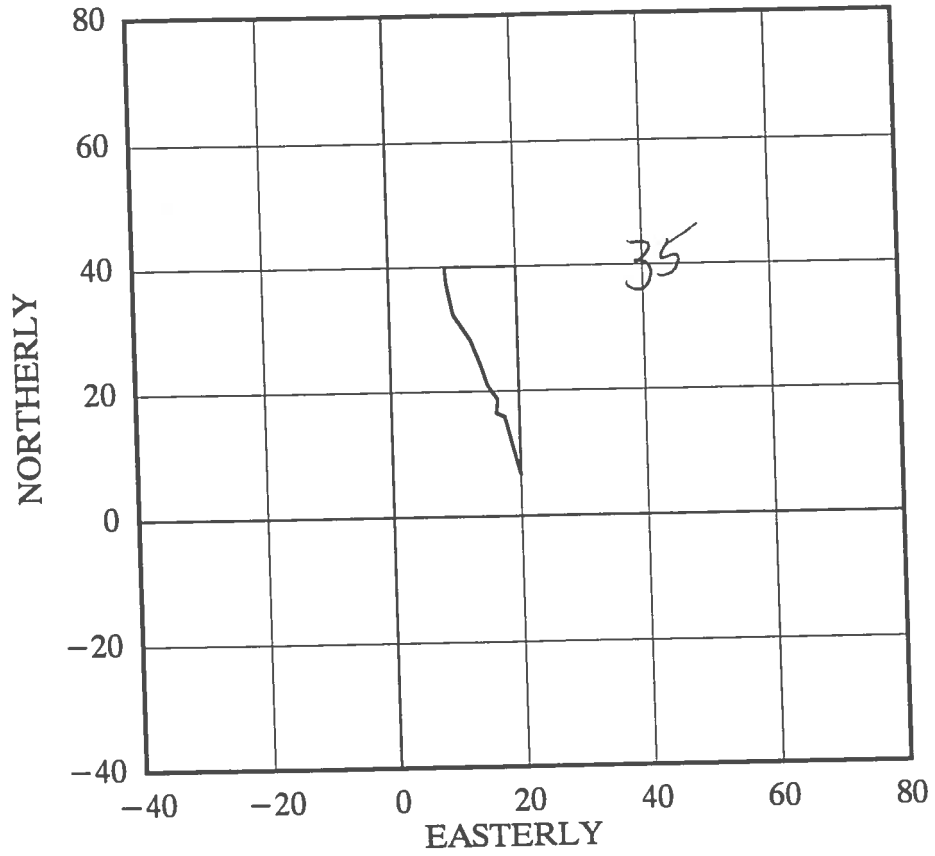
Beginning at the NE corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 35, thence 0°00'40" E 2,193.30 feet to a point lying on the mean high water line of the east bank of the Salmon River; thence the following courses along a meander line following said mean high water line downstream;

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



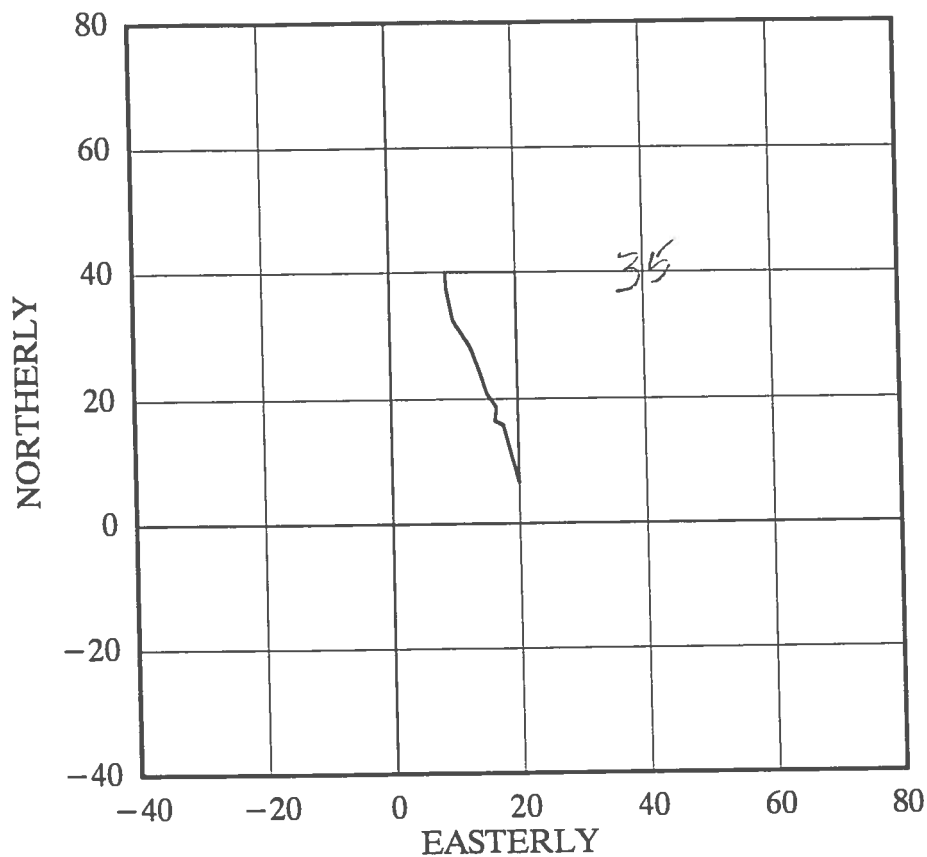
panel D

MEETS AND BOUNDS TABLE

	X-COR	Y-COR	ANGLE		BEARING	DIST (FT)	CUM ACRES
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR.	20.00	40.00					-0.01
(SEE SHEET)	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

page 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
-QUAO COEF-	16.70	18.63	7.00	31.00	53.00 NE	142.31	-2.93
IF NE, X=1,Y=1	15.16	20.86	34.00	38.00	9.00 NW	178.88	-4.62
IF SE, X=1,Y=-1	14.14	24.01	17.00	55.00	24.00 NW	218.96	-7.39
IF SW, X=-1,Y=-1	12.59	28.19	20.00	21.00	24.00 NW	293.83	-11.04
IF NW, X=-1,Y=1	9.96	32.36	32.00	10.00	19.00 NW	325.60	-16.67
	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:

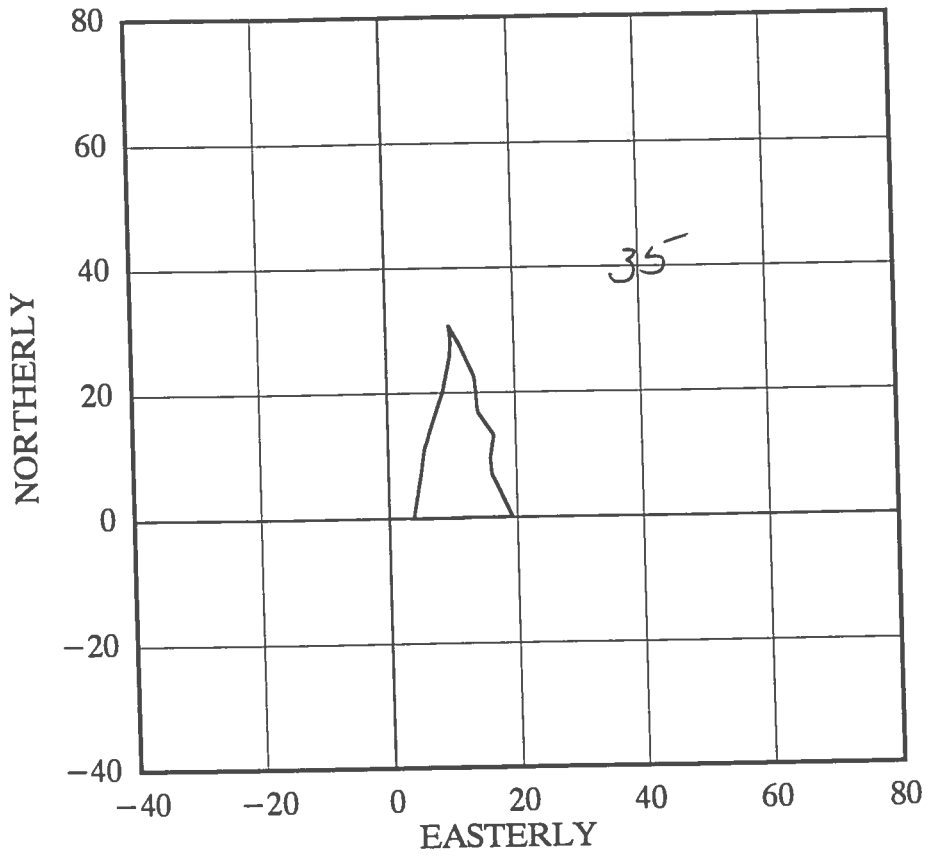
Beginning at a point that is N 89°44'45" E 243.92 feet along the south line of Section 35, Township 15 North, Range 19 East, Boise Meridian, from the SW corner of said Section 35; said Point of Beginning is lying on the mean high water line of the west side of an island in the Salmon River; thence the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

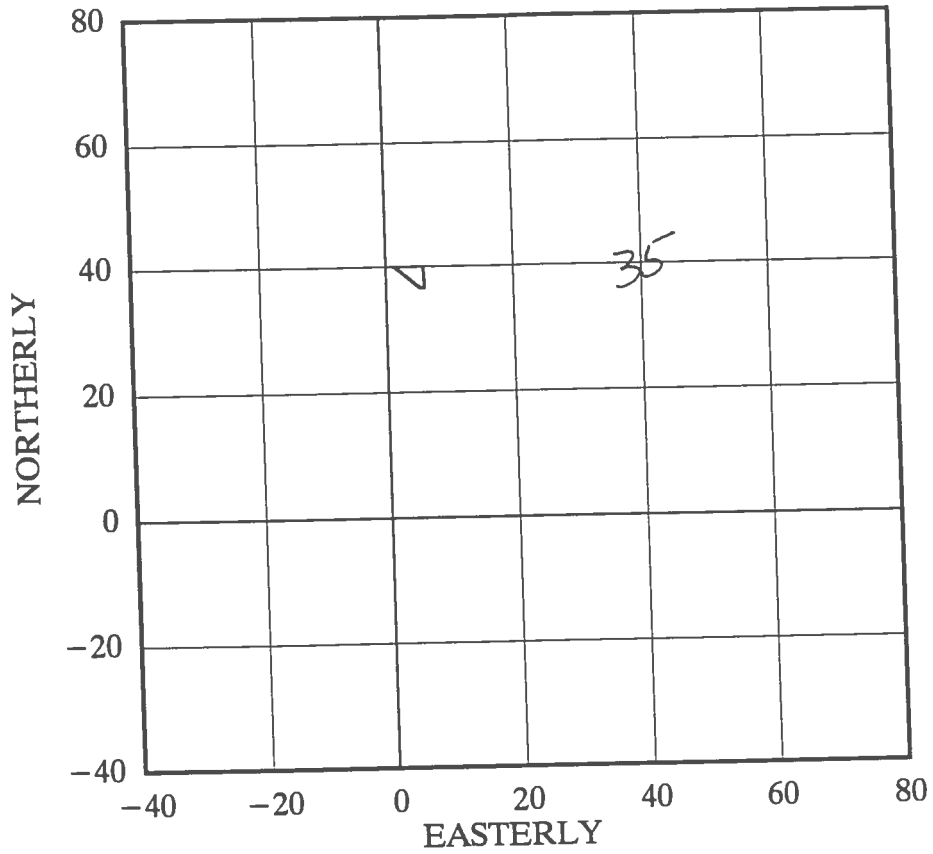
N 86°17'07" E 42.39 feet

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.

part 1 F

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



panel 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

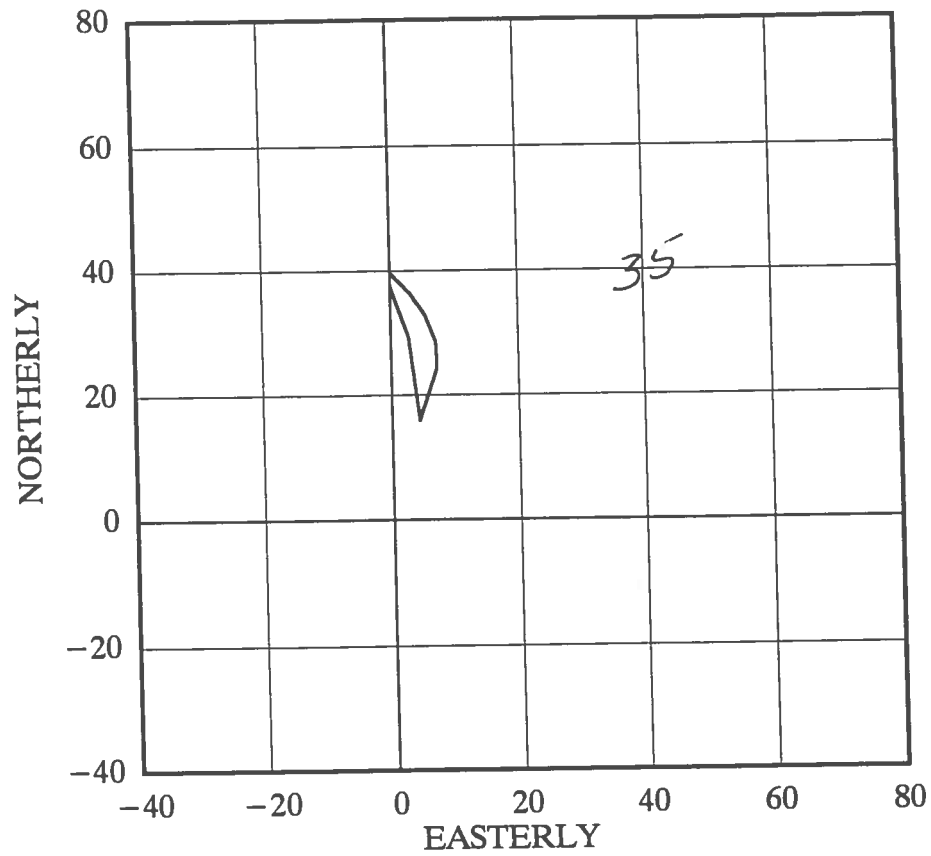
S 19°46'36" E 324.09 feet

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

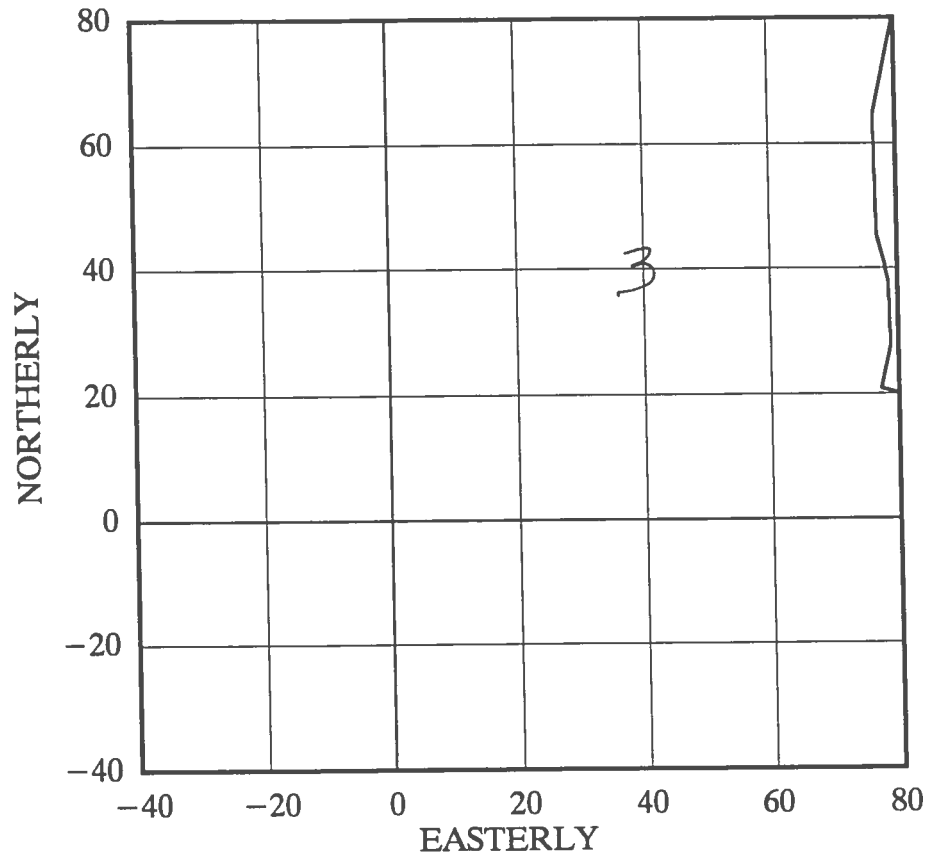
PARCEL "H" LEGAL DESCRIPTION

A parcel of land situated in the East $\frac{1}{4}$ 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 1870
Water Right No. A72-10149, .9328 cfs 1879
Water Right No. A72-10150, 2.0 cfs 1870
Water Right No. A72-02050, .792 cfs 1917
Water Right No. A72-10156, 1.244 cfs 1930

Water Right Number - A72-10150 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

*** C - CURRENT OWNER ***
STEPHENS
LEEROY
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
BETH N
State- ID Zip- 83226

Priority Date - - - + 17 SOUTHERN + - - - Stage - - - + Status - - - +
05/02/1890 J - BENEFICIAL USE

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

Twn Rng Sec Tract Lot RFlg County Point of Diversion Diversion Name
14N 19E 2 NE SE SW (37) CUSTER

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 2.000

- Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KW Usage - +
2.000 206.2

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	19E	2	NE NW		20.0	01	IRRIGATION	(37) CUSTER	
14N	19E	2	NW NW		18.0	01	IRRIGATION	(37) CUSTER	
14N	19E	2	SW NW		2.0	01	IRRIGATION	(37) CUSTER	
14N	19E	2	SE NW		32.0	01	IRRIGATION	(37) CUSTER	
14N	19E	2	NE SW		3.0	01	IRRIGATION	(37) CUSTER	
15N	19E	35	SW SW		7.5	01	IRRIGATION	(37) CUSTER	

Total Acres: 82.5

- - - Diversion Means - CEMENT HEADGATE, ROCK DAM, OPEN DITCH FLOOD IRRIGATION

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - NONE

all (2.0 Dfs)
Hand.

Prefix Translation: ADJUDICATION CLAIM



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

ALAN AND HARRIET HENDERSON
PO BOX 645
CHALLIS ID 83226

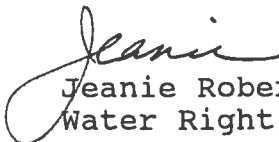
RE: SRBA CLAIM A72-00023, A72-02050, A72-10149

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

/jr
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

CHARLES, IDAHO 83226-0036

FAX

(208) 879-4248

TELEPHONE

(208) 879-4488

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. Bennett



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIE 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,

A handwritten signature in cursive script that reads 'Jeanie'.

