

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: 39356

Ident. Number A36-00026Date Received 8-24-88Receipt Number 5002309

**COPY**  
FOR YOUR FILES  
DO NOT RETURN

**NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW**

**RECEIVED**

AUG 23 1988

Department of Water Resources  
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) LLOYD BROWN Phone (208 ) 837-6101Mailing Address 2802 South 850 East, Rt. #1, Hagerman, Idaho Zip 833322. Date of Priority (Only one (1) per claim) March 30, 18843. Source of water supply (a) Billingsley Creek via Bell Ditch  
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 7 South Range 13 East Section 11,  
NE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of GoodingAdditional points of diversion if any: re-diverted from Bell Ditch in the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 22,  
Township 7 South, Range 13 East of the Boise Meridian, Gooding Co.

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. From the diversion of the Bell Ditch on the  
bank of Billingsley Creek, the water flows in a Southwesterly direction approximately  
3 $\frac{1}{2}$  miles via the Bell Ditch to the subject property. Once the water is on the property,  
it is irrigated by flood irrigation.

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JAN 27 1993

OCT 11 1994

Copies: White-State, Yellow-Claimant

6. Water is claimed for the following purposes: (both dates are inclusive) (cfs) (acre feet)
- For Irrigation purposes from Mar. 15 to Nov. 15 amount 2.40 or \_\_\_\_\_
- For Stockwater purposes from Jan. 1 to Dec. 31 amount 0.05 or \_\_\_\_\_
- For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_
- For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_
7. Total quantity claimed (a) 2.40 (cfs) and/or (b) 160 (acre feet)
8. Total consumptive use claimed is 120 acre feet per annum.
9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) There are from 100 to 125 head of cattle and or calves on the property.
10. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
  - 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 |        |
| 7 S | 13 E | 22  |        |       |       |       |        |       |       |       |        |       |       |       |        |       | S<br>40 |       | 40     |
|     |      |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |         |       |        |
|     |      |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |         |       |        |
|     |      |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |         |       |        |
|     |      |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |         |       |        |
|     |      |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |         |       |        |
|     |      |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |         |       |        |

Total number of acres irrigated 40 acres

11. In which county (ies) are lands listed above as place of use located? Gooding County
12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_  
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.  
36-0027 or None ( )
14. Remarks:  
This amount of water is needed on the property for several reasons: (1) With the length of the Bell Ditch, there is a lot of loss from evaporation and seepage from the dirt ditch itself. (2) The property that is irrigated is very sandy in nature. (3) The ditch passes over lava flows and there are sink holes that cannot be filled, which also causes loss in water.

Last Name BROWN Ident No. \_\_\_\_\_

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Scale: 2 inches equals 1 mile

## TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN

SECTION 10

SECTION 11

POINT OF DIVERSION

SECTION 14

SECTION 15

BUCKEYE DITCH

BELL DITCH

SECTION 21

SECTION 22

PLACE OF USE

**MICROFILMED**  
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**OCT 11 1994**  
**JAN 20 1993**

Last Name BROWN Ident No.

*Copies: White-State, Yellow-Claimant*

15. Basis of Claim (check one) ☐ Ber ☐ al Use ☐ Posted Notice ☐ L ☐ se ☐ Permit ☐  
Decree ☒ X

If applicable provide IDWR Water Right Number 36-0026

Court U.S. District Court Case Number 1602 Decree Date March 22, 1932

Plaintiff vs Defendant New International Mortgage Bank vs Idaho Power Company

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 One (1)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Lloyd Brown Date 8-24-88  
Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

\_\_\_\_\_ Title  
of \_\_\_\_\_, that I have signed the foregoing  
Organization

document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of Gooding ) SS.

Subscribed and sworn (or affirmed) before me this 24<sup>th</sup> day of August 19 88

SEAL

Notary Public Cynthia Jensen

Residing at Hagerman, Idaho

My Commission Expires 5-10-91

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 BROWN Ident. Number \_\_\_\_\_

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Copies White-State, Yellow-Claimant

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER  
 WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:  
 IRRIGATION 14.400 CFS 0.00 AF  
 TOTAL RATE: 14.400 CFS TOTAL VOLUME: 0.00 AF

DECREE PLAINTIFF: NEW INTERNATIONAL MORTGAGE BANK  
 DECREE DEFENDANT: IDAHO POWER COMPANY

POINT OF DIVERSION: T07S R13E S11 SESE  
 PLACE OF USE: T07S R13E S20 NENE  
 T07S R13E S28 NWNE LT01  
 T07S R13E S27 NWNW  
 T07S R13E S22 SWSW  
 T07S R13E S21 SESE LT06  
 T07S R13E S21 SESE LT09  
 T07S R13E S21 SWSE LT09

POOR ORIGINAL

DEED: 36-2024 CURRENT OWNER: CHARLES R. BLACKHART  
 IZMA C. BLACKHART  
 COUNTY: GOODING PRIORITY DATE: 30-Mar-1884  
 SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER STAGE: DECREE  
 WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:  
 IRRIGATION 2.400 CFS 0.00 AF  
 TOTAL RATE: 2.400 CFS TOTAL VOLUME: 0.00 AF  
 WATER DISTRICT: 36A

DECREE PLAINTIFF: NEW INTERNATIONAL MORTGAGE BANK  
 DECREE DEFENDANT: IDAHO POWER COMPANY

POINT OF DIVERSION: T07S R13E S11 SESE  
 PLACE OF USE: T07S R13E S22 SESE

DEED: 36-2024 CURRENT OWNER: NARREL BLACKHART  
 COUNTY: GOODING PRIORITY DATE: 30-Mar-1884  
 SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER STAGE: DECREE  
 WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:  
 IRRIGATION 2.400 CFS 0.00 AF  
 TOTAL RATE: 2.400 CFS TOTAL VOLUME: 0.00 AF  
 WATER DISTRICT: 36A

DECREE PLAINTIFF: NEW INTERNATIONAL MORTGAGE BANK  
 DECREE DEFENDANT: IDAHO POWER COMPANY

POINT OF DIVERSION: T07S R13E S11 SESE  
 PLACE OF USE: T07S R13E S22 SESE

DEED: 36-2024 CURRENT OWNER: EDNA M. CLIFFORD  
 FRANCES M. CLIFFORD  
 MR. H. CLIFFORD  
 EDWARD P. CLIFFORD  
 RICHARD C. CLIFFORD  
 DOYLE G. CLIFFORD  
 SYLVIA E. MCCOBBLE  
 RYAN G. SMITH  
 COUNTY: GOODING PRIORITY DATE: 30-Mar-1884  
 SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER STAGE: DECREE  
 WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:  
 IRRIGATION 2.400 CFS 0.00 AF  
 TOTAL RATE: 2.400 CFS TOTAL VOLUME: 0.00 AF  
 WATER DISTRICT: 36A

10N 2 N 1983

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Page 2 of 3

| Name                                                                                                                                                                                       | Amount of water<br>in Second Foot<br>and Source      | Priority or<br>Appropriation | Divergence Point                                                                                                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 011                                                                                                                                                                                        | BIG SPRING 12.2 Spring                               | March 22, 1901               | Big Spring: (Duffee-Beck<br>Tunnel)                                                                                                                                                                                    |
| 023                                                                                                                                                                                        | WATER USERS<br>ASSOCIATION<br>A Corporation 3 Spring | April 1, 1911                | Big Spring: (Duffee-Beck<br>Tunnel)                                                                                                                                                                                    |
| (Said Big Spring is located on the NW 1/4 of the SE 1/4 of Sec. 16, Twp. 7 S. R. 14 E. B. M.)                                                                                              |                                                      |                              |                                                                                                                                                                                                                        |
| 024                                                                                                                                                                                        | BLACKHART 2.4 Billingsley Creek March 30, 1884       |                              | E. B. Bell Ditch;                                                                                                                                                                                                      |
| 025                                                                                                                                                                                        | Charles R. 2 Billingsley Creek Sept. 10, 1884        |                              | Buckeye Ditch;                                                                                                                                                                                                         |
| and Isaac C. Blackhart SE 1/4 of the SE 1/4 of Sec. 22, Twp. 7 S. R. 13 E. B. M.                                                                                                           |                                                      |                              |                                                                                                                                                                                                                        |
| 026                                                                                                                                                                                        | BLACKHART 2.4 Billingsley Creek March 30, 1884       |                              | E. B. Bell Ditch;                                                                                                                                                                                                      |
| 027                                                                                                                                                                                        | Mabel 4 Billingsley Creek Sept. 19, 1884             |                              | Buckeye Ditch;                                                                                                                                                                                                         |
| SW 1/4 of the SE 1/4 of Sec. 22, Twp. 7 S. R. 13 E. B. M.                                                                                                                                  |                                                      |                              |                                                                                                                                                                                                                        |
| 6-028                                                                                                                                                                                      | Boyer, 2 Riley Creek                                 | Oct. 1, 1908                 | Pipe Ditch referred to in<br>paragraph 7 of the findings;                                                                                                                                                              |
| Emerson<br>and<br>Ethel Boyer SW 1/4 of the SW 1/4 of Sec. 36, Twp. 7 S. R. 13 E. B. M.                                                                                                    |                                                      |                              |                                                                                                                                                                                                                        |
| 029                                                                                                                                                                                        | Boyer, 2 Spring                                      | Feb. 17, 1898                | Three Springs;                                                                                                                                                                                                         |
| Lee, and<br>Alice<br>Boyer                                                                                                                                                                 |                                                      |                              | (Said Three Springs is located immediately east of the east boundary line of the<br>Dan Jones' Ranch about one-eighth mile east of Billingsley Creek and about one mi<br>north of the head of said Billingsley Creek.) |
| SE 1/4 of the SW 1/4 of Sec. 27, and the NW 1/4 of the NW 1/4 of Sec. 25, Twp. 7 S. R. 13 E. B. M.                                                                                         |                                                      |                              |                                                                                                                                                                                                                        |
| 030                                                                                                                                                                                        | Brailsford 3 Len Lewis Spring Sept. 1, 1889          |                              | Brailsford-Owens Ditch;                                                                                                                                                                                                |
| A. R., and<br>Beatrice E.<br>Brailsford W 1/2 of the NW 1/4 of Sec. 25, Twp. 7 S. R. 13 E. B. M.; E 1/2 of the NW 1/4 and the NE 1/4 of<br>the SE 1/4 of Sec. 25, Twp. 7 S. R. 13 E. B. M. |                                                      |                              |                                                                                                                                                                                                                        |

POOR ORIGINAL

MICROFILMED  
OCT 11 1994

C1

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: A36-00026  
Date Received: 8/26/1988  
Receipt No: S002309  
Received By: \_\_\_\_\_

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name: LLOYD BROWN 208-837-6101  
Address: 2802 SOUTH 850 EAST  
RT. 1  
HAGERMAN, ID 83332

2. Date of Priority: MAR 30, 1884

3. Source: BILLINGSLEY CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 07S      | 13E   | 11      | NE     | SE     | NE  |     | GOODING |

5. Description of diverting works:  
DIVERSION VIA THE BELL DITCH 3.5 MILES TO P/U, FLOOD IRRIGATION.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 2.400 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.050 |      |        |

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

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

9. Non-irrigation uses:  
S/125 CATTLE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 07S      | 13E   | 22      | SW     | SE  |     | IRR | 40.0  |

A36-00026

Page 1

Date: 02/08/89

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**JAN 20 1993**

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 07S      | 13E   | 22      | SW     | SE  |     | STOCK |       |

Section Acres 40.0

Total Acres 40.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:  
36-00027

14. Remarks:

THIS AMOUNT OF WATER IS NEEDED ON THE PROPERTY FOR SEVERAL REASONS: (1) WITH THE LENGTH OF THE BELL DITCH, THERE IS A LOT OF LOSS FROM EVAPORATION AND SEEPAGE FROM THE DIRT DITCH ITSELF. (2) THE PROPERTY THAT IS IRRIGATED IS VERY SANDY IN NATURE. (3) THE DITCH PASSES OVER LAVA FLOWS AND THERE ARE SINK HOLES THAT CANNOT BE FILLED, WHICH ALSO CAUSES LOSS IN WATER.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

NEW INTERNATIONAL MORTGAGE BAN  
Decree Plaintiff

vs

IDAHO POWER COMPANY  
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): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

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

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

8/01/1988

## SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Brown

CLAIM

DENT. NO.

