

07/30/2002

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

RIGHT NUMBER: 63-19756

NAME AND ADDRESS: DANSKIN CATTLE LLC
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID 83647

SOURCE: SPRINGS
UNNAMED STREAMS

TRIBUTARY: SOUTH FORK BOISE RIVER
TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.89 CFS

USE OF THIS RIGHT WITH RIGHT NO. 63-115 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.894 CFS.
USE OF THIS RIGHT WITH RIGHT NO. 63-31296 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.894 CFS.

PRIORITY DATE: 04/01/1897

POINT OF DIVERSION:

T01N R07E S10 SWSWSE Within ELMORE County
T01N R07E S10 SWSWSE Within ELMORE County
T01N R07E S10 SWSWSE Within ELMORE County
T01N R07E S10 SWSWSE Within ELMORE County
T01N R07E S15 NENWNE Lot 1 Within ELMORE County
T01N R07E S15 NENWNE Lot 1 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.894 CFS

PLACE OF USE:

<u>IRRIGATION Within ELMORE County</u>			
T01N R07E S10 Lot 2 SWNW	4.5	T01N R07E S10 Lot 5 NWSW	3.3
T01N R07E S10 Lot 6 SESW	6.1	T01N R07E S10 SWSE	3.7
T01N R07E S15 Lot 1 NWNE	26.0	T01N R07E S15 Lot 4 SWNE	0.5
T01N R07E S15 Lot 1 NENW	0.6		

44.7 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-31296 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 44.7 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 134.9 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 63-115 & 63-31290.

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: Beneficial Use

Idaho Department of Water Resources

**T01N R07E
S10 & S15**

Claims: 63-19756

Updated: 16 Nov 01

By: Ron Howerton

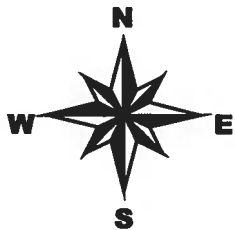
 **Place of use**

 **POD**

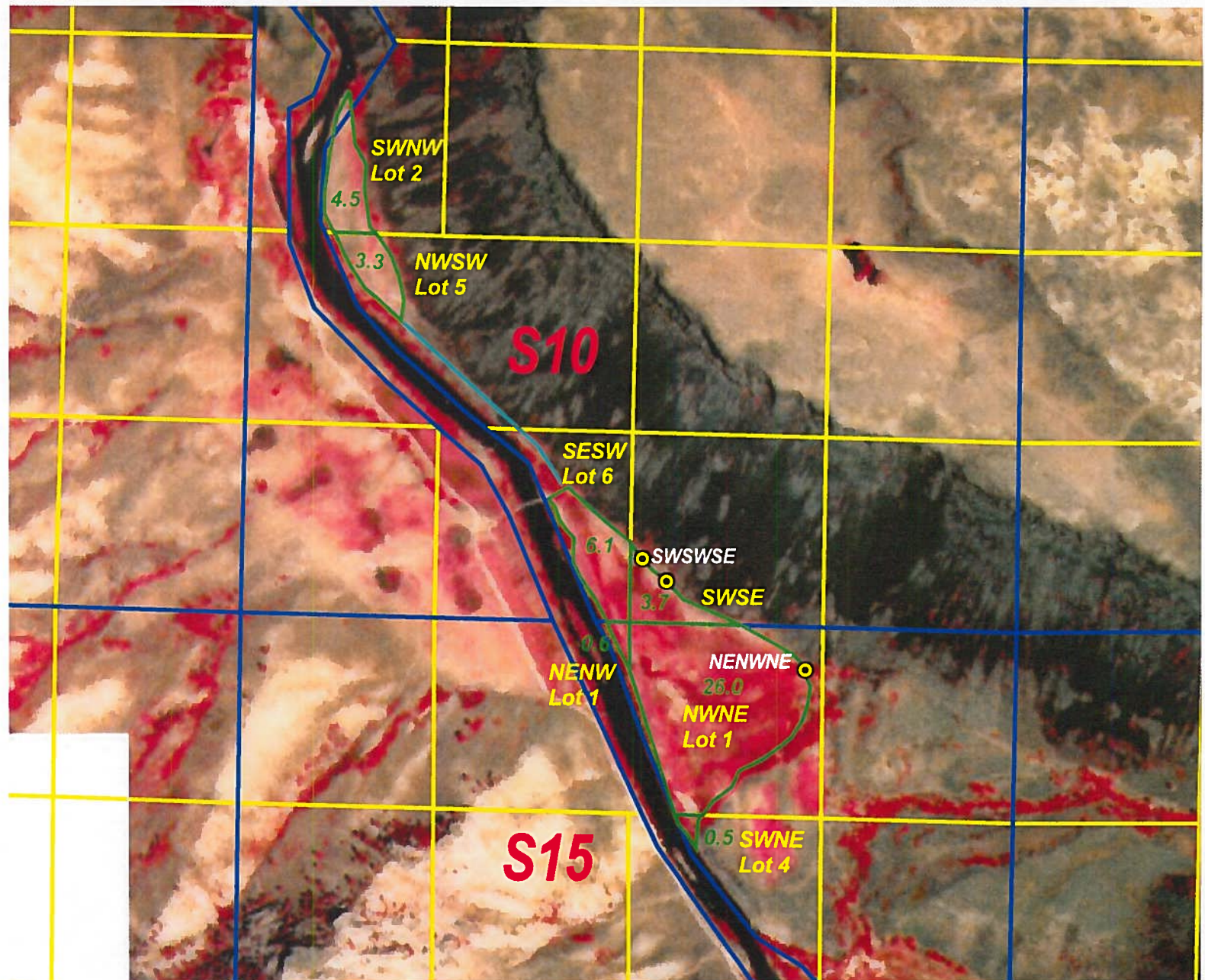
 **SECTION**

 **1/4 1/4**

44.7 Acres



1987 NAPP



OVERLAP ANALYSIS FOR 63-31290A AND 63-31290B – DANSKIN CATTLE CO.
3-16-04

63-31290A –

Ok to have the combined use as 1.0 cfs with 63-115 and 63-31290B since 63-31290A is a portion of the original enlargement right for 63-115 and no additional water can be added with this right from Rock Creek. 63-31290B is the other portion of the original enlargement right and overlaps with 63-115 which overlaps with this right.

This right and Right No. 63-19756 do have a 27.1 acre place of use overlap in the NWNE, SWNE, NENW, S. 15 – ok to have the .894 cfs overlap condition between the two since both are surface water rights and 63-31290A is a portion of the original enlargement claim and no additional water can be added with this right.

