

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: A67-02105A
Date Received: 6/13/1989
Receipt No: C007434 *C013709
Received By: CA

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ARTHUR F. HENDERSON 208-286-7070
Address: 6404 BEACON LIGHT ROAD
EAGLE, ID 83616

2. Date of Priority: DEC 18, 1915

3. Source: GOODRICH CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15N	02W	5	SW	SE	NE		ADAMS
			NE	SE	SE		ADAMS

5. Description of diverting works:
PORTABLE PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

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

8. Total consumptive use is 165.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK DRINK FROM STREAM AND DITCHES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
15N	02W	3	NE	SW		IRR	25.0
			NW	SW		IRR	5.0
						Section Acres	30.0

A67-02105A

Page 1

Date: 12/27/89

MICROFILMED
OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	02W	10	NE	NE		IRR	3.0
			NW	NE		IRR	2.0
					Section Acres		5.0
		11	NE	NW		IRR	4.0
			NW	NW		IRR	16.0
					Section Acres		20.0
					Total Acres		55.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:
SEE ALSO SRBA CLAIM NO. A67-10035

15. Basis of Claim: LICENSE
Water Right Number: 11876

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: -1-

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): Arthur F. Henderson Date: Dec 27 - 89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of December 19 89

Carter Fritschle
Notary Public



Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

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: A67-02105A
Date Received: 6/13/1989
Receipt No: C00 7434
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARTHUR F. HENDERSON
Address: 6404 BEACON LIGHT ROAD
EAGLE, ID 83616
208-286-7070

2. Date of Priority: DEC 18, 1915

3. Source: GOODRICH CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	02W	5	SW	SE	NE		ADAMS
			NE	SE	SE		ADAMS

5. Description of diverting works:
PORTABLE PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK DRINK FROM STREAM AND DITCHES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	02W	3	NE	SW		IRR	25.0
			NW	SW		IRR	5.0

Section Acres 30.0

A67-02105A

Page 1

Date: 06/13/89

MICROFILMED
OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	02W	10	NE	NE		IRR	3.0
			NW	NE		IRR	2.0
						Section Acres	5.0
						Total Acres	35.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:

A PORTION OF THIS WATER RIGHT HAS BEEN CLAIMED AS SNAKE RIVER
BASIN ADJUDICATION CLAIM NO. A67-10035

15. Basis of Claim: LICENSE
Water Right Number: 11876

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: -1-

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): Arthur F. Henderson Date: June 13 - 89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13th day