A36-00026

DATE RECEIVED

8-26-88

CK #

1597

AMOUNT \$

1653 Claims

YES

NO

1. Is the name and address complete with zip code? . . . . .

✓

2. Is priority date entered? . . . . .

✓

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. . . . .

✓

3. (a) Is a source entered? . . . . .

✓

(b) Is a tributary to entered? (if required) . . . . .

✓

4. Is the legal description of the p.d. complete? . . . . .

✓

5. Is there a description of the diverting works? . . . . .

✓

6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form. . . . .

✓

Is the period of use included? . . . . .

✓

Is a quantity claimed for each use? . . . . .

✓

7. Is a total quantity claimed entered? . . . . .

✓

8. Is the consumptive use correct? . . . . .

✓

If required is a consumptive use entered? . . . . .

✓

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. . . . .

✓

10. Is (are) the place(s) of use entered? . . . . .

✓

11. Is (are) the county(ies) entered? . . . . .

✓

12. Is the ownership of p.u. checked? . . . . .

✓

13. Are other water rights listed or "none" checked? . . . . .

✓

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) . . . . .

✓

15. Is the basis of the claim checked? . . . . .

✓

16. Is the claim signed by the claimant? . . . . .

✓

Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) . . . . .

✓

Has the claim been signed, sealed, and dated by a notary? . . . . .

✓

Is the fee enclosed correct? . . . . .

✓

If this claim is based on an existing water right, has the identification number been entered? . . . . .

N/A

✓

Should this claim be receipted and data entered? . . . . .

✓

Claim checked by:

**MICROFILMED**

JAN 20 1989

Comments:

RECEIVED

AUG 27 1999

**Department of Water Resources**  
**Southern Region**

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

In Re SRBA ) **NOTICE OF COMPLETED**  
 ) **ADMINISTRATIVE PROCEEDINGS**  
Case No. 39576 )  
 ) **Water Right 36-00026**

IDWR has completed the following Administrative Proceeding:

|          |                       |
|----------|-----------------------|
| <u>X</u> | Change of Address     |
| <u>-</u> | Substitution of Party |
| <u>-</u> | I.C. 42-222 Transfer  |

### CHANGE OF ADDRESS

Name of Claimant: LLOYD BROWN  
New Address: PO BOX 543  
HAGERMAN ID 83332  
Phone: (208) 837-6101

Claimant's Water Rights: 36-00026

The Claimant has filed Objections or Responses to the following water rights: 36-00035E

NOTICE OF COMPLETED  
ADMINISTRATIVE PROCEEDING  
7/30/1999

36-00026

PAGE 1

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED:

8/03/99

A handwritten signature in black ink, appearing to be "D. H. P.", written over a horizontal line.

Signature of IDWR Representative

**CERTIFICATE OF MAILING**

I certify that on 8-25-99 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:  
Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, Idaho 83303-2707
2. One Copy to:  
Each party in the subcase, or attorney of record:  
  
LLOYD BROWN  
PO BOX 543  
HAGERMAN ID 83332  
  
LLOYD & KATHLEEN BROWN  
2802 S 850 E  
HAGERMAN ID 83332
3. One Copy to:  
Chief, Natural Resources Division  
Office of the Attorney General  
P.O. Box 44449  
Boise, Idaho 83711-4449
4. One Copy to:  
United States Dept. of Justice  
Environment & Natural Resource Div.  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JUL-22-1999  
PAGE: A-1-----  
RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER  
-----

RIGHT NUMBER: 36-00026

NAME & ADDRESS: LLOYD BROWN  
2802 S 850 E  
HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2.08 CFS

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

0.48 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES WHEN THIS RIGHT IS DELIVERED THROUGH THE BELL DITCH. 0.04 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES WHEN THIS RIGHT IS DELIVERED THROUGH THE BUCKEYE DITCH.

A DIVERSION RATE OF 1.60 CFS AT THE FIELD HEADGATE IS RECOMMENDED FOR THE PLACE OF USE DESCRIBED BELOW.

PRIORITY DATE: 03/30/1884

POINT OF DIVERSION: T07S R13E S11 NWSENE Within GOODING County  
SESENE

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------------------|----------------|---------------|----------|
|                            | IRRIGATION     | 02-15 11-30   | 2.08 CFS |
|                            | STOCKWATER     | 01-01 12-31   | 0.05 CFS |

PLACE OF USE: IRRIGATION Within GOODING County  
T07S R13E S22 SWSE 40  
40 ACRES TOTALSTOCKWATER Within GOODING County  
T07S R13E S22 SWSE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

AJ5856NP

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

DATE: JUL-22-1999  
PAGE: A-2

-----  
RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER  
-----  
RIGHT NUMBER: 36-00026 (CONT)  
-----

EXPLANATORY MATERIAL: (CONT)

WATER IS DELIVERED THROUGH THE BELL AND BUCKEYE DITCHES.

AJ0749NP  
No. 36-00026

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

DATE: 06/16/99  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                   | PRIORITY<br>DATE | WATER USE                              | USE PERIOD<br>FROM TO                     | DIVERSION<br>RATE                   | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------------------|------------------|----------------------------------------|-------------------------------------------|-------------------------------------|---------------------|
| C                | LLOYD BROWN<br>PO BOX 543<br>HAGERMAN ID 83332<br>(208) 837-6101 | 03/30/1884       | IRRIGATION<br>STOCKWATER<br>STOCKWATER | 03-15 11-15<br>03-15 11-15<br>11-16 03-14 | 1.050 CFS<br>0.050 CFS<br>0.240 CFS |                     |
| TOTAL DIVERSION: |                                                                  |                  |                                        |                                           | 1.050 CFS                           |                     |
| CONSUMPTIVE USE: |                                                                  |                  |                                        |                                           |                                     | 120.00 AFA          |

Water Source: BILLINGSLEY CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T07S R13E S11 NWSENE SESENE GOODING County

Place of use Legal Description for: IRRIGATION

|     |     |    |   | NE   |      |      |      | NW |      |      |      | SW   |   |      |      | SE   |      |   |      |      |      |      |             |     |      |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|-------------|-----|------|
| T   | R   | S  | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | :           | SUM |      |
|     |     |    |   | Lt   | Ac   | Lt   | Ac   |    | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |             |     |      |
| 07S | 13E | 22 | : |      |      |      |      | :  |      |      |      |      | : |      |      |      |      | : |      |      |      |      | :           |     |      |
|     |     |    |   |      |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      |      |      | 40          | :   | 40.0 |
|     |     |    |   |      |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      |      |      | TOTAL ACRES | :   | 40.0 |

Place of use Legal Description for: STOCKWATER

|     |     |    |   | NE   |      |      |      | NW |      |      |      | SW   |   |      |      | SE   |      |   |      |      |      |      |   |   |  |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|---|---|--|
| T   | R   | S  | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | : |   |  |
|     |     |    |   | Lt   | Ac   | Lt   | Ac   |    | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |   |   |  |
| 07S | 13E | 22 | : |      |      |      |      | :  |      |      |      |      | : |      |      |      |      | : |      |      |      |      | : |   |  |
|     |     |    |   |      |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      |      |      | S | : |  |

POU County: GOODING

Non-Irrigation Uses: STOCKWATER, 125 RANGE CATTLE

Other Rights: NONE

Remarks: GEN 0.19 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE  
LOSSES IN DELIVERY OF THIS RIGHT.  
WATER IS DELIVERED THROUGH BELL & BUCKEYE DITCHES.  
A DIVERSION RATE OF 0.86 CFS AT THE FIELD HEADGATE IS  
RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.

Dates: Exam Made Date: 08/16/1990 Verified Date: Objection Filed Date: 05/03/1993

Misc: Water District Number: 36A Field Inspection Flag:  
Presumption Flag:

=====

Comments: Date: 03/17/1992 User-ID: CLELLAND Subject: COPIED FROM REMARKS  
THIS AMOUNT OF WATER IS NEEDED ON THE PROPERTY FOR SEVERAL  
REASONS: (1) WITH THE LENGTH OF THE BELL DITCH, THERE IS A LOT  
OF LOSS FROM EVAPORATION AND SEEPAGE FROM THE DIRT DITCH ITSELF.  
(2) THE PROPERTY THAT IS IRRIGATED IS VERY SANDY IN NATURE.  
(3) THE DITCH PASSES OVER LAVA FLOWS AND THERE ARE SINK HOLES  
THAT CANNOT BE FILLED, WHICH ALSO CAUSES LOSS IN WATER.

Date: 10/02/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)  
NOE RECEIVED 10/2/92. CHANGED NOE FLAG FROM BLANK TO A.  
CLAIM VERIFIED 8/5/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/08/1992 User-ID: CLELLAND Subject: RESPONSE TO NOE  
I CALLED MR. BROWN AND CONFIRMED THAT MOST OF HIS LAND IS IRRI-  
GATED WITH GATED PIPE, ONLY 8 ACRES ARE UNDER SPRINKLER. THE  
DIVERSION RATE WAS RECALCULATED BASED ON THE INFORMATION HE  
SUPPLIED OVER THE PHONE.  
ALLOW 0.16 CFS FOR THE 8 ACRES SPRINKLED.  
ALLOW 0.70 CFS FOR THE 32 ACRES FURROW IRRIGATED.  
TOTAL F.I.R. = 0.86 CFS (WAS 0.80 CFS)  
CONVEYANCE LOSS SAME = 0.19 CFS  
TOTAL DIVERSION RATE = 1.05 CFS (WAS 0.99 CFS)

Date: 10/21/1992 User-ID: CHRISTEN Subject: CHANGE IN CLAIM 10-21-92  
CHANGED SEASON OF USE FOR STOCKWATER TO AGREE WITH IRR SEASON.KKC

Date: 06/16/1999 User-ID: SSHERMAN Subject: ADDRESS CHANGE  
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit: 06/16/99 SSHERMAN



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

June 8, 1999

LLOYD BROWN  
PO BOX 543  
HAGERMAN ID 83332

RECEIVED  
JUN 14 1999

Department of Water Resources

RE: Snake River Basin Adjudication (SRBA)  
Water Right No. 36-00026, 36-00027, 36-00034E, 36-11057

Dear Water Right Holder:

*disallowed - W.R.*  
*2 records modified, NCR prepared, 6/16/99*

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. The returned mail was already sent to the above address.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter at your earliest convenience.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please print the name and address of the new owner below so we may contact them. Please sign this letter and return it to me to begin the process.

Yours truly,

Danni M. Smith  
SRBA Administrative Asst. 1

Cc: VKelly

\*\*\*\*\*

Claimant Signature

*(208) 837-6101*  
Telephone No.

Lloyd Brown  
Claim

0024:00026

0024:00026

Here is the  
0.19 cfs C.L.