Jeanie Robertson
Water Right Agent, Adjudication

/jlr
Enclosures:

cc: Alan and Harriet Henderson, with same enclosures

15N

14N

19E

McNabbs Point

33

34

35

Gulch

4824

10 BM
4824

4.5

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 3 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 Resource
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;
A72-10150, 2.0 cfs; A72-02050, .792 cfs;
Assigned by IDWR: 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 Magee 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

(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

133-2

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: A72-10150
Date Received: 12-1-89
Receipt No: 1005283
Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEEROY STEPHENS 208-879-4240
Address: HC 61 BOX 3028
CHALLIS, ID 83226

OR

Name: BETH N. STEPHENS 208-879-4240
Address: HC 61 BOX 3028
CHALLIS, ID 83226

2. Date of Priority: MAY 02, 1890

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	2	NE	SE	SW		CUSTER

5. Description of diverting works:
CEMENT HEADGATE, ROCK DAM, OPEN DITCH 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	2.000		

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

8. Total consumptive use is 206.2 Acre Feet Per Annum.

9. Non-irrigation uses:

A72-10150

Page 1

Date: 11/30/89

MICROFILMED

MAR 18 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14N	19E	2	NE		NW		IRR	20.0
			NW		NW		IRR	18.0
			SW		NW		IRR	2.0
			SE		NW		IRR	32.0
			NE		SW		IRR	3.0
							Section Acres	75.0
15N	19E	35	SW		SW		IRR	7.5
							Section Acres	7.5
							Total Acres	82.5

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

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

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Lee Roy Stephens Date: 11 30 89

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of November 1989

Anna Baunhoff
Notary Public

Seal

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

15N

33

19E

34

Gulch

McNabbs
Point

4824

35

BM
4841

14N

4

3

2

Pod

9

10

BM

LANE

MICROFILMED

MAR 18 1993

5070

16

15

A72-10150

82.5 ACRES



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

March 2, 1992

R. KEITH HIGGINSON
Director

A72-10150
LEEROY STEPHENS
BETH N. STEPHENS
HC 61 BOX 3028
CHALLIS

ID 83226

RE: Evidence of Priority

RESPONSE DEADLINE

MAY 1, 1992

Dear Claimant:

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

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

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

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

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 18 1993

LAW OFFICES OF
JACK B. FUREY
ATTORNEY AT LAW
CHALLIS, IDAHO 83226

TELEPHONE
(208) 879-4421

RECEIVED Box 280

APR 24 1992

Department of Water Resources
Southern Region Office

IDWR, Southern Region
222 Shoshone St. East,
Twin Falls, ID 83301

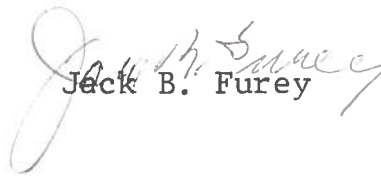
Re: Beneficial Use Claim--Lee Roy and Beth N. Stephens
Claims #A72-10156 & A72-10150

Gentlemen:

Please find enclosed Affidavit and relative information
concerning the above-numbered and identified Claims.

Thank you.

Very truly yours,


Jack B. Furey

JBF
encls.

MICROFILMED

MAR 18 1993

AFFIDAVIT

RECEIVED

APR 24 1992

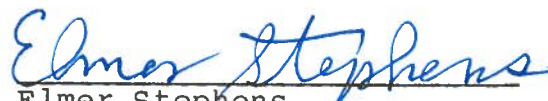
Department of Water Resources
Southern Region Office

STATE OF IDAHO)
 :SS
County of Custer)

ELMER STEPHENS, Being first sworn, deposes and says:

1. I was born on July 21, 1908 and since 1918 I have been personally familiar with the manner in which irrigation water was diverted and applied to beneficial use on the premises, from the points of diversion and in the amounts as shown on Exhibit "A" (Water Right #A72-10156) and Exhibit "B" (Water Right #A72-10150), annexed hereto. My uncles, William Stephens and Thomas Stephens, and my father, John Stephens, have been personally familiar with said water rights and the manner and amounts of their application to said premises since May 1, 1900 and before. Said knowledge is based on the fact that each of us have, during all of said time, either lived on and farmed said premises or have lived nearby said premises and been acquainted with the manner of distribution of water on said premises as aforesaid.

2. Based on my own personal knowledge and on knowledge I gained from conversations with my said uncles and my father, I can say categorically that irrigation water has been distributed in the amounts, from the points of diversion, and upon the premises in the manners shown on Exhibits "A" and "B" hereof since at least May 1, 1900 and before.


Elmer Stephens

SUBSCRIBED AND SWORN To before me this 20th day of April, 1992.

MICROFILMED

MAR 18 1993


Notary Public for Idaho
Residing at Salmon, Idaho
My Commission Expires:

RECEIVED

APR 24 1992

Department of Water Resources
Southern Region Office

Water Right Number - A72-10150

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

--- Last Name ---

+ First Name +

+ Address

*** C - CURRENT OWNER ***
STEPHENS

LEEROY

1 - HC 61 BOX 3028

STEPHENS

BETH N.

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

State- ID Zip- 83226

+ Priority Date +
05/02/1890

+ Region - - - +
17 SOUTHERN

+ Stage - - - +
J - BENEFICIAL USE

+ Status - - - +

+ Source - - - +
SALMON RIVER

+ Tributary - - - +
SNAKE RIVER

+ --- Point of Diversion ---
Stream Index (Blank if no Index Code)

14N 19E 2 NE SE SW (37) CUSTER

+ Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 2.000

+ Total Div. Rate - + Total Div. Volume - + Total Div. Capacity - + Total Consumptive Use - + KW Usage - +
2.000 206.2

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	19E	2	NE NW		20.0	01	IRRIGATION	(37) CUSTER	
14N	19E	2	NW NW		18.0	01	IRRIGATION	(37) CUSTER	
14N	19E	2	SW NW		2.0	01	IRRIGATION	(37) CUSTER	
14N	19E	2	SE NW		32.0	01	IRRIGATION	(37) CUSTER	
14N	19E	2	NE SW		3.0	01	IRRIGATION	(37) CUSTER	
15N	19E	35	SW SW		7.5	01	IRRIGATION	(37) CUSTER	
Total Acres:					82.5				

+ - - Diversion Means - CEMENT HEADGATE, ROCK DAM, OPEN DITCH FLOOD IRRIGATION
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use - NONE

MICROFILMED
MAR 18 1993

Water right number - A72-10150

Prefix Translation: ADJUDICATION CLAIM

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

 No Old Water Right Numbers found.

 No Conditions of Approval found.

 Decree Plaintiff - - - +

 Decree Defendant - - - +

 Decree Date - - +
 00/00/0000

 Audit Fields - 11/30/89 BAUMHOF

 -Comments-
 No Comments Found

 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	00/00/0000	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
Proof Due Date	00/00/0000	Proof Made Date	00/00/0000	Water District	-
Licensed Date	00/00/0000	Receipt Number	M005283	Federal/State Indicator	S
Claims Tape Error Flag	-	POU Ownership Flag	Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	OR	Notice of Error Flag	-

MICROFILMED

MAR 18 1993



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, its 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 Heuler

RECEIVED

FEB 17 2000

Department of Water Resources
Southern RegionIN 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. 72-10150

Case No. 39576

Standard Form 5

STIPULATED ELEMENTS
OF A WATER RIGHT*Looks good!*

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/OBJECTOR:Alan Henderson
Harriet Henderson_____
Alan Henderson_____
Date_____
Harriet Henderson_____
Date**IDWR CONCURRENCE:**_____
Date**OBJECTOR:**United States on behalf of the
Bureau of Land Management

Larry A. Brown 2-11-00
Larry A. Brown FWP Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:_____
Date

Sent By: IDAHO DEPT OF WATER RESOURCES; 2083275400;
 To: CACI At: 82 842

Feb-17-00 2:20PM;

Page 1/2

J5856NP

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

DATE: FEB-11-2000
 PAGE: A-1

RIGHTS FROM: SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 72-10150

NAME AND ADDRESS: ALAN HENDERSON
 HARRIET HENDERSON
 PO BOX 649
 CHALLIS ID 83226

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/21/1884
 05/02/1899

POINT OF DIVERSION: T14N R19E S02 LOT 11 (SESESW) Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE IRRIGATION PERIOD OF USE 04-01 10-31 QUANTITY 2.00 CFS

ACRES OF USE: IRRIGATION Within CUSTER County

T14N R19E S02	Lot 3 (SESW) 20	Lot 4 (SESW) 21	Lot 7 (SESW) 2.6	Lot 7 (SESW) 25
	SESW 20/8	SESW 21	SESW 2/8	SESW 22/8
T15N R19E S35	Lot 6 (SESW) 4.2			
	SESW 7/8			
776N R19E S02	SESW 1	SESW 2/8	SESW 8/8	
776N R19E	SESW 2			
833	SESW 2/8			
72.8 ACRES TOTAL				
88/8 ACRES 707AK				

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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 NOS	SOURCE
NONE	NONE

Post-it Fax Note	7671	Date	2/11/00	Page	2
To	Paul Price / Larry	From	Nick		
Co./Dept.	Brown	Co.	Judge		
Phone #		Phone #			
Fax #		Fax #			

Sent By: IDAHO DEPT OF WATER RESOURCES; 2083275400;

Feb-17-00 2:20PM;

Page 2/2

105856WP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: FEB-11-2000
PAGE: A-2

12-10150 (CONT.)

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

WATER RIGHT NO.	SOURCE
NONE	NONE

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

Fwp
LWS

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

SRBA

SUBCASE SUMMARY REPORT 72-10150

[Return to SRBA Home Page](#)

SRBA
02-17-2000

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 72-10150 FILE#: 00222
 CLAIMANT: HENDERSON, ALAN
 STATUS: AT ISSUE
 WATER SOURCE: SALMON RIVER, SNAKE RIVER
 ISSUES: PRIORITY DATE
 PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.

**** PARTIES INVOLVED ****

ALAN HENDERSON	C PRO SE
ALAN HENDERSON	O PRO SE
USDI BLM	O ATTY: US DEPARTMENT OF JUSTICE
HARRIET HENDERSON	C PRO SE

**** ROA ENTRIES ****

03-08-1999	MOTION TO FILE AMENDED NOTICE OF CLAIM F/B HENDERSON (PRIORITY, POU - TOWNSHIP)	MG	05-03-1999
03-08-1999	OBJ 01 F/B HENDERSON, ALAN	RB	10-04-1999 0001
03-11-1999	ORDER SETTING HEARING - MOTION TO FILE AMENDED NOTICE OF CLAIM F/B HENDERSON	HS	05-03-1999 1030
05-03-1999	HEARING HELD - MOTION TO AMEND CLAIM	HH	05-03-1999 1030
05-03-1999	MINUTES - MOTION TO AMEND CLAIM		
05-03-1999	ORDER GRANTING MOTION TO AMEND CLAIM AND SETTING SUBCASE DEADLINES AMENDED DIRECTOR'S REPORT DUE 5/26/99 OBJECTIONS TO AMENDED DIR RPT DUE 6/25/99		
05-07-1999	AMENDED DIRECTOR'S REPORT FILED		
06-02-1999	OBJ 02 F/B USDI BLM		0002
06-07-1999	STANDARD FORM 5		06-07-1999
10-21-1999	NOTICE SETTING INITIAL HEARING	1V	11-30-1999 1000
10-27-1999	ORDER VACATING EVENT ON 11301999 AT 1000		
11-15-1999	REPORT & RECOMMENDATION OF MASTER	CB	12-28-1999
11-15-1999	NOTICE OF ISSUANCE - MASTERS R&R		
11-15-1999	CERTIFICATE OF MAILING - MASTER R&R		
12-10-1999	MOTION TO ALTER OR AMEND MASTER'S REPORT ASSIGNED MASTER WAS: 154 WOOD, BARRY	MG	12-10-1999
12-10-1999	ORDER WITHDRAWING SPECIAL MASTER'S REPORT AND RECOMMENDATION		12-10-1999
12-10-1999	NOTICE SETTING STATUS CONFERENCE	US	01-20-2000 0400
01-20-2000	HEARING HELD - STATUS CONFERENCE	UH	01-20-2000 0400
01-20-2000	MINUTES - STATUS CONFERENCE		
01-20-2000	ORDER REQUIRING SUBMISSION OF STANDARD FORM 5 AND SETTING STATUS CONFERENCE	6B US	02-10-2000 0500 02-11-2000 0330
02-11-2000	HEARING HELD - STATUS CONFERENCE	UH	02-11-2000 0330
02-11-2000	MINUTES - STATUS CONFERENCE		
02-11-2000	ORDER REQUIRING SUBMISSION OF STANDARD FORM 5	6B	02-24-2000 0500
02-11-2000	ORDER REQUIRING SUBMISSION OF STANDARD FORM 5	6B	02-24-2000 0500
02-11-2000	AND SETTING STATUS CONFERENCE	SS	02-25-2000 0930

[Return to SRBA Home Page](#)

I just
got your
note - I'm
sending this
anyway so

JEANNIE

Robertson

208-736-3037

we are on the same page
Dear Jeannie,

I do not want to ask you
for legal advice, but I cannot
understand these papers. All I
want to know is whether their
corrections correspond with what
you know to be true. I thought
the 3 ac. error was already
fixed? (Is this the same error?).
Also, what about the one acre
(all this for one acre!) - is there
something wrong? Can we apply
to transfer it to our land, as



United States Department of the Interior

OFFICE OF THE SOLICITOR

Pacific Northwest Region
Boise Field Office
Federal Building & U.S. Courthouse
MSC 020-550 West Fort Street
Boise, Idaho 83724-0020

January 24, 2000

Ms. Harriet Henderson
P.O. Box 645
Challis, ID 83226

RE: SRBA Subcase Number 72-10150

Dear Ms. Henderson

Enclosed is an objection and Standard Form 5. In the objection, BLM identified two places of use that are on BLM land: T14N, R19E, Section 2, SWNE - 1 acre; and T15N, R19E, Section 2, SENE - 3 acres. The Standard Form 5 is a stipulation between you and the United States that your water right should be described in accordance with the second page. We deleted the legal descriptions on United States property by "strikeout," and added lot numbers by underline. It could be that the 3 acres in T15N, R19E, Section 2, SENE is a typographical error in the water right and should be described elsewhere on your private land.

Please verify that your water right is properly described as shown on page two of the Standard Form 5. If you agree, sign the form in the space provided, place your initials on page two, and mail the form back to me in the enclosed postage paid addressed envelope. I will obtain Idaho Department of Water Resources concurrence, file the document in the Snake River Basin Adjudication Court, and mail you a copy. Do not sign the form if you do not agree. You may wish to file for a transfer of the acreage to your own private land (an IDWR administrative proceeding), or change the legal description to correct typographical errors.

Thank you for your cooperation. Please call me if you have any questions or concerns.

Sincerely,

Larry A. Brown
Attorney U.S. Dept. of Justice
Ph: (208) 331-5941

JAN.20.2000 1:15PM

NO.009 P.3/5

**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. 72-10150

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/OBJECTOR:

Alan Henderson
Harriet Henderson

Alan Henderson

Harriet Henderson

Date

Date

IDWR CONCURRENCE:

Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 1/24/02
Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Date

JAN.20.2000 1:16PM

NO.009 P.4/5

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

RIGHTS FROM: SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 72-10150

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

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/02/1984

POINT OF DIVERSION: T14N R19E S02

Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE
IRRIGATION

QUANTITY
2.00 CFS

PLACE OF USE: IRRIGATION T14N R19E S02

Within CUSTER County

Final

		S02 <u>1.0</u>
	LOT 3 (NENW)	18.8
	LOT 4 (NWNW)	19.0
	LOT 7 (SNNW)	2.6
	LOT 7 (SENN)	22.4
	LOT 8 (NNSW)	3.6
	LOT 8 (NNSE)	0.5
	S02 <u>3.0</u>	
T15N R19E	S02 <u>835</u>	
	LOT 5 (SWSW)	7.6
	LOT 7 (SESW)	2.4
835	<u>76.8</u>	ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

CERTIFICATE OF MAILING

I certify that on _____, 2000 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 mailing the form

RECEIVED

JUN 03 1999

DOJ/BOISE

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 72-10150

(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 United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

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

JEANNIE

Fax

January 20, 2000

TO: S. Denniston, IDWR-SO

CC: Larry Brown, DOJ-Boise
Gloria Baimbridge, CACI-Boise

FROM: Fred Price, BLM-ISO

RE: 72-10150 Henderson

RECEIVED
JAN 26 2000
Department of Water Resources
Boise, Idaho

Can you have an agent look at this to see if the 4 acre reduction will affect quantity?

Also attached are MTPs justifying the use of government lots.