of June 19 89

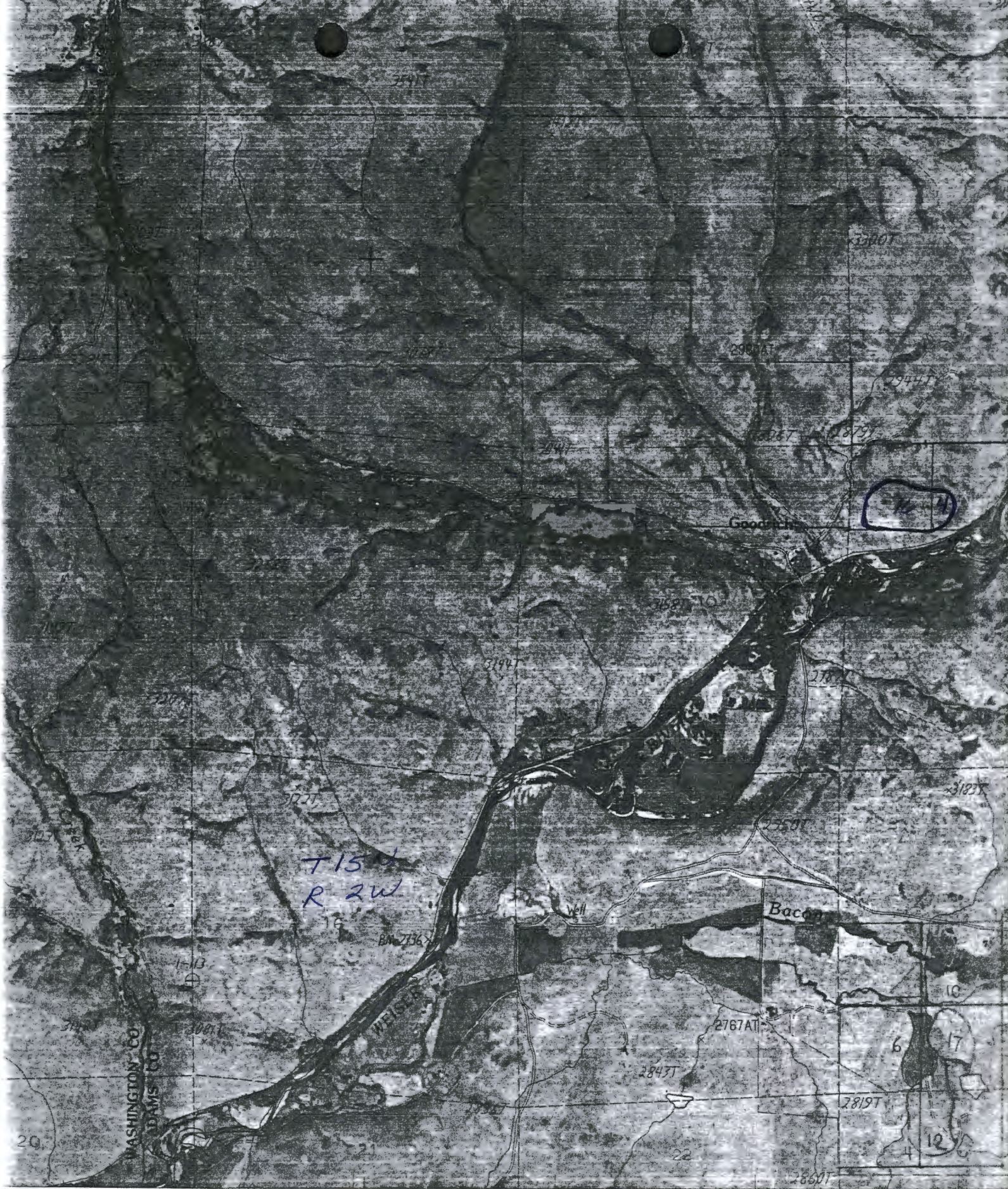
Carter Fritschle
Notary Public



Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994



280 000 FEET

35'

534

service

0-scale
75

: Idaho coordinate

A 67-02105A

Amended

Map depicts additional 16^{ac} in NW 1/4 and 4^{ac} in NE 1/4 of Sec. 11

SCALE 1:24 000

MICROFILMED

OCT 01 1992

1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000 FEET

08/21/2006

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

RIGHT NUMBER: 67-2105A

NAME AND ADDRESS: ARTHUR F HENDERSON
6404 BEACON LIGHT RD
EAGLE ID 83616

SOURCE: GOODRICH CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.520 CFS

PRIORITY DATE: 12/18/1915

POINT OF DIVERSION:

T15N R02W S4 SWSWSW Within ADAMS County

T15N R02W S5 SWSENE Within ADAMS County

T15N R02W S5 NENESE Within ADAMS County

T15N R02W S5 NESESE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 10/31

0.520 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T15N R02W S04 SWSW 3.30

T15N R02W S05 NESE 17.00

T15N R02W S05 SESE 5.80

26.1 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

SRBA Recommendation:

67-2105A

(Irrigation)

Legend

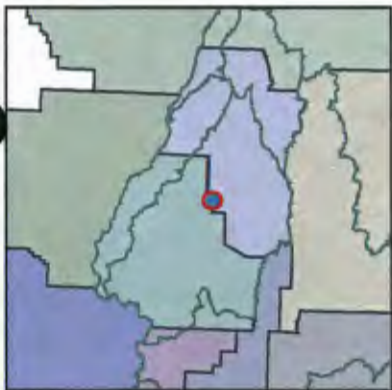
○ **Point of Diversion**

□ **Place of Use**

□ **Townships**

□ **PLS Sections**

□ **Quarter Quarters**



Adams County
IDWR Basin 67



Prepared by C. Saxton
On Monday, August 21, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2105A V1

WATER RIGHT NUMBER: 67-2105A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ARTHUR F HENDERSON 6404 BEACON LIGHT RD EAGLE, ID 83616 (208)286-7070
Original Owner	JEPHTHA ARTHUR HELM GOODRICH, ID

Priority Date: 12/18/1915

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GOODRICH CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.520 CFS	
	<u>Total Diversion:</u>	0.520 CFS	

Location of Point(s) of Diversion

GOODRICH CREEK	SW1/4SE1/4NE1/4	Sec. 5,	Twp 15N,	Rge 02W, B.M.
ADAMS County				
GOODRICH CREEK	NE1/4SE1/4SE1/4	Sec. 5,	Twp 15N,	Rge 02W, B.M.
ADAMS County				
GOODRICH CREEK	NE1/4NE1/4SE1/4	Sec. 5,	Twp 15N,	Rge 02W, B.M.
ADAMS County				
GOODRICH CREEK	SW1/4SW1/4SW1/4	Sec. 4,	Twp 15N,	Rge 02W, B.M.
ADAMS County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	02W	4											3.3						3.3
15N	02W	5													17.0		5.8		22.8

Total Acres: 26.1

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2105A V1

1. C18 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.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Remarks:Comments:

1. csaxton 8/21/2006 POD

Comment: Notes from water master/ field examiner state that the original POD that was used has been removed long ago. With the change in place of use, the POD has changed too. 1987 photography show irrigation of the claimed POU which supports the change in POU and POD prior to 1987.

2. csaxton 8/21/2006 Priority Date

Comment: This right does not appear to be superceded by Muir v. Allison. Goodrich Creek was included in the decree, but 67-2105 was licensed in 1920 which is after the Muir v. Allison.