REACH = SECTION OF CHANNEL  
 LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES  
 OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS  
 AVE WIDTH = AVERAGE TOP WIDTH OF REACH  
 SEEPAGE = SOIL SEEPAGE RATE OF REACH  
 WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD  
 DELIVERY = TOTAL DELIVERIES IN REACH  
 DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)  
 LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT  
 DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,  
 REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH  
 FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

\* Goofy #'s to Brown diversion:

$$\begin{array}{r} 0.90 \\ + 2.07 \\ \hline 2.97 \text{ c/s} \end{array}$$

Nick - I could not find the reference to 0.48 cfs!

steve  
5/25/99

36-00027

AGENT

OBJECTION FILED

TOTAL ACRES FROM RECOMMENDATION 40

GEOGRAPHIC INFO SYSTEM 40.29

| RIGHT<br>NO |     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |      |      |
|-------------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|------|------|
|             | TNS | RNG | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW   | SE   |
| RECOM       | 01S | 13E | 22  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 40   |      |
| GIS         |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 4024 | 4024 |
|             |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |      |      |
| RECOM       |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |      |      |
| GIS         |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |      |      |
|             |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |      |      |
| RECOM       |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |      |      |
| GIS         |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |      |      |
|             |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |      |      |
| RECOM       |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |      |      |
| GIS         |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |      |      |
|             |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |      |      |

UPDATED

B36-DBPOU.DBF 6816-

B36-DBPOD.DBF 454 455

POLYGON CREATED ON 604 ( )

ATTRIBUTES OF B36-POU.SHP (684)

ATTRIBUTES OF B36-POD.SHP (55) NWSEME-11

(Bell Ditch)

(454) SESENE-11

(Buckeye Ditch)

P/U CONFLICT yes ( ) no (X)

P/D CONFLICT yes ( ) no (✓)

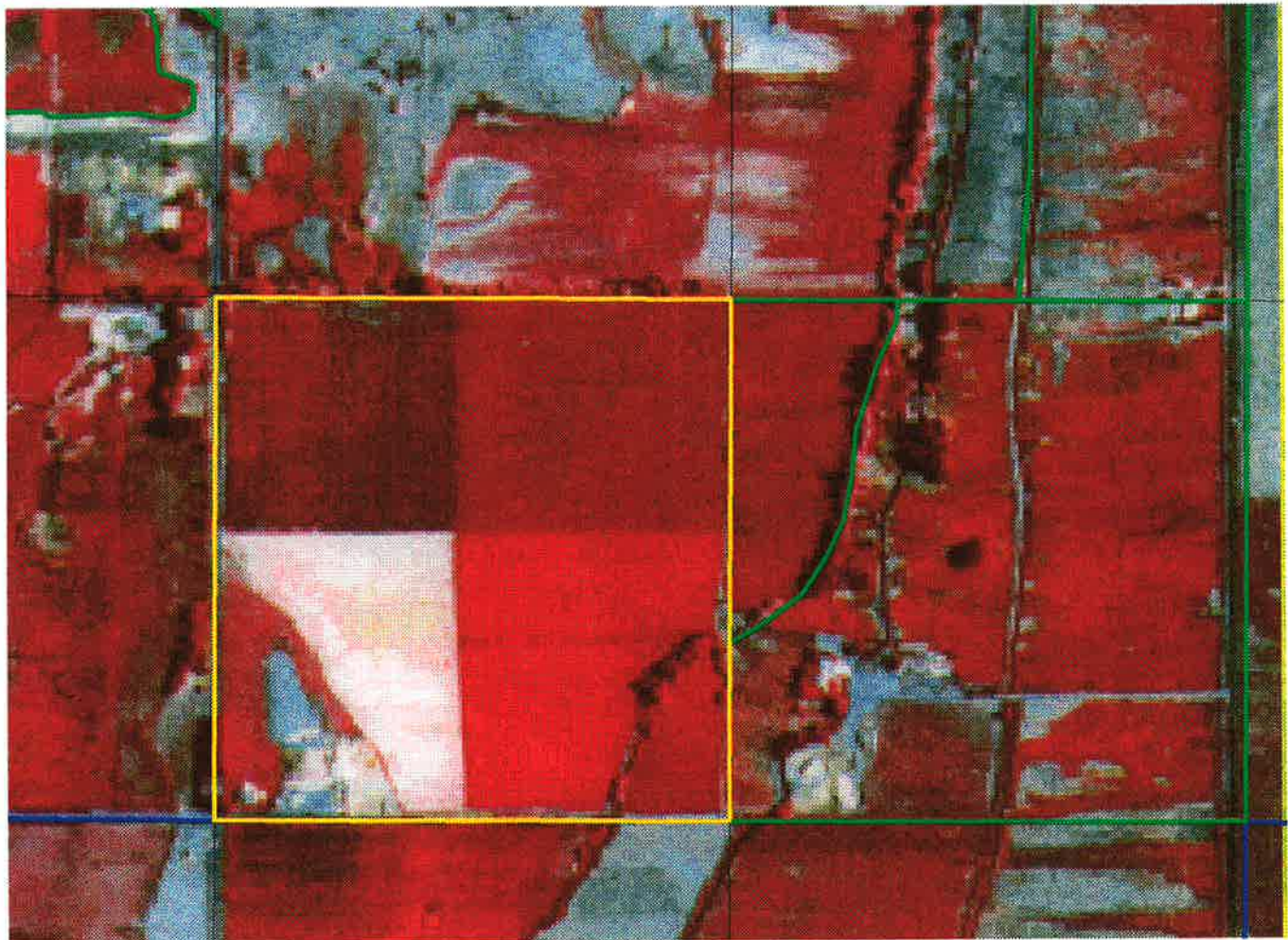
READY FOR DECREE yes (✓) no ( )

SENT FOR DECREE yes ( ) no ( )

IDAHO DEPARTMENT OF WATER RESOURCES

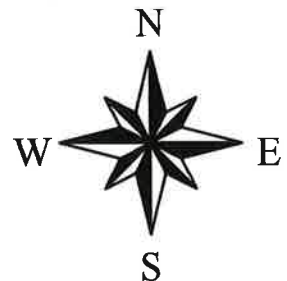
36-00026 & 36-00027

LLOYD BROWN



660 0 660 1320 Feet

TNS 7S, RNG 13E, SEC 22



⊙ RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION  
1987 and/or 1988 NAPP PHOTOGRAPHY  
DATA ENTRY OCTOBER 1997  
BY JEANIE ROBERTSON

10/28/97 12:12:06  
Page 1

Old (D) Number -

Phone - 208-837-6101

EXP 0.19 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE

Water right number - R36-00026

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +

LOSSES IN DELIVERY OF THIS RIGHT.  
WATER IS DELIVERED THROUGH BELL & BUCKEYE DITCHES.  
A DIVERSION RATE OF 0.86 CFS AT THE FIELD HEADGATE IS  
RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.  
STOCKWATER, 125 RANGE CATTLE

+ - - - - Old Water Right Numbers - - - - - +

3600026

+ - - - - Conditions of Approval - - - - - +

N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE  
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.  
N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR  
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL  
- USE.

+ - - - - Decree Plaintiff - - - +

NEW INTERNATIONAL MORTGAGE BANK

+ - - - - Decree Defendant - - - +

IDAHO POWER COMPANY

+ - Decree Date - +

00/00/0000

+ - - Audit Fields - 03/05/97 DSHAFF

+ - - - - Comments - - - - - +

Date: 03/17/1992 User Id: CLELLAND Subject: COPIED FROM REMARKS  
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CHANGED SEASON OF USE FOR STOCKWATER TO AGREE WITH IRR SEASON.KKC

GATED WITH GATED PIPE, ONLY 8 ACRES ARE UNDER SPRINKLER. THE  
SUPPLIED OVER THE PHONE.  
ALLOW 0.70 CFS FOR THE 32 ACRES FURROW IRRIGATED.  
CONVEYANCE LOSS SAME = 0.19 CFS

Date: 03/05/1997 User Id: DSHAFF Subject: DATA ENTRY  
THE SRBA COURT REQUESTED CHANGES TO THIS RECORD FOR THE SPEC.  
PREFERENCE OF THE SPEC. MASTER, BUT THE RECORD WAS REFORMATTED  
SEASON, THE NUMBER OF STOCK TO REMARKS, AND THE PREVIOUS REMARKS

MASTER'S RECOMM. NOT ONLY WAS THE QNT OF WATER CHANGED TO THE  
TO CHANGE THE STOCK WATER USE CODES TO IRR. SEASON AND NON-IRR.  
TO EXP. MATERIAL.

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

|                      |              |                       |              |                         |         |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing  | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number       | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | -            | Old Case Number         | -       |
| Response Filed Date  | - 00/00/0000 | Verified Date         | - 00/00/0000 | Old Judicial District   | -       |
| Claim Received Date  | - 09/20/1988 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P     |
| Proof Due Date       | - 00/00/0000 | Proof Made Date       | - 00/00/0000 | Water District          | - 36A   |
| Licensed Date        | - 00/00/0000 | Receipt Number        | - S002309    | Federal/State Indicator | - S     |
|                      |              | POU Ownership Flag    | - Y          | Presumption Flag        | -       |
|                      |              | Name Connector        | - OR         | Notice of Error Flag    | - C     |

January 8, 1996

RECEIVED  
MAR 15 1996  
Department of Water Resources  
Southern Region

Idaho Department of Water Resources  
Southern Region  
222 Shoshone Street East  
Twin Falls, Idaho 83301

Dear Sirs:

Please be advised that the Buckeye Ditch agrees to and will allow Mr. Lloyd Brown to transport and divert his entire water right through the Buckeye Ditch to be used in the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 22, Township 7 South, Range 13 East of the Boise Meridian, Gooding County, State of Idaho. The above water right is referred to by the Idaho Department of Water Resources as A36-00026.

Thank You,

3-12-96

"

"

Cleave C. Lloyd (president)  
Doris Guidley  
Dan Gore (Board Directors)

A36-00026

6/9/94

## COMMUNICATION DOCUMENTATION

Claim No. A36-00026 &  
A36-00027

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

IDWR Employee/Agent Steve Clelland

January 4, 1996 3:11pm

NAME:  
CLIFF JENSEN & LLOYD BROWN CAMEIN

RE:  
TRANSFER PROPOSAL

MR. BROWN WANTED TO CHANGE THE POINT OF DIVERSION OF THE RIGHT 36-00026 FROM THE BELL DITCH TO THE BUCKEYE DITCH. HISTORICALLY HE HAS USED BOTH DITCHES FOR RIGHTS 36-00026 & 36-00027. BASED ON THIS INFORMATION THE CLAIMS AS RECOMMENDED IN THE SRBA SHOW THE CLAIM A36-00026 AS BEING DIVERTED FROM BOTH POD'S.

SINCE WE AGREE ON THE USE OF THE RIGHT FROM THE DIVERSIONS AND HAVE LISTED THEM IN THE DIR. REP. I COULD SEE NO REASON FOR THE FILING OF THE TRANSFER AT THIS TIME. I SUGGESTED THEY HOLD ON TO THE TRANSFER FORM UNTIL THE TIME OF A SCHEDULED SETTLEMENT CONFERENCE AND TRY TO GET FINAL RESOLUTION THERE. SUGGESTED THEY ALSO BRING THE WRITTEN STATEMENT FROM THE DITCH CO. SHOWING ITS AGREEMENT TO THE DEAL, AS A MATTER OF CLARIFICATION.

MR. BROWN WAS CONCERNED ABOUT HAVING THIS ALL DONE BEFORE THE IRRIGATION SEASON AND I REMINDED HIM THE DEPT.'S VIEW IS ALREADY STATED WITHIN THE CURRENT DIR. REP.; WE AGREE TO THE USE OF BOTH DITCH SYSTEMS FOR HIS WATER RIGHTS.

**R PROOF**

**CVR**

**MAPS**

**PHOTOS**

**MISC**

**MICROFILMED**

**OCT 11 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 the Rights to the Use of Water )  
from the Snake River Basin )  
Water System )  
\_\_\_\_\_ )

Case No. 36-00026 -0001

The State of Idaho, ex rel. )  
R. Keith Higginson in his )  
official capacity as Director )  
of the Idaho Department of )  
Water Resources, )

RESPONSE TO OBJECTION

Petitioner, )

vs. )

The United States; the State )  
of Idaho; and all Claimants to )  
the use of water from the Snake )  
River Basin Water System, )

Respondents. )  
\_\_\_\_\_ )

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES  
P.O. BOX 44449  
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part  
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: LLOYD BROWN  
Address: 2802 S 850 E  
HAGERMAN ID 83332

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER

Attorney Address: DEPUTY ATTORNEY GENERAL(S)  
IDAHO DEPARTMENT OF WATER RESOURCES  
P.O. BOX 44449  
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

3. ☒ Quantity: I respond to the objection concerning:

3a. ☒ The total quantity of water used in cubic feet  
per second.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 3 and 3.a, and all allegations of the objection regarding those items, IDWR responds as follows: (1) it recommended the amount of water it determined was being beneficially used; (2) the claimant is not entitled to any amount greater than that which is beneficially used (Idaho Code Secs. 42-104 and 42-1402).