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

RIGHTS FROM:	SOURCE: SALMON RIVER	TRIBUTARY: SNAKE RIVER			
RIGHT NUMBER:	72-10150				
NAME & ADDRESS:	ALAN HENDERSON HARRIET HENDERSON PO BOX 645 CHALLIS ID 83226				
SOURCE:	SALMON RIVER	TRIBUTARY: SNAKE RIVER			
QUANTITY:	2.00 CFS				
PRIORITY DATE:	05/02/1884				
POINT OF DIVERSION:	T14N R19E S02 <u>LOT 11 (SESESW)</u> Within CUSTER County				
PURPOSE AND PERIOD OF USE:	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">PURPOSE OF USE IRRIGATION</td> <td style="width: 30%;">PERIOD OF USE 04-01 10-31</td> <td style="width: 20%;">QUANTITY 2.00 CFS</td> </tr> </table>		PURPOSE OF USE IRRIGATION	PERIOD OF USE 04-01 10-31	QUANTITY 2.00 CFS
PURPOSE OF USE IRRIGATION	PERIOD OF USE 04-01 10-31	QUANTITY 2.00 CFS			
PLACE OF USE:	IRRIGATION T14N R19E S02 Within CUSTER County				
	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> T14N R19E S02 T15N R19E S02 S35 76.8 ACRES TOTAL </td> <td style="width: 50%; vertical-align: top;"> SWNE 1.0 LOT 3 (NENW) 18.8 LOT 4 (NWNW) 19.0 LOT 7 (SWNW) 2.6 LOT 7 (SENW) 22.4 LOT 8 (NESW) 3.5 LOT 8 (NWSE) 0.5 SENE 3.0 LOT 6 (SWSW) 7.6 LOT 7 (SESW) 2.4 </td> </tr> </table>		T14N R19E S02 T15N R19E S02 S35 76.8 ACRES TOTAL	SWNE 1.0 LOT 3 (NENW) 18.8 LOT 4 (NWNW) 19.0 LOT 7 (SWNW) 2.6 LOT 7 (SENW) 22.4 LOT 8 (NESW) 3.5 LOT 8 (NWSE) 0.5 SENE 3.0 LOT 6 (SWSW) 7.6 LOT 7 (SESW) 2.4	
T14N R19E S02 T15N R19E S02 S35 76.8 ACRES TOTAL	SWNE 1.0 LOT 3 (NENW) 18.8 LOT 4 (NWNW) 19.0 LOT 7 (SWNW) 2.6 LOT 7 (SENW) 22.4 LOT 8 (NESW) 3.5 LOT 8 (NWSE) 0.5 SENE 3.0 LOT 6 (SWSW) 7.6 LOT 7 (SESW) 2.4				

Delete NO LOT 11

Delete

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

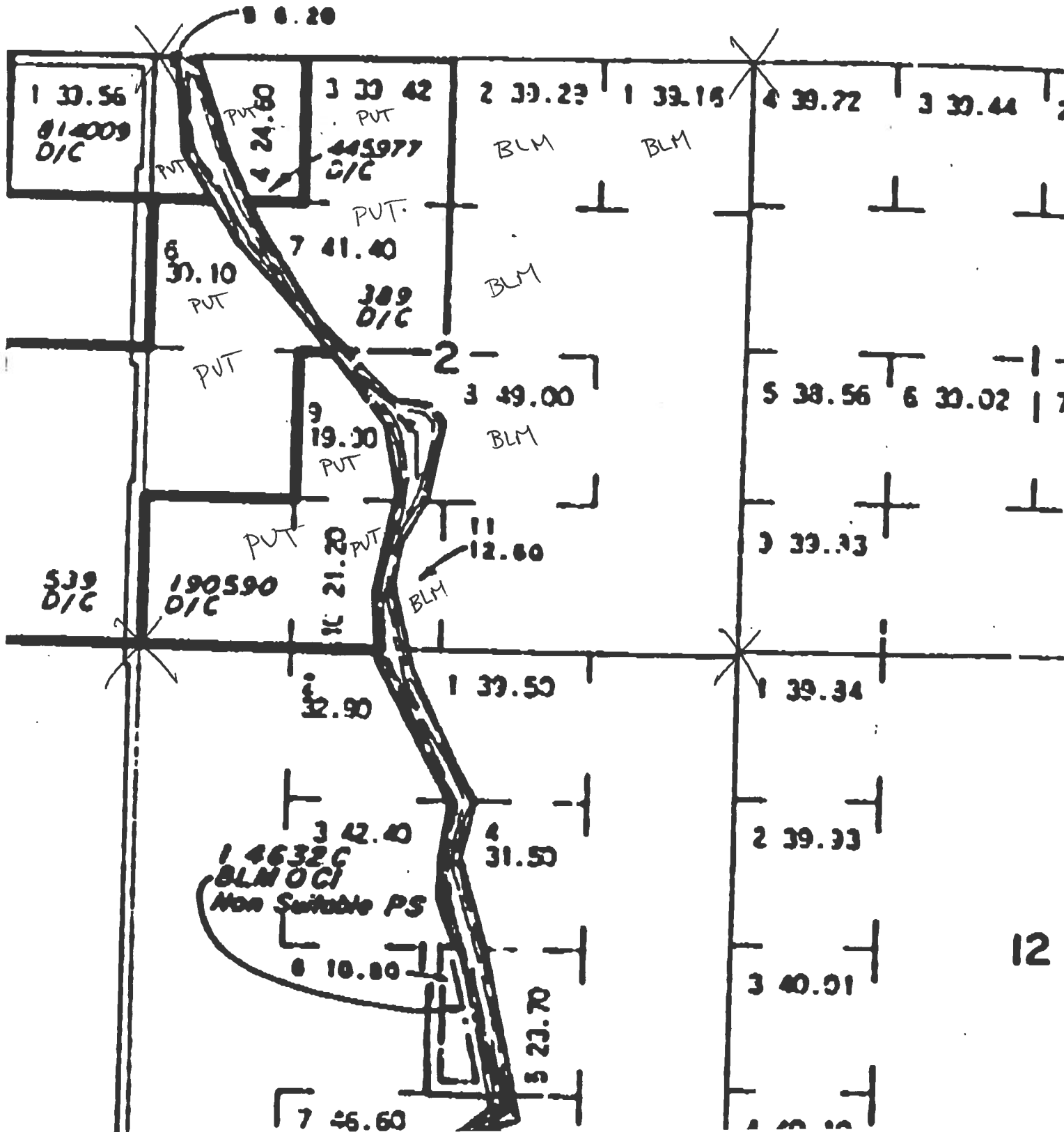
THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

T14N R19E



CLUSTER COUNTY 037
TULSA DISTRICT 512 J

MT PLAT

INDEX TO SEGREGATED TRACTS			
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 For 5 Apr 229 to 11/12/1911

See 11: 1011-1,6
See 14: 1011-1,6

11/21/2018 TO 12/21/2018
FPA ACT 5 REG 721
12 REG 721 TO 12/21/2018

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 300 14: 100 6

10525 Oct 9 1967 Act of Cong 7723/1959

FILED 225 12/21/1969 Open 10 Entry Subj. to Log

22/11/1972 12:45 PM 3000 11/11/1972

Page 21 of 205
P 407: 13: 205

Sec 23: [ata 1,43
Sec 24: [ata 1,3, 27, 29]

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Sec 2: L918

Sec 10: L951

Sec 11: L952

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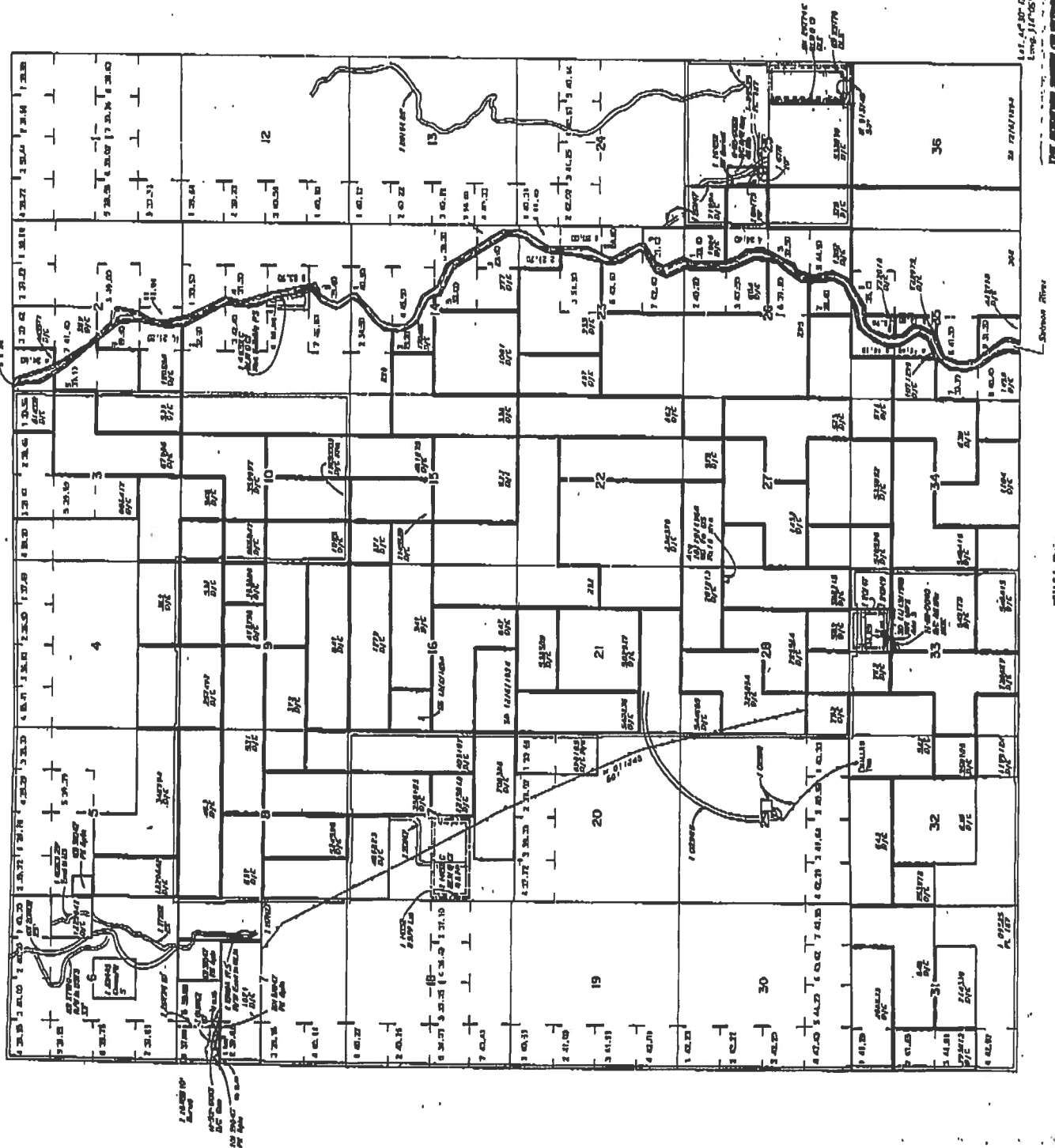
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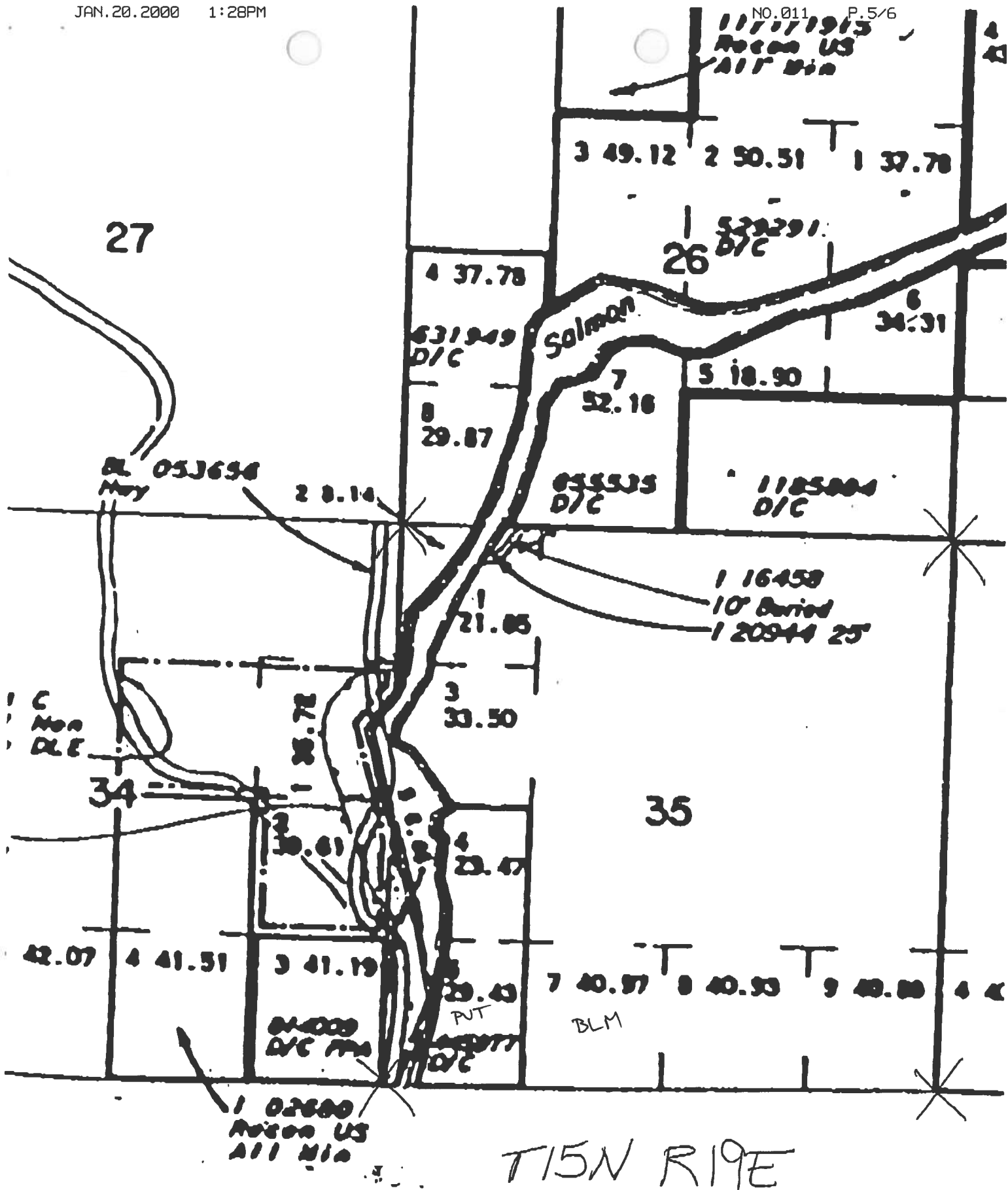
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SA LINDSEY	SA LINDSEY
------------	------------

— SEE PLATE

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.





TOWNSHIP 15 NORTH RANGE 19 EAST OF THE BOISE MERIDIAN, IDAHO

CLUSTER COUNTY 037
SALMON DISTRICT SEC. 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEPARATED TRACTS	
TRACT NO.	SEC.
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
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20	20
21	21
22	22
23	23
24	24
25	25
26	26
27	27
28	28
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31	31
32	32
33	33
34	34
35	35
36	36

20 3/15/02 Open to Entry Subj to Sec 24 P21
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

21 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

22 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

23 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

24 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

25 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

26 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

27 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

28 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

29 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

30 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

31 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

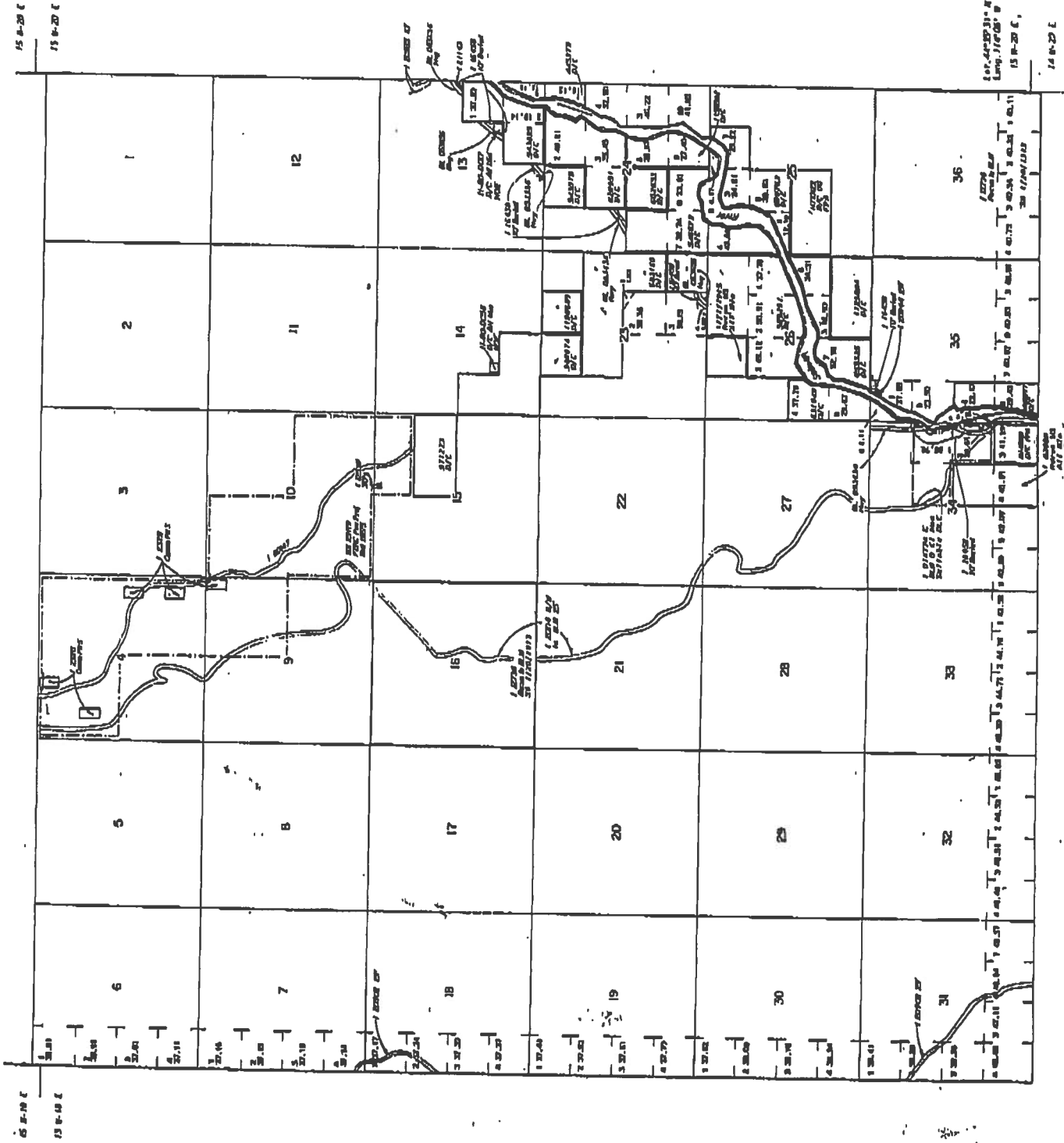
32 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

33 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

34 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

35 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7

36 3/15/02 Open to Entry Subj to Sec 24
Per 3 P21 23 25 7/17/13
Sec 24: Let's 0.7



FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNRECORDED LANDS REFER TO MEET OF
APPLICABLE DOCUMENTS.

DATE	1/13/00
BY	MT PLAT
FOR	CLUSTER COUNTY 037
TO	CLUSTER COUNTY 037

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-662

 RIGHTS FROM: SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

 RIGHT NUMBER: 72-10150

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

 SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER
 QUANTITY: 2.00 CFS
 PRIORITY DATE: 05/02/1890
 POINT OF DIVERSION: T14N R19E S02 LOT 11 (SESEW) BLM LOT 10 (SESW) = PVT = WEST SIDE OF RIVER
 LOT 11 (SESW) = BLM = EAST SIDE OF RIVER
 WITHIN CUSTER County
 PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
 IRRIGATION 04-01 10-31 2.00 CFS

 PLACE OF USE: IRRIGATION WITHIN CUSTER County
 T14N R19E S02 LOT 1 (SESW) 18.8 ✓ LOT 4 (NNNW) 19 ✓ LOT 7 (SWNW) 2.6 ✓
 LOT 7 (SENN) 22.4 ✓ LOT 8 (NESH) 3.5 ✓ LOT 8 (NNSE) 0.5 ✓
 T15N R19E S02 LOT 3 (SENN) 3 BLM LOT 6 (SWSW) 7.6 ✓ LOT 7 (SESW) 2.4 ✓
 S35
 80.8 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

T15N R19E S02 SENE is 6 miles from other PDLs.
 Is this a typographical error?

he suggested - with a IDWR
proceeding? Thank you very
much. ~~Ptc~~ These are copies, so you
don't have to return. Sincerely, Harriet
Henderson

Memorandum

To: 72-10150

CC: File

From: Jeanie Robertson

Date: Feb. 11, 2000

Re: Conversation on day of initial hearing...

