

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: A61-00308

Date Received: 11/21/1989

Receipt No: W0866762

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PETER BATRUEL 208-366-2375
Address: RT. 1 BOX 426
GLENN'S FERRY, ID 83623-0000
OR
Name: PAUL BATRUEL 208-366-2375
Address: RT. 1, BOX 426
GLENN'S FERRY, ID 83623
OR
Name: MARY BATRUEL 208-366-2375
Address: RT. 1, BOX 426
GLENN'S FERRY, ID 83623

2. Date of Priority: AUG 07, 1895

3. Source: LITTLE CANYON CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	10E	9	SW	NE			ELMORE

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DIVERSION TO STORAGE	11/01	06/01	200.000		
IRRIGATION STORAGE	11/01	06/01			700.00
IRRIGATION FROM STORAGE	04/01	11/01			700.00

7. Total Quantity Appropriated is:
200.000 C.F.S. (and/or) 700.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

A61-00308

Page 1

Date: 11/21/89

RECEIVED
NOV 11 1989

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	09E	12	NW	SE		IRR	5.0
			SW	SE		IRR	6.0
					Section Acres		11.0
		13	NW	NE		IRR	1.0
			SW	NE		IRR	25.0
			SE	NE		IRR	12.0
			NE	NW		IRR	20.0
			NW	NW		IRR	1.0
			SW	NW		IRR	2.0
			NE	SE		IRR	37.0
			NW	SE		IRR	16.0
	10E	13	SE	SE		IRR	10.0
			SE	NW		IRR	22.0
					Section Acres		146.0
		18	SE	NW		IRR	26.0
			NW	SW		IRR	30.0
			SW	SW		IRR	38.0
			NE	SE		IRR	12.0
			NW	SE		IRR	35.0
					Section Acres		141.0
					Total Acres		298.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
CLAIM NO. A61-02055.

14. Remarks:

DESC. OF DIVERTING WORK - DIV. DAM IN CREEK(SWNE, SEC. 9) TO PIPE INTO DITCH 15 MILES LONG TO MORROW RES. DAM IS 24' HIGH WITH A CAPACITY OF 700 AF IN THE NESW, SEC. 12. DIV. VIA DITCHES - 1 INTO SAND SPRINGS GULCH & 1 TO SOME IRRIGATED LAND FOR SPRINKLER AND FLOOD IRRIGATION.

15. Basis of Claim: DECREED

A61-00308

Page 2

Date: 11/21/89

NOT FILED

AUG 11 1992

Case Number:
Court :
Decree date:

CHARLES E. CORKER
Decree Plaintiff

vs T. H. ANTHONY ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: 4 - -

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): Sharyn Bateman Date: Nov. 21-89
Date:

State of Idaho)
County of ADA) ss.

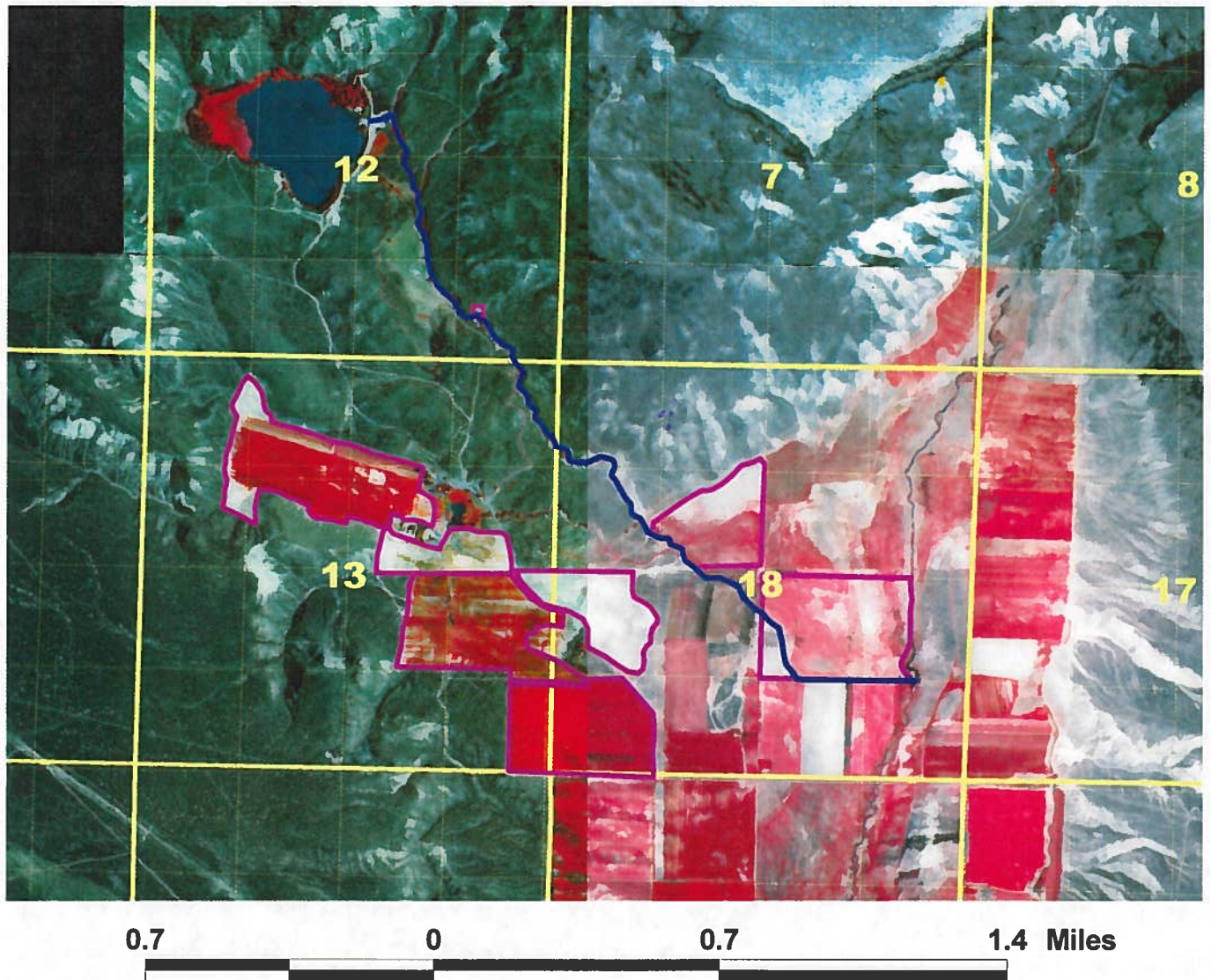
Subscribed and sworn (or affirmed) before me this 21ST day
of November 19 89