All of the acres on 63-31290A overlap with 63-115 – need to add in 63-31290B due to the overlap of it with 63-115 where all three together cannot exceed the 117.3 acres that is the total of 63-115. Note that 63-115 was previously decreed in the SRBA with the additional 11.4 acres as shown in 63-31290B.

Since this right does have a place of use overlap with both 63-115 and 63-19756 as mentioned above and 63-31290B overlaps with 63-115 – the overlap condition should have the total combined acre limitation of 134.9 when all four are combined. This includes the 117.3 acres from 63-115 plus the additional 17.6 acres under 63-19756 that do not overlap with this right or 63-115 in Sec. 10 as explained below. This totals the 134.9 acre limitation. Note: The 11.4 acres in 63-31290B are included in the 117.3 acre total for 63-115.

No overlap with 63-31296 in Sec. 10. All of 63-31296 acres are in addition to those in 63-31290A. Therefore, no overlap conditions needed between this right and 63-31296.

Note: 63-19756 and 63-31296 do overlap between each other in Sec. 10, thus the acre overlap conditions between those two rights were appropriate. Only the additional acres listed in Sec. 15 under 63-19756 overlap with 63-31290A.

63-31290B –

Ok to have the combined use as 1.0 cfs with 63-115 and 63-31290A since 63-31290B is a portion of the original enlargement right for 63-115 and no additional water can be added with this right from Rock Creek. 63-31290A is the other portion of the original enlargement right and overlaps with 63-115 which overlaps with this right. This right does not overlap with 63-19756 or 63-31296.

This right only overlaps on place of use with 63-115. The 11.4 acres split to this right are all included in the place of use for 63-115. Since 63-31290A is the other portion of the original enlargement right and overlaps with 63-115 it should be included in the total acre limitation of 117.3 acres.

OVERLAP REVIEW SHEET FOR THE FOLLOWING WK #'S: 62-195 63-19156

AGENT J

DATE 3-16-04

63-31296

63-3290A+B

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
ROCK CK	115		IN	7E	10								1.4	1.2	2.6	1.7					53.8	57.7
"	31290A	"	"	"	"								1.4	1.2	2.6	1.7					53.8	
"	31296	"	"	"	"				1.2				1.5		1.6				3.7		17.6	
SPRINGS & UNK. STREAMS	19756	"	"	"	"				1.2				1.5		1.6				3.7		17.6	17.6
TOTAL																					57.7	

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
ROCK CK	115		IN	7E	15	1.1	1.4	1.5	1.2								1.6				57.7	57.7
"	31290A	"	"	"	"	1.1	1.4	1.5	1.2								1.6				57.1	
SPRINGS & UNK. STREAM	19756	"	"	"	"	1.1	1.4		1.2												27.1	
ROCK CK	31290B	"	"	"	"				1.2								1.6				5.6	57.7
TOTAL																					57.7	

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
115			IN	7E	9												.8			.5	1.3	1.3
31290B			"	"	"												.8			.5	1.3	
TOTAL			"	"	"																	1.3

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
115			IN	7E	14								1.1	1.2							4.5	4.5
31290B			"	"	"								1.1	1.2							4.5	
TOTAL			"	"	"								1.1	1.2								4.5

TOTAL - 115 - 117.3

TOTAL ALL - 134.

& 31290B when complete.
See memo for analysis - dated 3-16-04

03/01/2002

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: April 5, 2002

Water right number: 63-19756

DANSKIN CATTLE LLC

C/O ROBERT C BAKER

PO BOX 488

MOUNTAIN HOME ID 83647

Telephone Number: (208)587-3617

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

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

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

X I AGREE with this proposed recommendation, no changes need to be made.

DATE: 3/18/02

SIGNATURE: [Signature]

Please print your name: Robert C. Baker

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 63-19754

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS
☐ NEW ADDRESS: _____

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____.

4. ☒ No Change — POINT OF DIVERSION *✓ GPS LOCATION*
☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

o SEE MANNING MEASUREMENT FOR AVAILABLE CFS.

o SPRINGS ARE ALSO UNNAMED STREAMS DEPENDING UPON

How Long Run-off in Spring lasts than the sources
become Springs that flow AFTER SPRING Run-off.

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: AUG 21, 2001

FIELD EXAMINER: _____

RON HOWERTON

Print Name

Ron Howerton

Signature

E14 119
E11 119 Total Acres with 115 $\neq$ 31290 = 134.9
E01 119 Total Acres with 115 $\neq$ 31290 = 44.7
E01 combined CFS with 115 = 1.894
E01 " " " 31290 = 0.894

Idaho Department of Water Resources

CLAIM VERIFICATION NARRATIVE SHEET

Updated: February 28, 2002

Date of Exam: August 8 & 20, 2001

Field examiner:

Ron Howerton
Senior Water Right Agent

Water Right Nos.: 63-115 & 63-31290
Also references to: 63-19756 & 63-31296

Contacts: Robert C. Baker

Narrative:

All Rock Creek water historically came down in the "Joy Ditches" at time of decreed right 63-115. A pipeline with risers replaced most of the historical ditches later from only the upper point of diversion. Additional land also was added for the enlargement beneficial use claim 63-31290 in 1974 when the historical "Joy Ditches" washed out. See affidavit by Robert Baker dated September 5, 2001. An additional beneficial use claim was filed on Rock Creek and is not considered an enlargement because the use began after the decree & prior to 1971, claim # 63-31296.

The affidavits for all beneficial use claims were all filled out by Bob Baker at Western Region September 5, 2001.

DATE OF PRIORITY: Ambiguous decree 63-115 stated superior to all others, not giving a date of priority, claimant submitted evidence of 04/01/1897, recommended.

DIVERTING WORKS & POD: The upper point of diversion consists of a screw head gate, plastic with rock dam. The water is diverted into a 14 inch steel pipe underground, then into 10 inch PVC, combination risers for sprinklers and gravity flow into historical ditches on the East side, then piped over the South Fork of the Boise River to where the enlargement acres are. He then uses risers for sprinkler irrigation. The decree was ambiguous in describing points of diversion.

SEASON OF USE: The decree was ambiguous by not listing the season of use, I'm recommending the standard season for this area and it matches the claimed season of use.

PLACE OF USE: Bob was made aware again at time of filing his affidavits for proof of historical beneficial use and during the field exams, that several of his claims overlapped Forest Serve Lands. He still wanted me to recommend their lands that irrigation is on, because he leases the lands. I have recommended them and expect an objection from the Forest Service. Recommendations of 117.3 acres are combined for the decreed right 63-115 and the 63-31290-enlargement claim.