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

|                               | No. of<br>Pages |
|-------------------------------|-----------------|
| Notice of Claim No. A36-00026 | 6               |

(Over)

RECEIVED

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

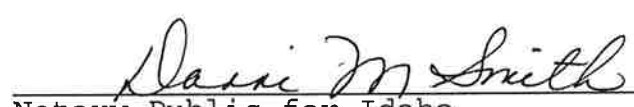
That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

  
\_\_\_\_\_  
Signature of person filing response

By:

  
\_\_\_\_\_  
(Attorney signing in  
representative capacity)

Subscribed and sworn to before me this 30<sup>th</sup> day of August,  
1993.

  
\_\_\_\_\_  
Notary Public for Idaho

Residing at: \_\_\_\_\_

My Commission expires: \_\_\_\_\_

Danni Smith, Notary Public  
Residing at Boise, Idaho

My Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 30<sup>th</sup> day of August, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: LLOYD BROWN  
Address: 2802 S 850 E  
HAGERMAN ID 83332

4. One copy to:

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, Box 33  
Boise, Idaho 83734

  
\_\_\_\_\_  
Signature of Respondent or attorney  
mailing on Respondent's behalf

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: 39356

Ident. Number

A36-00026

Date Received

8-24-88

Receipt Number

500 2309

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

AUG 23 1988

Department of Water Resources  
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) LLOYD BROWN Phone (208 ) 837-6101Mailing Address 2802 South 850 East, Rt. #1, Hagerman, Idaho Zip 833322. Date of Priority (Only one (1) per claim) March 30, 18843. Source of water supply (a) Billingsley Creek via Bell Ditch  
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 7 South Range 13 East Section 11,  
NE 1/4 of SE 1/4 of NE 1/4, Govt. Lot,        B.M., County of GoodingAdditional points of diversion if any: re-diverted from Bell Ditch in the SW<sup>1</sup>SE<sup>1</sup> of Section 22,  
Township 7 South, Range 13 East of the Boise Meridian, Gooding Co.

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. From the diversion of the Bell Ditch on the  
bank of Billingsley Creek, the water flows in a Southwesterly direction approximately  
3 1/2 miles via the Bell Ditch to the subject property. Once the water is on the property,  
it is irrigated by flood irrigation.

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Copies: White-State, Yellow-Claimant

6. Water is claimed for the following ( ) uses:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar. 15 to Nov. 15 amount 2.40 or \_\_\_\_\_  
For Stockwater purposes from Jan. 1 to Dec. 31 amount 0.05 or \_\_\_\_\_  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 2.40 (cfs) and/or (b) 160 (acre feet)

8. Total consumptive use claimed is 120 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) There are from 100 to 125 head of cattle and or calves on the property.

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 |        |
| 7 S | 13 E | 22  |        |       |       |       |        |       |       |       |        |       |       |       |        |       | 40    |       | 40     |
|     |      |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |      |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |      |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |      |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |      |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |      |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 40 acres

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

12. Do you own the property listed above as place of use? Yes X No \_\_\_\_\_  
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.  
36-0027 or None ( )

14. Remarks:  
This amount of water is needed on the property for several reasons: (1) With the  
length of the Bell Ditch, there ia alot of loss from evaporation and seepage from the  
dirt ditch itself. (2) The property that is irrigated is very sandy in nature.  
(3) The ditch passes over lava flows and there are sink holes that cannot be filled,  
which also causes loss in water.

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JAN 20 1993

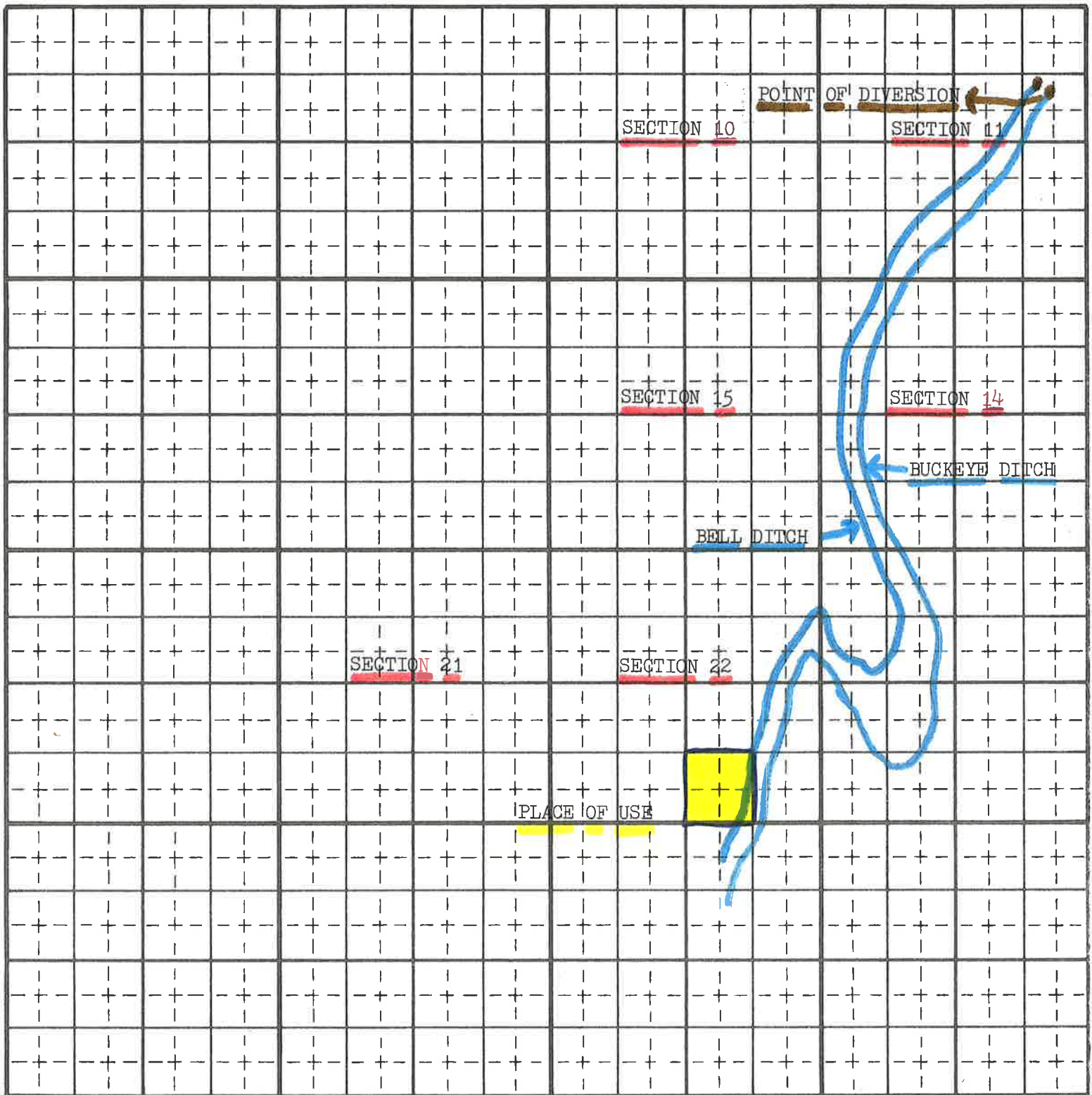
Last Name BROWN Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN



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JAN 20 1993

Last Name BROWN Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) ☒ Special Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree ☒ \_\_\_\_\_

If applicable provide IDWR Water Right Number 36-0026

Court U.S. District Court Case Number 1602 Decree Date March 22, 1932

Plaintiff vs Defendant New International Mortgage Bank vs Idaho Power Company

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 One (1)

**For Individuals:** I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) *Hayd Brown* Date 8-24-88  
\_\_\_\_\_  
Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am \_\_\_\_\_ Title \_\_\_\_\_

of \_\_\_\_\_, that I have signed the foregoing  
Organization \_\_\_\_\_

document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title \_\_\_\_\_ Organization \_\_\_\_\_

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of Gooding ) SS.

Subscribed and sworn (or affirmed) before me this 24<sup>th</sup> day of August 19 88

SEAL

Notary Public *Clyde Jensen*

Residing at Hagerman, Idaho

My Commission Expires 5-10-91

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 BROWN Ident. Number \_\_\_\_\_

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JAN 20 1993 1 1994

Copies White-State, Yellow-Claimant

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER  
 WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:  
 IRRIGATION 14.400 CFS 0.00 AF  
 TOTAL RATE: 14.400 CFS TOTAL VOLUME: 0.00 AF

DECREE PLAINTIFF: NEW INTERNATIONAL MORTGAGE BANK  
 DECREE DEFENDANT: IDAHO POWER COMPANY

POINT OF DIVERSION: T07S R13E S11 SESE  
 PLACE OF USE: T07S R13E S26 NENE  
 T07S R13E S28 NWNE LT01  
 T07S R13E S27 NWNW  
 T07S R13E S22 SWSW  
 T07S R13E S21 SESE LT06  
 T07S R13E S21 SESE LT09  
 T07S R13E S21 SWSE LT09

POOR ORIGINAL

NUMBER: 36-2024 CURRENT OWNER: CHARLES R. BLACKHART  
 IZMA C. BLACKHART PRIORITY DATE: 30-Mar-1884 STAGE: DECREE  
 COUNTY: GOODING WATER DISTRICT: 36A  
 SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER  
 WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:  
 IRRIGATION 2.400 CFS 0.00 AF  
 TOTAL RATE: 2.400 CFS TOTAL VOLUME: 0.00 AF

DECREE PLAINTIFF: NEW INTERNATIONAL MORTGAGE BANK  
 DECREE DEFENDANT: IDAHO POWER COMPANY

POINT OF DIVERSION: T07S R13E S11 SESE  
 PLACE OF USE: T07S R13E S22 SESE

NUMBER: 36-2024 CURRENT OWNER: MARCEL BLACKHART  
 PRIORITY DATE: 30-Mar-1884 STAGE: DECREE  
 COUNTY: GOODING WATER DISTRICT: 36A  
 SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER  
 WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:  
 IRRIGATION 2.400 CFS 0.00 AF  
 TOTAL RATE: 2.400 CFS TOTAL VOLUME: 0.00 AF

DECREE PLAINTIFF: NEW INTERNATIONAL MORTGAGE BANK  
 DECREE DEFENDANT: IDAHO POWER COMPANY

POINT OF DIVERSION: T07S R13E S11 SESE  
 PLACE OF USE: T07S R13E S22 SESE

NUMBER: 36-2024 CURRENT OWNER: EDNA H. CLIFFORD  
 FRANCES H. CLIFFORD PRIORITY DATE: 30-Mar-1884 STAGE: DECREE  
 WM. H. CLIFFORD  
 EDWARD F. CLIFFORD  
 RICHARD C. CLIFFORD  
 DOYLE G. CLIFFORD  
 SILVERA S. MCCORKLE  
 ETHEL G. SMITH  
 COUNTY: GOODING WATER DISTRICT: 36A  
 SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER  
 WATER USE: DIVERSION-RATE: DIVERSION-VOLUME:  
 IRRIGATION 1.500 CFS 0.00 AF  
 TOTAL RATE: 1.500 CFS TOTAL VOLUME: 0.00 AF