Seal

Jan Shurtz
Notary Public

Residing at Meridian ID
My Commission Expires 9-14-94

Claim No. 61-00308 Batruel Dairy



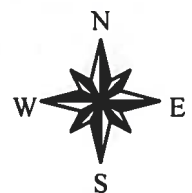
T05S R09E and R10E

GIS PRESENTATION

1987 AND/OR 1988 NAP PHOTOGRAPHY

LAYOUT CREATED BY ROXANNE BROWN FEBRUARY 24, 2000

-  Sand Springs Gulch
-  Pond diversion
-  Batruel ditch
-  61-00308

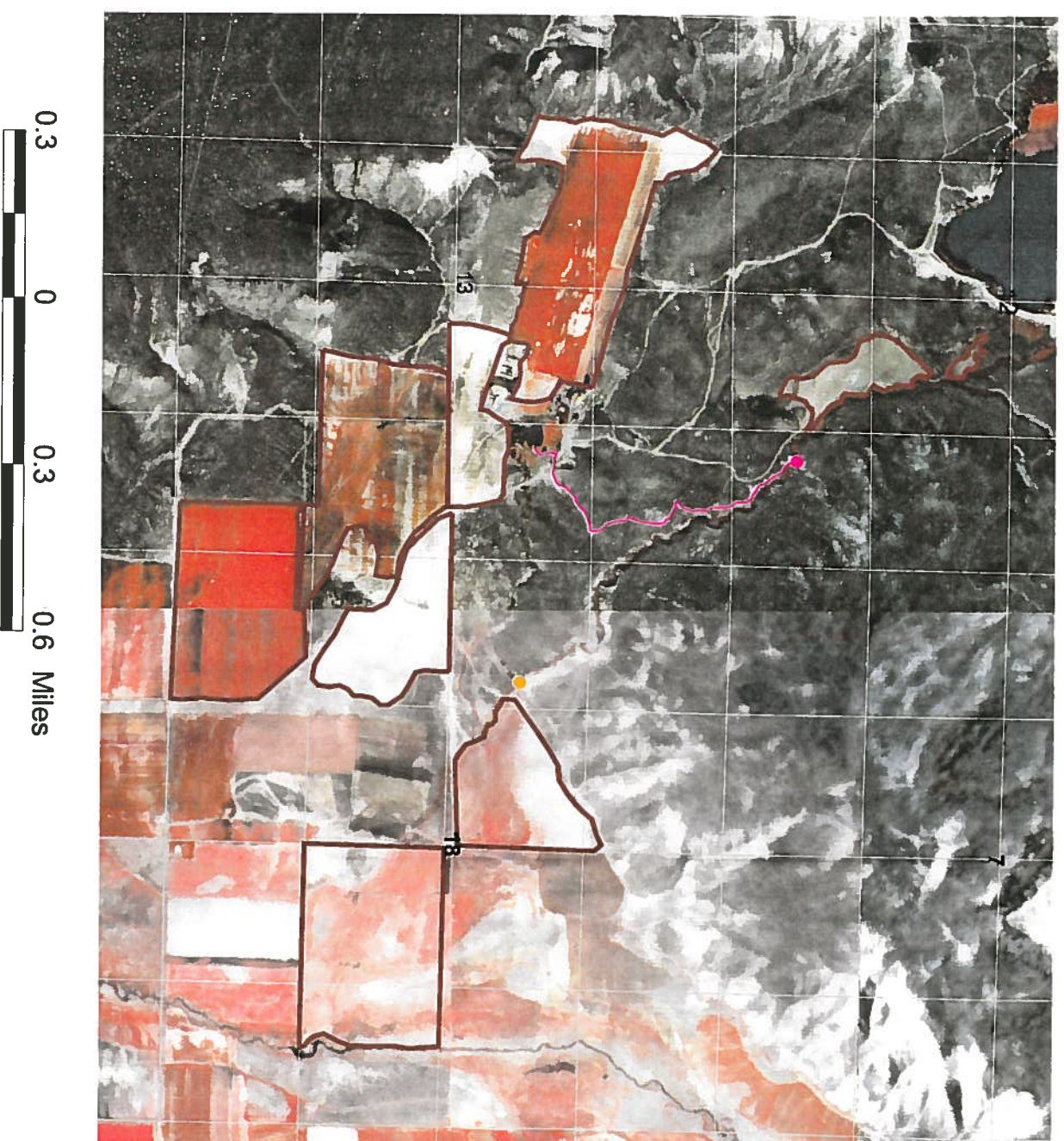


Claim Nos.: 61-00308 and 61-10834 Batrueel

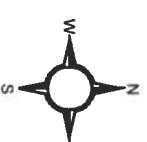
Idaho Department
of Water Resources

T04S R09E and R10E
T05S R09E

Prepared by: Roxanne Brown
December 10, 1998



61-00308 and 61-10834
50-50 diversion
Pond diversion
Batrueel ditch

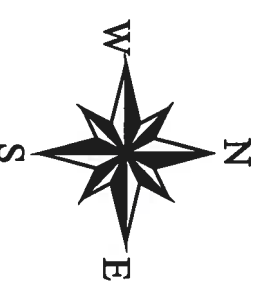
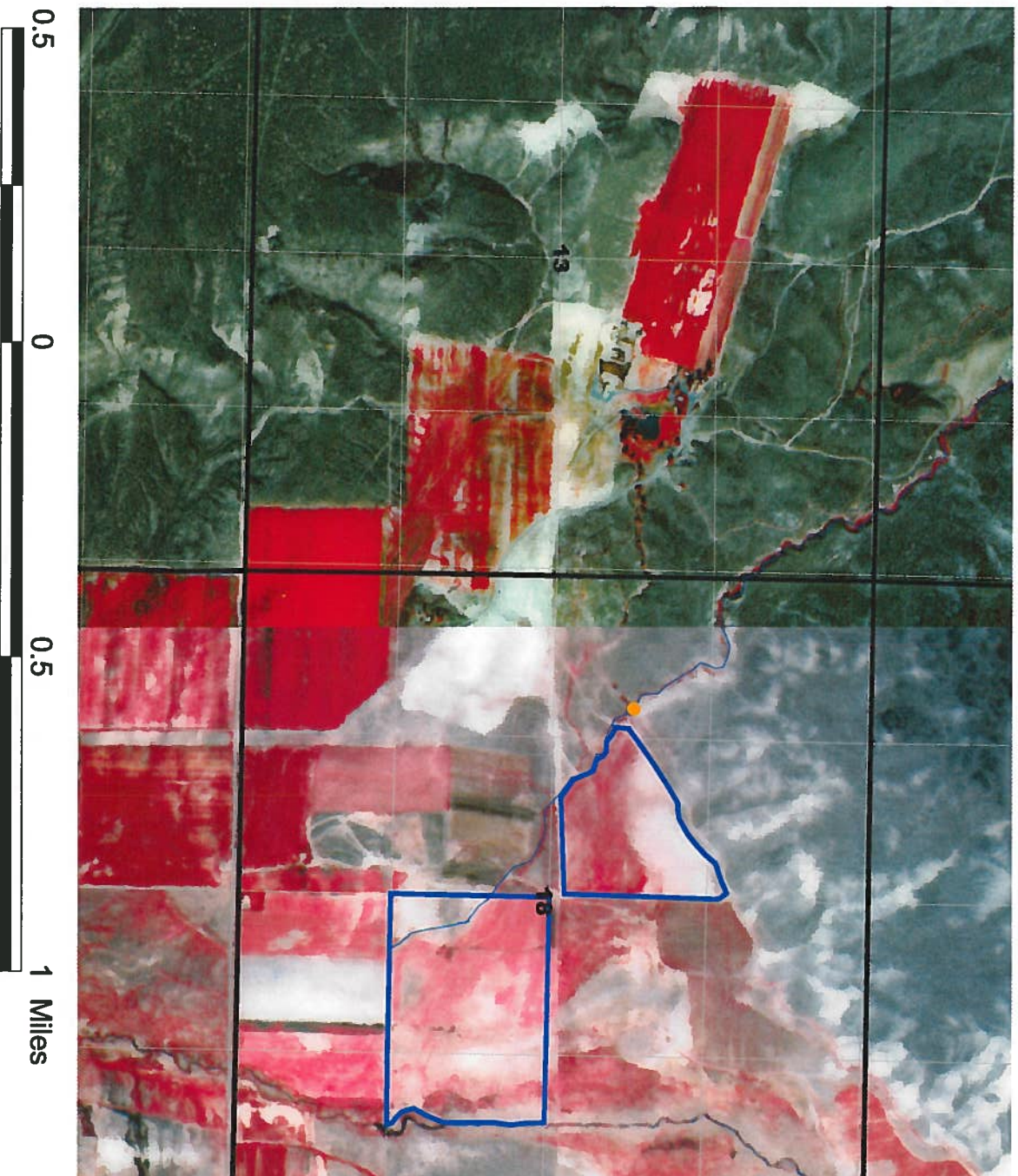