Harriet called and said the BLM had faxed her an SF5 to sign in preparation for the telephonic hearing scheduled for this afternoon. This SF5 was different from the one I had recently sent with the cover letter on January 28, 2000. She faxed me a copy and I told her it was incorrect and that Larry Brown had probably not talked to Fred Price yet about our conversation and the fact that I was going to redo my recommendation. She should agree to the rescheduling of the hearing that Larry wanted to ask for...

I also explained how I made this new recommendation:

I think that when she amended this claim and added acres along the ditch down to the point of diversion, many of those acres turned out to be on BLM ground. She also added some acres on the other end of the property, which were BLM. So I went back to the map with the original claim filed by Mr. LeeRoy Stephens. This new recommendation more closely matches that. He claimed 82.5 acres and I recommended 72.8, with the same diversion rate. The difference is mainly in the 3 acres in the NESW of Section 2, which is BLM, and the SENW of Section 2. He claimed 32 and I found 25. I pretty much recommended all the acres from the ditch to the river's edge. There has been some flooding and changing of the channel in the area in recent years and that probably accounts for the difference.

SRBA

SUBCASE SUMMARY REPORT 72-10150

[Return to SRBA Home Page](#)

SRBA
01-31-2000

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 72-10150 FILE#: 00222
CLAIMANT: HENDERSON, ALAN
STATUS: AT ISSUE
WATER SOURCE: SALMON RIVER, SNAKE RIVER
ISSUES: PRIORITY DATE
PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.

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

ALAN HENDERSON	C PRO SE
ALAN HENDERSON	O PRO SE
USDI BLM	O ATTY: US DEPARTMENT OF JUSTICE
HARRIET HENDERSON	C PRO SE

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

03-08-1999	MOTION TO FILE AMENDED NOTICE OF CLAIM F/B HENDERSON (PRIORITY, POU - TOWNSHIP)	MG	05-03-1999
03-08-1999	OBJ 01 F/B HENDERSON, ALAN	RB	10-04-1999 0001
03-11-1999	ORDER SETTING HEARING - MOTION TO FILE AMENDED NOTICE OF CLAIM F/B HENDERSON	HS	05-03-1999 1030
05-03-1999	HEARING HELD - MOTION TO AMEND CLAIM	HH	05-03-1999 1030
05-03-1999	MINUTES - MOTION TO AMEND CLAIM		
05-03-1999	ORDER GRANTING MOTION TO AMEND CLAIM AND SETTING SUBCASE DEADLINES AMENDED DIRECTOR'S REPORT DUE 5/26/99 OBJECTIONS TO AMENDED DIR RPT DUE 6/25/99		
05-07-1999	AMENDED DIRECTOR'S REPORT FILED		
06-02-1999	OBJ 02 F/B USDI BLM		0002
06-07-1999	STANDARD FORM 5		06-07-1999
10-21-1999	NOTICE SETTING INITIAL HEARING	1V	11-30-1999 1000
10-27-1999	ORDER VACATING EVENT ON 11301999 AT 1000		
11-15-1999	REPORT & RECOMMENDATION OF MASTER	CB	12-28-1999
11-15-1999	NOTICE OF ISSUANCE - MASTERS R&R		
11-15-1999	CERTIFICATE OF MAILING - MASTER R&R		
12-10-1999	MOTION TO ALTER OR AMEND MASTER'S REPORT ASSIGNED MASTER WAS: 154 WOOD, BARRY	MG	12-10-1999
12-10-1999	ORDER WITHDRAWING SPECIAL MASTER'S REPORT AND RECOMMENDATION		12-10-1999
12-10-1999	NOTICE SETTING STATUS CONFERENCE	US	01-20-2000 0400
01-20-2000	HEARING HELD - STATUS CONFERENCE	UH	01-20-2000 0400
01-20-2000	MINUTES - STATUS CONFERENCE		
01-20-2000	ORDER REQUIRING SUBMISSION OF STANDARD FORM 5	6B	02-10-2000 0500
01-20-2000	AND SETTING STATUS CONFERENCE	US	02-11-2000 0330

[Return to SRBA Home Page](#)

Robertson, Jean

From: Robertson, Jean
Sent: Monday, January 31, 2000 10:29 AM
To: Spencer, Nick
Subject: 72-10150 (Henderson)

Nick,

I was faxed a copy of a proposed settlement from the BLM last week, asking if the removal of 4 acres would affect the quantity. It basically was adding government lot numbers and removing 4 acres of BLM trespass in the NE 1/4 of Section 2.. When I got to looking at it, I realized that 3 of the acres in the NE 1/4 that they wanted deleted were wrong and never should have been recommended there (should have been SESW, also BLM)...another typo, I guess. Anyway, I also noticed that some of the lot numbers they wanted added referred to BLM land. I couldn't imagine that that was right and Fred Price happened to be in our office that day. I went over it with him and he couldn't believe he'd missed that...so I went in and fiddled with the GIS and moved the acres a bit, getting them all off BLM ground. There are now 8 fewer acres in the recommendation but the diversion rate will not have to be changed. The BLM should be okay with this and I think the claimant will be too. It should have updated over the weekend, so if you want to do another SF5 from it, go ahead. Any questions, give me a call...Jeanie

I was also faxed a copy of the one for 72-02109, which removed 1.6 acres of BLM ground...that will not affect the diversion rate either.



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 KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 28, 2000

Alan and Harriet Henderson
PO BOX 645
Challis ID 83226

RE: 72-10150

Dear Mr. and Mrs. Henderson,

I was recently sent a copy of a proposed settlement recommendation for this right out of the Salmon River. It was in response to the objection filed by the BLM. While looking it over, I noticed that some of the Government Lot numbers, which the BLM wanted in the legal description, referred to BLM property. I spoke with Fred Price of the BLM and he realized that the proposed settlement was not right. I then refigured the boundaries of your irrigated acres, deleting any BLM ground, and came up with a new recommendation. You have about 8 fewer acres but the diversion rate remains unchanged. I have enclosed a copy of it for you to review. The underlined parts are new additions, the **strike-out** areas show how it used to be.

Please look it over and give me a call so we can discuss it.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

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

DATE: JAN-28-2000

PAGE: A-1

 RIGHTS FROM: SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 72-10150

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

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/21/1884
~~03/02/1890~~

POINT OF DIVERSION: T14N R19E S02 Lot 11 (SESESW) Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04-01 10-31	2.00 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

T14N R19E S02	Lot 3 (NENW) 20	Lot 4 (NWNW) 21	Lot 7 (SWNW) 2.6	Lot 7 (SENW) 25
	NENW 18.8	NWNW 19	SWNW 2.6	SENW 22.8
T15N R19E S35	Lot 6 (SWSW) 4.2			
	SWSW 7.6			
T14N R19E S02	SENE 1	NESW 3.3	NWSE 0.3	
T15N R19E	SENE 3			
	SESW 2.4			
<u>72.8 ACRES TOTAL</u>				
80.8 ACRES TOTAL				

82.5

no = originally claimed acres

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

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

72-10150 (CONT.)

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:

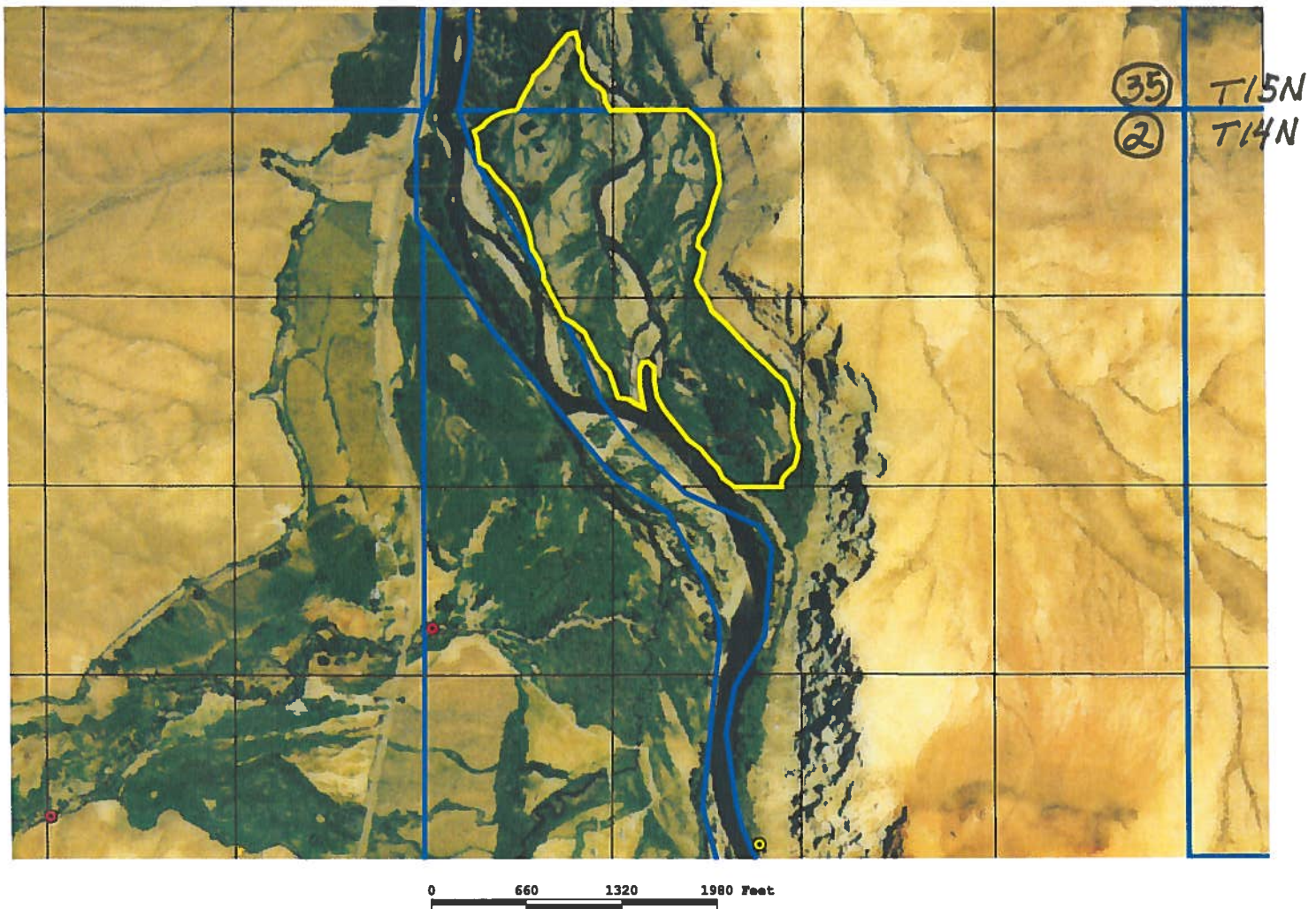
WATER RIGHT NO.	SOURCE
NONE	NONE

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

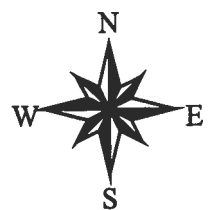
EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

IDAHO DEPARTMENT OF WATER RESOURCES

72-10150



RECOMMENDED PLACE OF USE
DATA ENTRY ON JAN. 28, 2000
TWP 14N, R19E, SEC . 2
TWP 15N, R19E, SEC 35



-  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

CLAIM NUMBER72-10150DATE1/28/00TRANSFER NUMBERCLAIMED ACRE TOTAL80.8GIS ACRE TOTAL72.8AGENT

	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			1	3	18.8	19	2.6	22.4	3.5					.5			70.8
GIS						BLM	BLM	19.8	20.8	2.6	24.6	BLM					BLM			67.8
RECOM						0	0	20	21	2.6	25	0					0			68.6<
								Lot3	Lot4	Lot7	Lot7									
CLAIM	15N	19E	35									7.6	2.4							10
GIS												4.2	BLM							4.2
RECOM												4.2	0							4.2<
												Lot6								
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP

SHAPE NOS.247

B72-DBPOD.SHP

NOS. DESCRIPTION136 14N, 19E, 02 SESESW (Lot 11)

DBF TABLES UPDATED

B72-DBPOU.DBF

B72-DBPOD.DBF

JPEG LAYOUT

* Revised Recommendation after BLM objection 1-28-00

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-10150

DATE:

1/28, 1998

REVIEWED BY

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
DEB	.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
BC1	5.82	?	36	.16	5.76 CFS
Q	13.2	?	36	.26	9.36 CFS
					CFS
					15.12 CFS

Total allowed for soils

TOTAL ACRES

72

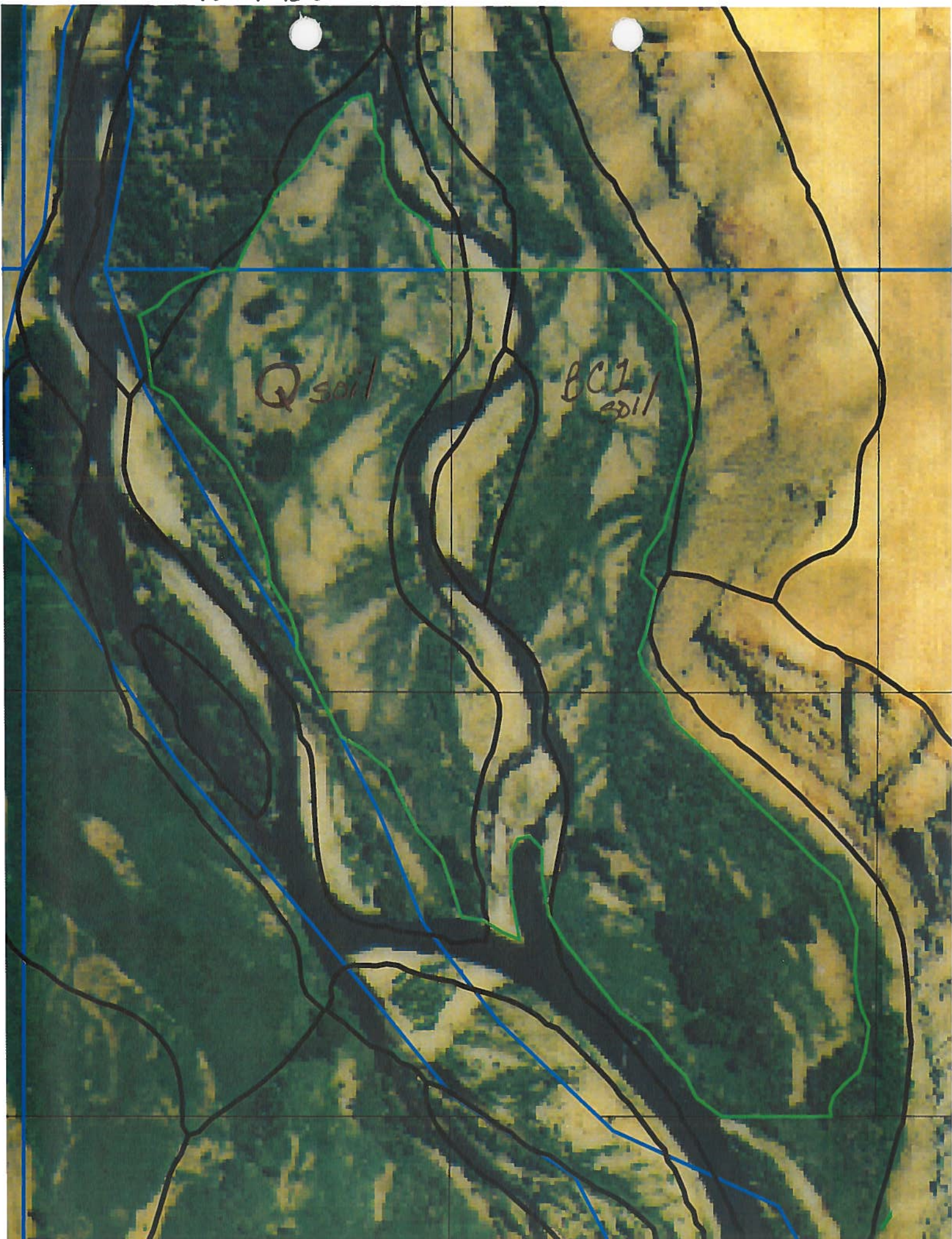
DECREED RATE =

CLAIMED DIVERSION RATE =

MEASURED DIVERSION RATE =

2.85

(Rec'd. as claimed)



Q soil

BC1
soil

CLAIM NUMBER72-10150DATE1/27/00TRANSFER NUMBERCLAIMED ACRE TOTAL80.8GIS ACRE TOTAL80.8AGENT

				NE				NW				SW				SE				
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	14N	19E	2			1	3	18.8	19	2.6	22.4	3.5					.5			70.8
GIS						1	3	16.8	19	2.6	20.5	3.5			3		.5			70.8
RECOM						BLM		Lot 3	Lot 4	Lot 7	Lot 7	Lot 8			Lot 11		Lot 8			
								(17)				BLM			BLM		BLM			
CLAIM	15N	19E	35											7.6	2.4					10
GIS														2.3	7.6					10
RECOM														Lot 6	Lot 7					
															BLM					
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHPSHAPE NOS.247 = 35 Ac.248 = 26 Ac.