I used BLM maps and Arc View information to verify Forest Service lands. See file copy. Also, questionable tract of BLM land. I questioned Bob about this; he said his contact with BLM said it wasn't BLM and thus, I recommended it.

I will also list 63-115 as an accomplished transfer for the place of use; some land changed from decreed area and the other reason is because of the change in the place of use of the enlargement in 1974. Evidence of change is shown on the 1987 NAPP photo. No injury found.

THE DECREE: Did not specify the duty of water. After plotting lands not included in the enlargement, it comes to 0.02 CFS per acre. The enlargement claim was prorated based upon the enlarged acres, see CFS prorate table in 63-31290.

OVERLAP REVIEW: The enlargement is 67.3 acres and the decree for 50-acre total of 117.3 acres is being recommended as a permissible place of use. Other overlaps are with 63-19756 with total acres of 134.9. See file for attached overlap review sheet. No places of use overlap with 63-31296, except with the point of diversion in section 14.

MEASUREMENTS: Manning measurements were made on historical ditches to verify differences in spring sources flows and Rock Creek flows. Also to verify more than 1 CFS had been diverted after the decreed Rock Creek 63-115 beneficial use claim for 63-31296 Rock Creek. The amount measured all provided historical flows in addition to 1 CFS and proved additional CFS had been diverted for spring source claim 63-19756. See Manning's equation data in file.

AFFIDAVIT

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

63-19756)
)
)

State of Idaho)

County of Ada)

Robert C. Baker being first duly sworn,

deposes and says: I claim that a water right to the unnamed streams & springs referred to in 63-19756 was established April 1, 1897 by Mr. Joy. This is substantiated by his patent to the land issued in 1902. The patent laws required him to live on and farm the land for 5 years prior to issuance of patent. The historical research was conducted by David Kennedy of D&D Research Assoc. At my request in 1990. Copy of his report attached.

Robert C. Baker
(Signature)

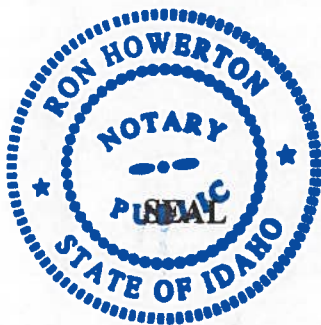
Subscribed and sworn to before me this

day 5 of SEPT, 2001.

Ron Howerton
(Notary Public)

Residing at Ron Howerton
Residing at Boise, Idaho

My Commission Expires December 8, 2006



Idaho Department of Water Resources

**T01N R07E
S10 & S15**

Claims: 63-19756

Updated: 16 Nov 01

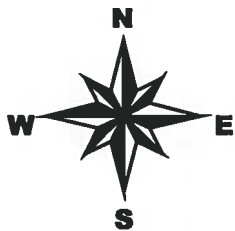
By: Ron Howerton

 **Place of use**

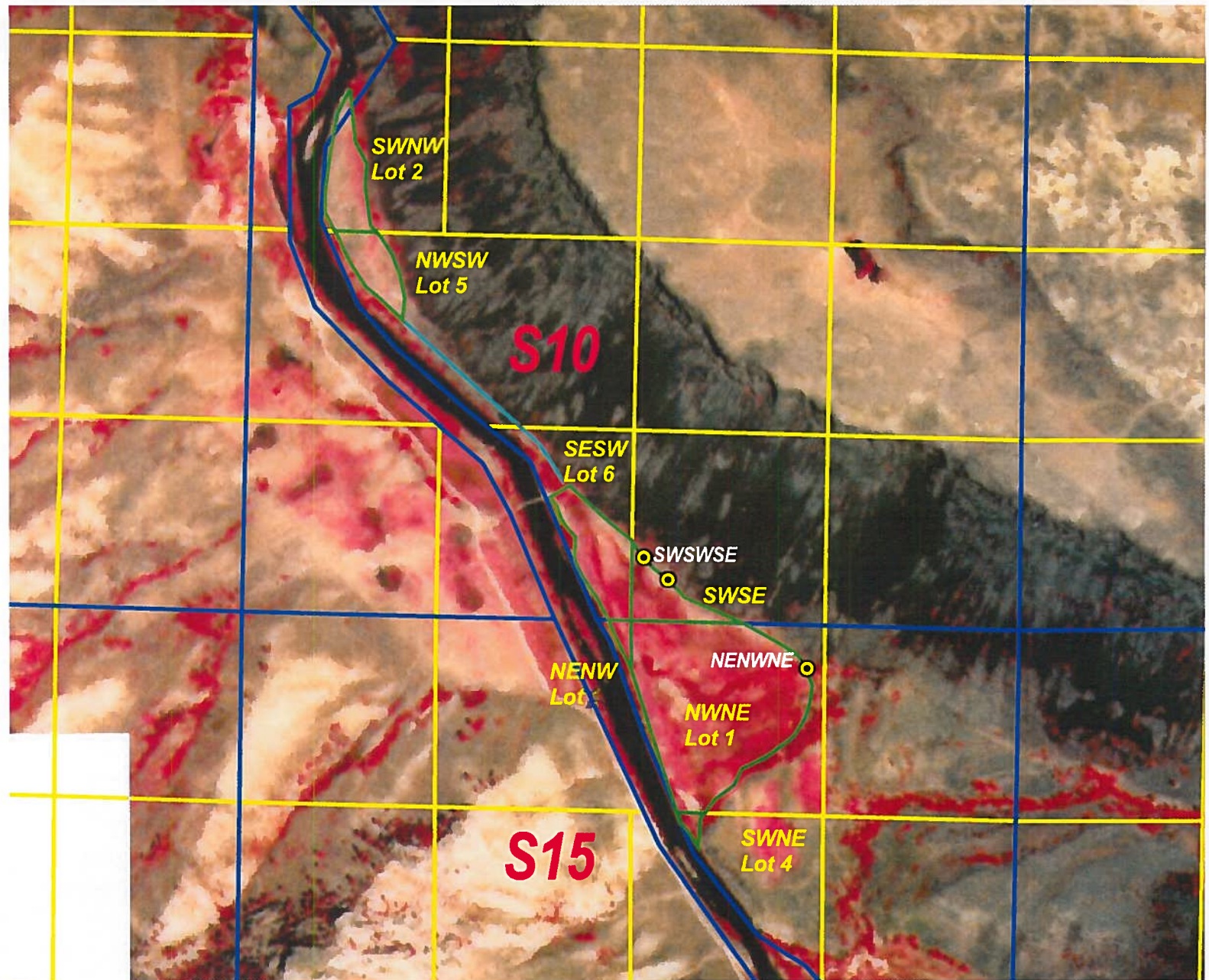
 **POD**

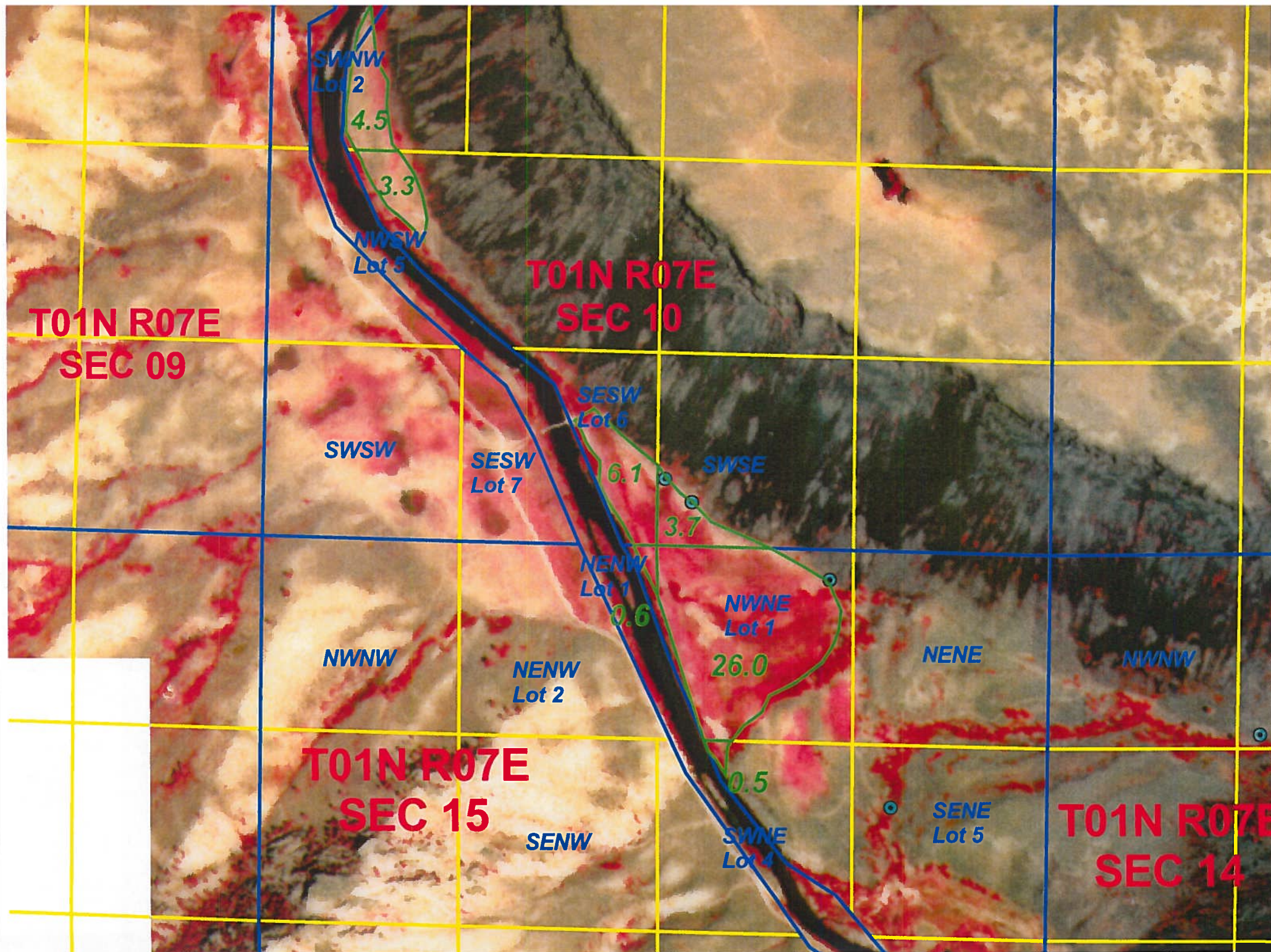
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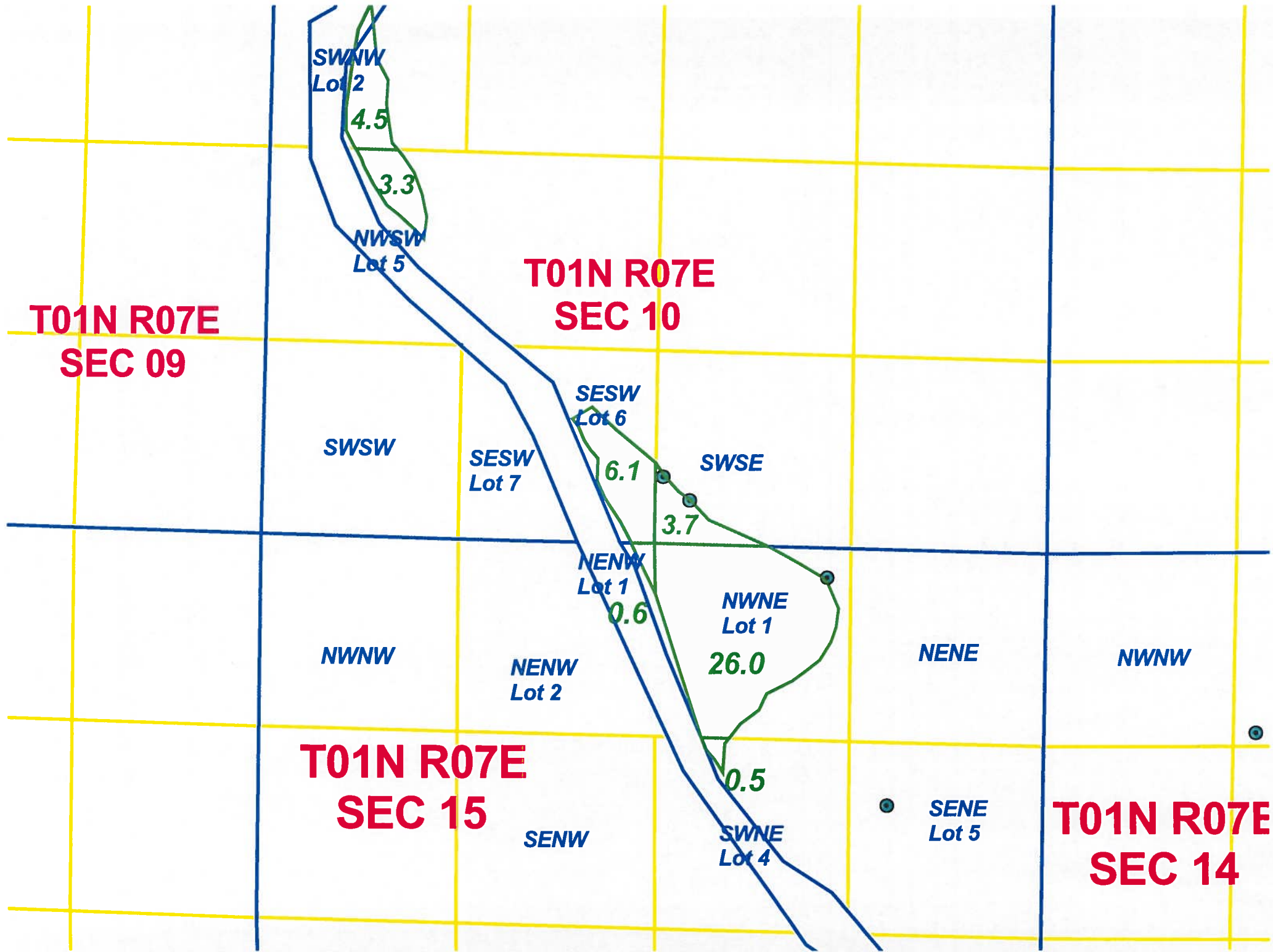
 **1/4 1/4**



1987 NAPP







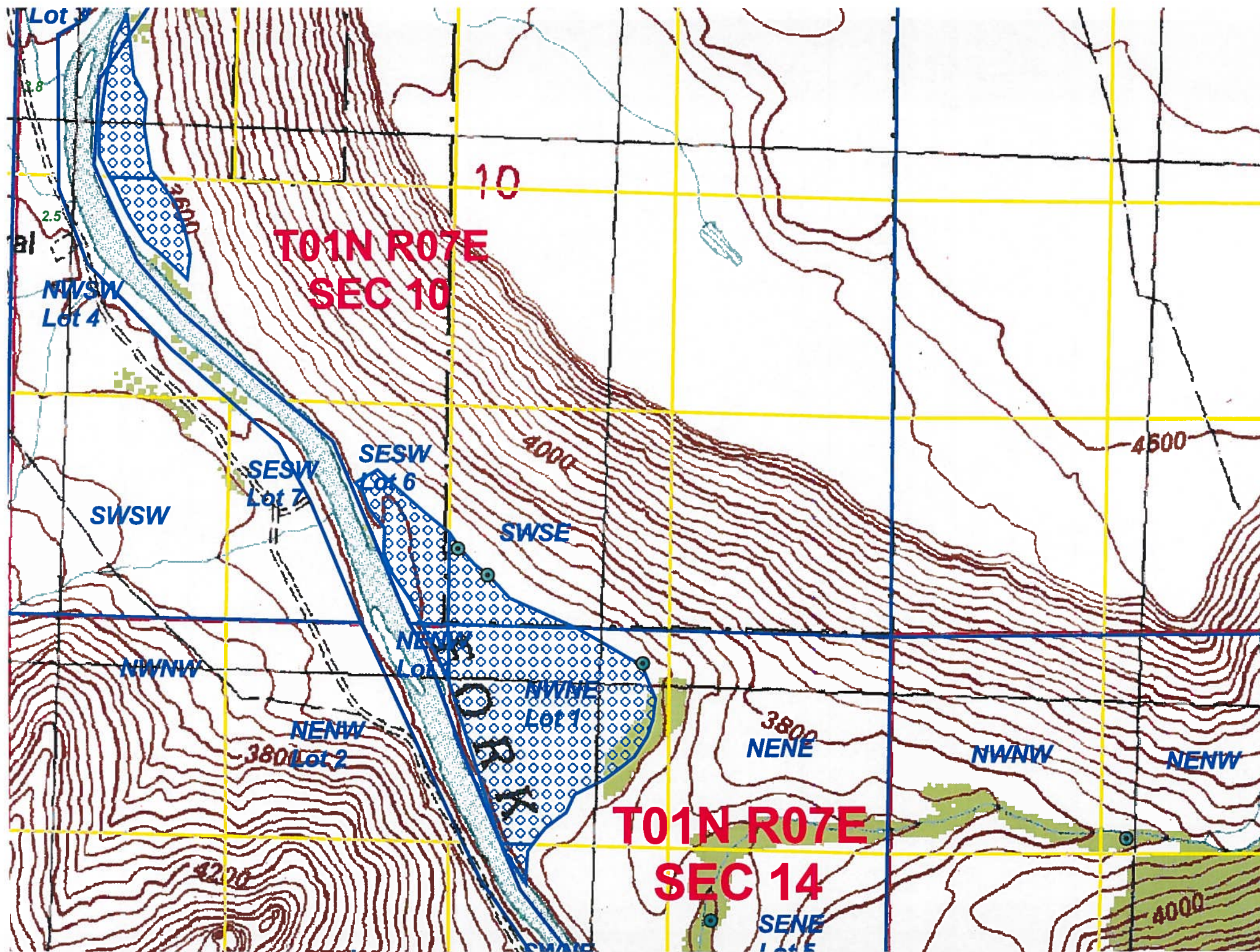


Photo 1. FX Aug. 21, 2001. Photos by RDH. 63-19756: Upper spring/unnamed stream intersects ditch. Located at T01N, R07E, S15, NENWNE, lot 1.

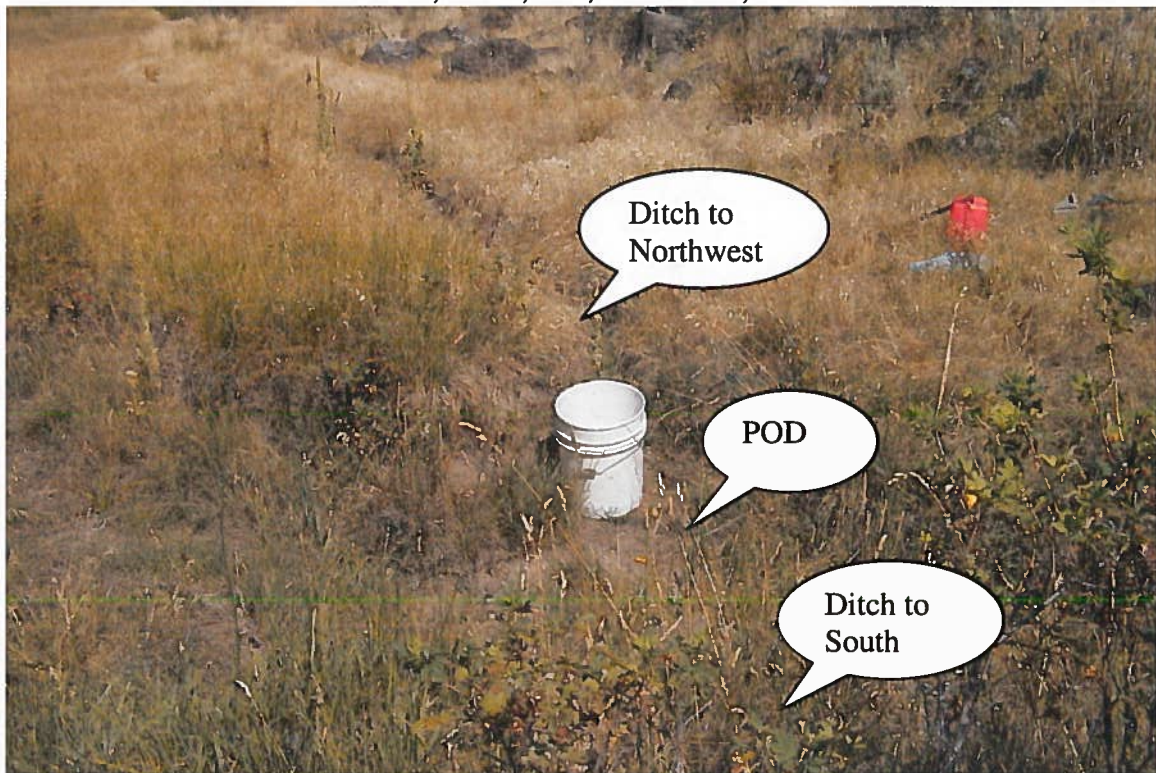


Photo 2. Middle spring/unnamed stream intersects ditch. Located at T01N, R07E, S10, SWSWSE.



Photo 3. Lower spring/unnamed stream intersects ditch. Located at T01N, R07E, S10, SWSWSE.



(ENLARGEMENT OF 115)
63 - 71290

DATE 2-28-02

63 - 31294

(A)

B) SPRINGS
UNNAMED STRINGS

 $(A) + (B)$

OVERLAP
~~TOTALS~~

(c)

Rock CP

NO (A) overlaps

(B) & (C) overlap

[illegible]

- COMBINED CFS & ACRES
SEE ALSO OVERLAP REVIEW SHEET

- 63-115 Rock CR

COMBINED WITH ENLARGEMENT: 63-31290 Rock CR
 CFS = 1.0 CFS + ENLARGEMENT = 1.0 CFS COMBINED
 ACRES = 50 + 67.3 = 117.3 ACRES COMBINED

- 63-19756 SPRINGS & UNNAMED STREAMS

COMBINED WITH 63-115 Rock CR
 CFS 1.0 CFS + .894 = 1.894 CFS COMBINED
 PPOU ACRES = 117.3 + 44.7 = 134.9 COMBINED

- COMBINED WITH 63-31296 Rock CR

CFS .352 CFS (OVERLAP) AT 0.02/ACRE = .894 CFS COMBINED
 ACRES 17.6 ACRES (TOTAL OVERLAP) = 44.7 ACRES

- 63-31290 ENLARGEMENT Rock CR

COMBINED WITH SPRINGS & UNNAMED STREAMS (63-19756)
 CFS ENLARGEMENT (NONE) + .894 = CFS COMBINED = .894
 63-19756

PPOU ACRES = 117.3 + 44.7 = 134.9 COMBINED ACRES

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Rec	63 115	DANSKIN CATTLE LLC,	ROCK CREEK	01N07E10										11.2	26.6	16					53.8
Rec	63 31290	DANSKIN CATTLE LLC,	ROCK CREEK	01N07E10										11.2	26.6	16					53.8
Rec	63 31296	DANSKIN CATTLE LLC,	ROCK CREEK	01N07E10							4.5			3.3		6.1			3.7		17.6
Rec	63 4225	DANSKIN CATTLE LLC,	SPRINGS, TRAIL CREEK, UNNAMED STREAM	01N07E10							3.8			2.5							6.3
Rec	63 19756	DANSKIN CATTLE LLC,	SPRINGS, UNNAMED STREAMS	01N07E10							4.5			3.3		6.1			3.7		17.6

• MEASURED BELOW MAIN SPRINGS/UNNAMED Streams

MANNING EQUATION CHANNEL CAPACITY RESULTS

08-22-2001

File Number: 63-19756

Claimant: DANSKIN CATTLE CO

Channel measured: SPRINGS & UNNAMED STREAMS

Date of measurement: 082101

Measurement location:

SEE FX

Calculation prepared by: RDH

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 145 feet.

The upstream and downstream rod readings are 3.06 and 4.48 feet.

The channel cross section is 1.55 ft-sq.

The wetted perimeter is 3.70 feet.

The hydraulic radius is 0.42 feet.

The slope is 0.0098

The roughness coefficient is 0.0250

The flow velocity is 3.301 ft/sec.

The rate of flow is 5.12 cfs.

(SEE MANNING IN 63-115
Historical Ditches = 2.74)

$$\begin{array}{r} 5.12 \text{ cfs} \\ - 2.74 \\ \hline = 2.38 \text{ cfs AVAILABLE FOR 63-19756} \\ \text{ONLY NEED .894} \end{array}$$

CALC WERE MADE

FROM MEAS. HISTORICAL
DITCHES FROM ROCK CR
ABOVE SPRINGS/UNNAMED STREAMS
MINUS MEAS. BELOW MAIN
SPRING & UNNAMED STREAM.

CROSS SECTION NUMBER 1

For File Number 63-19756 for the SPRINGS & UNNAMED STREAMS

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.40	0.40	0.50
3	0.70	0.70	1.00
4	0.90	0.90	1.50
5	0.80	0.80	2.00
6	0.70	0.70	2.50
7	0.00	0.00	3.00

The area for this cross section is 1.75 square feet
and the wetted perimeter is 3.64 feet.

CROSS SECTION NUMBER 2

For File Number 63-19756 for the SPRINGS & UNNAMED STREAMS

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.30	0.30	0.50
3	0.50	0.50	1.00
4	0.60	0.60	1.50
5	0.60	0.60	2.00
6	0.40	0.40	2.50
7	0.30	0.30	3.00
8	0.00	0.00	3.50

The area for this cross section is 1.35 square feet
and the wetted perimeter is 3.76 feet.

Claim Number(s): A63-19756
 Name of Claimant(s): DANSKIN CATTLE CO
 Name of Ditch, Canal, or Stream: UNNAMED STREAMS E 5 SPRINGS RC1
 Date of Measurement: 8-21-01 Data Collected By: Rdh
 Measurement Location: 1/4 1/4 Section 1 T 1 R 1

Cross Section Data

Basis: high water mark(☒) maximum capacity()

Note: minimum of five depth or rod readings; first and last must be equal or zero

UPSTREAM		Downstream	
depth or rod reading	distance from initial point	depth or rod reading	distance from initial point
1. <u>0</u>	<u>0</u>	1. <u>0</u>	<u>0</u>
2. <u>.4</u>	<u>.5</u>	8. <u>.3</u>	<u>.5</u>
3. <u>.7</u>	<u>1.0</u>	9. <u>.5</u>	<u>1.0</u>
4. <u>.9</u>	<u>1.5</u>	10. <u>.6</u>	<u>1.5</u>
5. <u>.8</u>	<u>2.0</u>	11. <u>.6</u>	<u>2.0</u>
6. <u>.7</u>	<u>2.5</u>	12. <u>.4</u>	<u>2.5</u>
7. <u>0</u>	<u>3.0</u>	13. <u>.3</u>	<u>3.0</u>
		Slope Data	<u>3.5</u>

Basis: high water mark(☒) channel bottom() land surface()

Level Readings: upstream downstream

upper stadia

center

lower stadia

stadia difference (80 + 65) x 100 = 145

HAND MEASURED

channel length

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes()

LOCATED ON HISTORICAL DITCH

below first unnamed stream/spring diversion

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	X	(1)	negligible	.000	X	(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000	X	(1)	low	.005	X	(1)
minor	.005		(2)		.010		(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000	X	(1)	minor	1.00	X	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 13, 2001

DANSKIN CATTLE LLC
% ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID 83647

Re: Notice of Claim to a Water Right No. 63-115, 63-4225, 63-4859, 63-5069, 63-19755,
63-19756, 63-19757, 63-31290 & 63-31296

Dear Claimant(s):

Enclosed are copies of the above referenced *amended* claims, which reflect the necessary changes for the land and appurtenant water rights covered under the original filing. Also enclosed are the new claim filings, and copies for your records.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in black ink that reads "Denise Buffington". The signature is fluid and cursive, with the first name "Denise" being more prominent than the last name "Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

DANSKIN CATTLE CO
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME, ID 83647

Re: Claim No(s) 63-4225,

63-4859, 63-5069,

63-19755, 63-19756, 63-19757

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DANSKIN CATTLE CO C/O ROBERT C BAKER PO BOX 488 MOUNTAIN HOME ID 83647 (208) 587-3617	05/20/1900	IRRIGATION	04-01 11-01	1.120 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					1.120 CFS	140.00 AFA
Water Source: SPRINGS		Tributary to: SINK		Stage: BENEFICIAL USE		
Point(s) of Diversion:		T01N R07E S10 S15	SESESW NWNWNE	SWSWSE SENWNE	ELMORE County ELMORE County	
Place of use Legal Description for: IRRIGATION						
NE NENE NWNE SWNE SENE : NENW NWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE : SUM T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt						

POU County: ELMORE

Other Rights: A63-00115

Other Water Rights Listing Overlapping Place(s) of Use:
A65-02379 A65-02672 A65-03043 A65-03044 A65-07085

Remarks: GEN 4 DISCERNIBLE SPRINGS. THERE MAY BE OTHERS AS THIS IS A VERY WET AREA.

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

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

Audit: 11/29/89 WERNER 03/30/95 POST-STD

Actual SOURCES ARE SPRINGS AND UNNAMED STREAMS
The Springs Intersect the ditch AND GPS READINGS
WERE TAKEN, WHEN RUNOFF OCCURS they are UNNAMED
Streams, when runoff is OVER FROM SNOW PACKS then
the flow is from the Springs, best to show both Sources

Bob will
CK on
this
that.
he wants
to claim
ALL FOREST
SERVICE
LANDS

KEY
F= Forest Lands
B= BLM

AMENDED

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 63-19756
Date Received: 11/29/1989
Receipt No: W006829
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): DANSKIN CATTLE LLC Phone: (208)587-3617
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID USA 83647

2. Date of Priority: 04/01/1897

3. Source: UNNAMED STREAMS Trib. to: BOISE RIVER SOUTH FORK
SPRINGS BOISE RIVER SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	07E	10	SW SE	ELMORE	
01N	07E	15	NW NE 1	ELMORE	
01N	07E	10	SW SE	ELMORE	

5. Description of diverting works:

When run off occurs the source is unnamed stream, after run off, the springs continue to flow. The sources intersect historical ditches. The spring in the NWNE can flow both ways into historical ditch.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.894	

7. Total Quantity Appropriated is:
0.894 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	07E	10	SE	SW	IRRIGATION	6.1
			SW	SE	IRRIGATION	3.7
			NW	SW	IRRIGATION	3.3
			SW	NW	IRRIGATION	4.5
Section Acres						17.6
01N	07E	15	SW	NE	IRRIGATION	0.5
			NW	NE	IRRIGATION	26
			NE	NW	IRRIGATION	0.6
Section Acres						27.1
Total Acres						44.7

11. Place of use in counties: ELMORE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Private and Forest Service, questionable BLM. Has lease agreement with Forest Service.
Claim amended 9/10/2001

15. Basis of Claim: Beneficial Use

— AMENDED —IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-19756Date Received 9-5-01Receipt Number N/ANOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

SEP 05 2001

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) DANSKIN CATTLE ~~CO~~ LLC Phone (208) 587-3617Mailing Address PO Box 488 MOUNTAIN HOME ID Zip 836472. Date of Priority (Only one (1) per claim) 05/20/1900 04/01/1897 RCB3. Source of water supply (a) SPRINGS & UNNAMED STREAMS
which is tributary to (b) BOISE RIVER, SOUTH FORK4. a. Location of existing point of diversion is: Township 01N Range 07E Section 15,
_____ 1/4 of NW 1/4 of NE 1/4, Govt. Lot, 1 B.M., County of ELMOREAdditional points of diversion if any: 1N, 7E, 510, SWSE (TWO POINTS)

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. When Run off occursthe source is unnamed stream, after run off
the springs continue to flow. the sources intersect
historical ditches. the spring in the NWNE can
flow both ways into historical ditch.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRR purposes from 04-01 to 11-01 amount .894 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .894 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>1N</u>	<u>7E</u>	<u>10</u>							<u>4.5</u>				<u>3.3</u>				<u>6.1</u>		<u>17.6</u>
		<u>15</u>		<u>26</u>	<u>.5</u>		<u>.6</u>												<u>27.1</u>

Total number of acres irrigated 44.7

11. In which county (ies) are lands listed above as place of use located? FLMORE

12. Do you own the property listed above as place of use? Yes _____ No X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. 63-00115 or None ()