Water Right No. 61-00303B and 61-00304B

T05S, R10E

Map Prepared February 26, 1999
By Roxanne Brown for the
Dept. of Water Resources

50-50 diversion
Sand Springs Gulch
61-00303B



Water Right Number - R61-00308

Prefix Translation: RESEARCH

Old (D) Number -

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

BATRUEL

PETER

1 - RT 1 BOX 426
2 -
3 -

State- ID Zip- 836230000

BATRUEL

PAUL

City- GLENN'S FERRY
Phone - 208-366-2375
1 - RT 1 BOX 426
2 -
3 -

State- ID Zip- 83623

BATRUEL

MARY

City- GLENN'S FERRY
Phone - 208-366-2375
1 - RT 1 BOX 426
2 -
3 -

State- ID Zip- 83623

*** O - ORIGINAL OWNER ***
HERRON

ISAAC

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

State- ID Zip- XXXXX

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
08/07/1895 14 WESTERN D - DECREED

+ - - Source - - - - - + - - - - - Tributary - - - - - +
LITTLE CANYON CREEK SNAKE RIVER

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

04S 10E 9 NE NW NE (39) ELMORE

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

55 - DIVERSION TO STORAGE 11/16 03/14 200.000
02 - IRRIGATION STORAGE 01/01 12/31 700.00
03 - IRRIGATION FROM STORAGE 03/15 11/15 700.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
200.000 700.00 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
05S 09E 12 SW NE 02 IRRIGATION STORAGE (39) ELMORE
05S 09E 12 SW NW 02 IRRIGATION STORAGE (39) ELMORE
05S 09E 12 SE NW 02 IRRIGATION STORAGE (39) ELMORE
05S 09E 12 NE SW 02 IRRIGATION STORAGE (39) ELMORE
05S 09E 12 NW SW 02 IRRIGATION STORAGE (39) ELMORE

Water right number - R61-00308

Prefix Translation: RESEARCH

Trn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
04S	09E	12	NW SE		5.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	09E	12	SW SE		7.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	09E	13	NW NE		3.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	09E	13	SW NE		24.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	09E	13	SE NE		9.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	09E	13	NE NW		16.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	09E	13	NW NW		5.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	09E	13	SW NW		4.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	09E	13	NE SE		36.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	09E	13	NW SE		16.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	09E	13	SE SE		13.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	10E	13	SE NW		16.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	10E	18	SE NW		28.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	10E	18	NW SW		30.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	10E	18	SW SW		38.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	10E	18	NE SE		17.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
04S	10E	18	NW SE		40.0		03	IRRIGATION FROM STORAGE	(39) ELMORE
Total Acres:					307.0				

+ - - Diversion Means - SEE REMARKS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - CLAIM NO. A61-02055.

POU1
USE OF THIS RIGHT WITH RIGHT NO. 61-10834 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 307 ACRES IN A SINGLE
IRRIGATION SEASON.

+ - - No Old Water Right Numbers Found

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

+ - - Decree Plaintiff - - - +
CHARLES E. CORKER

+ - - Decree Defendant - - - +
T. H. ANTHONY ET. AL.

+ - Decree Date - +
00/00/0000

+ - - Comments-
Date: 11/23/1998 User Id: RBROWN Subject: COPIED FROM REMARKS
DESC. OF DIVERGING WORK - DIV. DAM IN CREEK(SHNE, SEC. 9) TO PIPE INTO DITCH 15 MILES LONG TO MORROW RES. DAM IS 24' HIGH WITH A
CAPACITY OF 700 AF IN THE NESW, SEC. 12. DIV. VIA DITCHES - 1 INTO SAND SPRINGS GULCH & 1 TO SOME IRRIGATED LAND FOR SPRINKLER
AND FLOOD IRRIGATION.

+ - - Audit Fields - - +
11/23/98 RBROWN

RECEIVED

MAR 27 2000

Department of Water Resources

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

In Re SRBA

Subcase 61-00308
(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 Paul V. Batrue

My address is Rt. 1, Box 426, Glenns Ferry, Idaho, 83623

My phone number is: Work (208) 366-7272 Home (208) 366-7272

I am an attorney representing _____

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:

I intend for the Notice of Claim for 61-00308 to accurately reflect the historical beneficial use and to include domestic and stockwater uses which are decreed for this water right.