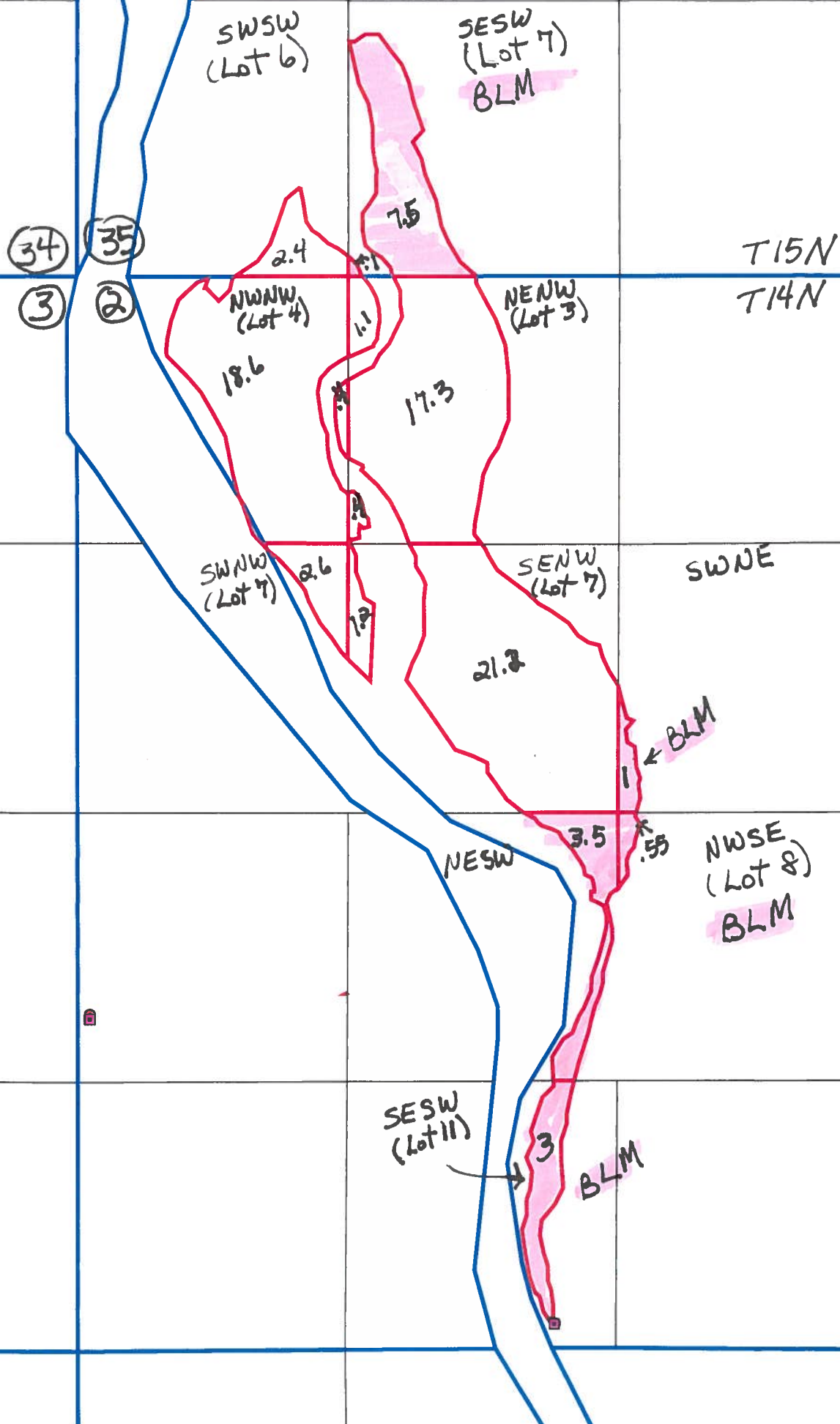
Revised Recommendation after BLM objection

B72-DBPOD.SHPNOS. DESCRIPTION136 14N, 19E, 02 SESESW (Lot 11)

Recommendation before BLM objection (indicating some errors and BLM trespass)

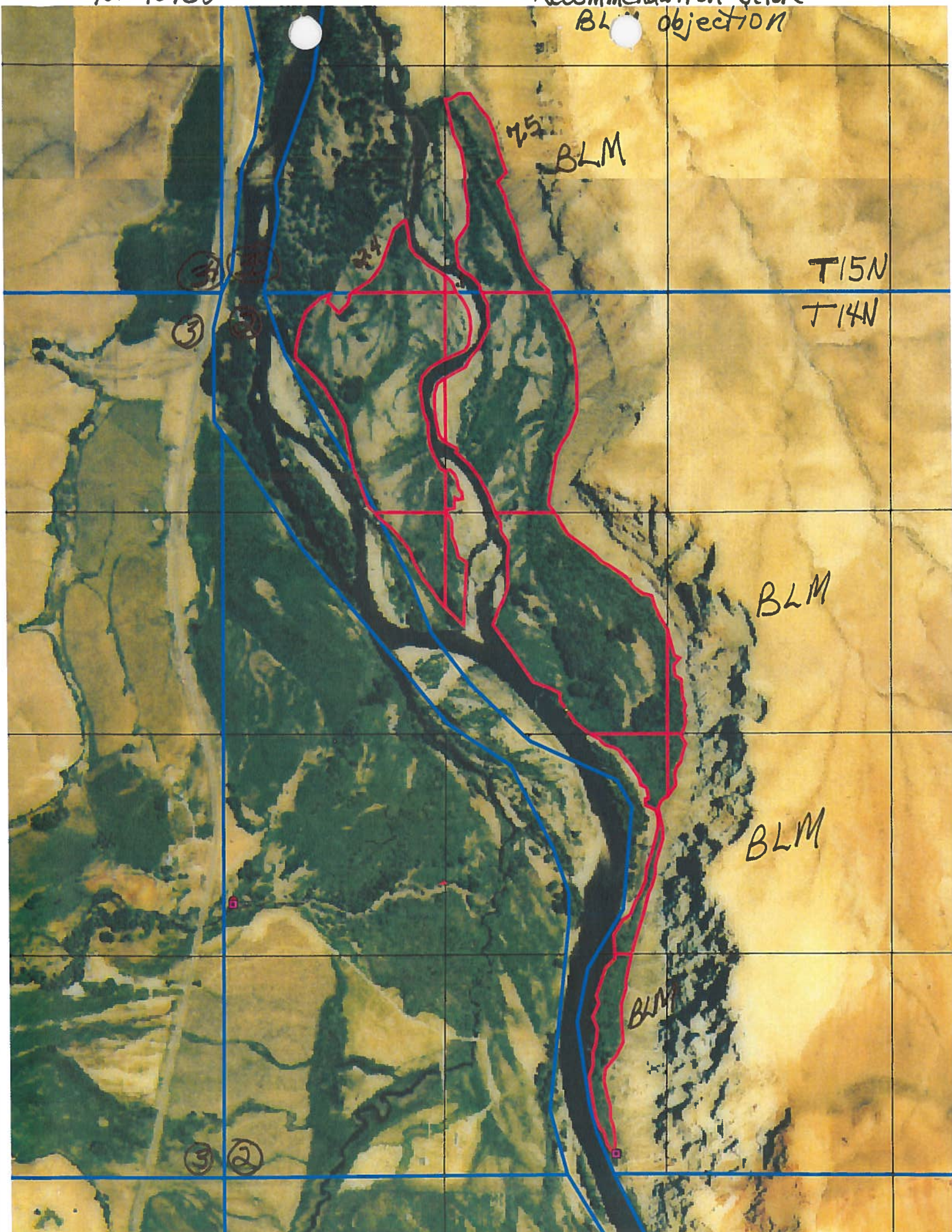
DBF TABLES UPDATEDB72-DBPOU.DBFB72-DBPOD.DBFJPEG LAYOUT

BLM objection



10 10100

Recommendation before
BLM objection



SRBA

SUBCASE SUMMARY REPORT 72-10150

Fred Price
 of: 373-3831
 FAX: 373-3839

[Return to SRBA Home Page](#)

SRBA

SUBCASE SUMMARY REPORT

HTML12

12-14-1999

SUBCASE: 72-10150 FILE#: 00222

CLAIMANT: HENDERSON, ALAN

STATUS: AT ISSUE

WATER SOURCE: SALMON RIVER, SNAKE RIVER

ISSUES: PRIORITY DATE

PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.

**** PARTIES INVOLVED ****

ALAN HENDERSON

USDI BLM

HARRIET HENDERSON

PRO SE

ATTY: US DEPARTMENT OF JUST

PRO SE

**** ROA ENTRIES ****

03-08-1999	MOTION TO FILE AMENDED NOTICE OF CLAIM F/B HENDERSON (PRIORITY, POU - TOWNSH		
03-08-1999	OBJ 01 F/B HENDERSON, ALAN		
03-11-1999	ORDER SETTING HEARING - MOTION TO FILE AMENDED NOTICE OF CLAIM F/B HENDERSON		
05-03-1999	HEARING HELD - MOTION TO AMEND CLAIM		
05-03-1999	MINUTES - MOTION TO AMEND CLAIM		
05-03-1999	ORDER GRANTING MOTION TO AMEND CLAIM AND SETTING SUBCASE DEADLINES		
	AMENDED DIRECTOR'S REPORT DUE	5/26/99	
	OBJECTIONS TO AMENDED DIR RPT DUE	6/25/99	
05-07-1999	AMENDED DIRECTOR'S REPORT FILED		
06-02-1999	OBJ 02 F/B USDI BLM		0002
06-07-1999	STANDARD FORM 5		06-07-1999
10-21-1999	NOTICE SETTING INITIAL HEARING	1V	11-30-1999 1000
10-27-1999	ORDER VACATING EVENT ON 11301999 AT 1000		
11-15-1999	REPORT & RECOMMENDATION OF MASTER	CB	12-28-1999
11-15-1999	NOTICE OF ISSUANCE - MASTERS R&R		
11-15-1999	CERTIFICATE OF MAILING - MASTER R&R		
12-10-1999	MOTION TO ALTER OR AMEND MASTER'S REPORT ASSIGNED MASTER WAS: 154 WOOD, BARRY	MG	12-10-1999
12-10-1999	ORDER WITHDRAWING SPECIAL MASTER'S REPORT AND RECOMMENDATION		12-10-1999
12-10-1999	NOTICE SETTING STATUS CONFERENCE	US	01-20-2000 0400

72-
10150

1/20
Harriet

Harriet Hend.
879-4563

BLM wants to
postpone - OK w/me
1-19-00

[Return to SRBA Home Page](#)

SRBA

SUBCASE SUMMARY REPORT 72-10150

[Return to SRBA Home Page](#)SRBA
11-18-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 72-10150 FILE#: 00222
CLAIMANT: HENDERSON, ALAN
STATUS: M/R/R FILED
WATER SOURCE: SALMON RIVER, SNAKE RIVER
ISSUES: PRIORITY DATE
PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.

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

ALAN HENDERSON	PRO SE
USDI BLM	ATTY: US DEPARTMENT OF JUSTICE
HARRIET HENDERSON	PRO SE

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

03-08-1999	MOTION TO FILE AMENDED NOTICE OF CLAIM F/B HENDERSON (PRIORITY, POU - TOWNSHIP)	MG	05-03-1999
03-08-1999	OBJ 01 F/B HENDERSON, ALAN	RB	10-04-1999 0001
03-11-1999	ORDER SETTING HEARING - MOTION TO FILE AMENDED NOTICE OF CLAIM F/B HENDERSON	HS	05-03-1999 1030
05-03-1999	HEARING HELD - MOTION TO AMEND CLAIM	HH	05-03-1999 1030
05-03-1999	MINUTES - MOTION TO AMEND CLAIM		
05-03-1999	ORDER GRANTING MOTION TO AMEND CLAIM AND SETTING SUBCASE DEADLINES AMENDED DIRECTOR'S REPORT DUE 5/26/99 OBJECTIONS TO AMENDED DIR RPT DUE 6/25/99		
05-07-1999	AMENDED DIRECTOR'S REPORT FILED		
06-02-1999	OBJ 02 F/B USDI BLM		0002
06-07-1999	STANDARD FORM 5		06-07-1999
10-21-1999	NOTICE SETTING INITIAL HEARING	1V	11-30-1999 1000
10-27-1999	ORDER VACATING EVENT ON 11301999 AT 1000		
11-15-1999	REPORT & RECOMMENDATION OF MASTER	CB	12-28-1999
11-15-1999	NOTICE OF ISSUANCE - MASTERS R&R		
11-15-1999	CERTIFICATE OF MAILING - MASTER R&R		

[Return to SRBA Home Page](#)

1999 OCT 27 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

) ORDER VACATING
) INITIAL HEARING
)
) SUBCASE NO: 72-10150

All parties to the above subcase(s) executed and filed a Stipulation/Standard Form 5 for the above water right(s). Since all parties to the above subcase(s) have reached an agreement as to all elements of the above water right(s) as set forth in the Stipulation/Standard Form 5, IT IS ORDERED that the INITIAL HEARING set for TUESDAY, NOVEMBER 30, 1999 at 10:00 AM, is vacated.

IT IS SO ORDERED.

Dated: OCTOBER 27, 1999

/S/ THOMAS R CUSHMAN
Special Master
Snake River Basin Adjudication

ALAN HENDERSON
HARRIET HENDERSON
PO BOX 645
CHALLIS, ID 83226

1999 NOV 15 PM 4: 18

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

**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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT 72-10150
_____	)	

I. FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

All objections to this water right were resolved by stipulation of the parties with a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements as set forth in the *Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 72-10150*.

DATED: November 15, 1999.



THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 72-10150

1999 NOV 15 PM 4:18

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/02/1884

POINT OF DIVERSION: T14N R19E S02 SESESW Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.00 CFS

PLACE OF USE:	Irrigation	Within Custer County
	T14N R19E S02	SWNE 1.0 NWNW 19.0 SENE 22.4 NWSE 0.5 SENE 3.0 SWSE 7.6
	T15N R19E S02	NENE 18.8 SWNW 2.6 NENE 3.5
	S35	
	80.8 Acres Total	SESW 2.4

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	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	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.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

RECOMMENDATION

NOV 15 1999

[Signature]

SPECIAL MASTER

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

SRBA PARTIAL DECREE PURSUANT TO C.P. 54(b)
Water Right 72-10150

PAGE 1
Nov-15-1999

1999 NOV 15 PM 4: 19

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHOIN 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)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

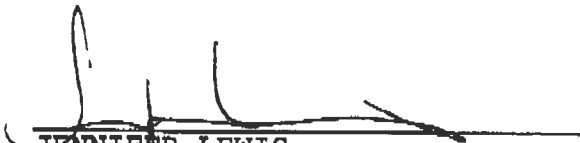
Water Right(s): 72-10150

On November 15, 1999, Special Master THOMAS R CUSHMAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED November 15, 1999.


JENNIFER LEWIS
Deputy Clerk

1999 NOV 15 PM 4:19

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHOIN 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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 72-10150

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on November 15, 1999, with sufficient first-class postage prepaid to the following:

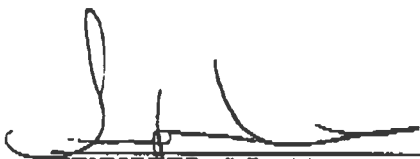
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

ALAN HENDERSON
HARRIET HENDERSON
PO BOX 645
CHALLIS, ID 83226
Phone: 208-879-4563

CERTIFICATE OF MAILING


JENNIFER LEWIS
Deputy ClerkPAGE 1
11/15/99

Special Master Cushman shall set proceedings in conformity with *SRBA Administrative Order 1*, section 9, notwithstanding the provisions of I.R.C.P. 53(d)(1), and exercise the power to regulate all proceedings in every hearing and to do all acts and take all measures necessary or proper for the efficient performance of his duties under this Order.

IT IS SO ORDERED.

DATED October 21, 1999.



BARRY WOOD
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

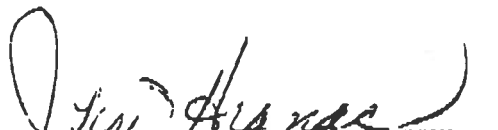
I certify that a true and correct copy of the **ORDER OF REFERENCE APPOINTING SPECIAL MASTER** was mailed on October 21, 1999, with sufficient first-class postage to the following:

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

United States Department of Justice
Environment & Natural Resources 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

All parties or their counsel of record
to subcases in Basin 72 Irrigation and Other


Deputy Clerk

208-736-3031 FAX
Jeannie K.

1999 OCT 21 AM 11:22
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

) NOTICE SETTING SUBCASE(S)
) FOR INITIAL HEARING

) SUBCASE NO: 72-10150

The Initial Hearing for this subcase will be held before
Special Master THOMAS R CUSHMAN as follows:

TUESDAY, NOVEMBER 30, 1999 at 10:00 AM
CUSTER COUNTY COURTHOUSE
801 MAIN
CHALLIS, ID

Settlement documents must be filed with the court by
NOVEMBER 23, 1999 or hearing will not be vacated.

All parties are required to attend and must have full
settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

ALAN HENDERSON
HARRIET HENDERSON
PO BOX 645
CHALLIS, ID 83226

Dated: OCTOBER 21, 1999

/S/ TERI HRANAC
Deputy Clerk
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the NOTICE SETTING
SUBCASE(S) FOR INITIAL HEARING was mailed on OCTOBER 21, 1999,
with sufficient first-class postage to the following:

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

ALAN HENDERSON
HARRIET HENDERSON
PO BOX 645
CHALLIS, ID 83226
Phone: 208-879-4563

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

(Notice Setting Initial Hearing)
Page 2 10/21/99

/S/ TERI HRANAC
Deputy Clerk

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 72-10150

(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 United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)

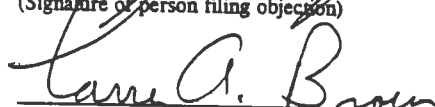
) ss.

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:

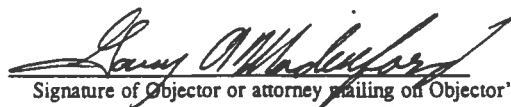
Name: Alan & Harriet Henderson
Address: PO Box 645 Challis, ID 83226
Name:
Address:
Name:
Address:
Name:
Address:

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

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-26-1999
PAGE: A-662

 RIGHTS FROM: SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

 RIGHT NUMBER: 72-10150

 NAME & ADDRESS: ALAN HENDERSON
 HARRIET HENDERSON
 PO BOX 645
 CHALLIS ID 93226

 SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER
 QUANTITY: 2.00 CFS
 PRIORITY DATE: 05/02/1890
 POINT OF DIVERSION: T14N R19E S02 LOT 11 (SESEW) BLM LOT 10 (SESW) = PVT = WEST SIDE OF RIVER
 LOT 11 (SESW) = BLM = EAST SIDE OF RIVER
 Within CUSTER County
 PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
 IRRIGATION 04-01 10-31 2.00 CFS

 PLACE OF USE: IRRIGATION Within CUSTER County
 T14N R19E S02 SENE 1 BLM LOT 3 (SENE) 18.8 ✓ LOT 4 (NWNW) 19 ✓ LOT 7 (SWNW) 2.6 ✓
 T15N R19E S02 LOT 7 (SENE) 22.4 ✓ LOT 8 (NESW) 3.5 ✓ LOT 8 (NWSE) 0.5 ✓
 S35 SENE 3 BLM
 LOT 6 (SWSW) 7.6 ✓ LOT 7 (SESW) 2.4 ✓
 80.8 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

T15N R19E S02 SENE IS 6 miles from other P.O.U.s.
 Is this a typographical error?

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)

72-02050B

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.