14. Remarks: PRIVATE & FOREST SERVICE QUESTIONABLE BLM
HAS LEASE AGREEMENT WITH FOREST SERVICE

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-19756
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

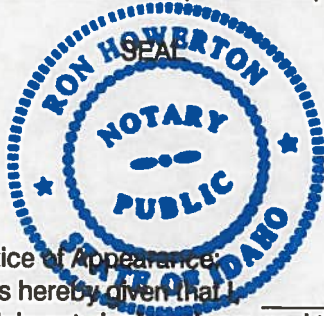
Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am MANAGING member Title
of DANSKIN CATTLE, LLC Organization, that I have signed the foregoing
document in the space below as MANAGING member Title of DANSKIN CATTLE, LLC Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]
Title and Organization MANAGING member, DANSKIN CATTLE LLC Date 9/5/01

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 5 day of SEPT 2001



Notary Public [Signature]

Residing at Ron Howerton

My Commission Expires December 8, 2006

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

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: A63-19756
Date Received: 11/29/1989
Receipt No: W006829
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DANSKIN CATTLE CO. 208-587-3617
Address: C/O ROBERT C. BAKER
PO BOX 488
MOUNTAIN HOME, ID 83647

2. Date of Priority: MAY 20, 1900

3. Source: SPRINGS Trib. to: SINK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	07E	10	SE	SE	SW		ELMORE
			SW	SW	SE		ELMORE
		15	NW	NW	NE		ELMORE
			SE	NW	NE		ELMORE

5. Description of diverting works:
UNDEVELOPED SPRINGS, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.120		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A63-19756

Page 1

Date: 11/29/89

MICROFILMED

SEP 02 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	01E	10	SE	SW		IRR	11.0
			SW	SE		IRR	6.0
					Section Acres		17.0
		15	NW	NE		IRR	36.0
			SW	NE		IRR	3.0
					Section Acres		39.0
					Total Acres		56.0

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:
A63-00115

14. Remarks:
4 DISCERNIBLE SPRINGS. THERE MAY BE OTHERS AS THIS IS A VERY
WET AREA.

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 Organizations:

I do solemnly swear or affirm that I am Operating Partner of Idamkin Cattle Co, that I have signed the foregoing document in the space below as Operating Partner of Idamkin Cattle Co and that the statements contained in the foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Operating Partner DCC
Title and Organization

12/14/89
Date

State of Idaho)
County of Ada) SS.

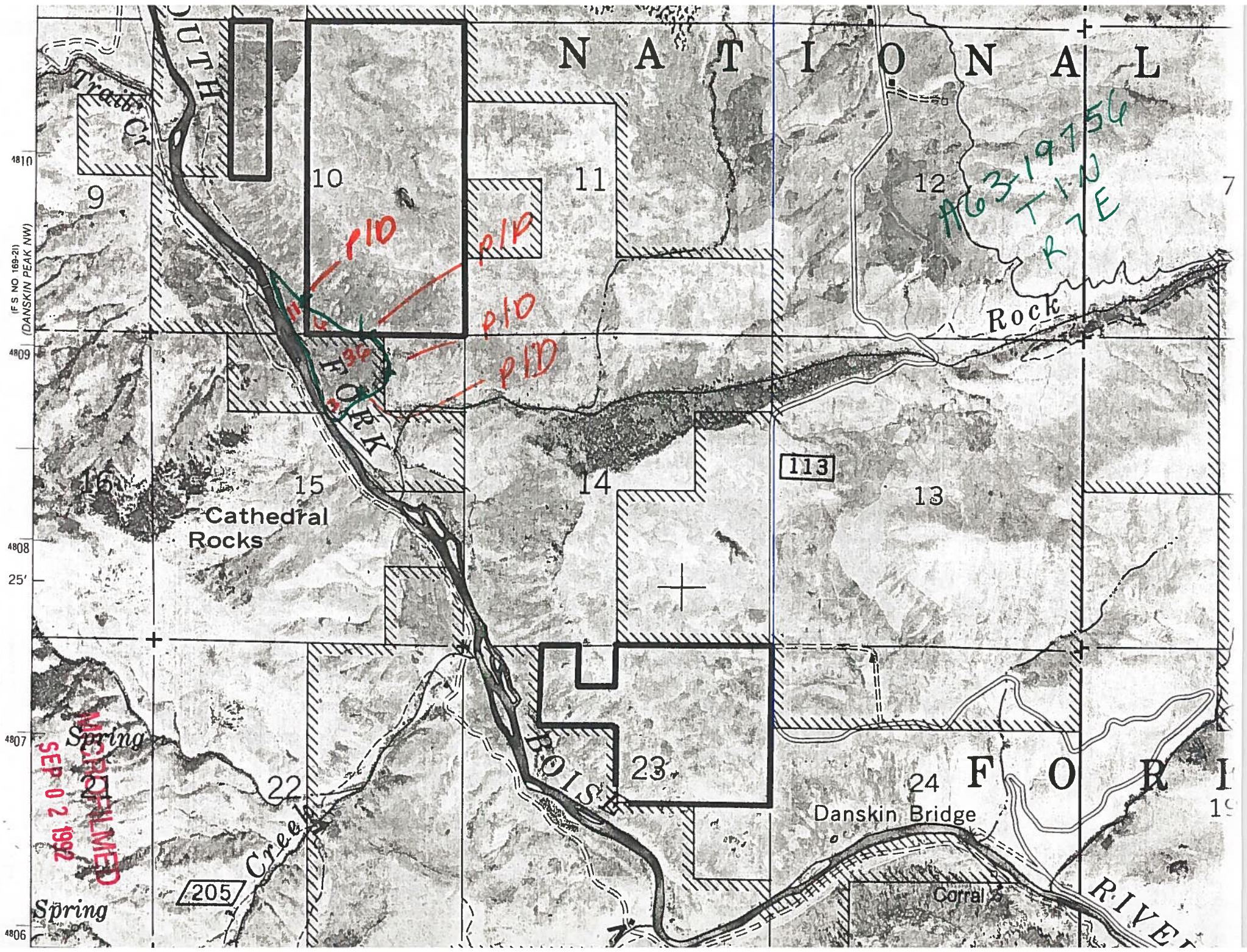
Subscribed and sworn (or affirmed) before me this 14 day
of Dec 19 89

[Signature]
Notary Public

Seal

Linda A. Werner
Residing at Residing at Boise, Idaho
My Commission Expires December 8, 1994

MICROFILMED
SEP 02 1992



AG 3-19-75
TIN
R7E

PID
PID
PID
F36

MAGNETICALLY
SEPT 02 1992
Spring