3. csaxton 8/21/2006 POU

Comment: According to the notes by Bosco Bosler the field examiner and water master, the claimed POU for 67-10035 is actually irrigated with this 67-2105 water. So I am recommending the licensed water under this claim, on the claimed POU for right 67-10035. 67-10035 will be disallowed. The POU claimed under this right is not being irrigated from Goodrich Creek according to 8-25-05 filed exam by Bosco Bosler.

4. csaxton 8/21/2006 License

Comment: Only a portion of the original license 67-2105 was claimed and recommended.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	6/22/2004 8:39:05 AM	segbert			Active
POD	6/22/2004 8:39:29 AM	segbert			Active
POU	6/22/2004 8:43:08 AM	segbert			Active
Use	6/22/2004 8:45:19 AM	segbert			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2105A V1

Season	6/22/2004 8:46:42 AM	segbert	Active
Quantity	6/22/2004 8:51:54 AM	segbert	Active
Source	6/22/2004 8:52:59 AM	segbert	Active
Season	6/22/2004 8:53:00 AM	segbert	Active
Contacts	8/21/2006 9:48:18 AM	csaxton	Active
Priority Date	8/21/2006 9:51:52 AM	csaxton	Active
POD	8/21/2006 9:57:05 AM	csaxton	Active
Source	8/21/2006 10:05:05 AM	csaxton	Active
POU	8/21/2006 10:14:59 AM	csaxton	Active
Use	8/21/2006 10:15:09 AM	csaxton	Active
Season	8/21/2006 10:15:47 AM	csaxton	Active
Quantity	8/21/2006 10:16:51 AM	csaxton	Active
Summary		08/21/2006 csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	1/6/2004 3:39:10 PM	awarntje	Edited shape boundary
POU	1/7/2004 8:05:52 AM	awarntje	Edited shape boundary
POU	1/7/2004 8:32:24 AM	awarntje	Edited shape boundary
POU	6/22/2004 8:43:09 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file?
Priority Date	6/22/2004 8:39:05 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
POD	6/22/2004 8:39:30 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2105A V1

Season	6/22/2004 8:46:42 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?
Contacts	8/21/2006 9:48:18 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam by Bosco Bosler on 9-20-05.
POD	8/21/2006 9:57:36 AM	csaxton	Updated shape
POD	8/21/2006 10:01:06 AM	csaxton	Updated shape
POD	8/21/2006 10:02:29 AM	csaxton	Updated shape
POD	8/21/2006 10:03:24 AM	csaxton	Updated PLS
POD	8/21/2006 10:03:38 AM	csaxton	Updated shape
Source	8/21/2006 10:05:05 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
General	8/21/2006 9:51:53 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2105A V1

POD	8/21/2006 9:57:05 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - Notes from water master/ field examiner state that the original POD that was used has been removed long ago. With the change in place of use, the POD has changed too. 1987 photography show irrigation of the claimed POU which supports the change in POU and POD prior to 1987.
POD	8/21/2006 9:59:05 AM	csaxton	Updated PLS
POD	8/21/2006 10:01:54 AM	csaxton	Updated PLS
POD	8/21/2006 10:04:20 AM	csaxton	Updated PLS
POU	8/21/2006 10:05:29 AM	csaxton	Updated shape for Active POU
POU	8/21/2006 10:05:38 AM	csaxton	Updated PLS for Active POU
POU	8/21/2006 10:15:00 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 8 - According to the notes by Bosco Bosler the field examiner and water master, the claimed POU for 67-10035 is actually irrigated with this 67-2105 water. So I am recommending the licensed water under this claim, on the claimed POU for right 67-10035. 67-10035 will be disallowed. The POU claimed under this right is not being irrigated from Goodrich Creek according to 8-25-05 filed exam by Bosco Bosler. Description for Question 13 - Field Exam by Bosco Bosler on 8-25-06.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2105A V1

Use	8/21/2006 10:15:09 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	8/21/2006 10:15:47 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	8/21/2006 10:16:51 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	8/21/2006 10:17:58 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2105A V1

Use	6/22/2004 8:45:20 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Quantity	6/22/2004 8:51:55 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
Source	6/22/2004 8:52:59 AM	segbert	(Yes) 1. Is the basis of claim Decree or License?
Season	6/22/2004 8:53:01 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?

Water Supply Bank:

2105 A Spring + Dry Creek

Sec 10 NW NE / SE = 5 acres
NE NE 3

stock water 50 head

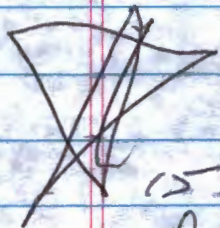
Sec 11 Tended to NW West.

Iron. is seepage from spring
+ dry Creek tula to Wensen River

Dry Creek

Old flume in sec 29 is defunct!

~~Do Add Domestic pipe in Dry Creek~~



Henderson still owns part of
15 N 03W Sec 10. There is a Spring with
domestic use + it incidentally seeps
to 4 or 5 acres.

Total diversion - 3.5

Quantity - no indication of
quantity measurements -
check to see if any POD's
are shared.