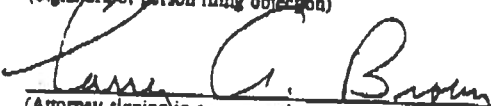
VERIFICATION (Must be Completed)

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:

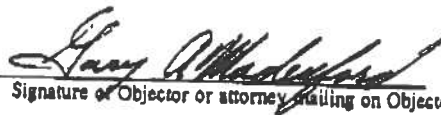
Name:
Address:

3. Copies to:

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

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 LAW

DATE: JAN-26-1999
PAGE: A-662

RIGHTS FROM: SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 72-10150
NAME & ADDRESS: ALAN HENDERSON
HARRIET HENDERSON
PO BOX 645
CHALLIS ID 83226
SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 2.00 CFS
PRIORITY DATE: 05/02/1890
POINT OF DIVERSION: T14N R19E S02 LOT 11 (SESEW) BLM LOT 10 (SESW) = PVT = WEST SIDE OF RIVER
LOT 11 (SESW) = BLM = EAST SIDE OF RIVER
Within CUSTER County
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 2.00 CFS
PLACE OF USE: IRRIGATION Within CUSTER County
T14N R19E S02 SENE 3 BLM LOT 3 (SENN) 18.8 ✓ LOT 4 (NNWN) 19 ✓ LOT 7 (SWNN) 2.6 ✓
T15N R19E S02 LOT 7 (SENN) 22.4 ✓ LOT 8 (NENW) 3.5 ✓ LOT 8 (NWSE) 0.5 ✓
835 SENE 3 BLM LOT 6 (SWSW) 7.6 ✓ LOT 7 (SESW) 2.1 ✓
80.8 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

T15N R19E S02 SENE IS 6 miles from other P.O.U.s.
Is this a typographical error?



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 KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

May 10, 1999

MR. & MRS. ALAN HENDERSON
PO BOX 645
CHALLIS ID 83226

RE: 72-10150

Dear Mr. & Mrs. Henderson,

Enclosed is a Standard Form 5 (SF5), which should be the final form to be signed, along with an attachment of the new recommendation for 72-10150. This recommendation should be the same as the copy of the amended Director's Report that was mailed to you last week.

Please look over the paperwork carefully and if you agree with the water right as described in the amended director's report and the SF5, sign, date, and return to me in the enclosed pre-addressed envelope. (You should also initial the bottom of the page of the water right description, as we did.) I will then file and serve copies to the other parties.

This will resolve your objection and clear the way for the Court to decree your right as described in the amended director's report, assuming that nobody else objects to it.

Thanks for your patience during this long and often complicated process. If you have any questions, feel free to give me a call.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

RECEIVED
MAY 10 1999
Department of
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.: 72-10150
	)	
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 whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin 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 claimants and IDWR hereby agree that the claimants' objection to the Director's Recommendation of claim no. 72-10150 has been resolved by virtue of IDWR's filing of its Amended Director's Report, dated May 5, 1999, in subcase 72-10150, wherein it issued a recommendation on the claimants' amended claim for water right no. 72-10150 and withdrew its recommendation of the claimants' original claim for that water right. The claimants and IDWR hereby agree that IDWR's recommendation of the claimants' amended claim as described in the Amended Director's Report, and as attached hereto, constitutes a correct description of water right no. 72-10150. The claimants and IDWR have further indicated their concurrence by initialing each of the attached pages. The claimants' objection to water right no. 72-10150, dated March 2, 1999, is hereby withdrawn.

Alan Henderson

Date

Harriet Henderson

Date

Karin Roberson 5-10-99
IDWR Concurrence Date

Approved as to form: Nick Spencer 5-6-99
Attorney for IDWR

AJ5856NP

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

DATE: MAY-6-1999
PAGE: A-1

RIGHTS FROM: SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 72-10150

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

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/21/1884

POINT OF DIVERSION: T14N R19E S02 SESEW Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 2.00 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T14N R19E S02 SWNE 1 SENE 3 NENW 18.8 NWNW 19
SWNW 2.6 SENW 22.4 NESW 3.5 NWSE 0.5
T15N R19E S35 SWSW 7.6 SESW 2.4
80.8 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

NBS
JR

CERTIFICATE OF MAILING

I certify that on _____, 199____, I caused to be served true and correct copies of the Standard Form 5 for water right no. 72-10150, to the following persons, in the manner indicated 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

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

Alan and Harriet Henderson
P.O. Box 645
Challis, ID 83226

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

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

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person or attorney mailing the form

RECEIVED

JUN 02 1999

Department of Water Resources
Southern Region

RECEIVED

MAY 10 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

Case No. 39576

) Subcase No.: 72-10150
)
)
)
)
)
)
)

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 whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin 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.

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Alan Henderson 5-19-99
Alan Henderson Date

Harriet Henderson 5/19/99
Harriet Henderson Date

Janie Robertson 5-10-99
IDWR Concurrence Date

Approved as to form: Nick Spencer 5-6-99
Attorney for IDWR

AJ5856NP

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

DATE: MAY-6-1999
PAGE: A-1

RIGHTS FROM: SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 72-10150

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

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/21/1884

POINT OF DIVERSION: T14N R19E S02 SESESW Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 2.00 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T14N R19E S02 SWNE 1 SENE 3 NENW 18.8 NWNW 19
SWNW 2.6 SENW 22.4 NESW 3.5 NWSE 0.5
T15N R19E S35 SWSW 7.6 SESW 2.4
80.8 ACRES TOTAL

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

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OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

NBS
R
AH
HH

CERTIFICATE OF MAILING

I certify that on _____, 199____, I caused to be served true and correct copies of the Standard Form 5 for water right no. 72-10150, to the following persons, in the manner indicated 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

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

Alan and Harriet Henderson
P.O. Box 645
Challis, ID 83226

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

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

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person or attorney mailing the form

AMENDED DIRECTOR'S REPORT

Subcase No. 72-10150

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources

Karl J. Dreher, Director

David R. Tuthill, Jr., Adjudication Bureau Chief

May 5, 1999

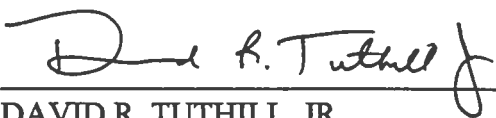
DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to Special Master Haemmerle's *Order Granting Motion to Amend Claim and Setting Subcase Deadlines*, dated May 3, 1999, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase. Water right 72-10150 was recommended in the Director's Report for Irrigation and Other Uses in Reporting Area 4 with an incorrect legal description of the place of use as well as a later priority date than is being recommended in the amended recommendation. Following filing of the original director's recommendation of this right, the claimants (Alan and Harriet Henderson) discovered and submitted to IDWR additional evidence sufficient to justify the priority date claimed in their amended claim and now recommended in this amended recommendation. The Idaho Department of Water Resources (IDWR) hereby withdraws its' prior recommendation of 72-10150 and substitutes the amended recommendation contained herein. The claimants filed the only objection to the previous recommendation which will be resolved through submission of a Standard Form 5 (SF5).

Respectfully submitted this 5th day of May, 1999.



DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

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

DATE: MAY-5-1999

PAGE: A-1

RIGHTS FROM: SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 72-10150

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

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/21/1884

POINT OF DIVERSION: T14N R19E S02 SESESW Within CUSTER County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 2.00 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T14N R19E S02 SWNE 1 SENE 3 NENW 18.8 NWNW 19
SWNW 2.6 SENW 22.4 NESW 3.5 NWSE 0.5
T15N R19E S35 SWSW 7.6 SESW 2.4
80.8 ACRES TOTAL

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IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

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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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

CERTIFICATE OF MAILING

I certify that on 5-6-99, 1999, I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, by placing them in sealed envelopes, 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

Chief, Natural Resources
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

United States Department of Justice
Environment & Natural Resources Div.
550 West Fort Street MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Custer County Clerk
801 Main St.
Challis, ID 83226

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Alan and Harriet Henderson
P.O. Box 645
Challis, ID 83226

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Sandy Egbert

Signature of person delivering form

Robertson, Jean

From: Spencer, Nick
Sent: Thursday, May 06, 1999 3:25 PM
To: Robertson, Jean
Subject: RE: 72-10150 (Henderson)

Oh, also, you need to initial each page of the water right description in the SF-5 and tell the Hendersons they need to do that as well, in addition to signing it. Thanks, NBS

-----Original Message-----

From: Robertson, Jean
Sent: Monday, May 03, 1999 4:37 PM
To: Spencer, Nick
Subject: 72-10150 (Henderson)

Nick,

Just to let you know I've created a new "R" record for this right, reflecting the changes in priority date and place of use as agreed to by Mrs. Henderson and the department and accepted by the court today. (Our original recommendation is preserved under the "blank" record.) Let me know if I need to do anything else... Jeanie

Robertson, Jean

From: Spencer, Nick
Sent: Thursday, May 06, 1999 3:23 PM
To: Robertson, Jean
Subject: RE: 72-10150 (Henderson)

Jeanie, we got the R-record and have prepared an amended director's report recommending it as described therein. The original to the court--copies to the normal suspects including the claimant--all got mailed out today. Vicki has prepared an SF-5, which I will sign. We will then mail the original SF-5 and a copy of the amended director's report down to you. Assuming all looks okay to you, you need to sign the IDWR concurrence line on the SF-5 and mail it out to the Hendersons with a cover letter explaining that if they're okay with the water right as described in the amended director's report and in the SF-5, they need to sign the SF-5 and return it to you for filing and serving of copies; that this will resolve their objection and clear the way for the Court to decree their right as described in the amended director's report (assuming that nobody objects to it). Thanks, NBS

-----Original Message-----

From: Robertson, Jean
Sent: Monday, May 03, 1999 4:37 PM
To: Spencer, Nick
Subject: 72-10150 (Henderson)

Nick,

Just to let you know I've created a new "R" record for this right, reflecting the changes in priority date and place of use as agreed to by Mrs. Henderson and the department and accepted by the court today. (Our original recommendation is preserved under the "blank" record.) Let me know if I need to do anything else... Jeanie

Robertson, Jean

To: Spencer, Nick
Subject: 72-10150 (Henderson)

Nick,

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

DATE: 05/03/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALAN HENDERSON	05/21/1984	IRRIGATION	04-01 10-31	2.00 CFS	
C	HARRIET HENDERSON					
	PO BOX 645					
	CHALLIS ID 83226					
	(208) 879-4563					
				TOTAL DIVERSION:	2.00 CFS	

Stage: BENEFICIAL USE

CUSTER County

ME

		NE				NW				SW				SE					
		NENE	NWNE	SHNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SUSE	SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
14N	19E	2	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	70.8
15N	19E	35	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	10.0
TOTAL ACRES																		80.8	

Other Rights: NONE

C16 - TH

-	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.	

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

1

AJ0749NP
No. R72-10150

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

DATE: 05/03/99
PAGE: 2

Comments: Date: 02/16/1993 User-ID: WORSTELL Subject: COPIED FROM REMARKS
CURRENT ADDRESS (1989) IS P.O. BOX 645, BATTLE MOUNTAIN, NEVADA
89820.

Date: 06/26/1995 User-ID: JROBERTS Subject: OWNERSHIP CHANGE
Form received 6/26/95, original owner Beth Stephens - new owners
Alan and Harriet Henderson. Copy of Warranty Deed submitted with
form. A72-10150 also changed. 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: 01/12/1999 User-ID: JROBERTS Subject: CHANGED PRIORITY AND POU
PER NOE AND EVIDENCE SUBMITTED, ALLOWED PRIORITY DATE AS CLAIMED
OF MAY 2, 1890 AND ADDED ADDITIONAL ACRES.

Date: 05/03/1999 User-ID: JROBERTS Subject: AMENDED DIRECTOR'S REPORT RECOMMENDATION
RECOMMENDATION AMENDED TO MATCH AMENDED CLAIM ACCEPTED BY THE
SRBA COURT THIS DATE, WHICH CHANGED THE PRIORITY DATE AND PLACE
OF USE (3 ACRES IN SENE SECTION 2 FROM T15N TO T14N). REVIEW BY
AGENT AND LEGAL STAFF CONFIRM CHANGES AS VALID. jr

Audit: 05/03/99 JROBERTS

Water Right Number - R72-10150

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
HENDERSON

ALAN

HENDERSON

HARRIET

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

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
STEPHENS

BETH N

STEPHENS

LEEROY

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
State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/21/1884 17 SOUTHERN J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
14N 19E 2 SE SE SW (37) CUSTER

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 2.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - Km Usage - +
2.000 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
14N 19E 2 SW NE 1.0 01 IRRIGATION (37) CUSTER
14N 19E 2 SE NE 3.0 01 IRRIGATION (37) CUSTER
14N 19E 2 NE NW 18.8 01 IRRIGATION (37) CUSTER
14N 19E 2 NW NW 19.0 01 IRRIGATION (37) CUSTER
14N 19E 2 SW NW 2.6 01 IRRIGATION (37) CUSTER
14N 19E 2 SE NW 22.4 01 IRRIGATION (37) CUSTER
14N 19E 2 NE SW 3.5 01 IRRIGATION (37) CUSTER

Water right number - R72-10150

Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	19E	2	NW SE		0.5	01	IRRIGATION	(37) CUSTER
15N	19E	35	SW SW		7.6	01	IRRIGATION	(37) CUSTER
15N	19E	35	SE SW		2.4	01	IRRIGATION	(37) CUSTER

Total Acres: 80.8

- - - Diversion Means - CEMENT HEADGATE, ROCK DAM, OPEN DITCH FLOOD IRRIGATION

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - NONE

- - - Remarks - No Remarks found.

- - - Old Water Right Numbers Found

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

- - - Comments - - -
Date: 02/16/1993 User Id: WORSTELL Subject: COPIED FROM REMARKS
CURRENT ADDRESS (1989) IS P.O. BOX 645, BATTLE MOUNTAIN, NEVADA 89820.
Date: 06/26/1995 User Id: JROBERTS Subject: OWNERSHIP CHANGE
Form received 6/26/95, original owner Beth Stephens - new owners Alan and Harriet Henderson. Copy of Warranty Deed submitted with
form. A72-10150 also changed. 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: 01/12/1999 User Id: JROBERTS Subject: CHANGED PRIORITY AND POU
PER NOE AND EVIDENCE SUBMITTED, ALLOWED PRIORITY DATE AS CLAIMED OF MAY 2, 1890 AND ADDED ADDITIONAL ACRES.
Date: 05/03/1999 User Id: JROBERTS Subject: AMENDED DIRECTOR'S REPORT RECOMMENDATION
RECOMMENDATION AMENDED TO MATCH AMENDED CLAIM ACCEPTED BY THE SRA COURT THIS DATE, WHICH CHANGED THE PRIORITY DATE AND PLACE
OF USE (3 ACRES IN SENE SECTION 2 FROM T15N TO T14N). REVIEW BY AGENT AND LEGAL STAFF CONFIRM CHANGES AS VALID. jr

Water right number - R72-10150

Prefix Translation: RESEARCH

+ - - Audit Fields - - +
05/03/99 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	- M005283	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

TRANSMITTAL COVER SHEET

TO: Nick Spencer

TOTAL PAGES SENT: 1 cover
(including cover sheet)

DOCUMENT DESCRIPTION: copy of letter sent to Hendersons
regarding amended claim A72-10150

FROM:

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE ST, STE 200
TWIN FALLS ID 83301-3380

PHONE: 736-3033

FAX: 736-3037

CHARGES: One (1) free copy
per request, cover sheet not
counted. Two (2) or more
copies per request will cost
\$0.25 per page. (\$0.50
minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: _____ Please remit to the above address.

SENDER: Jeanie

COMMENTS: _____

RECEIVED

MAR 08 1999

Department of Water Resources

RECEIVED

MAR 22 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 A 72-10150

(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: Alan and Harriet Maye Henderson

Address: Box 645
Challis, ID. 83226

Daytime Phone: 208-879-4563

Name & Address of Attorney, if any:

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

Name: Alan and Harriet Maye Henderson

Address: Box 645
Challis, ID 83226

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: May 21, 1884

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: T 14 N

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):

Record of
filing at Custer Co.
Courthouse.

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____

(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

☒ I must amend my Notice of Claim to the use of water in the SRBA because:

Documents were found at the
Custer County Courthouse which
give evidence to supercede the
1890 priority date. Also, an error
was made in the Township number.

VERIFICATION (Must be completed)

State of Idaho

County of Custer

Harriet Maye Henderson

, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

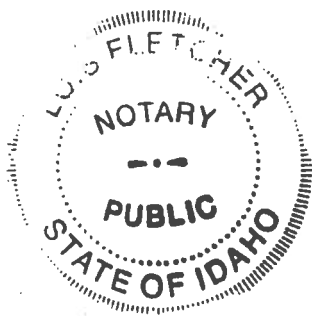
That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Harriet Maye Henderson

Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on March 2, 1999
(Insert Date)



Lois Fletcher
Notary Public for East Idaho Credit Union
Residing at: Challis, ID
My Commission expires: 6-23-99

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. FAX filings will not be accepted by the SRBA Clerk of the Court. You must also send a copy to all the parties listed below in the Certificate of Mailing.

RECEIVED

MAR 16 1999

Department of Water Resources
Southern Region

RECEIVED

MAR 08 1999

Department of Water Resources

South
ID

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 A72-10150

)

(Insert water right number)

)

Case 39576

)

STANDARD FORM 4

)

)

MOTION TO FILE:

)

☐ LATE NOTICE OF CLAIM

)

☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a separate form for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

F.

VERIFICATION (Must be Completed)

State of Idaho

County of Custer ss.

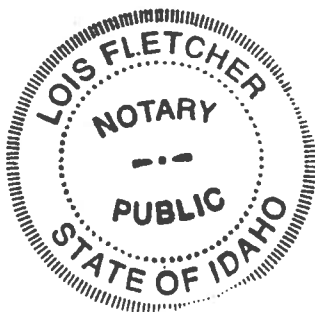
Harriet Marge Henderson duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Harriet Marge Henderson
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: March 2, 1999



Lois Fletcher
Notary Public for _____
Residing at: Challis ID 83226
My Commission Expires: 6-23-99

ORIGINAL

RECEIVED

MAR 08 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-10150
Date Received: 12/ 1/1989
Receipt No: M005283
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

AND/OR

Name: HARRIET HENDERSON 208-879-4563
Address: PO BOX 645
CHALLIS ID 83226

2. Date of Priority: MAY 21, 1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	2	SE	SE	SW		CUSTER

5. Description of diverting works:
CEMENT HEADGATE, ROCK DAM, OPEN DITCH FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.000		

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

8. Total consumptive use is 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	SW	NE		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14N	19E	2	SE		NE		IRR	3.0
			NE		NW		IRR	18.8
			NW		NW		IRR	19.0
			SW		NW		IRR	2.6
			SE		NW		IRR	22.4
			NE		SW		IRR	3.5
			NW		SE		IRR	0.5
							Section Acres	70.8
15N	19E	35	SW		SW		IRR	7.6
			SE		SW		IRR	2.4
							Section Acres	10.0
							Total Acres	80.8

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGE 6/26/95. jr

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

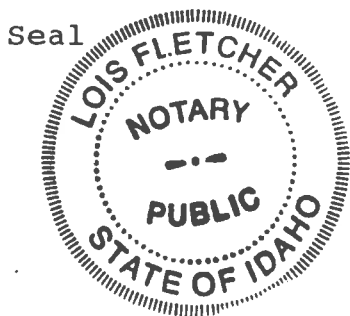
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Haiiet Mayer Heider Date: 3/2/99

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 2 day
of March 19 99 Lois Fletcher
Notary Public



Residing at Challis, ID
My Commission Expires 6-23-99

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

☒ I must amend my Notice of Claim to the use of water in the SRBA because:

Documents were found at the
Custer County Courthouse which
give evidence to supercede the
1890 priority date. Also, an error
was made in the Township number.