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

I have attached:

- ☒ An amended Notice of Claim (available from IDWR).

- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Elmore

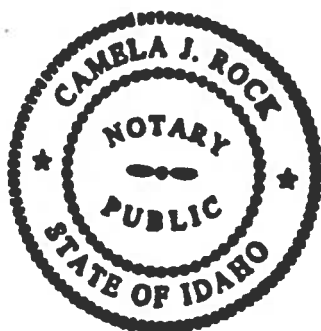
Paul V. Batrue, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

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.

Paul V. Batrue
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on March 24th, 2000.
(Insert Date)



Camela J. Rock
Notary Public for Penner & Fink, Inc.
Residing at: Glenns Ferry, ID 83623
My Commission expires: 04-26-05

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 March 24th, 2000, 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)

USDI, BLM
Represented by:
US Department of Justice
Environment & Natl Resources
550 West Fort Street, MSC 033
Boise, ID 83724


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: A61-00308

Date Received: 11/21/1989

Receipt No: W006762

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: PAUL BATRUEL 208-366-7272
Address: RT 1 BOX 428
GLENNS FERRY ID 83623
OR
Name: MARY BATRUEL 208-366-2375
Address: RT 1 BOX 426
GLENNS FERRY ID 83623
OR
Name: BATRUELS DAIRY 208-366-7272
Address: RT 1 BOX 426
GLENNS FERRY ID 83623

2. Date of Priority: AUG 7, 1895

3. Source: LITTLE CANYON CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	10E	9	NE	NW	NE		ELMORE

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DIVERSION TO STORAGE	01/01	12/31	200.000		
IRRIGATION STORAGE	01/01	12/31			750.00
IRRIGATION FROM STORAGE	03/15	11/15			750.00
STOCKWATER	01/01	12/31	0.020		
STOCKWATER STORAGE	01/01	12/31			14.50
STOCKWATER FROM STORAGE	01/01	12/31			14.50
DOMESTIC	01/01	12/31	0.060		
DOMESTIC STORAGE	01/01	12/31			8.00
DOMESTIC FROM STORAGE	01/01	12/31			8.00

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

750.00 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 300 DAIRY COWS; DOMESTIC 4 HOMES LAWN IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	09E	12	NW	SE ✓		IRR	8.0 (5)
			SW	SE ✓		IRR	10.0 (7)
					Section Acres		18.0
		13	NW	NE ✓		IRR	3.0 (3)
			SW	NE ✓		IRR	24.0 (24)
			SW	NE ✓		DOMEST	
			SE	NE ✓		IRR	16.0 (9)
			SE	NE ✓		DOMEST	
			NE	NW ✓		IRR	16.0 (16)
			NW	NW ✓		IRR	5.0 (5)
			SW	NW ✓		IRR	4.0 (4)
			SE	NW ✓		IRR	16.0 (16)
			NE	SE ✓		IRR	40.0 (35)
			NW	SE ✓		IRR	16.0 (15)
			SE	SE ✓		IRR	13.0 (13)
					Section Acres		153.0
	10E	18	SE	NW ✓		IRR	37.0
			NW	SW ✓		IRR	39.0
			NW	SW ✓		DOMEST	
			SW	SW ✓		IRR	38.0
			NE	SE ✓		IRR	17.0
			NW	SE ✓		IRR	40.0
					Section Acres		171.0
					Total Acres		342.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

CLAIM NO. A61-02055; 4132, 303B, 304B, 293B, 10834

14. Remarks:

DESC. OF DIVERTING WORK - DIV. DAM IN CREEK (SWNE, SEC. 9) TO PIPE INTO DITCH 15 MILES LONG TO MORROW RES. DAM IS 24' HIGH WITH A CAPACITY OF 750 AF IN THE NESW, SEC. 12. DIV. VIA DITCHES - 1 INTO SAND SPRINGS GULCH & 1 TO SOME IRRIGATED LAND FOR SPRINKLER AND FLOOD IRRIGATION.

15. Basis of Claim: DECREEED

Case Number:

Court :

Decree date: / /

CHARLES E. CORKER

Decree Plaintiff

T. H. ANTHONY ET. AL.

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Paul V. Butner Date: 03/24/2000

Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization document in the space below as _____ of
_____ Title
_____ and that the statements contained in the
Organization foregoing document are true and correct.