A0014100

A0016601

A0016602

A0016603

Contacts Data Entry Form

Claim Number: 67-2105A

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	ARTHUR F HENDERSON	6404 BEACON LIGHT RD	EAGLE	ID	83616	(208)286-7070
Original Owner	JEPHTHA ARTHUR HELM		GOODRICH	ID		

Date of Field Exam: 8/28/05 Time: 10:00Accompanied By: David Henderson Phone Number: 253-4705Relationship to Claimant: Son

Directions to Property (if different from above) and/or update owner information:

Goodrich Road past Crossleys' the lake left fork
up Goodrich Creek about 3 miles on left at
black mailbox

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number 67-2105A

Claimed Priority Date: 12/18/1915

Claimed Basis: License

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date _____ Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

[illegible]

Reviewer:

Bosco

Date:

9/20/05

Point of Diversion and Source Data Entry Form

Claim Number 67-2105A

Claimed Point of Diversion and Source

T15N R02W S5 SWSENE Within ADAMS County Source: GOODRICH CREEK WEISER RIVER

T15N R02W S5 NESESE Within ADAMS County Source: GOODRICH CREEK WEISER RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? _____

Document how the POD and Source were verified:

*Four points off Goodrich Creek.
Old flume to divert to Dry Creek is gone (long time)
*is now used on land described
Pictures # (4) of POD'S have GPS point on
them*

Reviewer: BurcoDate: 9/20/05

WR # 67-2105A
A. Henderson #1 POD
Tag # A0014100



GPS
2294223
1498691

WR# 67- 2105A
A Henderson #2 POD
Tag # A0016601



GPS

2294194

1498910

WR#67-2105A
A. Henderson #3 POD
Tag #A0016602



SPS
2294 074
1499 163

WR# 67-2105A
A Henderson #4 POD
Tag #A001603



SPS

2293908
1499493

Place Of Use Data Entry Form

Claim Number 67-2105A

Claimed Place Of Use

T15N R02W S03	NESW	25.0	T15N R02W S03	NWSW	5.0
T15N R02W S10	NENE	3.0	T15N R02W S10	NWNE	2.0
T15N R02W S11	NENW	4.0	T15N R02W S11	NWNW	16.0

Total Acres 55

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
15N	02W	4	SW	SW			13	
15N	02W	5	SE	SE			6	
		5	NE	SE			20	

Total Acres 39

Document how the POU was verified:

Reviewer:

Bono Bahr

Date:

9/20/05



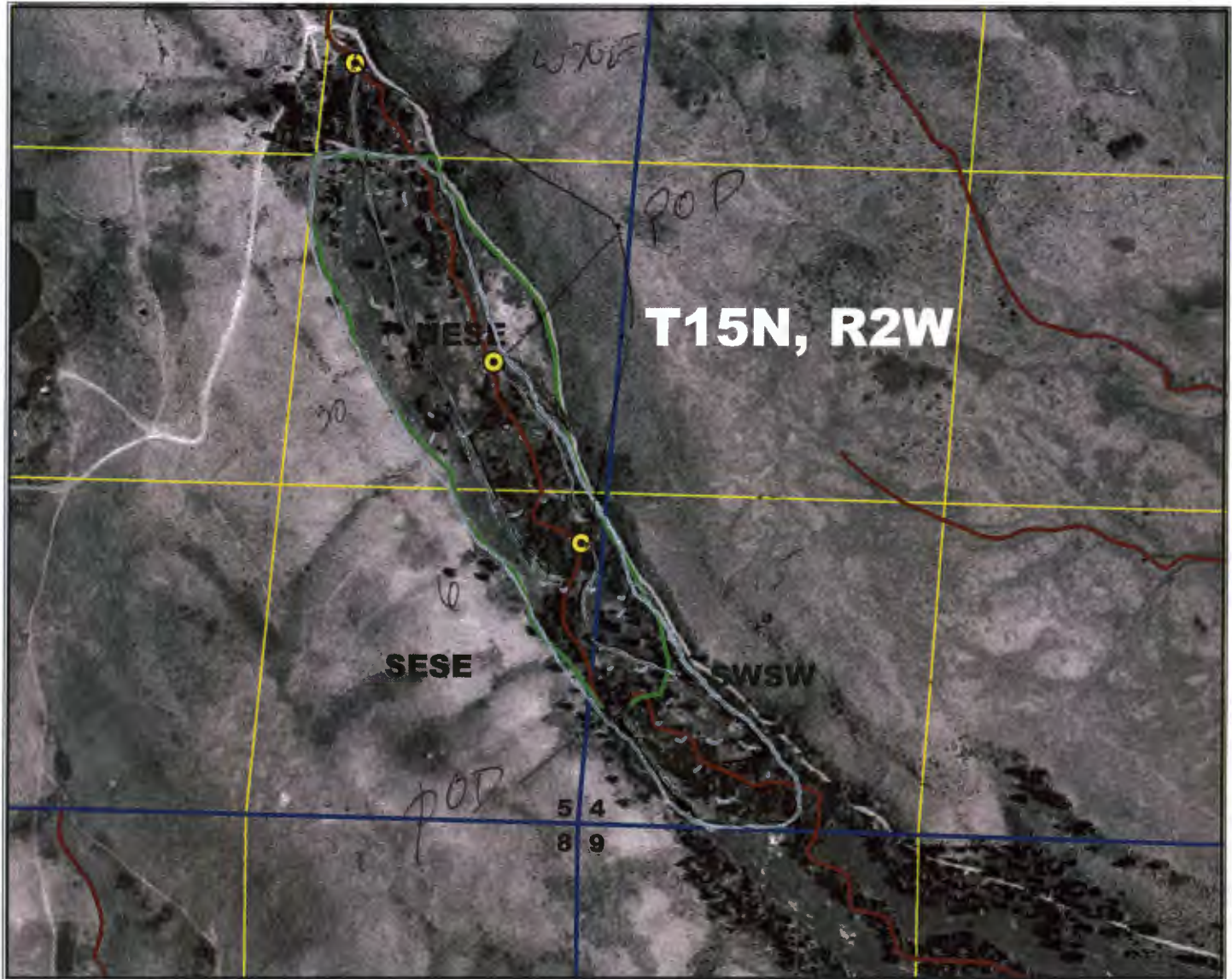
State of Idaho

POU Claim Map

Claim #: 67-~~10035~~

Map Source: USGS DOQQ

*dark Silver
Ditches
2105A*



1320

0

1320 Feet

○ Claimed Point of Diversion

Claimed POU

Tax Lot Data

Quarter Quarter Lines

Section Lines

Claimed Irrigated Acres: 40.0

Initial Acres Found: 30.0



Prepared By: Craig L. Saxton
Date: July 2005

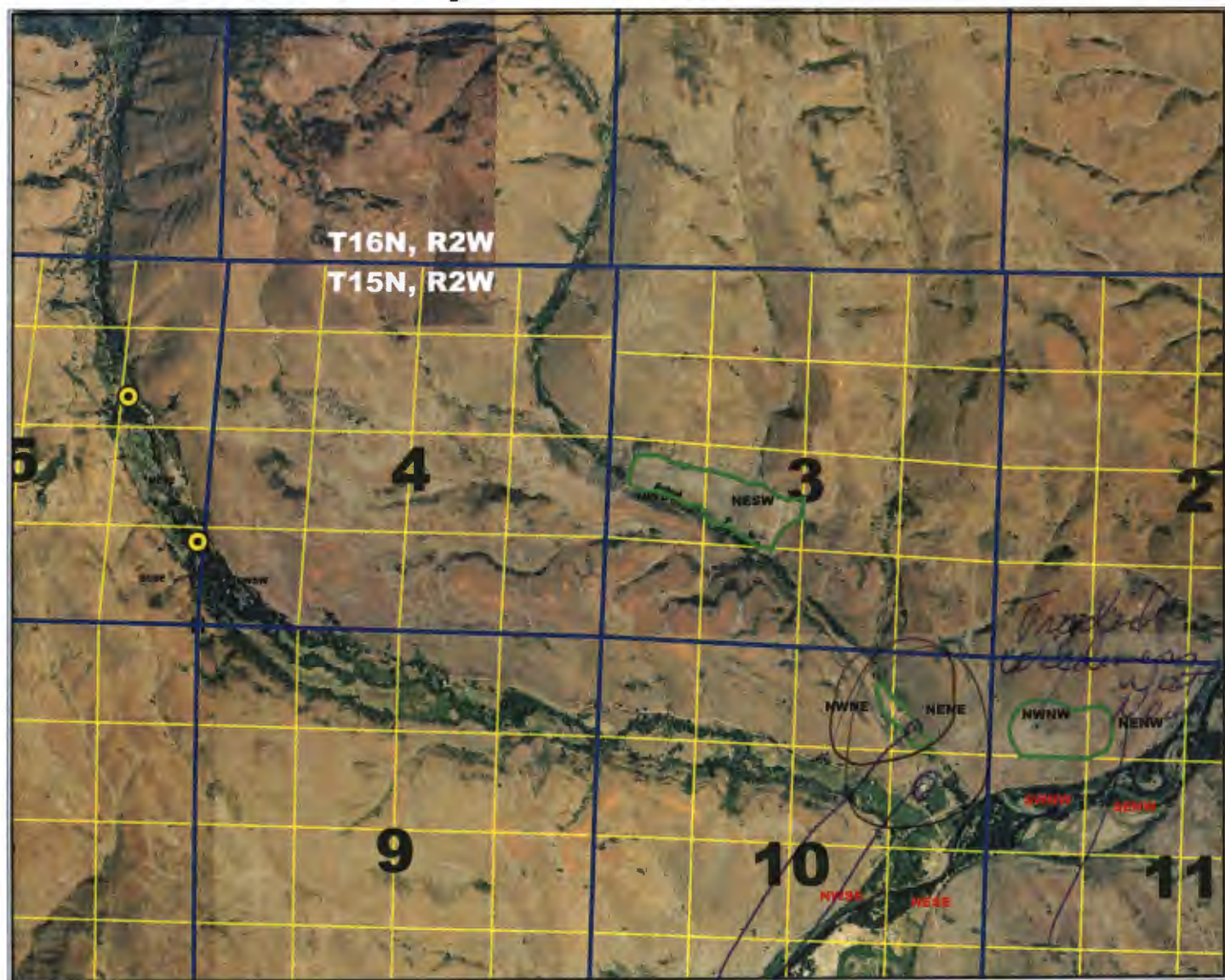


State of Idaho

POU Claim Map

Claim #: 67-2105A

Map Source: 1987 True Color



1320 0 1320 2640 3960 Feet



○ Claimed Point of Diversion

□ Claimed POU

□ Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: 55.0

Initial Acres Found:



Prepared By: Craig L. Saxton
Date: July 2005

Purpose of Use Data Entry Form

Claim Number 67-2105A

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

50

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

1

50

Document how the Purpose of Use was verified:

NO domestic, but there is stock.

irrigation here is incidental to
 Spring seepage. Maybe 5 acres
 in 15 N02W Sec 10 ~~NE~~ NW NE +
 NE NE
~~Most~~ All of this right has had a
 PO D change and is used on Goodrich Cr.
 Old flume that carried it around hill into
 Dry creek no longer exists.

Reviewer:

Bosco

Date:

9/14/05

Period of Use and Quantity Data Entry Form

Claim Number 67-2105A

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	2	

Overall Diversion Rate 2

Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
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Overall Diversion Rate

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____

Date: _____



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

July 14, 2005

Arthur F. Henderson
6404 Beacon Light Road
Eagle, Idaho 83616
(208) 286-7070

RE: SRBA Claim No. 67-02105A and 67-10035

Dear Mr. Henderson:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 67 in the Snake River Basin Adjudication.

Recently, a representative of the Department of Water Resources contacted you regarding the need to conduct a field examination on your property to evaluate SRBA claim nos. 67-02105A and 67-10035. I have been informed that you would not meet with the representative on this issue.

In addition to conducting a field exam, the Department also needs documented evidence of priority regarding SRBA claim no. 67-10035. For your assistance in compiling documentation regarding the priority date for SRBA claim no. 67-10035, I am enclosing a pamphlet entitled *Evidence of Priority*.

In order to make a complete and accurate recommendation of your water right, each element of the water right must be proven. A field examination is necessary to evaluate claimed elements such as source of diversion, point of diversion, place of use, and rate of diversion. Documented evidence of when the water right was first put to use is necessary in order for the Department to recommend a priority date.

Please contact Craig Saxton, senior agent for Basin 67, at the Department within the next two weeks about these issues. Mr. Saxton can be reached at: (208) 287-4800. If you would rather speak with me, I can be reached at the above-mentioned phone number.

If you do not contact the Department regarding these issues, you run the risk of having SRBA claim nos. 67-02105A and 67-10035 recommended differently than claimed, or disallowed.

Very truly yours,

A handwritten signature in black ink, appearing to read 'C. Bromley', with a long horizontal line extending to the right.

CHRIS M. BROMLEY
Deputy Attorney General
Idaho Department of Water Resources

Enclosure

cc: Craig Saxton

Saxton, Craig

From: Saxton, Craig
Sent: Thursday, July 14, 2005 9:57 AM
To: Bromley, Chris
Subject: Need Letter to an uncooperative claimant.

Hello Chris,

On July 7, 2005, Melanie contacted claimant Arthur F Henderson about conducting field exams for two claims 67-02105A and 67-10035.

Melanie stated that she asked Mr. Henderson if she could meet with him to conduct a field exam and he said **no**. She tried to ask him questions and gather information about the claims over the phone, but he would not cooperate. There are notes from the file of what Melanie could glean from the conversation about the water use, but we still need additional information.

67-02105A:

There is a change in POD from the license to the claim. However, notes from Carter Fritschle on 6-13-1989 state "The "portable pump" has never been used. The lands claimed have not been irrigated with Goodrich Creek water for many years."

In addition, Notes from Carter Fritschle on 12-27-1989 state that he gets the impression that water right 67-2105 is being used on the property described in 67-10035 and not the 55 acres described under 67-02105A. If this is the case, then the right would be disallowed and recommended as 67-10035.

We need to know what is going on and confirm beneficial use.

67-10035:

Ignoring what Carter said about the water being used on this land being from license 67-02150, we need evidence of priority. Mr. Henderson claimed a 1895 priority date. This needs a field exam too.

Could you please send Mr. Henderson a letter stating that we need additional information from him including evidence of priority for 67-10035, and we need to conduct a field exam on both SRBA claims. Please include a 2 week deadline and forward me a copy of the letter for the file.

He has two other rights 67-10036 and 67-10037 that are partially decreed by the SRBA court and do not require review.

His contact information is:

ARTHUR F HENDERSON
6404 BEACON LIGHT RD
EAGLE ID 83616
(208) 286-7070

Thank you,

Craig

7-15-05: Only a portion of the claimed POU is in the licensed POU.