JAN 20 1983

In Second Feet  
and Source

Appropriation

POOR ORIGINAL

- 021 BIG SPRING 12.9 Spring March 21, 1901 Big Spring: (Durfee-Secor Tunnel)
- 023 WATER USERS ASSOCIATION, Incorporation 3 Spring April 1, 1911 Big Spring: (Durfee-Secor Tunnel)
- (Said Big Spring is located on the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 13, Twp. 7 S. R. 14 E. B. M.)
- 024 BLACKHART, 2.4 Billingsley Creek March 30, 1884 E. B. Bell Ditch;  
025 Charles R. 2 Billingsley Creek Sept. 10, 1884 Buckeye Ditch;  
and Isaac C.  
Blackhart SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 22, Twp. 7 S. R. 13 E. B. M.
- 026 BLACKHART, 2.4 Billingsley Creek March 30, 1884 E. M. Bell Ditch;  
027 Wabel 4 Billingsley Creek Sept. 10, 1884 Buckeye Ditch;  
SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 22, Twp. 7 S. R. 13 E. B. M.
- 16-028 Boyer, 2 Riley Creek Oct. 1, 1908 Pipe Ditch referred to in  
Emerson and paragraph 7 of the Findings;  
Ethel Boyer  
SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 36, Twp. 7 S. R. 13 E. B. M.
- 029 Boyer, 2 Spring Feb. 17, 1896 Three Springs;  
Lee, and  
Alice Boyer  
(Said Three Springs is located immediately east of the east boundary line of the Dan Jones' Ranch about one-eighth mile east of Billingsley Creek and about one mile north of the head of said Billingsley Creek.)  
SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 24, and the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 25, Twp. 7 S. R. 13 E. B. M.
- 030 Brailsford 3 Lea-Lewis Spring Sept. 1, 1889 Brailsford-Owens Ditch;  
A. H., and  
Beatrice E.  
Brailsford  
W $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Sec. 25, Twp. 7 S. R. 13 E. B. M.; E $\frac{1}{2}$  of the NE $\frac{1}{4}$  and the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 26, Twp. 7 S. R. 13 E. B. M.

MICROFILMED

OCT 1 1984

FILE: A36-00026

# LEGAL

## MEMORANDUM

FROM  
EMPLOYEE: STEVE CLELLAND

FILE A36-00026  
A36-00027

RE: MIS-CALCULATIONS IN FURROW PROGRAM

DATE 12-16-92

TO:

LYNN KROGHE-HAMPE

I told you I may have erred on several furrow calculations in review of Basin 36 in Hagerman Valley. I may have over-reacted.

I could only identify one file with the error mentioned. Attached are copies of the recommendation version and the new revised version.

Other files I checked were correct in this matter.

MICROFILMED  
OCT 11 1994

| INTAKE<br>FAMILY | DESIGN<br>APPLIC.<br>Inches | FURROW<br>SLOPE<br>Ft/Ft | FURROW<br>SPACING<br>Feet | FURROW<br>LENGTH<br>Feet | INFLOW<br>RATE<br>Gpm | APPROXIMATE<br>INFLOW TIME<br>Hours | ADVANCE<br>TIME<br>Minutes | GROSS<br>IRRIGATION<br>APPLICATION<br>Inches | NET<br>IRRIGATION<br>APPLICATION<br>Inches | RUNOFF<br>Inches | DEEP<br>PERC.<br>In. | IRRIGATION<br>EFFICIENCY<br>% |
|------------------|-----------------------------|--------------------------|---------------------------|--------------------------|-----------------------|-------------------------------------|----------------------------|----------------------------------------------|--------------------------------------------|------------------|----------------------|-------------------------------|
| 0.55             | 3.28                        | .020                     | 1.50                      | 516                      | 5                     | 12                                  | 50.9                       | 7.46                                         | 4.87                                       | 2.42             | 1.76                 | 43.96                         |
| 0.55             | 3.28                        | .020                     | 1.50                      | 516                      | 4                     | 12                                  | 64.7                       | 5.97                                         | 4.67                                       | 1.08             | 1.60                 | 54.95                         |
| 0.55             | 3.28                        | .020                     | 1.50                      | 516                      | 3                     | 12                                  | 96.5                       | 4.48                                         | < 4.67                                     | 1.08             | 1.60                 | 54.95                         |

cannot work

54.95% eff

$$FIR = 4.2 \frac{C.U.}{EFF}$$

$$F.I.R. = 4.2 \frac{0.285}{54.95}$$

$$= 0.022 \text{ cfs/Ac.}$$

Furrow:

$$32 \times 0.022 =$$

Acres

$$0.70 \text{ cfs}$$

SPRINKLER:

$$8 \text{ Acres} \times 0.02 \text{ cfs/Ac} = 0.16 \text{ cfs}$$

Brown  
A36-00026  
A36-00027  
10-8-92  
gen

0.86 cfs FIR  
0.19 conveyance loss  
1.05 cfs Total Diversion Rate

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OCT 11 1994

AS  
ORIGINALLY  
RECOMMENDED  
IN D.R.

INTAKE FAMILY <If> = 0.55  
 DESIGN APPLICATION <Fn> = 3.28 INCHES  
 FURROW SLOPE <S> = 0.020 FEET/FOOT  
 FURROW SPACING <W> = 2.50 FEET  
 FURROW LENGTH <L> = 516 FEET  
 INFLOW RATE <Q> = 4 GPM/FURROW  
 APPLICATION TIME <Ti> = 12 HOURS

A36-00026  
 A36-00027

BROWN

12-16-92

sc

\*\*\*\*\*  
 ADVANCE TIME <TT> = 64.7 MINUTES; OR 1.1 HOURS  
 GROSS APPLICATION <FG> = 3.58 INCHES  
 NET APPLICATION <Fx> = 3.17 INCHES NOTE: LESS THAN DESIGN APPL.  
 RUNOFF <RO> = 0.27 INCHES TRY 80% FURROW LENGTH.  
 DEEP PERCOLATION <DP> = 0.05 INCHES  
 EFFICIENCY <E> = 91.18 %  
 TO CHANGE: PRESS (EXISTING)

Design Application <1> 3.28 in  
 Furrow Slope <2> 0.020 ft/ft  
 Furrow Spacing <3> 2.50 ft  
 Furrow Length <4> 516 ft  
 Furrow Intake Family <5> 0.55  
 Inflow Rate <6> 4 gpm/furrow  
 Inflow Time <7> 12 hours <ANALYSIS MODE>

TO PRINT: DATA/WITH HEADING PRESS: <8/9>

NEW DESIGN PRESS <10>, NEW ANALYSIS PRESS <11>, QUIT PRESS <12>?

| INTAKE FAMILY | DESIGN APPLIC. Inches | FURROW SLOPE Ft/Ft | FURROW SPACING Feet | FURROW LENGTH Feet | INFLOW RATE Gpm | APPROXIMATE INFLOW TIME Hours | ADVANCE TIME Minutes | GROSS IRRIGATION APPLICATION Inches | NET IRRIGATION APPLICATION Inches | RUNOFF Inches | DEEP PERC. In. | IRRIGATION EFFICIENCY % |
|---------------|-----------------------|--------------------|---------------------|--------------------|-----------------|-------------------------------|----------------------|-------------------------------------|-----------------------------------|---------------|----------------|-------------------------|
| 0.55          | 3.28                  | .020               | 2.50                | 516                | 5               | 12                            | 50.9                 | 4.48                                | 3.33                              | 1.03          | 0.16           | 73.27                   |
| 0.55          | 3.28                  | .020               | 2.50                | 516                | 4               | 12                            | 64.7                 | 3.58                                | 3.17                              | 0.27          | 0.05           | 91.18                   |
| 0.55          | 3.28                  | .020               | 2.50                | 516                | 6               | 12                            | 43.4                 | 5.37                                | 3.46                              | 1.81          | 0.28           | 61.06                   |

using 61 % Efficient

$$F.I.R. = 4.2 \frac{C.U.}{EFF.}$$

$$= 4.2 \frac{0.285}{61.0}$$

$$= 0.019 \text{ cfs/Ac.}$$

$$* \text{ allow } 0.02 \text{ cfs/Ac.}$$

CORRECTED FOR  
PROPER SPACING

MICROFILMED

OCT 11 1994

RECEIVED

MAY 03 1993

Department of Water Resources  
Adjudication Bureau

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

Case No. 31-00026  
(You must insert the  
water right number you  
are objecting to)

The State of Idaho, ex rel.  
R. Keith Higginson in his  
official capacity as Director  
of the Idaho Department of  
Water Resources,

OBJECTION

Petitioner,

vs.

The United States; the State  
of Idaho; and all Claimants to  
the use of water from the Snake  
River Basin Water System,

36-00026 -0001/  
93-04-0026

Respondents.

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

OBJECTION - 1

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OCT 11 1994

By filing an objection form, you are certifying that the objection 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 that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

**I. GENERAL INFORMATION**

Please fill in the following information:

1. Person objecting:

Name: Lloyd Brown

Address: 2802 S. 850 E

Hagerman ID 83332

Briefly describe your interest in this water right:

In order to raise  
the following crops - pasture  
Hay & Grazing

2. Owner of the water right:

Name: Lloyd Brown

Address: 2802 S. 850 E

Hagerman ID 83332

3. If this objection is filed by an attorney:

Attorney Name: \_\_\_\_\_

Attorney Address: \_\_\_\_\_

Attorney Phone No.: \_\_\_\_\_

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

## II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☒ Quantity: I object to:
  - a. ☒ the total quantity of water used in cubic feet per second; or
  - b. ☐ the total quantity of water stored in acre-feet per year; or
  - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
  - a. ☐ the legal description of the place of use; or
  - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

(Over)

12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**REASONS SUPPORTING EACH BOX CHECKED**

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

*3-A this amount will not irrigate  
this type of soil by Furrow irrigation*

\_\_\_\_\_

\_\_\_\_\_

**CHANGES TO THE DIRECTOR'S REPORT**

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

*Change to the original decree*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. \_\_\_\_\_

VERIFICATION (Must be Completed)

State of Idaho

County of Gooding

Aloyd Brown, being first duly  
(Name of person filing objection)  
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Aloyd Brown  
Signature of person filing objection

By: \_\_\_\_\_  
(Attorney signing in  
representative capacity)

Subscribed and sworn to before me this 30th day of April,  
1993.

DeLora Miller  
Notary Public for Idaho  
Residing at: Hagerman, Idaho  
My Commission expires: May 3, 1995

### INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

### CERTIFICATE OF MAILING

I hereby certify that on the 30 day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name:

Wloyd Brown

Owner's address:

2801 S. 850 F

Hagerman Id 83332

3. One copy to:

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

4. One copy to:

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, Box 33  
Boise, Idaho 83734

Wloyd Brown  
Signature of Objector or attorney  
mailing on Objector's behalf

**NOTICE OF ERROR**



**RESPONSE**



**CORRECTED R PROOF**



**MICROFILMED**

**JAN 20 1993**

Water Right Number - R36-00026

Prefix Translation: RESEARCH

Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*

BROWN

LLOYD

1 - 2802 S 850 E

2 - RT 1

3 -

City- HAGERMAN

Phone - 208-837-6101

State- ID Zip- 83332

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +  
03/30/1884 17 SOUTHERN D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +  
BILLINGSLEY CREEK SNAKE RIVER+ - - - - Point of Diversion - - - - - +  
Twn Rng Sec Tract Lot RFlg County07S 13E 11 NW SE NE (47) GOODING  
SE SE NE (47) GOODING+ - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume  
01 - IRRIGATION 04/01 10/31 1.050  
04 - STOCKWATER 04/01 10/31 0.050  
04 - STOCKWATER 11/01 03/31 0.240+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +  
1.050 120.0+ - - - - Place of Use - - - - - +  
Twn Rng Sec Tract Lot Acres Code Description County  
07S 13E 22 SW SE 40.0 01 IRRIGATION (47) GOODING  
07S 13E 22 SW SE 04 STOCKWATER (47) GOODING

Total Acres: 40.0

+ - - Diversion Means - DIVERSION VIA THE BELL &amp; BUCKEYE DITCHES, FURROW AND SPRINKLER

+ - - Non-Irrigation Use - STOCKWATER, 125 RANGE CATTLE

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +  
0.19 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE  
LOSSES IN DELIVERY OF THIS RIGHT.  
WATER IS DELIVERED THROUGH BELL & BUCKEYE DITCHES.  
A DIVERSION RATE OF 0.86 CFS AT THE FIELD HEADGATE IS  
RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.