Signature of Authorized Agent

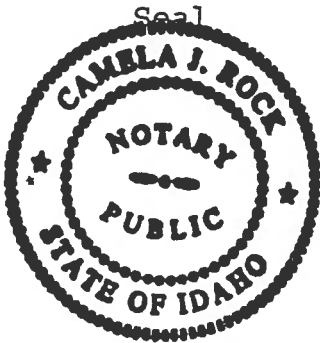
Title and Organization

Date

State of Idaho)
County of Elmore) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of March 20 00

Carmela J. Rock
Notary Public



Residing at Glenns Ferry, ID 83623
My Commission Expires 04-26-05

CLAIM NUMBER: A61-00308

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PETER BATRUEL RT. 1 BOX 426 GLENN'S FERRY ID 836230000 (208) 366-2375	08/07/1895	IRRIGATION STORAGE IRRIGATION FROM STORAGE DIVERSION TO STORAGE	11-01 06-01 ~~04-04-11-04~~ 11-01 06-01	200.00 CFS 3-15 to 11-15	700.00 AFA 700.00 AFA
TOTAL DIVERSION:					200.00 CFS	700.00 AFA

C PAUL BATRUEL
C MARY BATRUEL
RT. 1, BOX 426
GLENN'S FERRY ID 83623
(208) 366-2375

Water Source: LITTLE CANYON CREEK Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T04S R10E S09

ELMORE County

POU County:

~~SAME~~
NEWNAME

Non-Irrigation Uses: NONE.

Other Rights: CLAIM NO. A61-02055.

Remarks: DESC. OF DIVERTING WORK - DIV. DAM IN CREEK(SHNE, SEC. 9) TO PIPE
INTO DITCH 15 MILES LONG TO MORROW RES. DAM IS 24' HIGH WITH A
CAPACITY OF 700 AF IN THE NESW, SEC. 12. DIV. VIA DITCHES - 1
INTO SAND SPRINGS GULCH & 1 TO SOME IRRIGATED LAND FOR SPRINKLER
AND FLOOD IRRIGATION.

→ comments

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 61D

Field Inspection Flag:
Presumption Flag:

POU: storage 55/9E/51A

SWNE
SENE
SESW
NENE
NWSE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

10:09:13
08/18/94
53
CLAIM NUMBER: A61-00308

LAST: HERRON
ADDRESS:
CITY: XXXXX
PHONE NUMBER: 208-000-0000
OWNER CODE: 0
FIRST: ISAAC
STATE: ID ZIP: XXXXX

LAST: BATRUEL
ADDRESS: RT. 1 BOX 426
CITY: GLENN'S FERRY
PHONE NUMBER: 208-366-2375
OWNER CODE: C
FIRST: PETER
STATE: ID ZIP: 836230000

LAST: BATRUEL
ADDRESS: RT. 1, BOX 426
CITY: GLENN'S FERRY
PHONE NUMBER: 208-366-2375
OWNER CODE: C
FIRST: PAUL
STATE: ID ZIP: 83623

LAST: BATRUEL
ADDRESS: RT. 1, BOX 426
CITY: GLENN'S FERRY
PHONE NUMBER: 208-366-2375
OWNER CODE: C
FIRST: MARY
STATE: ID ZIP: 83623

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
DATABASE Y
FIELD EXAMINER Y() N()

CLAIM REMARKS: DESC. OF DIVERTING WORK - DIV. DAM IN CREEK(SHANE, SEC. 9) TO PIPE INTO DITCH 15 MILES LONG TO MORROW RES. DAM IS 24' HIGH WITH A CAPACITY OF 700 AF IN THE NESW, SEC. 12. DIV. VIA DITCHES - 1 INTO SAND SPRINGS GULCH & 1 TO SOME IRRIGATED LAND FOR SPRINKLER AND FLOOD IRRIGATION.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____ - ____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____ - ____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A61-00308 PRIORITY DATE: 08-07-1895 STAGE: D

B. WR RECORD: # 61-00308 PRIORITY DATE: 08-07-1895 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y(☐) N(☐)

LICENSE ISSUED

N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES:

Recommend as previously advised.

RECOMMENDED PRIORITY DATE:

08-07-1895

REVIEWED BY *RMP*

DATE

8-18-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A61-00308	04S	10E	9					SW	NE	ELMORE	

OTHER AJ CLAIMS WITH SAME AJ POD

MR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
A61-04132 NONE
A61-10834

61-02055
61-02224
61-04132

SOURCE: LITTLE CANYON CREEK

TRIB: SNAKE RIVER

B. MR POINT OF DIVERSION AND SOURCE:

6100308 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: LITTLE CANYON CREEK

TRIB: SNAKE RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER)

Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

NOTES: PPO not available on modified NAPP; see attached copy of memo 266

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TP.	RGE.	SEC.	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
04S	10E	9	~~SW~~	1/4	ELMORE		
			NE	1/4			

NE NW NE

1

[illegible]

SOURCE: LITTLE CANYON CREEK **TRIB: SNAKE RIVER**

TRIB: SNAKE RIVER

REVIEWED BY:

[Signature]

DATE:

11/20/88

SYSTEM DESCRIPTION: DESCRIBED BELOW (____), SEE LICENSE FILE (____), OR SEE ATTACHMENT (____)