I am providing legal and factual documentation to support my amended Notice of Claim.
You must describe these documents and attach a readable copy.

copy of filing at Custer
county Courthouse enclosed.

I have attached:

☐ An amended Notice of Claim (available from IDWR).

☐ Payment of the following additional fees required by IDWR:

_____	_____
_____	_____
_____	_____
_____	_____

no charge

VERIFICATION (Must be completed)

State of Idaho

County of Custer

Harriet Maye Henderson

being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

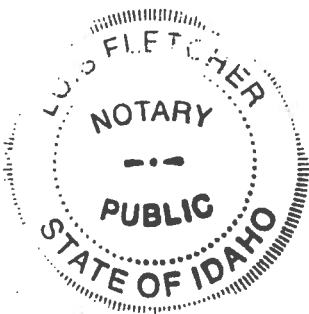
That I am the party/claimant filing this motion for late or amended claim (as listed on page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Harriet Maye Henderson

Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on March 2, 1999
(Insert Date)



Lois Fletcher
Notary Public for East Idaho Credit Union
Residing at: Challis, ID
My Commission expires: 6-23-99

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. FAX filings will not be accepted by the SRBA Clerk of the Court. You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on Mar 5, 1999, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. 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 4449
Boise, ID 83711-4449

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

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)

Harriet Henderson

Signature of person or attorney mailing the form

RECEIVED

MAR 16 1999

Department of Water Resources
Southern Region

RECEIVED

MAR 08 1999

Department of Water Resources

South
D

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 A72-10150
) (Insert water right number)
)

Case 39576

) STANDARD FORM 4
)

) MOTION TO FILE:

) ☐ LATE NOTICE OF CLAIM

) ☒ AMENDED NOTICE OF CLAIM
_____)

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a separate form for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is Harriet Mugee Henderson

My address is Box 645
Challis ID 83226

My phone number is: Work _____ Home 208-879-4563

I am an attorney representing na

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you must attach a copy of your Notice of Claim.)

F.

VERIFICATION (Must be Completed)

State of Idaho

County of Custer)ss.

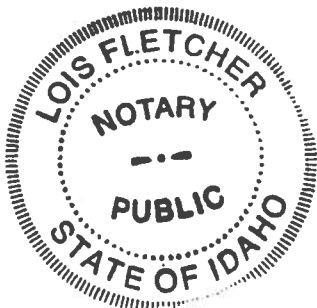
Harriet Magee Henderson duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Harriet Magee Henderson
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: March 2, 1999



Lois Fletcher
Notary Public for _____
Residing at: Challis, ID 83226
My Commission Expires: 6-23-99

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 Mar 5, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Name:

Address:

Self

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

Haniet Henderson

Signature of Objector or attorney
mailing on Objector's behalf

ORIGINAL

RECEIVED

MAR 08 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-10150

Date Received: 12/ 1/1989

Receipt No: M005283

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

2. Date of Priority: MAY 21, 1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	2	SE	SE	SW		CUSTER

5. Description of diverting works:
CEMENT HEADGATE, ROCK DAM, OPEN DITCH FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.000		

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

8. Total consumptive use is 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	SW	NE		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14N	19E	2	SE		NE		IRR	3.0
			NE		NW		IRR	18.8
			NW		NW		IRR	19.0
			SW		NW		IRR	2.6
			SE		NW		IRR	22.4
			NE		SW		IRR	3.5
			NW		SE		IRR	0.5
							Section Acres	70.8
15N	19E	35	SW		SW		IRR	7.6
			SE		SW		IRR	2.4
							Section Acres	10.0
							Total Acres	80.8

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGE 6/26/95. jr

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

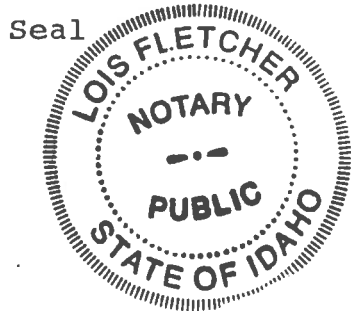
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Harriet Maye Henden Date: 3/2/99

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 2 day
of March 19 99 Lois Fletcher
Notary Public



Residing at Challis, ID
My Commission Expires 6-23-99

Notice

✓ I the undersigned citizen of the United States claim fifteen hundred (1500) inches of the flow of Salmon River for agricultural purposes. Said water to be taken from the River at the place where this notice is posted, being on the E. side of Salmon River, about two (2) miles from Colvins Bridge in Round Valley Co. County Idaho. — I also claim the right of way for a ditch ten (10) feet wide to carry said water from this point to a tract of land lying about one half (1/2) mile west from this notice, being Desert Land Entry No 24.

Dated Round Valley Co. Idaho } Wm J. Stethem
County Idaho May 21st 1884 }

Recorded at the request of Wm Stethem June 1st 1884
at 7. O'clock A.M. in Book 4 of Water Claims Page 7.
E. C. Whitsett
County Recorder

✓ I the undersigned citizen of the United States claim twelve (12) days of water to be taken from Junction Creek for irrigating and other purposes, it lying 2 miles north from Lost River, these streams flowing through ranches now claimed and held by J. Dodge and J. M. Franklin and F. Little

County of Idaho
County of Lincoln

I, J. M. Franklin do solemnly swear that I am acquainted with the water privilege and location described in the notice of Location heron and according to the best of my knowledge and belief that the same has never before been located, subdivided and secured before me J. M. Franklin this 12th day of April 1884

E. C. Whitsett Co Recorder

By J. H. Burnett Deputy J. S. R. R.
Filed for record with this office April 12th 1884 at 4 = 20 P.M.
and duly recorded in Book 4 of Water Rights Page 77.
E. C. Whitsett County Recorder



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 KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 24, 1999

HARRIET HENDERSON
PO BOX 645
CHALLIS ID 83226

RE: 72-10150

Dear Harriet,

This letter is in response to your recent inquiry as to the recommended priority date for this right out of the Salmon River.

The evidence you submitted would allow the priority date of May 21, 1884. I recommended the claimed May 1, 1890 date as I could not recommend earlier than was claimed. If you wish to pursue the earlier priority date, you must file an OBJECTION and a STANDARD FORM 4 (SF4), MOTION TO FILE AN AMENDED NOTICE OF CLAIM, with the SRBA Court in Twin Falls. I have enclosed copies of each to be filed with the court as per the instructions on the forms.

While preparing a draft of the AMENDED CLAIM showing the earlier priority date, I changed the acres in the claimed Place of Use to agree with those in my Recommendation. In doing so, I noticed that I had made an error in that Recommendation. The acres in Section 2 should all have been in Township 14 North, Range 19 East but I put the "3" acres in the SENE in Township "15" North, Range 19 East.

When you file your Objection, if you OBJECT to the PLACE OF USE along with the PRIORITY DATE, we can correct both problems at the same time.

Please look over the AMENDED CLAIM carefully and if you agree with the amended version, sign, have notarized and include it with the SF4 and OBJECTION to the court, along with a copy of the old court document you submitted to me.

They will notify you regarding the rest of the process.

If you have any questions, feel free to give me a call at the office or you can contact the SRBA Court with questions at (208) 736-3011.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie', written over a horizontal line.

Jeanie Robertson
Sr. Water Resource Agent

CCPY

on TEMP

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: A72-10150
Date Received: 12/ 1/1989
Receipt No: M005283
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

2. Date of Priority: MAY 21, 1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	2	SE	SE	SW		CUSTER

5. Description of diverting works:
CEMENT HEADGATE, ROCK DAM, OPEN DITCH FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.000		

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

8. Total consumptive use is 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	SW	NE		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
14N	19E	2	SE	NE		IRR	3.0
			NE	NW		IRR	18.8
			NW	NW		IRR	19.0
			SW	NW		IRR	2.6
			SE	NW		IRR	22.4
			NE	SW		IRR	3.5
			NW	SE		IRR	0.5
						Section Acres	70.8
15N	19E	35	SW	SW		IRR	7.6
			SE	SW		IRR	2.4
						Section Acres	10.0
						Total Acres	80.8

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGE 6/26/95. jr

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

RIGHTS FROM: SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 72-10150

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

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/02/1890

POINT OF DIVERSION: T14N R19E S02 SESESW Within CUSTER County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 2.00 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T14N R19E S02 SWNE 1 NENW 18.8 NWNW 19 SWNW 2.6
SENW 22.4 NESW 3.5 NWSE 0.5
s/b 14N T15N R19E S02 SENE 3
S35 SWSW 7.6 SESW 2.4
80.8 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RECEIVED

FEB 04 1999

Department of Water Resources
Southwest Region

Feb 2, 1999

Dear Jeanne,

Thank you for your letter about the corrections, especially the priority date, and acreage.

Thank you so much for all you have done. I was wondering why the priority date of 1890 (as claimed) rather than 1884, which the evidence showed? I guess

I thought if the 1890 date could be changed to 1914 (?) on the evidence that I saw (LeRoy's statement - it seemed a little flimsy), why wouldn't it be changed to 1884 with the evidence of the courthouse record? It's possible that LeRoy didn't

(or whoever made the claim), didn't know to look in the courthouse. I wouldn't have either if it hadn't been for Doug's timely suggestion.

I guess this was the only question I still had. Thank you again for your good work (and the others in your office). I still have the letter I wrote after the last meeting here - it seemed rather gushy, so I thought I'd send it after all this is over. Does that seem more appropriate to you?

Sincerely, Harriet
Henderson

P.S. Sorry it took so long to get back to you.
H.



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 KEMPTHORNE
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

RIGHT NUMBER: 72-10150

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

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.00 CFS

PRIORITY-DATE: 05/02/1890

POINT OF DIVERSION T14N R19E S02 SESESW Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
 IRRIGATION 04-01 10-31 2.00 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

T14N R19E S02	SWNE 1	NENW 18.8	NWNW 19	SWNW 2.6
	SENE 22.4	NESW 3.5	NWSE 0.5	
T15N R19E S02	SENE 3			
S35	SWSW 7.6	SESW 2.4		
80.8 ACRES TOTAL				

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

DATE: 01/13/99
PAGE: 1

TOTAL DIVERSION: 2.00 CFS

Stage: BENEFICIAL USE

CUSTER County

NE-

TOTAL ACRES

Other Rights: NONE

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.

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

User-ID: WORSTELL Subject: COPIED FROM REMARKS

AJ0749NP
No. R72-10150

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

DATE: 01/13/99
PAGE: 2

Comments:

Date: 02/16/1993 User-ID: WORSTELL Subject: COPIED FROM REMARKS
CURRENT ADDRESS (1989) IS P.O. BOX 645, BATTLE MOUNTAIN, NEVADA
89820.

Date: 06/26/1995 User-ID: JROBERTS Subject: OWNERSHIP CHANGE
Form received 6/26/95, original owner Beth Stephens - new owners
Alan and Harriet Henderson. Copy of Warranty Deed submitted with
form. A72-10150 also changed. 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: 01/12/1999 User-ID: JROBERTS Subject: CHANGED PRIORITY AND POU
PER NOE AND EVIDENCE SUBMITTED, ALLOWED PRIORITY DATE AS CLAIMED
OF MAY 2, 1890 AND ADDED ADDITIONAL ACRES.

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: 72-10150

ALAN HENDERSON
HARRIET HENDERSON
PO BOX 645
CHALLIS ID 83226

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):

priority date
acreage irrigated

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

move priority date to before 1900
area by ditch included

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

property is homesteaded + historical use
dates from before 1900
area by ditch has been included all
along.

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

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

Harriet Magee Henderson
PO Box 645
Challis ID 83226-0645



State of Idaho
Dept. of Water Resources
1341 Fillmore St. Suite 200
Twin Falls, ID 83301-3380

attn: Jennie Robertson



Please help me PREVENT FOREST FIRE

RECEIVED

DEC 24 1998

Department of Water Resources
Southern Region

Dear Jeannie,

2 was able to find this reference to a use of water at the across-the-river site we are talking about. The lady at the courthouse said 2 was "lucky" to have found anything! There was another reference to the same piece at about 1900 (or 1897). Do you

Notice

RECEIVED

DEC 24 1998

77

Department of Water Resources
Southern Region

I the undersigned Citizen of the United States
claim fifteen hundred (1500) inches of the water
of Salmon River for agricultural purposes. Said
water to be taken from the River at the place
where this notice is posted, being on the East
Side of Salmon River, about two (2) miles north
from Colvins Bridge in Round Valley Buster
County Idaho. — I also claim the right of
way for a ditch ten (10) feet wide to carry
said water from this point to a tract of
land lying about one half (1/2) mile north
from this notice, being Desert Land Entry
to 24.

Dated Round Valley Buster } Wm J. Stethem
County Idaho May 21st 1884 }

Recorded at the request of Wm Stethem June 1st 1884
at 9 o'clock A.M. in Book A. of Water Claims Page 77
E. C. Whitsett
County Recorder.

Waterloo Buster Co. April 12th 1884

Be it known to all persons that the undersigned
have this 12 day of April located and claim 1500
hundred inches of water to be taken from Junction
Creeks for irrigating and other purposes, it lying
2 miles north from Lost River, these streams run-
ning through Ranches now claimed and held by
J. Douglas and J. M. Franklin and F. Little

County of Idaho
County of Waterloo

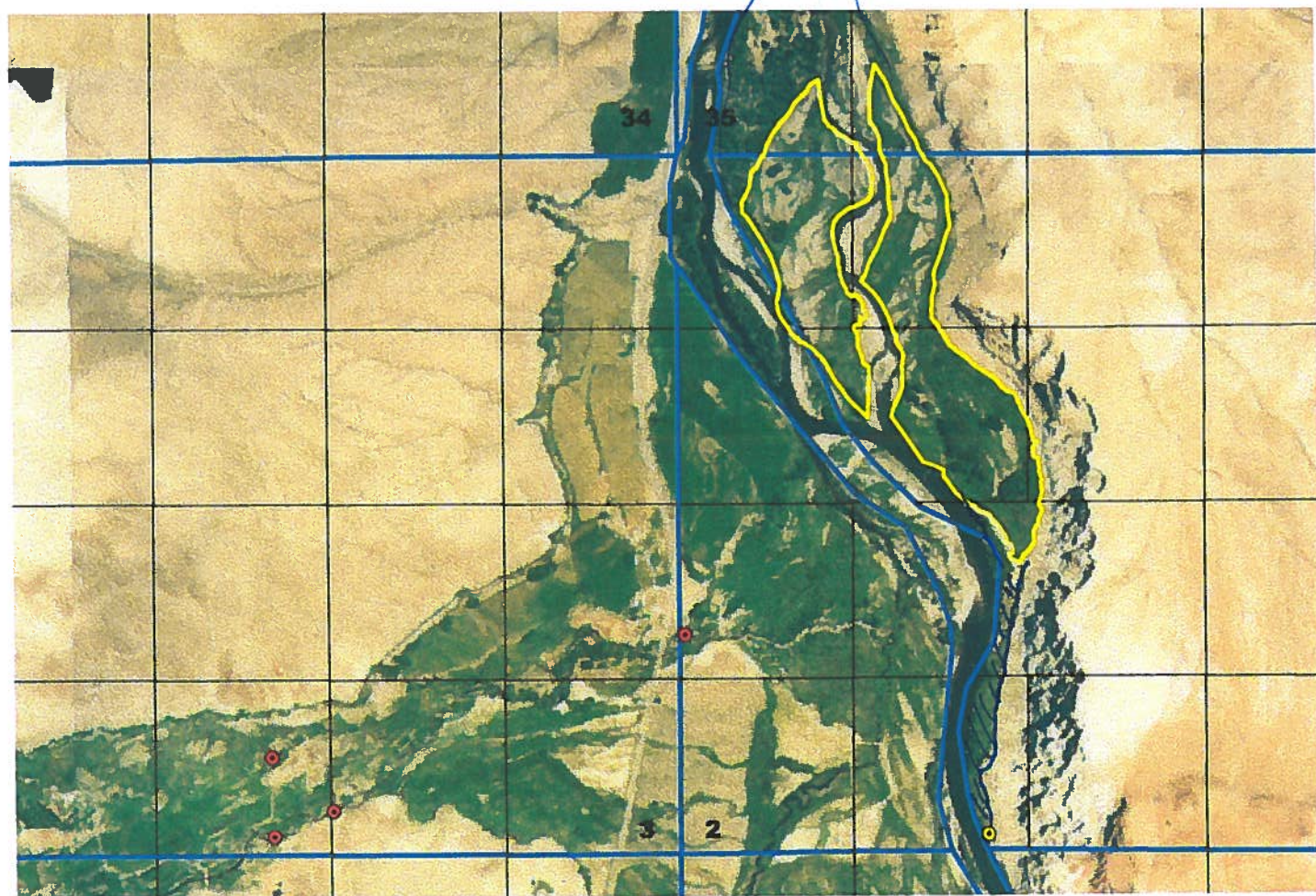
J. M. Franklin do solemnly swear
that I am acquainted with the water privilege and
location described in the notice of Location herewith
and according to the best of my knowledge and be-
lieve that the same has never before been located
subscribed and sworn to before me by J. M. Franklin
this 12th day of April A.D. 1884

E. C. Whitsett Co Recorder

By J. H. A. Burnett Deputy of Recorder
Filed for record in this office April 12th 1884 at 4-20 P.M.
and duly recorded in Book A. of Water Rights Page 77,
E. C. Whitsett County Recorder

IDAHO DEPARTMENT OF WATER RESOURCES

72-10150



0 660 1320 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON OCT. 19, 1998
TWP 14N, 19E, SEC. 2
TWP 15N, 19E, SEC. 35



-  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

DATE: 11/17/98
PAGE: 1

Stage: BENEFICIAL USE

CUSTER County

MM

TOTAL ACRES

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

Presumption Flag:

CLAIM NUMBER

72-1015D

DATE

10/19/98

TRANSFER NUMBER

AGENT

J

CLAIMED ACRE TOTAL

82.5

GIS ACRE TOTAL

70

	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					20	18	2	32	3								70
GIS	14N	19E	2			1		14.5	19	3	22	2					1			62.5
RECOM	14N	19E	2			1		14.5	19	3	22	2					1			
								19												
CLAIM	15N	19E	35											7.5						7.5
GIS	15N	19E	35											4.4	3.1					7.5
RECOM	15N	19E	35											4.4	3.1					7.5
														2.5	2.4					10
CLAIM														7.6	2.4					
GIS																				
RECOM																				

↑
data entered as
15.0 ac

B72-DBPOU.SHP

SHAPE NOS.