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JAN 20 1993

changed stock water  
to agree w/ the season of use  
KHC  
10-21-92

Water right number - R36-00026

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

3600026

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

+ - - - - Decree Plaintiff - - - +  
NEW INTERNATIONAL MORTGAGE BANK

+ - - - - Decree Defendant - - - +  
IDAHO POWER COMPANY

+ - Decree Date - +  
00/00/0000

+ - - - - Comments - - - - - +

Date: 03/17/1992 User Id: CLELLAND Subject: COPIED FROM REMARKS  
THIS AMOUNT OF WATER IS NEEDED ON THE PROPERTY FOR SEVERAL  
OF LOSS FROM EVAPORATION AND SEEPAGE FROM THE DIRT DITCH ITSELF.  
(3) THE DITCH PASSES OVER LAVA FLOWS AND THERE ARE SINK HOLES  
Date: 10/02/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)  
NOE RECEIVED 10/2/92. CHANGED NOE FLAG FROM BLANK TO A.  
Date: 10/08/1992 User Id: CLELLAND Subject: RESPONSE TO NOE  
I CALLED MR. BROWN AND CONFIRMED THAT MOST OF HIS LAND IS IRRIGATED  
DIVERSION RATE WAS RECALCULATED BASED ON THE INFORMATION HE  
ALLOW 0.16 CFS FOR THE 8 ACRES SPRINKLED.  
TOTAL F.I.R. = 0.86 CFS (WAS 0.80 CFS)  
TOTAL DIVERSION RATE = 1.05 CFS (WAS 0.99 CFS)

REASONS: (1) WITH THE LENGTH OF THE BELL DITCH, THERE IS A LOT  
(2) THE PROPERTY THAT IS IRRIGATED IS VERY SANDY IN NATURE.  
THAT CANNOT BE FILLED, WHICH ALSO CAUSES LOSS IN WATER.

CLAIM VERIFIED 8/5/92. DID NOT REVERIFY ANY PART OF CLAIM.

GATED WITH GATED PIPE, ONLY 8 ACRES ARE UNDER SPRINKLER. THE  
SUPPLIED OVER THE PHONE.  
ALLOW 0.70 CFS FOR THE 32 ACRES FURROW IRRIGATED.  
CONVEYANCE LOSS SAME = 0.19 CFS

+ - - Audit Fields - - +

10/08/92 CLELLAND

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing - 00/00/0000  
Objection Filed Date - 00/00/0000  
Response Filed Date - 00/00/0000  
Claim Received Date - 09/20/1988

Field Inspection Made - 08/16/1990  
Field Inspection Flag -  
Verified Date - 10/08/1992  
Last Amended Date - 00/00/0000  
Receipt Number - S002309  
POU Ownership Flag - Y  
Name Connector - OR

Civil Case Number - 39576  
Old Case Number -  
Old Judicial District -  
Temporary Right - P  
Water District - 36A  
Federal/State Indicator - S  
Presumption Flag -  
Notice of Error Flag - C

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JAN 20 1993



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

OCTOBER 8, 1992

LLOYD BROWN  
2802 S 850 E  
HAGERMAN IDAHO 83332

RE: NOTICE OF ERROR RESPONSE FOR 36-00026 & 36-00027

Dear Mr. Brown,

This letter is in response to the Notice(s) of Error (NOE) you recently filed with IDWR regarding the Director's proposed recommendation of the claim(s) listed above. Your NOE questions the basis for recommendation of an amount that is less than the amount shown in a previous decree and disallowal of a claim to a previously decreed water right.

Under Idaho law, a water right is limited to the amount of water beneficially used for the purposes for which the water right was established. The amount of water beneficially used is limited to the amount that is actually used and is reasonably required. For irrigation purposes, a reasonable amount is the amount required using irrigation methods that are reasonably efficient under current circumstances. If the amount of a water right shown in a decree is greater than the amount that is beneficially used, then the portion that is not beneficially used is forfeited. In the case of 36-00027, if the water right shown in a decree is no longer beneficially used, the water right is forfeited.

The amount proposed to be recommended for your claim is based on the amount of water determined to be beneficially used for the recommended uses, based on available data and current methods of analysis. To support recommendation of a greater amount, you will need to submit evidence of beneficial use of a greater amount to IDWR. This evidence must be submitted **prior to October 15, 1992** to enable IDWR to review the evidence prior to finalizing the Director's Report.

If you still disagree with IDWR's recommendations, you will have an opportunity to file an objection to the Director's Report with the court. When the Director's Report is filed with the court, you will be mailed a notice that will contain more information about the objection process. As part of the objection process, IDWR will work with the claimants to resolve disputed issues, including efforts to obtain additional data which will be shared with the water users.

Sincerely,  
  
Steve Clelland  
Senior Water Agent

**MICROFILMED**

**JAN 20 1993**

| INTAKE<br>FAMILY | DESIGN<br>APPLIC.<br><br>Inches | FURROW<br>SLOPE<br>Ft/Ft | FURROW<br>SPACING<br>Feet | FURROW<br>LENGTH<br>Feet | INFLOW<br>RATE<br>Gpm | APPROXIMATE<br>INFLOW TIME<br>Hours | ADVANCE<br>TIME<br>Minutes | GROSS       | NET         | DEEP<br>PERC. | IRRIGATION<br>EFFICIENCY<br>% |        |
|------------------|---------------------------------|--------------------------|---------------------------|--------------------------|-----------------------|-------------------------------------|----------------------------|-------------|-------------|---------------|-------------------------------|--------|
|                  |                                 |                          |                           |                          |                       |                                     |                            | IRRIGATION  | IRRIGATION  |               |                               |        |
|                  |                                 |                          |                           |                          |                       |                                     |                            | APPLICATION | APPLICATION |               |                               | RUNOFF |
| 0.55             | 3.28                            | .020                     | 1.50                      | 516                      | 5                     | 12                                  | 50.9                       | 7.46        | 4.87        | 2.42          | 1.76                          | 43.96  |
| 0.55             | 3.28                            | .020                     | 1.50                      | 516                      | 4                     | 12                                  | 64.7                       | 5.97        | 4.67        | 1.08          | 1.60                          | 54.95  |
| 0.55             | 3.28                            | .020                     | 1.50                      | 516                      | 3                     | 12                                  | 96.5                       | 4.48        | 4.67        | 1.08          | 1.60                          | 54.95  |

< cannot work

54.95% eff

$$FIR = 4.2 \frac{C.U.}{EFF}$$

$$F.I.R. = 4.2 \frac{0.285}{54.95}$$

$$= 0.022 \text{ cfs/Ac.}$$

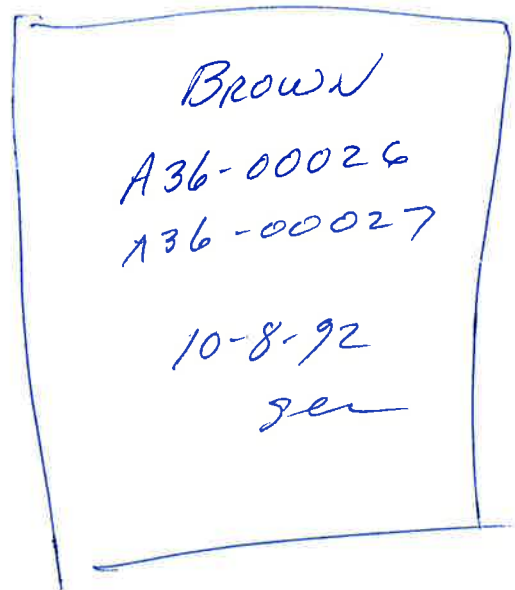
Furrow:

$$32 \times \frac{0.022}{\text{Acres}} = 0.70 \text{ cfs}$$

SPRINKLER:

$$8 \text{ Acres} \times 0.02 \text{ cfs/Ac} = 0.16 \text{ cfs}$$

0.86 TOTAL



0.86 cfs FIR  
0.19 conveyance loss  
1.05 cfs Total Diversion Rate

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JAN 20 1993

# IRIGATION ANALYSIS WORKSHEET

CLAIM NO. A36-00026 A36-00027DATE 10-8-92AGENT SCC / MSCLAIMANT/SYSTEM DESCRIPTION BROWN @ BELL DITCHIRRIGATION SYSTEM ----- GATED PIPE FURROWANALYSIS METHOD ----- BORDER / FURROWTYPE OF CROP ----- ALFA/FAMAXIMUM PROFILE DEPTH ----- 60 INCHESINTAKE FAMILY ----- 0.55

\*\*\*\*\* 50% 50% \*\*\*\*\*

| SOIL TYPE                    | <u>KOA</u>  | <u>KOB</u>  | SYSTEM TOTAL    |
|------------------------------|-------------|-------------|-----------------|
| ACRES PER TYPE               | <u>16</u>   | <u>16</u>   | <u>32</u> ACRES |
| SOIL PROFILE WHC             | <u>7.33</u> | <u>5.78</u> |                 |
| DESIGN IRR $\frac{1}{2}$ WHC | <u>3.67</u> | <u>2.89</u> |                 |
| <u>Ave = 3.28</u>            |             |             |                 |

\*\*\*\*\*

## CROP REQUIREMENT:

REPORT AREA & FIGURE NO. ----- BLISS 10-8

## DAILY CROP REQUIREMENT:

7.24 (MM/DAY) / 25.4 (FACTOR IN MM/IN) ----- 0.285 IN/DAYACTUAL ROTATION PRACTICED ----- 14 DAYSDRY DAY ROTATION ----- IRR DAY ROTATION 14

## THEORETICAL ROTATION:

3.28 DESIGN IRR / 0.285 CROP REQ = 11.5 DAYS

## DESCRIPTION OF FIELD:

AVERAGE LENGTH RUN ----- 516'TOTAL WIDTH OF FIELD ----- 2700'CHECK 2700 L \* 516 W / 43,560 = 32 ACRES% SLOPE ----- 2%BORDER WIDTH ----- N/AWIDTH OF FIELD / DAYS OF ROTATIONFURROW / CORRUGATION WIDTH ----- 30"SET TIME ----- 12-24 Hrs