A. ROOT WATER RIGHT NUMBERS: A61-00308

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	09E	12	NW	SE		BATRUEL, PETER US DEPT OF INTERIOR	A61-00308 / 5.0 A61-11434 /	- /			5.0
04S	09E	12	SW	SE		BATRUEL, PETER US DEPT OF INTERIOR	A61-00308 / 6.0 A61-11434 /	- /			7.0
04S	09E	13	NW	NE		BATRUEL, PETER US DEPT OF INTERIOR	A61-00308 / 1.0 A61-11434 /	- /			3.0
04S	09E	13	SW	NE		BATRUEL, PETER US DEPT OF INTERIOR	A61-00308 / 25.0 A61-11434 /	- /			24.0
04S	09E	13	SE	NE		BATRUEL, PETER	A61-00308 / 12.0	- /			9.0
04S	09E	13	NE	NW		BATRUEL, PETER US DEPT OF INTERIOR	A61-00308 / 20.0 A61-11434 /	- /			16.0
04S	09E	13	NW	NW		BATRUEL, PETER US DEPT OF INTERIOR	A61-00308 / 1.0 A61-11434 /	- /			5.0
04S	09E	13	SW	NW		BATRUEL, PETER US DEPT OF INTERIOR	A61-00308 / 2.0 A61-11434 /	- /			4.0
04S	09E	13	NE	SE		BATRUEL, PETER	A61-00308 / 37.0	- /			36.0
04S	09E	13	NW	SE		BATRUEL, PETER	A61-00308 / 16.0	- /			16.0
04S	09E	13	SE	SE		BATRUEL, PETER	A61-00308 / 10.0	- /			13.0
04S	10E	13	SE	NW		BATRUEL, PETER	A61-00308 / 22.0	- /			16.0
04S	10E	18	SE	NW		BATRUEL, PETER	A61-00308 / 26.0	- /			28.0
04S	10E	18	NW	SW		BATRUEL, PETER	A61-00308 / 30.0	- /			30.0
04S	10E	18	SW	SW		BATRUEL, PETER	A61-00308 / 38.0	- /			38.0
04S	10E	18	NE	SE		BATRUEL, PETER US DEPT OF INTERIOR	A61-00308 / 12.0 A61-11434 /	- /			17.0
04S	10E	18	NW	SE		BATRUEL, PETER US DEPT OF INTERIOR	A61-00308 / 35.0 A61-11434 /	- /			40.0

ADDITIONAL POU FOUND

307.0

TOTAL ACRES

A61-00308

298.00

Pool storage: 7055 ROPE 513

SWNE
SENW
SWNW
NESW
NWSE

POU COUNTY: ELMORE

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST OF ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION:

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A61-00308	DIVERSION TO STORAGE	BATRUEL, PETER	FROM 11-01 TO 06-01	200.000 CFS	
A61-00308	IRRIGATION STORAGE	BATRUEL, PETER	FROM 11-01 TO 06-01		
A61-00308	IRRIGATION FROM STORAGE	BATRUEL, PETER	FROM 04-01 TO 11-01		
A61-11434	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.240 CFS	
A61-11434	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.020 CFS	
A61-11643	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.230 CFS	
A61-11643	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.020 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: CLAIM NO. A61-02055.

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A61-00308 DIVERSION TO STORAGE	FROM 11-01 TO 06-01	200.000 CFS	700.00 AF/A
A61-00308 IRRIGATION STORAGE	FROM 11-01 TO 06-01		
A61-00308 IRRIGATION FROM STORAGE	FROM 04-01 TO 11-01	200.000 CFS	700.00 AF/A
TOTAL DIVERSION RATE/VOLUME		200.000 CFS	700.00 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
61-00308 DIVERSION TO STORAGE	FROM TO	200.000 CFS	
TOTAL DIVERSION RATE/VOLUME		200.000 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDMR STANDARDS?

Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDMR STANDARDS?

Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDMR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

NOTES:

1" face per original decree

AJ CLAIM TOTAL DIVERSION RATE: 200.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 200.000 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?
B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A() Y() N()
N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE?

Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES x 0.02 CFS/ACRE = CFS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A
ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 700.00 AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

NR RECORD CONDITIONS/REMARKS:
FOR DOMESTIC AND AGRICULTURAL USES.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. CONS. USE
	FROM	TO		EXAMINER	EXAMINER	
DIVERSION TO STORAGE	11-16	3-14	DATABASE 200.000	EXAMINER ✓	DATABASE 700.00	DATABASE 0.0
IRRIGATION STORAGE	~~4-8-81~~	~~06-01~~				
IRRIGATION FROM STORAGE	~~4-8-81~~	~~06-81~~				
	~~4-8-81~~	~~11-01~~				
	3-15	11-15				
TOTAL FOR THIS RIGHT						

NON-IRRIGATION USES CLAIMED: NONE.

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP	AS CLAIMED	NEEDS REVIEW
FORFEIT/ABANDON	()	()
ADDITIONAL DIV. AMOUNT	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-00308
TOTAL DIVERSION RATE OF WR SPLITS 200.000

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-00308	200.000	-	-	61-00308	200.000
TOTAL CFS		200.000				200.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT()?