: The claimed POD's are significantly different than the licensed POD. Need to confirm water can make it from the source to the POU.

: Δ POU + POD?

: Claimant will not allow melanic conduct fiabl Exam. Have Chris send letter.

7/7/05

67-10035

needs evidence of priority - check on Goodrich
Crim
Munich
Adison

7/7: phone conversation with claimant - does not want field exam.
(claimant not cooperative)

Lives in Eagle and says he has no time to travel to Council.
Per claimant, would like information currently in file
to be left "as is" and passed on to SRBA court.

67-2105A - Licence - several PODs

→ gravity, series of small ditches - no longer
uses portable pump, as claimed in 1989.
(see memo from Carter Fritschle)

→ says he uses 100" of water and does irrigate
100 acres between sec. 3, 10, + 11

→ recent trade of land w/ Wilderness West, LLC
(developer): Arthur Henderson previously owned Goodrich
schoolhouse (on map, Goodrich townsite, 15N 02W,
Section 10, SE NE) - traded to Wilderness West
for other land. I advised him to send in a deed
explaining location of new land, as he intends to
irrigate it (from same source - Goodrich Cr) but he
wanted to leave POU info as is. Not sure where to
find a here - recommended on what we have?

67-2105ALicense

issued w/priority date of 18 Dec 1915
2 cfs

Sec 3	NWSW 5
	NESE 35
	SESW 40
	SWSE 20
Sec 10	NWNE 20
	<u>120 ac.</u>

2 cfs = 100" = 100 ac @ 1" to the acre

Copy of license is in file

Claim

Sec 3	NESE 25.0
	NWSW 5.0
Sec 10	NENE 3.0
	NWNE 2.0
Sec 11	NENW 4.0
	NWNW <u>16.0</u>
	55 ac.

2.0 cfs

Notes: see also 67-10035

State of Idaho License and Certificate of Water Right

Water License No. 11876-----

Amount 2 sec. ft.-----

Water District No. 41-1-----

Priority Dec. 18, 1915.-----

THIS IS TO CERTIFY that Jephtha Arthur Helm,
of Goodrich, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 18, 1915; that Permit No. 11876
was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2
second feet, was issued thereunder on November 27, 1917, showing that said works
were completed on the 16th day of November, 1917; and that on the 8th
day of November, 1919,

Jephtha Arthur Helm,
of Goodrich, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation, State Engineer of Idaho, of a right to the use of the waters of Goodrich Creek,
a tributary of _____, for the purpose of irrigation and domestic use,
under Use Permit No. 11876, Commissioner of Reclamation,
of the State Engineer, and that said right to the use of said
waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State
Commissioner of Reclamation, Engineer of Idaho and entered of record in Volume 5 of Licenses, at page 2586, on the 25th
day of August, 1920;

The right hereby confirmed dates from December 18, 1915;

The Point of Diversion is located
in the NE ¼ NW ¼ Sec. 29, Tp. 16 N., R. 2 W. B.M. County of Washington

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
exceed 2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 N.	2 W.	3	NW ¼ SW ¼		5
			NB ¼ SW ¼		35
			SE ¼ SW ¼		40
			SW ¼ SE ¼		20
		10	NW ¼ NB ¼		20
					120

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

WITNESS the seal and signature of the State Engineer, affixed at Boise, Idaho, this 25th
day of August, 1920

W. G. Svendsen,
Commissioner of Reclamation State Engineer.

(SEAL)

By S.T. Baer, Deputy.

REPORT OF ENGINEER

This proof is for Beneficial Use.In Water District No. 41-F

1. State name of applicant and number of permit: Jephtha Arthur Helm, #11876
2. State source of water supply: Goodrich Creek.
3. Location of point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 29; Twp. 16 N.; 2 West, of B. M.
4. Describe works as they exist, giving dimensions and capacities of same:
Wood H.G. 1' B. 1' D. Flume 1' x 1', 100' long.
Ditch, 1' B. 1' D. Cap. 5 sec. ft.
5. State whether or not water has been turned into works of diversion: Yes.
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NW $\frac{1}{4}$ SW $\frac{1}{4}$ (5 A.) NE $\frac{1}{4}$ SW $\frac{1}{4}$ (35 A.) Sec. 3, T. 15N. R. 2W.
SE $\frac{1}{4}$ SW $\frac{1}{4}$ (40 A.) SW $\frac{1}{4}$ SE $\frac{1}{4}$ (20 A.) Sec. 3, T. 15 N. R. 2W
NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10, T. 15 N. R. 2 W. (20 A.)
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? One.
9. Give names and amount of each right:
10. What large stream would the water here appropriated finally reach? Snake River.
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: From land to Goodrich Creek, to Weiser River, to Snake River.

Remarks: Land is now owned by Arthur Tarr, Goodrich, Idaho.This examination was made on the 12 th day of June 19 20.

(Signed)

L. R. Annett
L. R. Annett.

Examiner.

(This report must be sworn to when not made by an attache of the office.)

STATE OF IDAHO,

County of.....

ss.

....., being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this..... day of..... 19.....

My commission expires.....

Notary Public.

41 F.

Jeptha Arthur Helm, (E. Tarr)
Goodrich, Idaho.

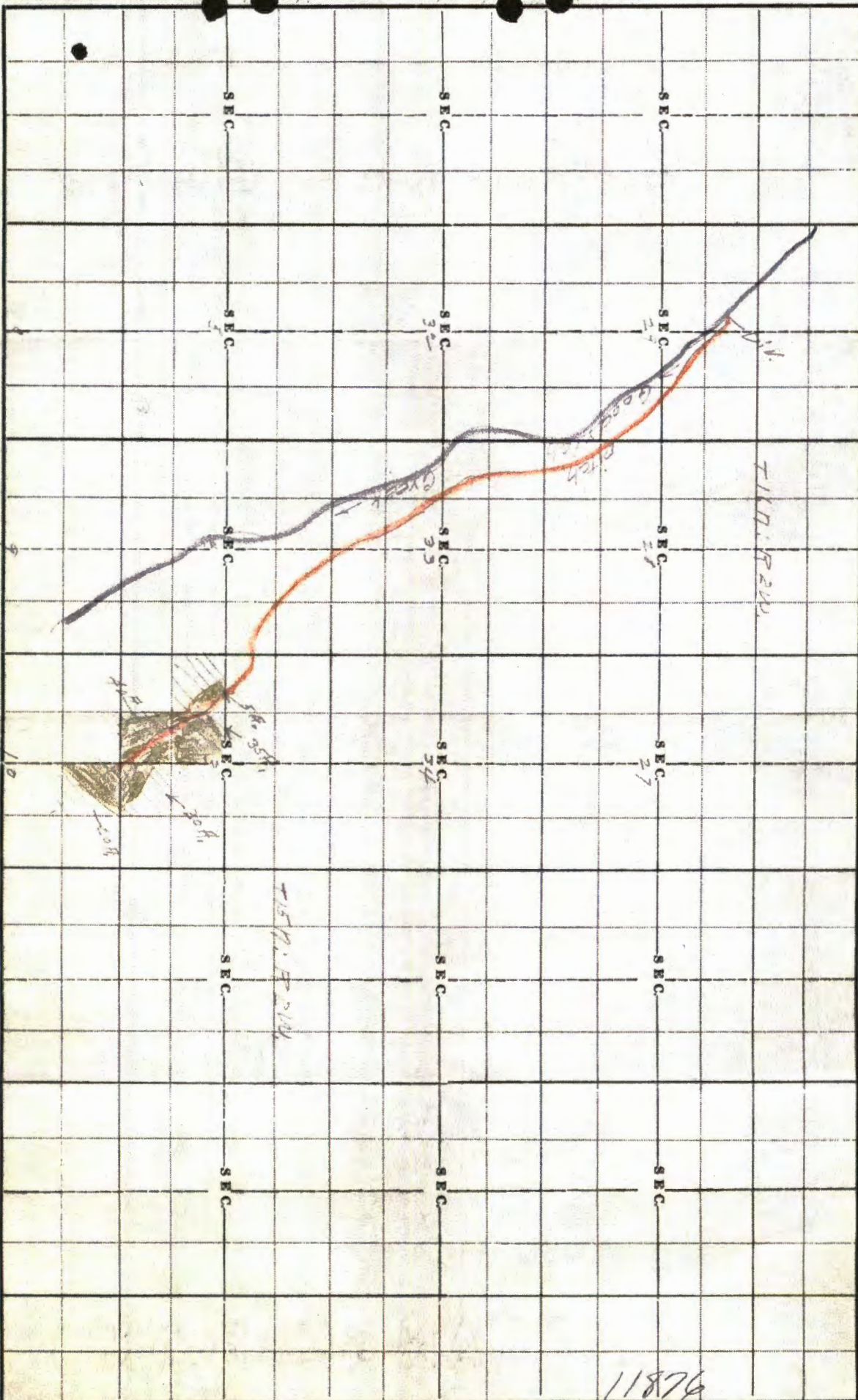
Permit #11876. 29-1672-41

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

NAME OF APPLICANT

Arthur Hahn #118



11876

SCALE: 2 INCHES—1 MILE. DRAW PLAN IN INK.

SEC. 22. Goodrich Creek SEC.

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T16N.R.2W
T15N.R.2W.

John Cotton Helme

CLAIMANT'S NAME: Arthur F. HendersonDATE: 12-27-1989EMPLOYEE: Carter Fritschle

RE: From discussions with Mr. Henderson during
the "claims taking sessions" of 6-13-89 and
12-27-89 I get the impression that water
right 67-02105 is being used on the land
described in claim A67-10035, and not the
55 acres described in the amended version
of 67-02105A.

MICROFILMED

OCT 01 1992

CLAIMANT'S NAME: Art Henderson

DATE: 6-13-89

EMPLOYEE: Carter Fritschle

RE: The "portable pump" has never been
used. The lands claimed have not
been irrigated with Goodrich Creek
water for many years.

MICROFILMED

OCT 01 1992