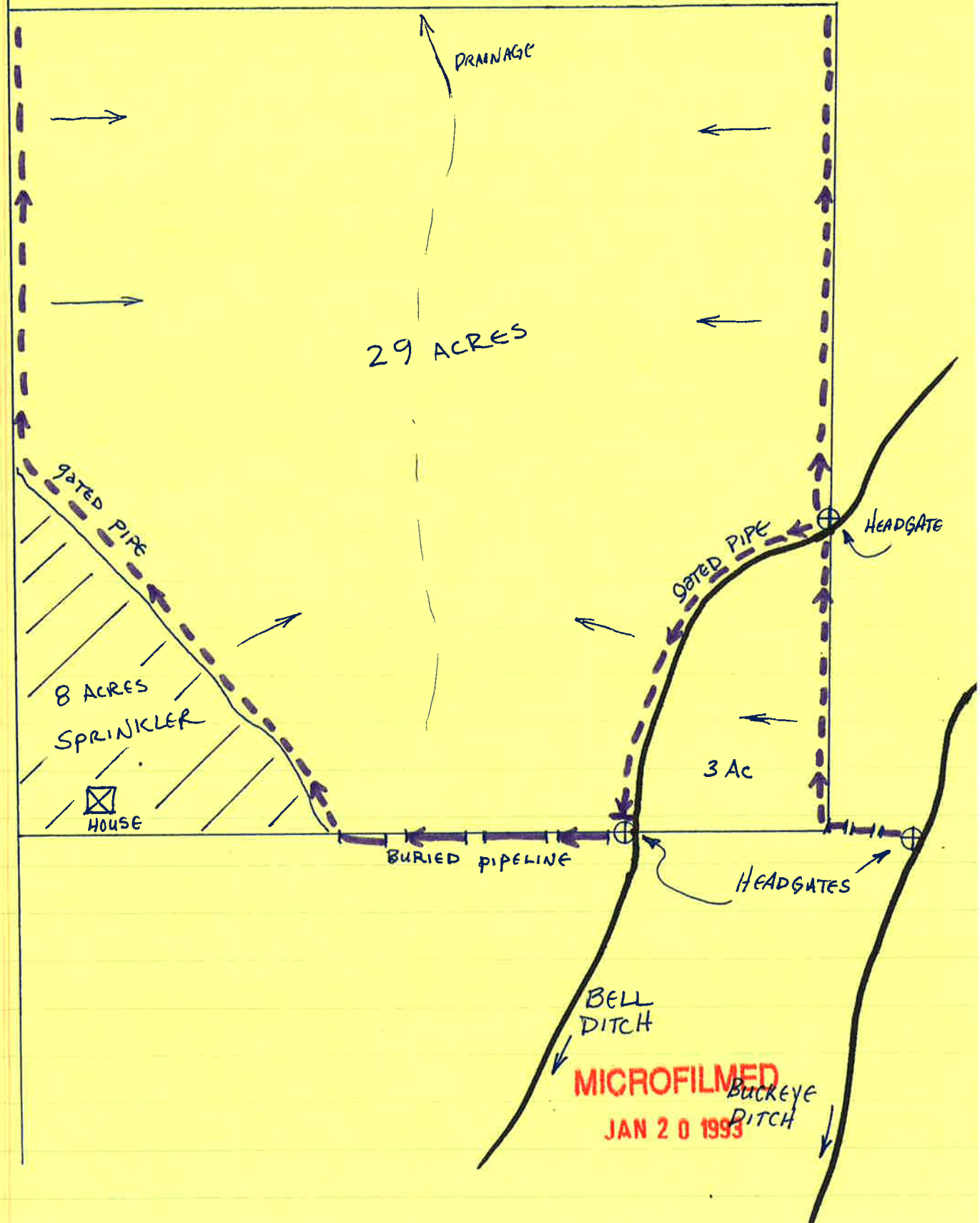
MICROFILMED

10 2 11 1993

NORTH ↑

LLOYD BROWN  
10-8-92  
SC

COUNTY ROAD



## CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLANDA36-00026  
FILE A36-00027RE: NO E ReponseDATE 10-7-92

NAME OF PARTY

LLOYD BROWN837-6101

I called and told him we have analyzed his water rights based on sprinkler.

He said yes he has 8 acres of sprinkler around the house & Barn and the rest is all gated pipe. I explained we use a standard of one inch per acre for sprinkler. He said he knew of a guy in Hagerman that delivered 1.7 to 1.5 inches per acre by sprinkler per SCS. (probably Dan McFadden)

I told him the furrow systems are analyzed with soil types and irrigation methods.

He provided the following:

30" spacing.

14 day rotation.

12-24 hour sets.

about 3000' of gated pipe.

estimated 600' runs.

I told him I would send him a copy of our new recommendations as based on furrow irrigation.

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JAN 20 1993

AUG-24-1992

## NOTICE OF ERROR FORM

Please type or print clearly, fill out completely, and return to:

**Idaho Department of Water Resources**

**Statehouse Mail**

**Boise, Idaho 83720-9000**

RECEIVED

OCT 02 1992

Department of Water Resources

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

**YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS:** SEP-24-1992

1. Water right number: 36-00026
2. Name: Lloyd Brown  
Address: 2802 S 850E  
Hagerman, ID 83332  
Weekday Telephone Number: 837-6101

RECEIVED

OCT 05 1992

DEPARTMENT OF WATER RESOURCES  
SOUTHERN REGIONAL OFFICE

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JAN 20 1993

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on this copy.)

3. Describe the portion of proposed recommendation with which you disagree:  
Irrigation decreed
4. Describe the changes you wish to have made in the proposed recommendation:  
2.00 CFS
5. Describe why you disagree with the proposed recommendation:  
It takes more water to irrigate this land
6. Date: 9-22-92

SIGNATURE

Lloyd Brown

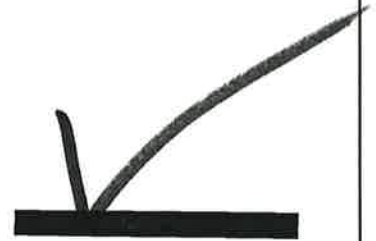
**R PROOF**



**CVR**



**MAPS**



**PHOTOS**



**MISC**



**MICROFILMED**

**JAN 1993**

**1993**

MICROFILMED

JAN 2 n 1993

Water Right Number R36-00026

Prefix Translation: RESEARCH

Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*  
BROWN

LLOYD

1 - 2802 S 850 E  
2 - RT 1  
3 -  
City- HAGERMAN  
Phone - 208-837-6101

State- ID Zip- 83332

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +  
03/30/1884 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +  
BILLINGSLEY CREEK SNAKE RIVER

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

07S 13E 11 NW SE NE (47) GOODING  
SE SE NE (47) GOODING

| Code            | Description | Period From | Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|----------------|------------------|
| 01 - IRRIGATION |             | 04/01       | 10/31     | 0.990          |                  |
| 04 - STOCKWATER |             | 04/01       | 10/31     | 0.050          |                  |
| 04 - STOCKWATER |             | 11/01       | 03/31     | 0.240          |                  |

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +  
0.990 120.0

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County       |
|-----|-----|-----|-------|-----|-------|------|-------------|--------------|
| 07S | 13E | 22  | SW SE |     | 40.0  | 01   | IRRIGATION  | (47) GOODING |
| 07S | 13E | 22  | SW SE |     |       | 04   | STOCKWATER  | (47) GOODING |

Total Acres: 40.0

+ - - Diversion Means - DIVERSION VIA THE BELL & BUCKEYE DITCHES, SPRINKLER IRRIG.

+ - - Non-Irrigation Use - STOCKWATER, 125 RANGE CATTLE

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +  
0.19 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE  
LOSSES IN DELIVERY OF THIS RIGHT.  
WATER IS DELIVERED THROUGH BELL & BUCKEYE DITCHES.

X

Water right number - R36-00026

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

3600026

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

NEW INTERNATIONAL MORTGAGE BANK

+ - - - - Decree Defendant - - - +

IDAHO POWER COMPANY

+ - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

Date: 03/17/1992 User Id: CLELLAND Subject: COPIED FROM REMARKS

THIS AMOUNT OF WATER IS NEEDED ON THE PROPERTY FOR SEVERAL  
OF LOSS FROM EVAPORATION AND SEEPAGE FROM THE DIRT DITCH ITSELF.  
(3) THE DITCH PASSES OVER LAVA FLOWS AND THERE ARE SINK HOLES

REASONS: (1) WITH THE LENGTH OF THE BELL DITCH, THERE IS A LOT  
(2) THE PROPERTY THAT IS IRRIGATED IS VERY SANDY IN NATURE.  
THAT CANNOT BE FILLED, WHICH ALSO CAUSES LOSS IN WATER.

+ - - Audit Fields - - +

08/05/92 WORSTELL

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing - 00/00/0000  
Objection Filed Date - 00/00/0000  
Response Filed Date - 00/00/0000  
Claim Received Date - 09/20/1988

Field Inspection Made - 08/16/1990  
Field Inspection Flag -  
Verified Date - 08/05/1992  
Last Amended Date - 00/00/0000  
Receipt Number - S002309  
POU Ownership Flag - Y  
Name Connector - OR

Civil Case Number - 39576  
Old Case Number -  
Old Judicial District -  
Temporary Right - P  
Water District - 36A  
Federal/State Indicator - S  
Presumption Flag -  
Notice of Error Flag -

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JAN 20 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

16:49:52  
06/28/90

PAGE: 13  
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-00026

| WR ELEMENT                | FIELD EXAM<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | VERIFIED BY<br>CODE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|-------------------|-------------------------------------------------|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                   |                                                 |                            |                        |                     |                                  |                                      |                               |
| POINT OF DIV              | Y                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| SOURCE                    |                   |                                                 |                            | ✓                      | 1,5                 |                                  |                                      |                               |
| PLACE OF USE              | Y                 |                                                 | See<br>8-16-90             | N                      |                     |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME | Y                 |                                                 | See<br>8-16-90             | N                      | 1,4,5,6             |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                 |                                                 |                            | Ⓢ                      | 6<br>STDS.          |                                  |                                      |                               |
| PURPOSES                  | Y                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PERIOD OF USE             | Y                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| BASIS OF CLAIM            |                   |                                                 |                            | ✓                      | 6.                  |                                  |                                      |                               |
| REMARKS                   | Y                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
|                           |                   |                                                 |                            | Ⓢ                      | 6.                  |                                  |                                      |                               |

See  
7-12-90

"VERIFIED BY" CODES

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

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

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JAN 20 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

16:49:52  
06/28/90

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A36-00026

LAST: BLACKHART  
ADDRESS:  
CITY: N/A  
PHONE NUMBER: 208-000-0000

FIRST: MABEL  
STATE: ID ZIP: 00000

OWNER CODE: O

LAST: BROWN  
ADDRESS: 2802 S. 850 E.  
RT. 1  
CITY: HAGERMAN  
PHONE NUMBER: 208-837-6101

FIRST: LLOYD  
STATE: ID ZIP: 83332

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE  
Y

FIELD  
EXAMINER

CLAIM REMARKS: THIS AMOUNT OF WATER IS NEEDED ON THE PROPERTY FOR SEVERAL  
REASONS: (1) WITH THE LENGTH OF THE BELL DITCH, THERE IS A LOT  
OF LOSS FROM EVAPORATION AND SEEPAGE FROM THE DIRT DITCH ITSELF.  
(2) THE PROPERTY THAT IS IRRIGATED IS VERY SANDY IN NATURE.  
(3) THE DITCH PASSES OVER LAVA FLOWS AND THERE ARE SINK HOLES  
THAT CANNOT BE FILLED, WHICH ALSO CAUSES LOSS IN WATER.

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JAN 2 1993

CONTACT PERSON: MRS. Brown

DATE OF FIELD EXAM: 8/16/90

APPOINTMENT MADE: Y( ) N( X )

PHONE NUMBER: ( ) -

TIME: 4 : 00 A( ) P( X )

ACCOMPANIED BY: \_\_\_\_\_

PHONE NUMBER: ( ) -

RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / REMARKS:

Mrs. Brown identified the full 40 as irrigated + Buckeye water used w/ Bee  
Neighbor Betty Harker (A36-00338) also affirmed the use of "J" below the  
Ball Ditch.