FIELD EXAMINER
DATABASE Y () N ()

NOTES:

AUTHENTICATION:

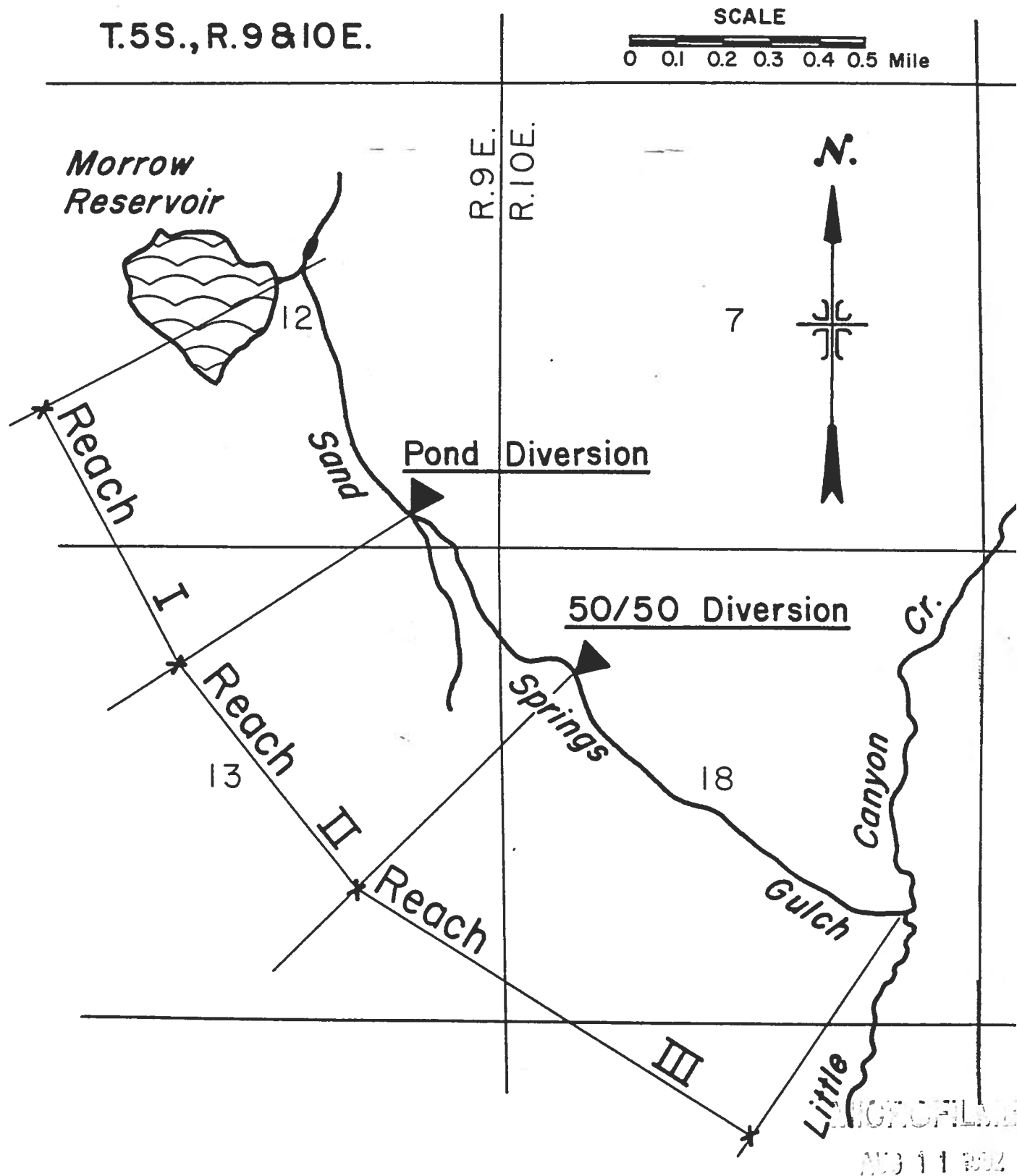
SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

REACHES ON SAND SPRINGS GULCH



Twp.
55



Plg. file in Claim
#A67-00308

possession of the Placer Mining Claim last hereinbefore in this decree mentioned, and that it requires 600 inches of water from said Little Canyon Creek, Measured under a four inch pressure, to successfully operate on and work the same with the best results.

That Isaac A. Herron, Defendant, is entitled to and is hereby awarded the use of 10,000 inches of water, measured under a four inch pressure, or its equivalent in cubic feet per second of time, of the waters of said Little Canyon Creek from and after August 7th, 1895, for the purpose of storing the same in a Reservoir or reservoirs heretofore partially constructed and now in course of construction or hereafter to be constructed for the purpose of subsequently distributing the same to the inhabitants of Glenn's Ferry and vicinity and for other domestic, agricultural and mining uses. Such waters to be diverted from said creek at such time and in such manner as not to interfere with the priority of right to the use of the waters of said stream by the several parties as is in this decree specifically stated.

That each and every of the tracts of land, reservoir, water ditches mentioned in this decree is situated in the County of Elmore and State of Idaho. That each and all of the parties included in this decree using water from Little Canyon Creek shall, as soon as a beneficial use of said water has ceased, either for irrigating, Mining or Milling, Storing or domestic purposes, return all surplus water into or permit the same to return into the channel of said stream.