247 = 41 Ac

(54 Ac.)

248 = 29 Ac

(26 Ac.)

Master updated
1-19-99
J

B72-DBPOD.SHP

NOS. DESCRIPTION

136 14N, 19E, 22 SESESW

11-16-98
J

DBF TABLES UPDATED

B72-DBPOU.DBF

✓

B72-DBPOD.DBF

✓

can you access through
the bridge where cattle
cross

Harriett

Claim states there is a
"cement head gate, rock
dam, open ditch flood
irrigation" affidavits also

Bob W has made statements
that he found no such
things - have you?

Don't necessarily need permit
from us, if you're cleaning
ditches to maintain a valid
water right? is it?

Bob Foster should look at each
with you & take some photos
so we can make a decision

need to have approval of Corp of Eng
& marine fisheries though

6/13/5-
Harriet Henderson -

- just irrigating out of Creek
right now, not River
- Stephens have no more W.R. out
of River
 - crummy, old granary bldg. by
entrance road - with mailbox
about noon

may have to come back later
cause place is 300 Ac. and
they are just ^{now} ~~not~~ getting to
know the place & where things
are - have to have boat to
get to some of it - cattle
will be there later this
summer when things dry
out —

* A72-10150 - out of Salmon R. for
82.5 Ac.

Henderson's

6, 29/95
by Bob Foster

2.73 cfs diversion right out
of Challis Creek

nothing coming out of culvert

- will send picture & copy of
his measurements.

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-10150

DATE: 11/17, 1998

REVIEWED BY [Signature]

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
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
BC1	5.82	?	41	.16	= 6.56 CFS
Q	13.2	?	29	.26	= 7.54 CFS
					= CFS
					= 14.1 CFS Total

TOTAL ACRES 70

DECREED RATE =

CLAIMED DIVERSION RATE = 2 cfs

MEASURED DIVERSION RATE =

rev. as claimed



OLD
ONE
(has been
replaced)

4.4

1.4

3

1.13

18.51

13.07

5.38

2.84

13.4

21.15

9.4

2.21

5.55



15N 19E Sec 35 SW $\frac{1}{4}$ 7 $\frac{1}{2}$ AC A72-10150
14N 19E Sec 2 NW $\frac{1}{4}$ 75 AC

Tim Freeman Cont

8/12/93

Above
RD. 12 hr sets
10 days to 2 weeks -

Below RD 1 week - to 2 weeks -

East of River at least 8 days

from Bob's
notes in
Stephens/Henderson
claims

A47-12444 DAN

6/9/94

COMMUNICATION DOCUMENTATION

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

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

CUSTOMER

November 13, 1995 4:12pm **HARRIET HENDERSON A72-10150**

SUBJECT: CLEANING HER DITCHES

phone call (X) walk-in (.)

She needs to clean out her ditches for this piece of property on the other side of the Salmon River and wondered if she needed a permit? I talked to Terry Blau and he said if it was a valid water right she was maintaining ditches for, she would be exempt from the permit. My problem was that according to Bob Worstell's notes and photos, the water right was questionable. He found no diversion structure and said the channels were very poorly maintained. I've not seen the P/U yet so was uncomfortable making any decisions about it. Called Harriet back and she said there definitely was a diversion structure and ditch system, way above her property on the neighbors' place. Maybe Bob W. didn't go far enough and missed it. Decided to Have Bob Foster of our Salmon office meet with her and take a look. He will call her and try to arrange a meeting later this week and will take some pictures and see what she wants to do and where. He can then decide if a permit is required. I also suggested she contact the Army Corps of Engineers and the fisheries people to make sure there are no spawning beds she could possibly be endangering or destroying, although Bob Foster didn't think that was a problem for her area - but he will look at that also...

November 20, 1995

Bob Foster called today to say he had been to look at the headgate and ditch and there definitely was a diversion structure and ditch which had been used fairly recently. He felt the work she intended to do would be exempt from a permit and the place they intended to cross was not a spawning area.

R PROOF

✓

CVR

✓

MAPS

PHOTOS

✓

MISC

MICROFILMED

MAR 18 1993

7-10-88

100

Dist

34

3

2

34

2

100

LENS 124306

14

100

22

7-10-88

2

LENS 124308

14/5
21 22



72-10150



R21-11
10/1/93

Conveyance channel from Salmon River to claimed place of use has not been maintained. It is restricted by boulders from the hillside and overgrown with brush.

72-10150



R21-10
10/1/93

No diversion structure in Salmon River at P/D
of claim



R21-
10/1/93

No control structure to regulate diversions
from the Salmon River

Roll # 21

Photo ~~29~~ Lee Roy Stephens Div pt From Salmon River
Rock Check ^{Wing} Dam has washed out
No Control Structure or Measuring Device
10 AT Diversion Point - View upstream
of Salmon River - Source

11 Large Boulders in Div. Channel
essentially blocking it



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

20-Sep-1993

MR LEE ROY STEPHENS
P O BOX 645
BATTLE MOUNTAIN NV 89820

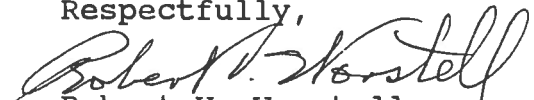
Re: Adjudication Claim A72-10150 - Field Examination

Dear Mr Stephens:

I can meet with you on Friday, October 1 as you proposed in your letter of September 6. Can we meet at 8:00 am at your home north of Challis Creek on the Challis to Salmon highway? This is the last day I am scheduling work in the Challis Creek area for these reviews. I have planned another review for that Friday in the afternoon.

Contact me if this time and place is not convenient for you.

Respectfully,


Robert V. Worstell
Sr. Adjudication Agent

September 6, 1993

RECEIVED

SEP 09 1993

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources
Southern Region
222 Shoshone St. East,
Twin Falls, Idaho 83301

Robert V. Worstell
Sr. Adjudication Agent,

Dear Sir;

In regards to your letter to me dated September 2, 1993.
I will be in Challis Idaho from September 29, (9-9-93) to
October 2, 1993 (10-2-93). It would be convenient for me to meet with
you October 1, 1993 (10-1-93) for the purpose of guiding you to the
property you wish to view.

Due to the responsibilities I have in Nevada, this will be the
earliest date I could meet with you.

I hope this will be convenient for you also.

Respectfully,



LeeRoy Stephens,
Land Owner,
H/C 62 Box 3028
Challis, Idaho 83226

(702) 635-5772

called 9/14/93 6:40 PM no answer



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

02-Sep-1993

MR LEE ROY STEPHENS
P O BOX 645
BATTLE MOUNTAIN NV 89820

Re: Adjudication Claim A72-10150 - Field Examination

Dear Mr Stephens:

I am reviewing your adjudication claims for irrigation of your property north of Challis, ID. I have contacted Tim Freeman who is managing and irrigating your property while you are living in Nevada. He has given me information on how the fields that are irrigated with Challis Creek water are being handled and it generally relates well to the available aerial photos, maps and field exams of your claims. However I have been unable to make a field examination of your claim (A72-10150) for irrigation of 82.5 acres of pasture land that lies east of the Salmon River channel-mostly in Section 2 and using Salmon River water as the source. Tim said I could go about 1 and 1/2 miles downstream to a steel bridge to cross over the river and return on the east side back upstream to reach these pasture lands. I crossed the bridge but found no road or trail leading back upstream to the fields of your claim. It is necessary that these claims be field examined by Department of Water Resources people for verification of water application before they can be recommended to the Court.

Will you please tell me how I can get to this property to make the required examination? We are expecting to complete these field examinations within a month so a prompt reply is needed.

I plan to be working in the Challis area during the week of September 13 and following.

Contact me at our office if you need further assistance.

Respectfully,


Robert V. Worstall
Sr. Adjudication Agent

Sent to 2 addresses



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

02-Sep-1993

RECEIVED

SEP 07 1993

MR LEE ROY STEPHENS
~~P O BOX 645 HC 61 Box 3028~~
~~BATTLE MOUNTAIN NV 89820~~
~~CHALLIS ID 83226~~

Department of Water Resources
Southern Region Office

Re: Adjudication Claim A72-10150 - Field Examination

Dear Mr Stephens:

I am reviewing your adjudication claims for irrigation of your property north of Challis, ID. I have contacted Tim Freeman who is managing and irrigating your property while you are living in Nevada. He has given me information on how the fields that are irrigated with Challis Creek water are being handled and it generally relates well to the available aerial photos, maps and field exams of your claims. However I have been unable to make a field examination of your claim (A72-10150) for irrigation of 82.5 acres of pasture land that lies east of the Salmon River channel-mostly in Section 2 and using Salmon River water as the source. Tim said I could go about 1 and 1/2 miles downstream to a steel bridge to cross over the river and return on the east side back upstream to reach these pasture lands. I crossed the bridge but found no road or trail leading back upstream to the fields of your claim.

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Respectfully,


Robert V. Worstall
Sr. Adjudication Agent

Water Right Number - R72-10150

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - + + - - - - - Address - - - - -
 *** C - CURRENT OWNER ***
 STEPHENS LEEROY
 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

BETH N.

State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - Status - - - +
 04/15/1918 17 SOUTHERN J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - -
 Twn Rng Sec Tract Lot Rflg County
 14N 19E 2 NE SE SW (37) CUSTER

+ - - - - Water Use - - - - -
 Code Description Period From Period To Diversion Rate Diversion Volume
 01 - IRRIGATION 04/15 10/15 2.000
 + - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
 2.000 206.2

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	19E	2	NE NW		20.0	01	IRRIGATION	(37) CUSTER	
14N	19E	2	NW NW		18.0	01	IRRIGATION	(37) CUSTER	
14N	19E	2	SE NW		2.0	01	IRRIGATION	(37) CUSTER	
14N	19E	2	SE NW		32.0	01	IRRIGATION	(37) CUSTER	
14N	19E	2	NE SW		3.0	01	IRRIGATION	(37) CUSTER	
15N	19E	35	SW SW		7.5	01	IRRIGATION	(37) CUSTER	

Total Acres: 82.5

+ - - Diversion Means - CEMENT HEADGATE, ROCK DAM, OPEN DITCH FLOOD IRRIGATION

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

MICROFILMED
 MAR 18 1993

Water right number - R72-10150

Prefix Translation: RESEARCH

Remarks - - - - -
No Remarks found.

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

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

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

Comments - - - - -
Date: 02/16/1993 User Id: WORSTELL Subject: COPIED FROM REMARKS
CURRENT ADDRESS (1989) IS P.O. BOX 645, BATTLE MOUNTAIN, NEVADA 89820.

Audit Fields - - - - -
02/16/93 WORSTELL

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
POU Ownership Flag - M005283 Water District -
Receipt Number - Y Federal/State Indicator - S
Name Connector - OR Presumption Flag -
Notice of Error Flag -

MICROFILMED
MAR 18 1993

Water Right Number - R72-10150

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

*** O - ORIGINAL OWNER ***
STEPHENS

LEEROY

City- CHALLIS
Phone - 208-879-4563
1 - HC 61 BOX 3028
2 -
3 -

State- ID Zip- 83226

STEPHENS

BETH N

City- CHALLIS
Phone - 208-879-4240
1 - HC 61 BOX 3028
2 -
3 -
City- CHALLIS
Phone - 208-879-4240

State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/15/1918 17 SOUTHERN J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
14N 19E 2 NE SE SW (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 2.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.000 206.2

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
14N 19E 2 NE NW 20.0 01 IRRIGATION (37) CUSTER
14N 19E 2 NW NW 18.0 01 IRRIGATION (37) CUSTER
14N 19E 2 SW NW 2.0 01 IRRIGATION (37) CUSTER
14N 19E 2 SE NW 32.0 01 IRRIGATION (37) CUSTER
14N 19E 2 NE SW 3.0 01 IRRIGATION (37) CUSTER
15N 19E 35 SW SW 7.5 01 IRRIGATION (37) CUSTER

Total Acres: 82.5

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

[illegible]

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

06/26/95 JROBERTS

Court Report Filing		Adjudication Rights Dates and Flags Area		Civil Case Number		
Objection Filed Date	00/00/0000	Field Inspection Made	00/00/0000	Old Case Number		39576
Response Filed Date	00/00/0000	Field Inspection Flag		Old Judicial District		
Claim Received Date	12/01/1989	Verified Date	00/00/0000	Temporary Right		P
		Last Amended Date	00/00/0000	Water District		
		Receipt Number	M005283	Federal/State Indicator		S
		POU Ownership Flag	Y	Presumption Flag		
		Name Connector	AND	Notice of Error Flag		



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
11 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

ADDRESS SERVICE REQUESTED



Photos



A AT PLAT# 4 A72-10150 VOLUNTARY DATE: 05-02-1990 CHARGE: T

B NO RECORD: NO WATER DEBIT DEPOSIT TO WATER FUND AT PLAT#

C WATER DEBIT DEPOSIT? EVIDENCE

DATE TO DEPOSIT DATE INFORMATION? (Y/N) Y

ADD OTHER DEBITING DEPOSITS TO DEPOSIT THE DEPOSIT DATE PLAT# V / 31/1

DEMAND:

2 affidavits of evidence of priority have been submitted.
Elmer Stephens stated that he has been personally familiar with the irrigation of this property from as early as 1918 and his father and uncles had told him the irrigation of the lands occurred as early as 1900 or before.
Ralph Hutchison stated his knowledge of the irrigation of the property extends back to 1926.

DEPOSITION DATE:

DEPOSITION BY

4-15-1918 S. V. H.

DATE

2/16/93

A AT PLATE DATED BY HYPERSTON AND SQUERRE

DATE: 1/1 1/1 1/1 1/1

PLATE: 1/1 1/1 1/1 1/1

PLATE: 1/1 1/1 1/1 1/1

PLATE: 1/1 1/1 1/1 1/1

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PLATE: 1/1 1/1 1/1 1/1

PLATE: 1/1 1/1 1/1 1/1

Α. ΔΙ ΓΙΑΤΗΝ ΗΣΕΣ:

ΔΙΠΡΟΣΕΣ
ΑΠΟΛΟΓΟΣ ΤΡΟΧΑΙΟΝ

ΜΟΝΗ/ΗΑΥ
ΣΕΡΑ 02-01 ΤΗ 11-01

ΤΟΤΑΙ ΗΤΙΠΕΣΤΟΝ ΔΑΤΕ/ΗΟΤΙΜΕ ΓΙΑΤΗΝ

ΗΤΙΠΕΣΤΟΝ ΠΙΔΑΠΠΕΤΥ
0 000 ΡΕΣ
0 000 ΡΕΣ

Β. ΗΣ ΔΕΠΡΕΣΤΟΝ ΗΣΕΣ:

ΕΠΙΠΡΟΣΕΣ

ΜΟΝΗ/ΗΑΥ

ΗΤΙΠΕΣΤΟΝ ΠΙΔΑΠΠΕΤΥ

ΠΡΟΠΟΙΝΔΤΟΝ ΕΥΛΟΣ:

ΕΥΛΟΣ Η ΕΥΛΟΣ ΕΠΙΠΡΟΣΕΣ

ΠΑΤΡΑΔΟΣ ΕΥΛΟΣ

ΗΜΕ ΤΟ ΠΑΤΡΟΣ-ΗΜΕ ΗΤΙΠΡΟΣΕΣ
ΗΜΕ ΤΟ ΗΤΙΠΡΟΣΕΣ ΠΑΤΡΟΣ ΗΤΙΠΡΟΣΕΣ
ΗΜΕ ΤΟ ΕΥΛΟΣ ΕΥΛΟΣ/ΤΟ ΗΤΙΠΡΟΣΕΣ

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(Υ/Ν)

Υ
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Υ

Γ. ΕΥΛΟΣ ΗΣ ΗΣΕΣ:

ΕΥΛΟΣ ΗΣΕΣ ΔΕ ΓΙΑΤΗΝ

ΕΥΛΟΣ ΗΣΕΣ ΤΟ ΗΣ ΕΥΛΟΣ ΗΣΕΣ ΗΣ ΕΥΛΟΣ

ΕΥΛΟΣ ΗΣΕΣ:

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New standard period of use.

1. TWO-STEP WAVE
 WAVE
 (TWO-STEP WAVE)

WAVE/UNITIME CALCULATION WAVE/UNITIME WAVE/UNITIME

ALL THE WAVE/UNITIME WAVE/UNITIME WAVE/UNITIME WAVE/UNITIME WAVE/UNITIME

2. TWO-STEP WAVE/UNITIME WAVE/UNITIME

WAVE/UNITIME WAVE/UNITIME WAVE/UNITIME WAVE/UNITIME WAVE/UNITIME

WAVE/UNITIME WAVE/UNITIME WAVE/UNITIME WAVE/UNITIME WAVE/UNITIME

WAVE/UNITIME WAVE/UNITIME WAVE/UNITIME WAVE/UNITIME WAVE/UNITIME

3. TWO-STEP WAVE/UNITIME WAVE/UNITIME

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4. TWO-STEP WAVE/UNITIME WAVE/UNITIME

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WAVE/UNITIME WAVE/UNITIME WAVE/UNITIME WAVE/UNITIME WAVE/UNITIME

2.5

W/A

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DEPDATE

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DEPDATE

Irrigation

4/15 10/15

TOTAL END DATE PTH

DEPDATE BY:

DATE:

4. CREDIT BALANCE STATEMENT TOTAL ADD V.

UNRECORDED
CREDIT/DEBIT
AMOUNT

ACCEPTED
AS PAYMENT
/ /
/ /
/ /

5. CREDIT BALANCE STATEMENT

DATE STATEMENT NUMBER: 77-10150

DATE

PAYMENT

TOTAL CREDIT STATEMENT NO. 10150

RPC

N/A

CREDIT

DATE STATEMENT

NUMBER

DATE

NUMBER

DATE

NUMBER

DATE

77-10150

7.000

-

TOTAL, RPC

7.000

UNRECORDED DATE STATEMENT

ON THE CREDIT STATEMENT OF THE CREDIT BALANCE STATEMENT FOR DATE (Y/M)

DATE

NUMBER

UNRECORDED

UNRECORDED DATE STATEMENT

UNRECORDED

DATE

UNRECORDED DATE STATEMENT

DATE