RECEIVED  
JAN 20 1993

A. AJ CLAIM: # A36-00026 PRIORITY DATE: 03-30-1884 STAGE: D  
B. WR RECORD: # 36-00026 PRIORITY DATE: 03-30-1884 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE  
N

FIELD  
EXAMINER  
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y( ) N(X)  
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:  
03-30-1884

REVIEWED BY

su

DATE

7-12-90

=====

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JAN 20 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY    |
|-----------|------|------|------|-----|-----|-----|-----|---------|
| A36-00026 | 07S  | 13E  | 11   | NE  | SE  | NE  |     | GOODING |

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX  
A36-00051D NONE

WR RECORDS IN SAME 40 ACRE TRACT

|            |           |
|------------|-----------|
| A36-10119  | 36-00003  |
| A36-10120  | 36-00005  |
| A36-10751  | 36-00019  |
| A36-10752  | 36-00021  |
| A36-10755  | 36-00024  |
| A36-10061  | 36-00025  |
| A36-00103B | 36-00027  |
| A36-00108A | 36-00034  |
| A36-00003G | 36-00035A |
| A36-00027  | 36-00035B |
| A36-00039C | 36-00039A |
| A36-00090E | 36-00039B |
| A36-00051B | 36-00040  |
| A36-00076A | 36-00051  |
| A36-00089B | 36-00052  |
| A36-00089D | 36-00064  |
| A36-10283  | 36-00065  |
| A36-10312  | 36-00067  |
| A36-00090A | 36-00071  |
| A36-00003D | 36-00076  |
| A36-00090B | 36-00077  |
| A36-00090C | 36-00082  |
| A36-00090D | 36-00083  |
| A36-00090F | 36-00085  |
| A36-00108F | 36-00087  |
| A36-00125A | 36-00088  |
| A36-00051C | 36-00089  |
| A36-00071A | 36-00090  |
| A36-00089A | 36-00091  |
| A36-00108C | 36-00094  |
| A36-00108D | 36-00095  |
| A36-00108E | 36-00096  |
| A36-00108H | 36-00103  |
| A36-04008  | 36-00108  |
|            | 36-00112A |
|            | 36-00112B |
|            | 36-00113B |
|            | 36-00113C |
|            | 36-00113D |
|            | 36-00125  |
|            | 36-04008  |
|            | 36-04115  |
|            | 36-04261  |
|            | 36-07271  |
|            | 36-07658  |
|            | 36-07739  |

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JAN 20 1993

36-07834  
36-07840  
36-07853  
36-07875  
36-07957  
36-08058  
36-08319  
36-08335

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY    |
|----------|------|------|------|-----|-----|-----|-----|---------|
| 36-00026 | 07S  | 13E  | 11   |     | SE  | NE  |     | GOODING |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX

|           |            |      |
|-----------|------------|------|
| 36-00003  | A36-00025  | NONE |
| 36-00005  | A36-00087  |      |
| 36-00019  | A36-07658  |      |
| 36-00021  | A36-10409  |      |
| 36-00024  | A36-00051D |      |
| 36-00025  | A36-10119  |      |
| 36-00027  | A36-10120  |      |
| 36-00034  | A36-10751  |      |
| 36-00035A | A36-10752  |      |
| 36-00035B | A36-10755  |      |
| 36-00039A | A36-10061  |      |
| 36-00039B | A36-00103B |      |
| 36-00040  | A36-00108A |      |
| 36-00051  | A36-00003G |      |
| 36-00052  | A36-00027  |      |
| 36-00064  | A36-00039C |      |
| 36-00065  | A36-00090E |      |
| 36-00067  | A36-00051B |      |
| 36-00071  | A36-00076A |      |
| 36-00076  | A36-00089B |      |
| 36-00077  | A36-00089D |      |
| 36-00082  | A36-10283  |      |
| 36-00083  | A36-10312  |      |
| 36-00085  | A36-00090A |      |
| 36-00087  | A36-00003D |      |
| 36-00088  | A36-00090B |      |
| 36-00089  | A36-00090C |      |
| 36-00090  | A36-00090D |      |
| 36-00091  | A36-00090F |      |
| 36-00094  | A36-00108F |      |
| 36-00095  | A36-00125A |      |
| 36-00096  | A36-00051C |      |
| 36-00103  | A36-00071A |      |
| 36-00108  | A36-00089A |      |
| 36-00112A | A36-00108C |      |
| 36-00112B | A36-00108D |      |
| 36-00113B | A36-00108E |      |
| 36-00113C | A36-00108H |      |

MICROFILMED  
JAN 20 1993

36-00113D  
36-00125  
36-04008  
36-04115  
36-04261  
36-07271  
36-07658  
36-07739  
36-07834  
36-07840  
36-07853  
36-07875  
36-07957  
36-08058  
36-08319  
36-08335

A36-04008  
A36-04115  
A36-04261  
A36-00113B  
A36-10316  
A36-10588  
A36-00039J  
A36-00096A  
A36-00113F  
A36-00113G  
A36-10559  
A36-00048B  
A36-00048C  
A36-10223  
A36-00103A  
A36-00003B  
A36-00003C  
A36-00003E  
A36-00003F  
A36-00003J  
A36-00039G

MICROFILMED

JAN 20 1993

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)  
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE  
Y  
N

FIELD  
EXAMINER

N  
N

REMARKS:

POD BELL DITCH

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP.       | RGE.        | SEC.      | 1/4       | 1/4       | 1/4       | LOT        | COUNTY    |
|------------|-------------|-----------|-----------|-----------|-----------|------------|-----------|
| <u>7S.</u> | <u>13E.</u> | <u>11</u> | <u>NW</u> | <u>SE</u> | <u>NE</u> | <u>---</u> | <u>47</u> |

SOURCE: BILLINGSLEY CREEK

TRIB: SNAKE RIVER

REVIEWED BY: SC

DATE: 7-12-90

VIA BELL DITCH

✓ as claimed

A. ROOT WATER RIGHT NUMBERS: A36-00026

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME         | AJ<br>#/ACRES   | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-------------|-----|-----|-----|-----|-----|--------------|-----------------|---------------|-----------------|----------------|------------------|
| 07S         | 13E | 22  | SW  | SE  |     | BROWN, LLOYD | A36-00026 /40.0 | 36-00026 /    | 39.0            | 38.0           | 39               |
|             |     |     |     |     |     | BROWN, LLOYD | A36-11057 /     | - /           |                 |                |                  |
|             |     |     |     |     |     | BROWN, LLOYD | A36-00027 /40.0 | 36-00027 /    |                 |                | 40               |
| 07S         | 13E | 22  | SW  | SE  |     | BROWN, LLOYD | A36-00026 /     | 36-00026 /    | 39.0            |                |                  |
|             |     |     |     |     |     | BROWN, LLOYD | A36-11057 /     | - /           |                 |                |                  |
|             |     |     |     |     |     | BROWN, LLOYD | A36-00027 /40.0 | 36-00027 /    |                 |                |                  |
| TOTAL ACRES |     |     |     |     |     |              | A36-00026       | 40.00         | 78.00           |                |                  |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y( ) N(X)  
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE  
Y

FIELD  
EXAMINER  
N

PRESUMPTION FLAG:

REMARKS:

MINUS FARM SHOP + HOME = 1 AC. PER LANDSAT DATA

RECOMMENDATIONS:

TOTAL ACRES: ~~39.0~~ 40.0

REVIEWED BY: SC

DATE: 10-2-90  
7-12-90

MICROFILMED

JAN 20 1991

A. AJ CLAIMED USES:

PURPOSES  
A36-00026 IRRIGATION  
A36-00026 STOCKWATER

MONTH/DAY  
FROM 03-15 TO 11-15  
FROM 01-01 TO 12-31

4-1 to 10-31

DIVERSION QUANTITY  
2.400 CFS  
.050 CFS  
2.400 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

B. WR RECORDED USES:

PURPOSES  
36-00026 IRRIGATION

MONTH/DAY  
FROM TO

DIVERSION QUANTITY  
2.400 CFS  
2.400 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

|                                          |  | DATABASE | FIELD EXAMINER |
|------------------------------------------|--|----------|----------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N)      |  | Y        | <u>N</u>       |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) |  | Y        | <u>N</u>       |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) |  | Y        | <u>N</u>       |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y( ) N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N( )

Explain in remarks, below.

REMARKS:

2 Decrease

MICROFILMED

JAN 20 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(~~X~~) N( )

AJ TOTAL CLAIMED DIVERSION RATE: 2.400 CFS  
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.400 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 remarks. \*\*

FLOW MEASUREMENT REQUIRED?

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

FIELD  
DATABASE EXAMINER  
N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A36-00027

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM     | SOURCE            | NAME          | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|-------------------|---------------|-----------|----------------|-----------|----------------|
| A36-00026 | BILLINGSLEY CREEK | BROWN , LLOYD | 2.400     | 0.060          |           |                |
| A36-00027 | BILLINGSLEY CREEK | BROWN , LLOYD | 0.400     | 0.010          |           |                |

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

| CLAIM NO. | PURPOSES   | NAME          | MONTH/DAY           | RATE     | VOLUME |
|-----------|------------|---------------|---------------------|----------|--------|
| A36-00026 | STOCKWATER | BROWN , LLOYD | FROM 01-01 TO 12-31 | .050 CFS |        |
| A36-11057 | DOMESTIC   | BROWN , LLOYD | FROM 01-01 TO 12-31 | .040 CFS |        |
| A36-11057 | STOCKWATER | BROWN , LLOYD | FROM 01-01 TO 12-31 | .050 CFS |        |
| A36-00027 | STOCKWATER | BROWN , LLOYD | FROM 01-01 TO 12-31 | .050 CFS |        |

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JAN 20 1993

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JAN 20 1993

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  
ACRES 39 40 x 0.02 CFS/ACRE = 0.78 CFS  
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 120.0 AF/A

ACRES 39 40 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =

TOTAL CONSUMPTIVE USE 117 120 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 40 x DIVERSION VOL. AF/A FOR AREA 4.0 =

TOTAL DIVERSION VOLUME 160 AF/A (N/A for surface flow)

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ) N( )

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

(002) conveyance loss \_\_\_\_\_  
additional 420 \_\_\_\_\_

MICROFILMED  
JAN 20 1993

RECOMMENDATIONS:

| REC. PURPOSES        | REC. PERIOD FROM TO     | REC. DIV RATE CFS | REC. DIV VOL. AF/A | REC. CONS. USE    |
|----------------------|-------------------------|-------------------|--------------------|-------------------|
|                      | DATABASE EXAMINER       | DATABASE EXAMINER | DATABASE EXAMINER  | DATABASE EXAMINER |
| <u>IRRIGATION</u>    | <u>4-1 10-31</u>        | <u>0.99</u>       | <u>160</u>         | <u>117 120</u>    |
| <u>STOCK WATER</u>   | <u>3-15 11-15</u>       | <u>0.78 0.80</u>  |                    |                   |
| <u>stockwater</u>    | <u>1-14 12-31 10/31</u> | <u>0.05</u>       |                    |                   |
|                      | <u>11/1 3/31</u>        | <u>0.24</u>       |                    |                   |
| TOTAL FOR THIS RIGHT |                         | <u>0.99</u>       |                    | <u>117 120</u>    |
|                      |                         | <u>0.78 0.80</u>  |                    |                   |

REVIEWED BY: SCC SCC

DATE: 7-12-90 10-2-90

~~\* INCIDENTAL STOCK WATER~~

See Code Sheet

~~E09 = 120, 40~~  
~~F01 = Bell D. Buckeye~~  
~~D02 = ?~~

7/7/92 Per field examiner- sprinkler irrigated - 1"/ac.

Plus C.L. 0.19

Div Rat 0.80

0.99

stock water non-irrig. season includes conveyance loss

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP \_\_\_\_\_  
FORFEIT/ABANDON \_\_\_\_\_  
ADDITIONAL DIV. AMOUNT \_\_\_\_\_

ACCEPTED  
AS CLAIMED  
( )  
( )  
( )

NEEDS  
REVIEW  
( )  
( )  
( )

~~LEGAL REVIEW~~

~~okay HHT sprinkles~~

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-00026

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE  
2.400

EXAMINER

CFS

SPLITS:

OLD RIGHT  
NUMBERS

CURRENT  
CLAIM NUMBERS

DIVERSION  
RATE

CURRENT "R"  
CLAIM NUM.

"R" DIV.  
RATE

WR RIGHT  
NUMBERS

DIVERSION  
RATE

A36-00026

2.400

36-00026

2.400

TOTAL CFS

2.400

2.400

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)

DATABASE  
Y

FIELD  
EXAMINER

YES

OK

REMARKS:

AUTHENTICATION:

SIGNATURE:

Steve Neel

DATE:

10-2-90

NAME OF FIELD EXAMINER:

TITLE:

