

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: A61-07005
Date Received: 12-7-89
Receipt No: W006871
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BERNARD L. BROWN 208-587-3535
Address: 655 E.19 N. .
MOUNTAIN HOME, ID 83647

2. Date of Priority: AUG 23, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	06E	20		SE	NE		ELMORE

5. Description of diverting works:
620' DEEP, 16" ROCK CASING, SUB. PUMP, SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	10/15	5.240		1440.00

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	06E	20	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0

A61-07005

Page 1

Date: 11/20/89

MICROFILMED

AUG 11 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04S	06E	20	SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0

Section Acres 320.0

Total Acres 320.0

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:
NONE

14. Remarks:
CRP LANDS

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ~~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): *Bernard L Brown* Date: *12/4/89*

Date: _____

State of Idaho)
County of *Elmore*) SS.

Subscribed and sworn (or affirmed) before me this *4th* day
of *December* 19 *89*

Jane L Enford
Notary Public

Seal

Residing at *Mtn Home*

My Commission Expires *9/16/93*



USDA Soil Conservation Service

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456E

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 A61-2154 / A61-10370 // 100 A61-7396

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AJ0749NP
No. R61-07005

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

DATE: 11/21/98
PAGE: 2

Comments: Date: 11/21/1998 User-ID: JSHURTE Subject: SPECIAL SEASON OF USE CONDITION
STANDARD SEASON OF USE OF 3-15 TO 11-15 A SPECIAL S03 CONDITION
WAS PUT ON THIS ONE THAT STATED IT COULD BEGIN 3-1 AND END 11-15
AND SUBORDINATED FOR THOSE AFTER 10-15.

Audit: 11/21/98 JSHURTE

Claim: 61-~~675~~07005

**T04S R06E,
Sec. 20**



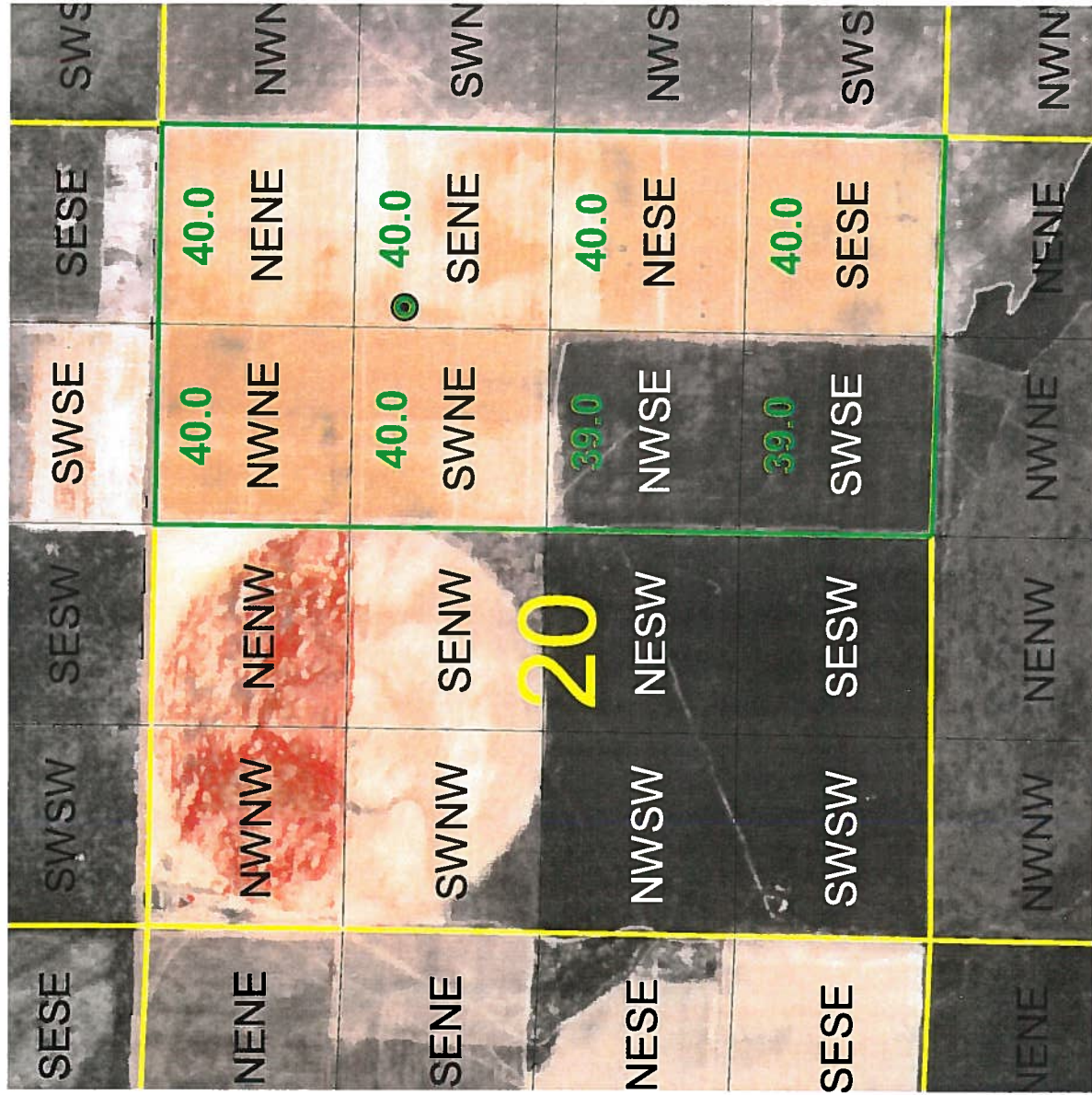
- Point of diversion
- Place of use
- QQ lines
- Section lines

1.2 Miles

Date: Nov. 17, 1998

Prepared by: Roxanne Brown
NAPP Photography: 1987

Claim: 61-~~07005~~ 07005



T04S R06E,
Sec. 20

- Point of diversion
- Place of use
- QQ lines
- Section lines

0 0.4 0.8 1.2 Miles

Date: Nov. 17, 1998
Prepared by: Roxanne Brown
NAPP Photography: 1987

DATE: 11/15/98
PAGE: 1

PAGE: 1

OWNER
CODE

Audit: 11/15/98 KWALKER

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT**

DATE: 11/11/98
PAGE: 23

PRIORITY
DATE

DATE	WATER USE
08/23/1967	IRRIGATION

Tributary to:

T04S R06E S20

SENE

ES

FM

:	NESE	NWSE	SWSE	SESE	:
:	Lt	Ac	Lt	Ac	Lt
:	---	---	---	---	---
:	40	40	40	40	40
:	TOTAL ACRES				:

ELMORE

S: NONE

des All Sources):

f Use:

of Approval: ~~MDR~~ - A MEASURING DEVICE OF A TYPE APPROVED BY IDNR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

Verified Date: 04/20/1993

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

**CONTRACT
BY THE ASCS**

03/30/95 POST-STD

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 61-7005 Priority August 23, 1967 Amount 5.24 cfs

THIS IS TO CERTIFY that BERNARD L. BROWN
of Mountain Home, Idaho, has complied with the terms and conditions of Permit
No. 61-7005 issued pursuant to Application for Permit dated August 15, 1967
and submitted proof to the Department of Water Resources on January 9, 1973 (late proof)
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 5.24 cfs of water from a ground water source
and that the permit holder has applied to a beneficial use and
established a right to use water as follows.

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 1</u> to <u>Oct. 15</u>	at <u>5.24 cfs</u> and	<u>1,440 acre feet</u> or
	from _____ to _____	at _____ cfs and	<u>4.8 af per acre</u>
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 5.24 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1,440 acre feet per year, and waters to be diverted within the SE 1/4 of Sec. 20,

Twp. 4 S, Rge. 6 E, B. M. in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SE 1/4				SW 1/4				Total
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	
48	6 E	20	40	40	40	40									40	40	40	40	320

Total number of acres irrigated 320

A measuring device of a type approved by the Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-722, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16 day of
October, 19 76.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:57:13
04/15/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A61-07005
1

LAST: FARM CREDIT SERVICES
ADDRESS: P.O. BOX 730
CITY: CALDWELL
PHONE NUMBER: 208-000-0000

FIRST: ID ZIP: 836060730
STATE: ID ZIP: 836060730

OWNER CODE: 0

LAST: BROWN
ADDRESS: 655 E.19 N. .
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-587-3535

FIRST: BERNARD L.
ID ZIP: 83647
STATE: ID ZIP: 83647

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE Y
FIELD EXAMINER N

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: CRP LANDS

MICROFILMED
SEP 27 1996

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:

MICROFILMED
SEP 27 1996

PRIORITY DATE REVIEW PAGE

A. AJ CLAIM: # A61-07005 PRIORITY DATE: 08-23-1967 STAGE: L
B. WR RECORD: # 61-07005 PRIORITY DATE: 08-23-1967 STAGE: L

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

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()

NOTES: *Recommend as claimed.*

RECOMMENDED PRIORITY DATE:
08-23-1967

REVIEWED BY *DRF*

DATE *4-15-93*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A61-07005	04S	06E	20		SE	NE		ELMORE

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

WR RECORDS IN SAME 40 ACRE TRACT
NONE ☒

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
61-07005	04S	06E	20		SE	NE		ELMORE

OTHER WR RECORDS WITH SAME WR POD
A PREFIX R PREFIX
NONE ☒ NONE ☒

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

NOTES:

Recommend as claimed.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC.

1/4

1/4

1/4

LOT

COUNTY

DIVERSION NAME

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DATE:

SYSTEM DESCRIPTION:

MICROFILMED

SEP 27 1996

A. ROOT WATER RIGHT NUMBERS: A61-07005

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECONM. ACRES
04S	06E	20	NE	NE		BROWN, BERNARD L.	A61-07005 /40.0	61-07005 /40.0	37.0	40.0	40.0
			NE	NE		LAWRENCE, HENRY G.		61-00119 /			
			NE	NE		LAWRENCE, HENRY G.		61-00120 /			
04S	06E	20	NW	NE		BROWN, BERNARD L.	A61-07005 /40.0	61-07005 /40.0	38.0	40.0	40.0
			NW	NE		LAWRENCE, HENRY G.		61-00119 /			
			NW	NE		LAWRENCE, HENRY G.		61-00120 /			
04S	06E	20	SW	NE		BROWN, BERNARD L.	A61-07005 /40.0	61-07005 /40.0	38.0	40.0	40.0
			SW	NE		LAWRENCE, HENRY G.		61-00119 /			
			SW	NE		LAWRENCE, HENRY G.		61-00120 /			
04S	06E	20	SE	NE		BROWN, BERNARD L.	A61-07005 /40.0	61-07005 /40.0	40.0	40.0	40.0
			SE	NE		LAWRENCE, HENRY G.		61-00119 /			
			SE	NE		LAWRENCE, HENRY G.		61-00120 /			
04S	06E	20	NE	SE		BROWN, BERNARD L.	A61-07005 /40.0	61-07005 /40.0	40.0	40.0	40.0
			NE	SE		LAWRENCE, HENRY G.		61-00119 /			
			NE	SE		LAWRENCE, HENRY G.		61-00120 /			
04S	06E	20	NW	SE		BROWN, BERNARD L.	A61-07005 /40.0	61-07005 /40.0	34.0	40.0	40.0
			NW	SE		LAWRENCE, HENRY G.		61-00119 /			
			NW	SE		LAWRENCE, HENRY G.		61-00120 /			
04S	06E	20	SW	SE		BROWN, BERNARD L.	A61-07005 /40.0	61-07005 /40.0	30.0	40.0	40.0
			SW	SE		LAWRENCE, HENRY G.		61-00119 /			
			SW	SE		LAWRENCE, HENRY G.		61-00120 /			
04S	06E	20	SE	SE		BROWN, BERNARD L.	A61-07005 /40.0	61-07005 /40.0	38.0	40.0	40.0
			SE	SE		LAWRENCE, HENRY G.		61-00119 /			
			SE	SE		LAWRENCE, HENRY G.		61-00120 /			
TOTAL ACRES							320.00	320.00	295.00	320.0	320.0

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (✓)

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

FIELD
EXAMINER

POU COUNTY: ELMORE

MICROFILMED

SEP 27 1996

PRESUMPTION FLAG:

NOTES:

61-00119 & 61-00120 are unclaimed signed rights.

ASCS map confirms CCP acres.

RECOMMENDATIONS:

TOTAL ACRES:

320.0

REVIEWED BY:

RNF

DATE:

4-20-93

MICROFILMED
SEP 27 1996

U.S. DEPARTMENT OF AGRICULTURE

DATE

REFERENCE SLIP

4-15-93

TO

ROXANN Mc. Carthy

☐ ACTION

☐ NOTE AND RETURN

☐ APPROVAL

☐ PER PHONE CALL

☒ AS REQUESTED

☐ RECOMMENDATION

☐ FOR COMMENT

☐ REPLY FOR SIGNATURE OF

☐ FOR INFORMATION

☐ RETURNED

☐ INITIALS

☐ SEE ME

☐ NOTE AND FILE

☐ YOUR SIGNATURE

REMARKS

Bernard Brown
CLP

FROM

Elmore City
Trail

U.S.G.P.O. 1985-526-216

FORM AD-514 (8-64)

MICROFILMED

SEP 27 1996

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A61-07005 IRRIGATION	FROM 03-01 TO 10-15	5.240 CFS 1440.00 AF/A
	TOTAL DIVERSION RATE/VOLUME CLAIMED	5.240 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
61-07005 IRRIGATION	FROM 03-01 TO 10-15	5.240 CFS 1440.00 AF/A
	TOTAL DIVERSION RATE/VOLUME CLAIMED	5.240 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y () N (☒)

Y (☒) N () Explain in notes, below.

NOTES:

Y (☒) N (☐)

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 5.240 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 5.240 CFS

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

FLOW MEASUREMENT REQUIRED?

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

FLOW MEASUREMENT

MEASUREMENT METHOD n/a, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

MICROFILMED
SEP 27 1996

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 330.0 x 0.02 CFS/ACRE = 6.4 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = AF/A
ACRES 330.0 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =
TOTAL CONSUMPTIVE USE 960.0 AF/A

3. IRRIGATION DIVERSION VOLUME
CLAIMED DIVERSION VOLUME = AF/A
ACRES 330.0 x DIVERSION VOL. AF/A FOR AREA 4.0 =
TOTAL DIVERSION VOLUME 1320.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:
SEE ATTACHED SHEET? Y () N (☒)

WR RECORD CONDITIONS/REMARKS:
001 - A measuring device of a type approved by the Department shall
- be permanently installed and maintained as part of the diverting
- works.
mo

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	4-1 10-31 03-01 10-15	DATABASE EXAMINER 5.240 5.24	DATABASE EXAMINER 1440.00 1380.0	DATABASE EXAMINER 0.0 960.0
TOTAL FOR THIS RIGHT		5.240		0.0

REVIEWED BY: RMF

DATE: 4-20-93

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-07005

TOTAL DIVERSION RATE OF WR SPLITS 5.240

EXAMINER _____
CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-07005	5.240	-		61-07005	5.240
TOTAL CFS		5.240				

DIVERSION RATE REVIEW

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

FIELD EXAMINER _____
DATABASE Y

NOTES:

No splits.

AUTHENTICATION:

SIGNATURE: *Deanne McElroy*

DATE: *4-20-93*

NAME OF FIELD EXAMINER: _____

TITLE: *Asst. Dir. Resident*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:57:13
04/15/93

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A61-07005

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N	6	DNF/4-5-93	DNF/4-20-93	DNF/4-20-93
POINT OF DIV				↓	↓	↓	↓	↓
SOURCE				↓	↓	↓	↓	↓
PLACE OF USE				N	6, 2, 4	DNF/4-20-93	↓	↓
DIV. AMOUNT CFS/VOLUME				Y	6	↓	↓	↓
CONSUMPTIVE USE				↓	↓	↓	↓	↓
PURPOSES				N	6	DNF/4-15-93	↓	↓
PERIOD OF USE				Y	↓	↓	↓	↓
BASIS OF CLAIM				N	↓	↓	↓	↓
REMARKS				Y	↓	↓	↓	↓

"VERIFIED BY" CODES

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

263 SE

1 OUR MONITOR STANDARDS

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

MICROFILMED

SEP 27 1993

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