

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

AMENDED

Ident. Number 63-115
Date Received: 11/29/1989
Receipt No: W006829
Received By:

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

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

Phone: (208)587-3617

2. Date of Priority: 04/01/1897

3. Source: ROCK CREEK Trib. to: BOISE RIVER SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	07E	15	SE NE 5	ELMORE	
01N	07E	14	NE NW	ELMORE	

5. Description of diverting works:

Gravity flows- ditches, pipelines, risers, sprinklers.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	1	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	07E	14	NW SW		IRRIGATION	4
			SW SW		IRRIGATION	0.5
					Section Acres	4.5
01N	07E	15	NW NE	1	IRRIGATION	28.5
			SW NE	4	IRRIGATION	3
			SE NE	5	IRRIGATION	9
			NE SE		IRRIGATION	4.4
			NE NW		IRRIGATION	0.6
					Section Acres	45.5
					Total Acres	50

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

Most lands are private. Others are Forest Service lands.
Claim amended 9/10/2001

15. Basis of Claim: Decreed

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

CIVIL CASE NUMBER: 39576

Ident. Number

63-00115

Date Received

9-5-2001

Receipt Number

N/ANOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s)

DANSKIN CATTLE LLC

Phone (208)

587-3617

Mailing Address

PO Box 488MOUNTAIN HOME, ID

Zip

83647

2. Date of Priority (Only one (1) per claim)

05-20-19004-1-1897RCB

3. Source of water supply (a)

Rock CREEK

which is tributary to (b)

BOISE RIVER, SOUTH FORK

4. a. Location of existing point of diversion is: Township

01N

Range

07E

Section

141/4 of NE1/4 of NW1/4, Govt. Lot,B.M.,

County of

ELMORE

Additional points of diversion if any:

SENE LOT 5, SEC 15

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

Township

Range

Section

1/4 of1/4 of1/4,

Govt. Lot

B.M.,

County of

ending point is: Township

Range

Section

1/4 of1/4 of1/4, Govt. LotB.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.GRAVITY FLOWS - Ditches
PIPE LINES, RISERS, SPRINKLERS

— AMENDED —

**HOW YOU WILL RECEIVE NOTICES IN THE
SNAKE RIVER BASIN ADJUDICATION**

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIG purposes from 04-01 to 11-01 amount 1.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 (cfs) and/or (b) _____ (acre feet)

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

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>1N</u>	<u>7E</u>	<u>14</u>									<u>4</u>	<u>.5</u>							<u>4.5</u>
		<u>15</u>		<u>28.5</u>	<u>3</u>	<u>9</u>	<u>.6</u>								<u>4.4</u>				<u>45.5</u>

Total number of acres irrigated 50

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

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
63-19756 or None ()

14. Remarks: MOST LANDS ARE PRIVATE OTHERS ARE FOREST SERVICE LANDS.

Last Name _____ Ident No. 63-0015

Copies: White -State, Yellow-Claimant

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

02

Total number of acres irrigated

FL M08E

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

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

() 100%

2251-22

At 1950R

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒
If applicable provide IDWR Water Right Number 63-00115
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am managing member _____
Title

of Dawson Cattle, LLC _____, that I have signed the foregoing
Organization

document in the space below as managing member _____ of Dawson Cattle LLC _____
Title Organization

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

Signature of Authorized Agent [Signature] _____

Title and Organization managing member Dawson Cattle LLC Date 9/15/01

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

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



Notary Public Ron Howerton _____

Residing at Ron Howerton _____

My Commission Expires Residing at Boise, Idaho
Commission Expires December 8, 2006

Please Print Name

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number 63-00115

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-00115
Date Received: 11/22/1989
Receipt No: WG 829
Received By: EW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: MAY 20, 1900

3. Source: ROCK CREEK Trib. to: S. FORK BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	07E	14	NW	NW	NW		ELMORE
		15	NE	NE	NE		ELMORE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

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

8. Total consumptive use is 485.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	07E	10	NW	NW		IRR	10.0
			SW	NW		IRR	9.0

A63-00115

Page 1

Date: 11/29/89

MICROFILMED

AUG 14 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	07E	10	NW	SW		IRR	4.0
			NW	SW		IRR	8.0
			SW	SW		IRR	29.0
			SE	SW		IRR	11.0
			SE	SW		IRR	14.0
			SW	SE		IRR	6.0
			Section Acres				91.0
		14	NW	SW		IRR	4.0
			SW	SW		IRR	1.0
			Section Acres				5.0
		15	NE	NE		IRR	1.0
			NW	NE	1	IRR	36.0
			SW	NE	4	IRR	3.0
			SE	NE	5	IRR	9.0
			NE	NW		IRR	31.0
			NW	NW		IRR	4.0
			SE	NW		IRR	2.0
			NE	SE		IRR	12.0
			Section Acres				98.0
			Total Acres				194.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
YES

14. Remarks:

THIS RIGHT IS SUPERIOR TO OTHER RIGHTS FROM ROCK CREEK.
NO PRIORITY DATE DECREED.

PART OF THIS WATER IS CONVEYED THROUGH THE JOY DITCH. THE
PRIORITY DATE WAS DETERMINED BY MR. BAKER BASED ON RESEARCH DONE
ON OLD PATENTS SHOWING USAGE BACK IN THE 1890'S.

THE EXPANDED ACREAGE IN THE NW1/4, SECTION 10 IS ASSUMED TO
HAVE BEEN IRRIGATED SINCE 1950 BECAUSE OF THE ADDITION OF
CONCRETE PIPE.

THE EXPANDED ACREAGE IN SECTION 10; SW1/4 AND SECTION 15; NW1/4
WAS DONE SO IN 1974. THIS AREA IS SHOWN IN ORANGE ON THE MAP.

Water right number - 63-00115

Adj. flag translation: Standard Water Right Number

+ - - Audit Fields - 02/11/86

05/01/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000
Approved/Denied - 00/00/0000
Proof Made Date - 00/00/0000
Start Work Date - 00/00/0000
Order Show Cause - 00/00/0000
Licensed Date - 00/00/0000
Decree Date - 08/14/1920

Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 05/28/1985
Receipt Number -
Appl Received - 00/00/0000

Field Exam Fee -
Swan Falls -
Temporary Right - P
DLE/Carey Act -
Water District - 63
Transfer/Amended -

MICROFILMED
AUG 14 1992

14. Remarks: Continued

ALL OTHER EXPANDED PLACES OF USE WERE IN USE ON THE DATE OF PRIORITY.

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date:

ALICE RUDGE

Decree Plaintiff

vs

DAVID SIMMONS

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: 4

For Organizations:

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

Robert C. Bahr
Signature of Authorized Agent

Operating Partner DCC
Title and Organization

12/14/89
Date

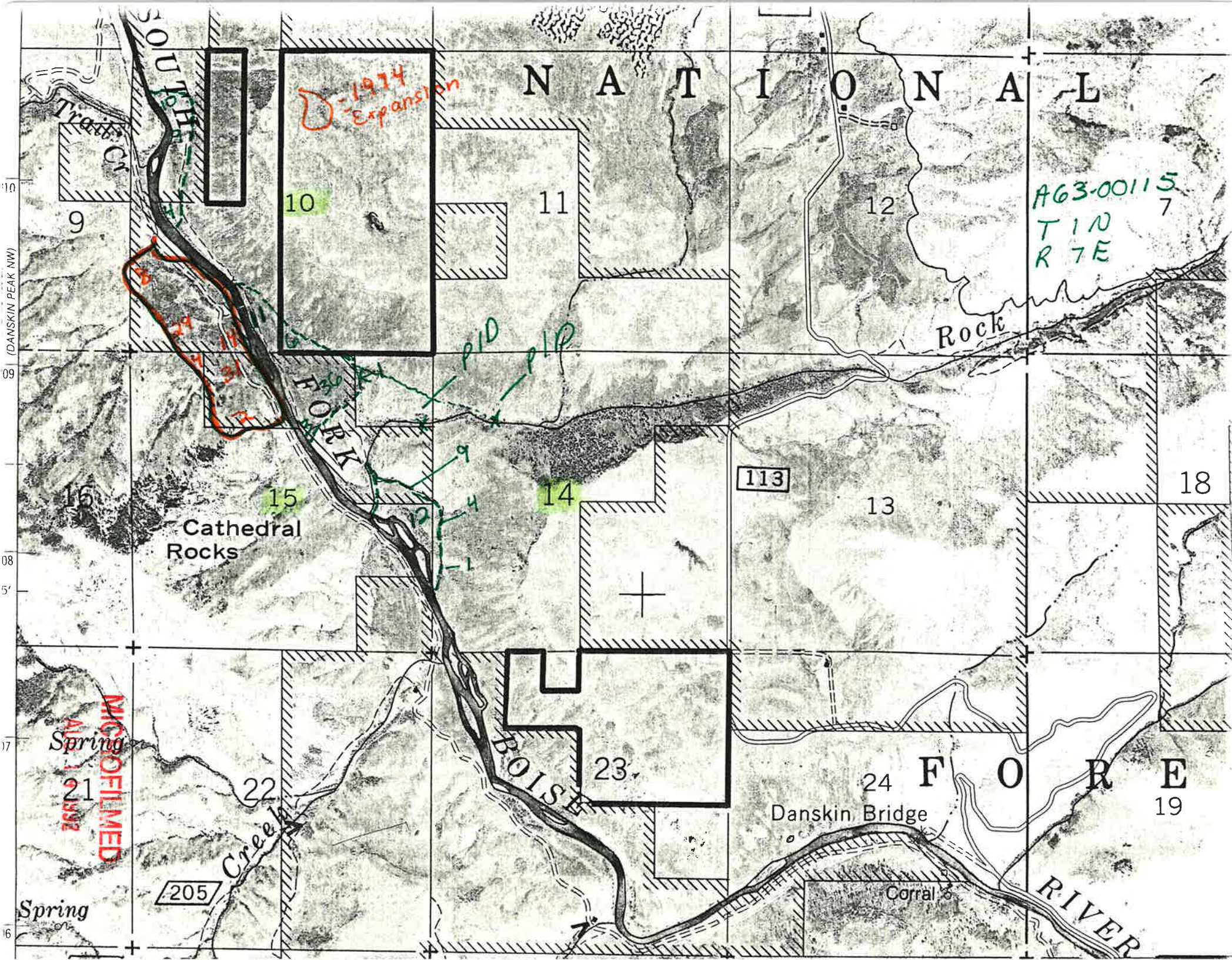
State of Idaho)
County of Ada) SS.

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

Seal

Linda Werner
Notary Public

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



Water Right Number - 63-00115 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

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

*** C - CURRENT OWNER ***
BARNES N. B. 1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
00/00/0000 14 D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
ROCK CREEK S. FORK BOISE RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

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

01 - IRRIGATION 1.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.000

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

01N	07E	15	NW NE	1		01	IRRIGATION	39	ELMORE
01N	07E	15	SW NE	4		01	IRRIGATION	39	ELMORE
01N	07E	15	SE NE	5		01	IRRIGATION	39	ELMORE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
THIS RIGHT IS SUPERIOR TO OTHER RIGHTS FROM ROCK CREEK.
NO PRIORITY DATE DECREED.

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
ALICE RUDGE DAVID SIMMONS 08/14/1920

MICROFILMED

AUG 14 1992

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

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

QUANTITY: 1.00 CFS

USE OF THIS RIGHT WITH RIGHT NO. 63-19756 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.894 CFS.
USE OF THIS RIGHT WITH RIGHT NO. 63-31290 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.0 CFS.

POINT OF DIVERSION:

T01N R07E S14 NENW Within ELMORE County
T01N R07E S15 SENE Lot 5 Within ELMORE County

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.000 CFS

T01N	R07E	S09			NESE	0.8	T01N	R07E	S09			SESE	0.5
T01N	R07E	S10	Lot	4	NWSW	11.2	T01N	R07E	S10			SWSW	26.6
T01N	R07E	S10	Lot	7	SESW	16.0	T01N	R07E	S14	Lot	1	NWSW	4.0
T01N	R07E	S14	Lot	2	SWSW	0.5	T01N	R07E	S15	Lot	1	NWNW	28.5
T01N	R07E	S15	Lot	4	SWNE	3.0	T01N	R07E	S15	Lot	5	SENE	9.0
T01N	R07E	S15	Lot	1	NENW	0.6	T01N	R07E	S15	Lot	2	NENW	11.0
T01N	R07E	S15			NWNW	1.2	T01N	R07E	S15	Lot	6	NESE	4.4

USE OF THIS RIGHT WITH RIGHT NO. 63-31290 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 117.3 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 134.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 63-19756 & 63-31290.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50.0 ACRES WITHIN THE PLACE OF
USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.
RIGHT NO. 63-31290 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.

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

3-16-04

63-31290A –

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

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

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

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

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

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

63-31290B –

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

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

AGENT JPDATE 3-16-04

63 - 31296

63 - 31290A+B

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
ROCK CK	115	IN	7E	10									1.4	1.7							53.8	53.1
"	31290A	"	"	"									1.4	1.7							53.8	
"	31296	"	"	"						1.2			1.5	1.6					3.7		17.6	17.6
SPRINGS & UNK. STREAMS	19756	"	"	"						1.2			1.5	1.6					3.7		17.6	
TOTAL																					91.1	

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
ROCK CK	115	IN	7E	15	1.1 28.5	1.4 3	1.5 9	1.2 11.6	1.2							1.6 4.4				57.7		
	31290A	"	"	"	1.1 28.5	1.4 3	1.5 9	1.2 11.6												57.1	57.7	
SPRINGS & UNK. STREAM	19756	"	"	"	1.1 26	1.4 .5		1.2 1.6								1.6 15				27.1		
ROCK CK	31290B	"	"	"					1.2							1.6 4.4				5.6		
TOTAL																					57.7	

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

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

TOTAL - 115 - 117.3

TOTAL ALL - 134.9

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

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 5, 2002

Water right number: 63-115

DANSKIN CATTLE LLC

C/O ROBERT C BAKER

PO BOX 488

MOUNTAIN HOME ID 83647

Telephone Number: (208)587-3617

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

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

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

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

DATE: March 19, 2002

SIGNATURE: Robert C. Baker

Please print your name: Robert C. Baker

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

63-115 DECREE
this claim has
AN ENLARGEMENT
FILED = 63-31290

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

CLAIM NO(s). 63-115

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

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

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

THE DOP IN DECREE WAS LISTED AS SUPERIOR TO ALL
OTHERS OF ROCK CR. CLAIMANT SUBMITTED AFFIDAVIT WITH
REF. TO PATENT ISSUED.

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

Source found: _____

4. ☒ No Change — POINT OF DIVERSION GPS LOCATION * PUD OVERLAPS -
☐ Point of diversion is different than the claim and/or new P/D's: with (SEE PHOTOS)
63-31290 &

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

63-31296

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

SEE DIAGRAM ON BACK OF MAPPING & ON MAP
PHOTOS

Decree not given so
thus,
Recommend
SEASON PER STANDARDS...

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

Use irr From 4/1 To 10/31 Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

7. ☒ No Change - TOTAL VOLUME

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

- ☐ Changes Exam found:

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

Additional comments: _____

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

ADD GOUT LOTS ✓

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

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

NOTE: CLAIMANT KNOWS SOME LANDS ARE FOREST SERVICE AND WANTS US TO RECOMMEND.
MAINTENANCE MEAS. WAS MADE TO SHOW DIFFERENCE BETWEEN SPRING FLOWS

AND UNPAID SOURCES ADDING INTO DITCH. DIFF WAS 2.38 CFS

(SEE FILE 63-19756) ALSO PROVED THAT HISTORICAL FLOWS FROM

Rock Cr WERE MORE THAN DECREEED 1 CFS (MEAS. 2.74 CFS)

☐ SYSTEM DIAGRAM INCLUDED ☐ NA (DIFF WAS 1.74 CFS.)

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: Aug 8, 2001

FIELD EXAMINER:

RON HOWERTON

Print Name

Ron Howerton

Signature

E01 combined cfs = 1.894
with 63-19756

↓ 18

QNT E01 - use of this right with right
31290 is limited to diversion
rate of 1.0 cfs

PON 4 E11 - comb ACRES with 31290 are 117.3

EXP RMR K01 - right no 63-31290 is an
enlargement of this right
pursuant to SEC 42-1426 IC 2

COS - ACCOMPLISHED CHG IN PON PER 1987 MAP

E14
134.9 ACRES
with
31290
(19756)

Idaho Department of Water Resources

CLAIM VERIFICATION NARRATIVE SHEET

Updated: February 28, 2002

Date of Exam: August 8 & 20, 2001

Field examiner:

**Ron Howerton
Senior Water Right Agent**

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

Contacts: Robert C. Baker

Narrative:

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

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

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

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

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

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

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

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

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

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

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

AFFIDAVIT

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

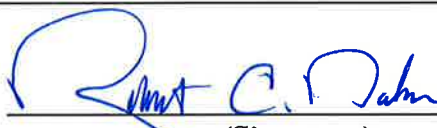
63-0115)
)
)

State of Idaho)

County of Ada)

Robert C. Baker being first duly sworn,

deposes and says: The waters of Rock Creek have been diverted
and put to beneficial use since April 1, 1897. As evidenced
by the patent issued to Mr Joy in 1902 which provided that
the lands be occupied and farmed at least 5 years prior to
patent. While the decree establishing 63-0115 is dated
Aug 14, 1920, it is stated that the Joy water right is "superior
to the other rights", it is claimed therefore that the priority
dating back to patent (5 years prior) is justified.


(Signature)

Subscribed and sworn to before me this

day 5 of SEPT, 20 01.


(Notary Public)

Ron Howerton

Residing at Residing at Boise, Idaho
My Commission Expires December 8, 2006

My Commission Expires _____.



HISTORICAL CHRONOLOGY

1812 The Forest Service reports (without citing authority) that fur traders used roads and trails along the South Fork as early as 1812.

1862 The Forest Service reports (without citing authority) that early transportation systems used routes along the South Fork of the Boise River. (Fry stated that he was not aware of any use on the south side of the river above the sheep bridge.)

1893 A survey conducted in 1893, embodied on a map dated 1894 reflects a dashed line showing something (trail, cow path, wagon road, etc.) in essentially the present location of Forest Roads 165 and 167. A spur turns south up Menneke Creek. The dashed line also appears to continue to the east within approximately one-half mile of the present location of the Bridge. Although Frank Fry says dashed line generally indicate "trails" on old maps, the map contains no legend reflecting the nature of the trail or road intended to be depicted. There is nothing that indicates the frequency of usage.

1894-1895 According to Forest Service documents summarized but not produced, the first homesteaders on the south fork began to appear at this time.

1897
63-5069
63-4859 Martin patent (part of Heath's property). USFS does not have a copy of the report regarding same. (Note: F. Fry says homesteaders on site for more than five years before apply for patent.)

1902 Elmore County Prosecuting Attorney indicates that earliest public use of Forest Road 165 dates back to 1902.

1902 Landowners petitioned Elmore County to establish a wagon road from Mud Springs over Trail Creek to Smiths Prairie in the present configuration of 167, across the ford on the Joy Ranch and up on to Smiths Prairie.

1902
63-19756
63-19755
63-4225
63-0115 Joy Patent in §9 and §10 west of the river. (I do not have a copy of the report regarding same and have requested that Mr. Fry provide it.) (Note: F. Fry says homesteaders on site for more than five years before apply for patent.)

1902 October - Henry Menneke settles on site.

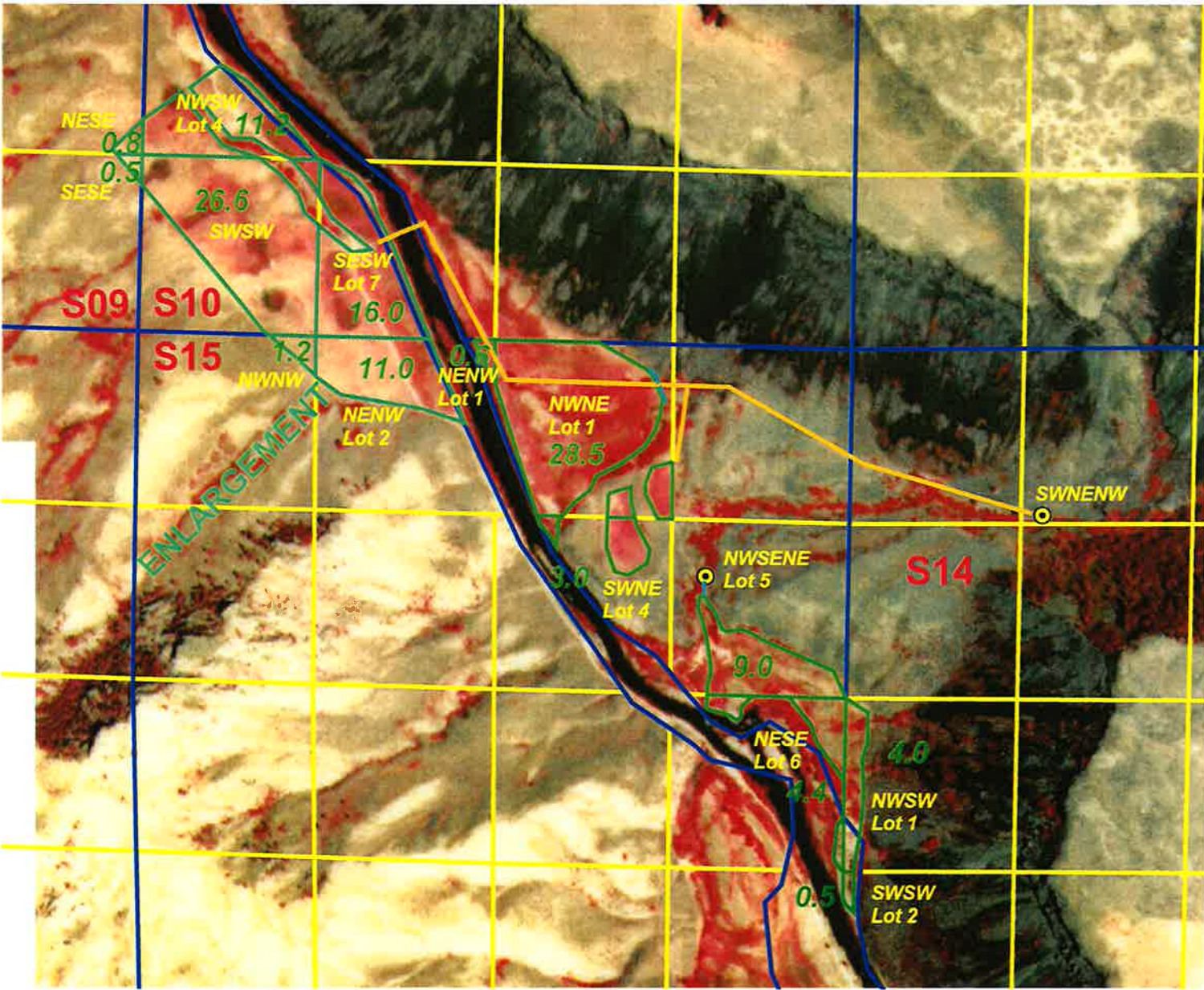
- 1906 November 6, 1906. Forest Service acquires the Danskin division from the public domain.
- 1906 Joy Patent in §10 east of the river. (I do not have a copy of the report regarding same and have requested that Mr. Fry provide it.)
- 1908 Menneke Patent.
- 1911 Forest Service records reflect Mr. Joy having "called...in regard to the construction of a wagon road at his place to connect with the county line and also in regard to the necessity of construction of a bridge across the south fork in the vicinity of his homestead;..." Elsewhere in the note, it was made apparent that the cited reference to "construction of a wagon road" was prospective and may have been an alternative until construction of the bridge referred to above. The stated purpose of the letter was to obtain county money for the road.
- 1913 August 30, 1913. A petition to open the road refers to "a number of gates" on the south fork wagon road and requests county action to remove. (Original at Idaho Historical Library.) If this is the same road, it shows gates impeding public access in 1913. (Bob is not certain that it is the same road.)
- 1914 Butler Howell application (a homestead located part way up Trail Creek) reflects the existence of "an old established wagon road from the South Fork to Mayfield...This road is regularly used..." It also mentions "a fairly good" road from Mayfield to Arrowrock. It does not mention a road south of the Mayfield-Arrowrock wagon road. (Edward Heath says his father owned this parcel before moving down on the river.)
- Oct., 1915 Homestead application #130 refers to a "trail...from this place across Menneke Flat to the head of Menneke Creek, whence there is a wagon road connecting with roads to Smiths Prairie, ten miles distant, and Mountain Home, forty miles away...a road can easily be constructed from the claim to connect with these roads." (This parcel is generally located in Section 25 south of the present bridge and on the bench above the river. A map accompanying this report appears to reflect the trail on the bench.) Thus, northwest of Menneke Creek, it appears that a wagon road existed which

IDAHO DEPARTMENT OF WATER RESOURCES

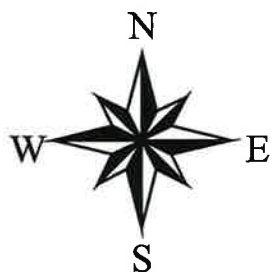
Claims: 63-115 & 63-31290

Date Prepared: 02-28-02

Prepared By: Ron Howerton



T01N, R07E

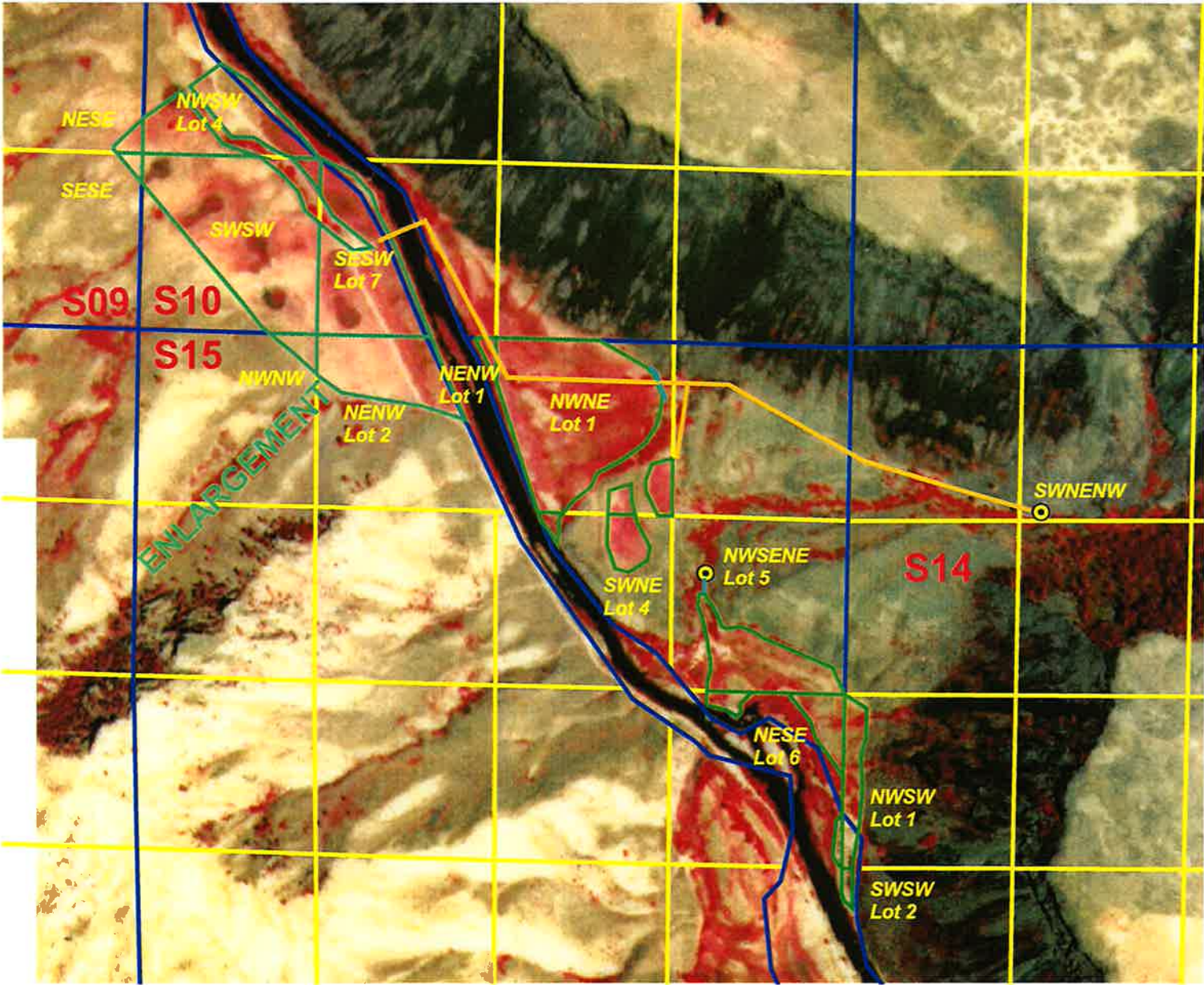


- ⊙ Point of Diversion
- Place of use
- Section
- Quarter/Quarter
- Ditch
- Pipeline

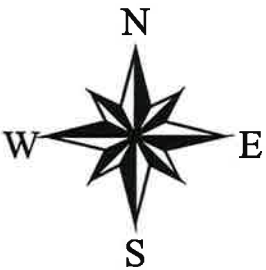
1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Claims: 63-115 & 63-31290
Date Prepared: 02-28-02
Prepared By: Ron Howerton



T01N, R07E



- ⊙ **Point of Diversion**
- Place of use**
- Section**
- Quarter/Quarter**
- Ditch**
- Pipeline**

1987 NAPP



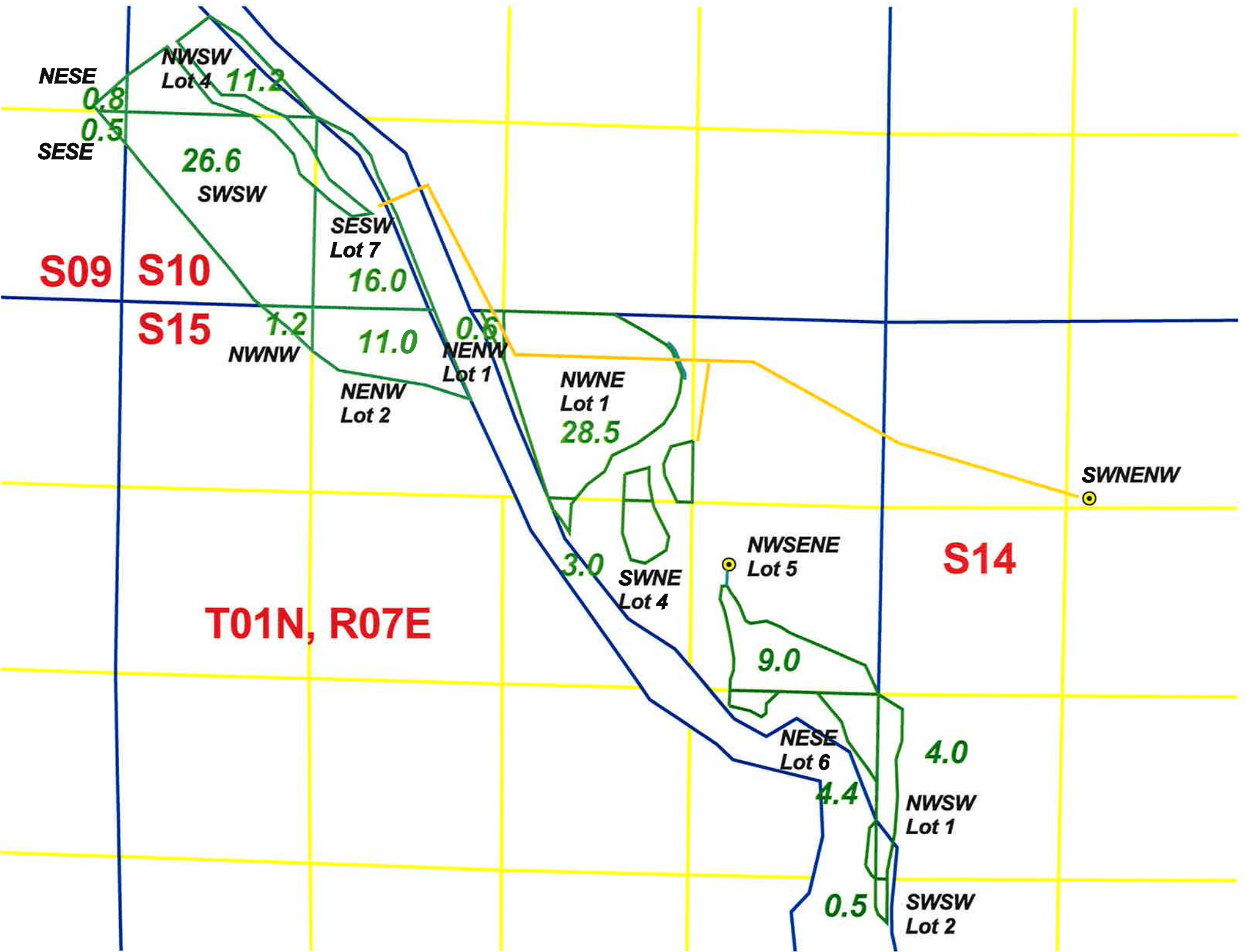


Photo 1. FX Aug. 8, 2001. Photos by RDH. 63-00115: POD located T01N, R07E, S14, SWNENW. Screw head gate, plastic, rock dam diverts into underground 14" steel pipe and risers. POD overlaps 63-31290 & 63-31296.



Photo 2. POD located T01N, R07E, S15, NWSENE Lot 5. Screw head gate & ditch.



63 - 31296

DATE 2-28-02

(A)

(B)

(c)

(B) & (C) OVERLAP

[illegible]

- COMBINED CFS & ACRES
SEE ALSO OVERLAP REVIEW SHEET

- 63-115 Rock CR

COMBINED WITH ENLARGEMENT: 63-31290 Rock CR

CFS = 1.0 CFS + ENLARGEMENT = 1 CFS COMBINED

ACRES = 50 + 67.3 = 117.3 ACRES COMBINED

- 63-19756 SPRINGS & UNNAMED STREAMS

COMBINED WITH 63-115 Rock CR

CFS 1.0 CFS + .894 = 1.894 CFS COMBINED

PPOW ACRES = 117.3 + 44.7 = 134.9 COMBINED

- COMBINED WITH 63-31296 Rock CR

CFS .352 CFS (OVERLAP) AT 0.02/ACRE = .894 CFS ^{CFS COMBINED}

ACRES 17.6 ACRES (TOTAL OVERLAP) = 44.7 ACRES

- 63-31290 ENLARGEMENT Rock CR

COMBINED WITH SPRINGS & UNNAMED STREAMS (63-19756)

CFS ENLARGEMENT (NONE) + .894 = CFS COMBINED = .894
63-19756

PPOW ACRES = 117.3 + 44.7 = 134.9 COMBINED ACRES

• Historical MEAS of Rock cr Ditches

MANNING EQUATION CHANNEL CAPACITY RESULTS

08-22-2001

measured above springs/unnamed streams

File Number: 63-115 b/u claim
Claimant: DANSKIN CATTLE CO
Channel measured: ROCK CR DITCH 1 & 2
Date of measurement: 08 21 01
Measurement location:

SEE FORM

Calculation prepared by: RDH
Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 178 feet.
The upstream and downstream rod readings are 3.14 and 3.87 feet.
The channel cross section is 0.85 ft-sq.
The wetted perimeter is 3.10 feet.
The hydraulic radius is 0.27 feet.
The slope is 0.0041
The roughness coefficient is 0.0250
The flow velocity is 1.612 ft/sec.
The rate of flow is 1.37 cfs. $\times 2 = 2.74 \text{ cfs}$ Total
FOR BOTH Ditches

MANNING INFO:

63-19756 - Springs & unnamed streams = 5.12 cfs

MINUS (63-115) Historical Ditches (Rock cr) - 2.74 cfs
AND B/u claim = 2.38 cfs
63-31296

CFS AVAIL FOR B/u Rock cr Claim: 63-31296
2.74 cfs - 1. cfs Decreed = 1.74 AVAIL

SEE MANNING

MEAS IN 63-19756

2.38 cfs AVAIL
Spring/unnamed
streams

OK ONLY NEEDED
, 994

CALC. WERE MADE FROM MEAS OF
Historical Ditches from Rock cr.
ABOVE Springs/unnamed streams minus
MEAS below main spring & unnamed stream.

for
SPRINGS/unnamed
streams

63-19756

CROSS SECTION NUMBER 1

For File Number 6300115 for the ROCK CR

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.25	0.25	0.50
3	0.40	0.40	1.00
4	0.60	0.60	1.50
5	0.50	0.50	2.00
6	0.20	0.20	2.50
7	0.00	0.00	2.90

The area for this cross section is 0.97 square feet
and the wetted perimeter is 3.16 feet.

CROSS SECTION NUMBER 2

For File Number 6300115 for the ROCK CR

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.20	0.20	0.50
3	0.30	0.30	1.00
4	0.40	0.40	1.50
5	0.35	0.35	2.00
6	0.25	0.25	2.50
7	0.00	0.00	2.90

The area for this cross section is 0.74 square feet
and the wetted perimeter is 3.04 feet.

Claim Number(s): A63-115 & Blw NEW CLAIM for 1950 DOP

Name of Claimant(s): DANSKIN CATTLE CO

Name of Ditch, Canal, or Stream: Rock CR Ditch 1 & 2

Date of Measurement: 8-21-01 Data Collected By: Rch

Measurement Location: 1/4 1/4 Section T R

Cross Section Data

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

LOCATED ABOVE
HISTORICAL DITCH
OF UNNAMED STREAM/Spr
MEASUREMENTS IN
HISTORICAL DITCHES

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

upstream		Downstream	
depth or rod reading	distance from initial point	depth or rod reading	distance from initial point
1. <u>0</u>	<u>0</u>	7. <u>0</u>	<u>0</u>
2. <u>.25</u>	<u>.5</u>	8. <u>.2</u>	<u>.5</u>
3. <u>.4</u>	<u>1.0</u>	9. <u>.3</u>	<u>1.0</u>
4. <u>.6</u>	<u>1.5</u>	10. <u>.4</u>	<u>1.5</u>
5. <u>.5</u>	<u>2.0</u>	11. <u>.35</u>	<u>2.0</u>
6. <u>.2</u>	<u>2.5</u>	12. <u>.25</u>	<u>2.5</u>
<u>0</u>	<u>2.9</u>	<u>0</u>	<u>2.9</u>

Slope Data

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

Level Readings:	upstream	downstream	
upper stadia	<u>3.64</u>	<u>4.51</u>	
center	<u>3.14</u>	<u>3.87</u>	
lower stadia	<u>2.65</u>	<u>3.23</u>	channel length
stadia difference	(<u>50</u> + <u>128</u>)	x 100 =	<u>178</u>

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

Comments

Are maps and/or photos attached? yes()

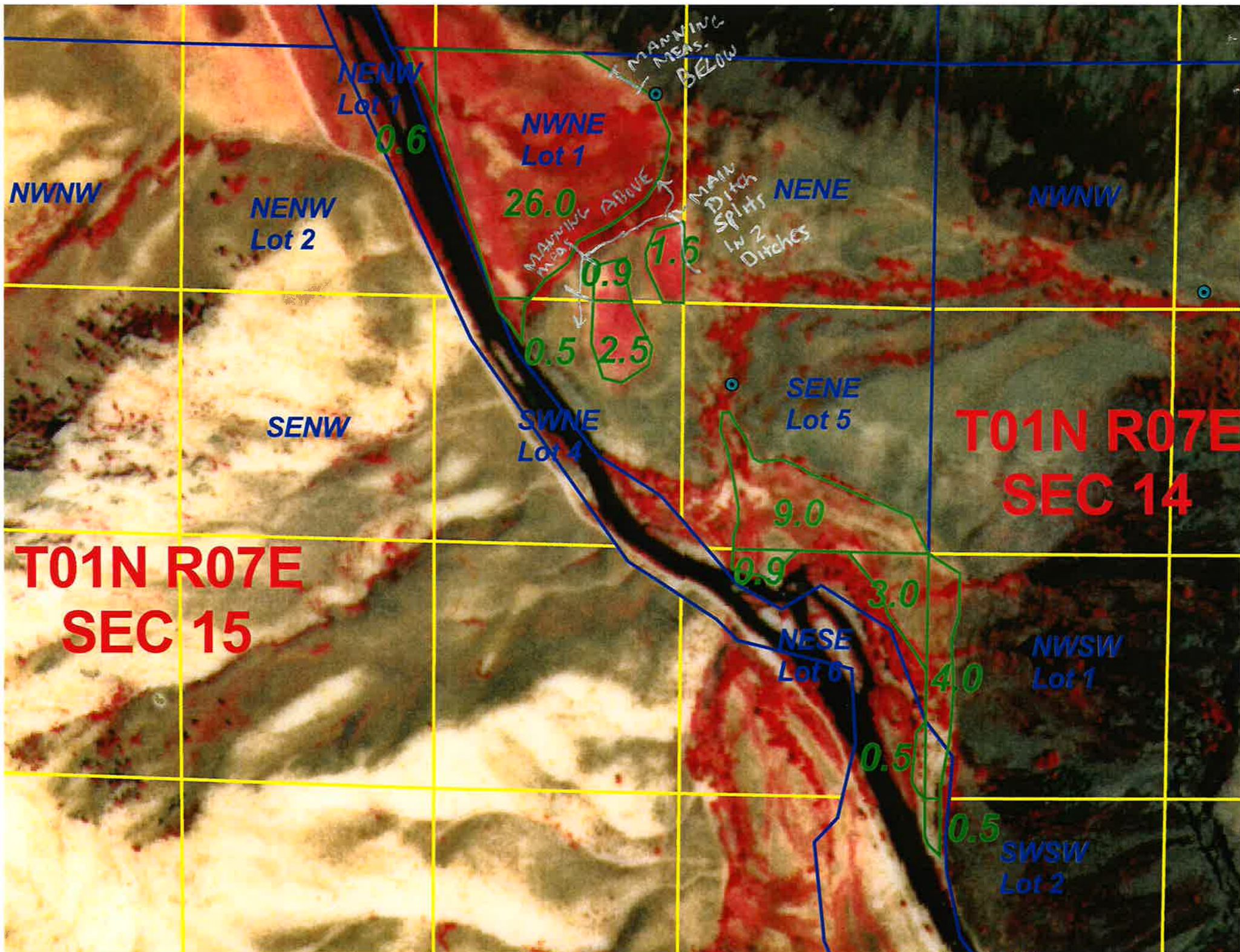
• TO BE USED to show more than 1 cfs was Blw FOR 1950 DOP NEW CLAIM.

• Also to show diff if any between the ditch measured from Springs & unnamed streams for Claim A63-19756

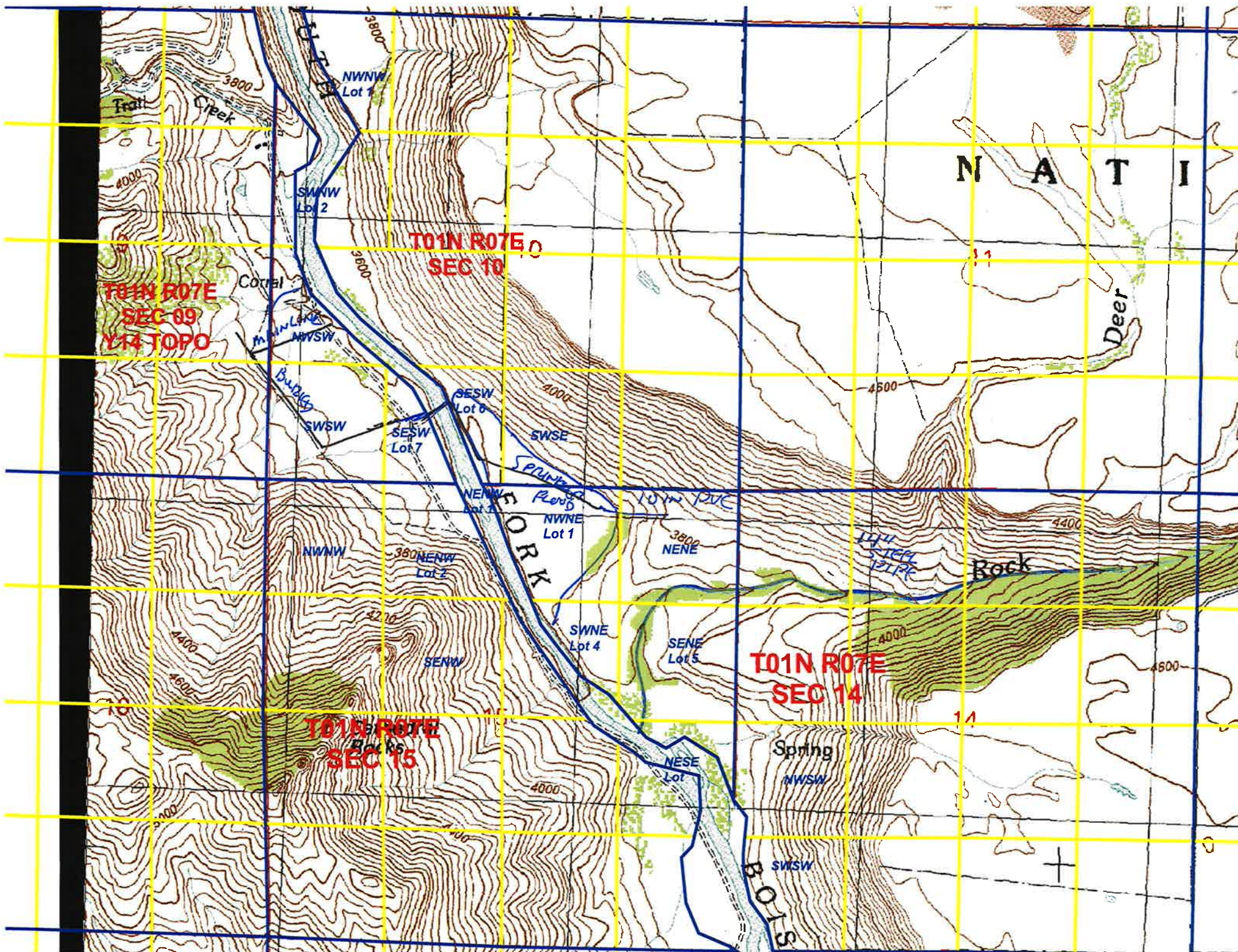
Both ditches were same mult X2 = to get total.

MANNING'S "n" (roughness coefficient)

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



Historical MEAS OF 2 Rock OR Ditches ABOVE SPRINGS & unnamed streams





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 13, 2001

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

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

Dear Claimant(s):

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

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

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

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure

SENIOR AGENT: Ron Howerton

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

DATE OF CONVERSATION: AUG-14TH 2001

DATE SET FOR EXAM: AUG 20, 2001 9:30 AM (AT HOME) SEE MAP

NAME OF CONTACT: Robert Baker (Bob)

ADDRESS CHANGE: _____

PHONE NUMBER: (208) 587-3617 (MOBILE PHONE)
580-2830

LOCATION/DIRECTIONS: (MEET AT HIS HOME)
1230 N 18th E, EXT 95

Head North to MtW Home take 100 yards from
So face get to corner 8th (RIGHT) then turn Right
at 4 way stop you are then at N 18th E.

2-Story white h/s w/ BLUE TRIM

TYPE OF SYSTEM: VARIOUS - SPRINKLER & GRAVITY FLOWS

OTHER NOTES: MR BAKER CAN TAKE ME IN HIS RIG
FROM HIS HOME IN MTW HOME. WILL TAKE
LEVEL-ROD - TRIPOD

Print this page using the print function in your browser.



Robert
Baker



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WR5809NP
No. 63-00115

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/22/01
PAGE: 13

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	N. B. BARNES	00/00/0000	IRRIGATION	00/00 00/00	1.000 CFS	
TOTAL DIVERSION:					1.000 CFS	

Water Source: ROCK CREEK

Tributary to: S. FORK BOISE RIVER

Stage: DECREED

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM
01N	07E 15	:		01-I	04-I	05-I	:			:				:				

Pou County: ELMORE

Remarks: GEN THIS RIGHT IS SUPERIOR TO OTHER RIGHTS FROM ROCK CREEK.
NO PRIORITY DATE DECREED.

Dates: App. Received: Priority Date: 00/00/0000
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 63 Field Exam Fee:

Audit: 02/11/86 05/01/88 CONVERT

of the Northwest quarter ($W\frac{1}{2} NW\frac{1}{4}$) and the West Half of the Southwest quarter ($W\frac{1}{2} SW\frac{1}{4}$) and the East Half of the Southwest quarter ($E\frac{1}{2} SW\frac{1}{4}$) and the West Half of the Southeast quarter ($W\frac{1}{2} SE\frac{1}{4}$) of section twelve (12); and the East Half of the Northeast quarter ($E\frac{1}{2} NE\frac{1}{4}$) and the Northeast quarter of the Southeast quarter ($NE\frac{1}{4} SE\frac{1}{4}$) of section eleven (11); all in Township One (1) North, Range Seven (7) East, S.M.

#1 63-1115
4. That the defendant M. B. Barnes be and he is hereby awarded the perpetual right to the use of one cubic foot of water per second of time of the waters of Rock Creek in the County of Elmore, State of Idaho, for the irrigation of Lots 1, 4 and 5 of section fifteen (15) Township One (1) North, Range Seven (7) East of the Boise Meridian, Elmore County, Idaho, being the water right hereinbefore appropriated by Mary C. Joy through what is known as the "Joy Ditches" diverting water from said Rock Creek on both sides thereof and heading on Rock Creek below the mouth of Deer Creek, the joint water right diverted by said ditches aggregating one cubic foot of water per second of time; and that said water right is superior to the rights herein awarded to any other party to this suit.

5. That the defendants, Clarence W. Joy, The Union Central Life Insurance Company, a corporation, A. A. Drake, Lerelda Drake and Minerva E. Barnes, and each of them, have no right, title or interest in or to the use of any waters of said creek.

6. That all of said water hereinbefore awarded to the respective parties hereto shall be measured at the point or points of diversion thereof from the channel of said stream.

Dated August 14, 1920.

H. F. Unsign
District Judge.

Filed August 17th 1920 at 10:15 o'clock A.M.

F. M. Hobbs

Clerk.

DECREE 63-C DECREE I
ROCK CREEK

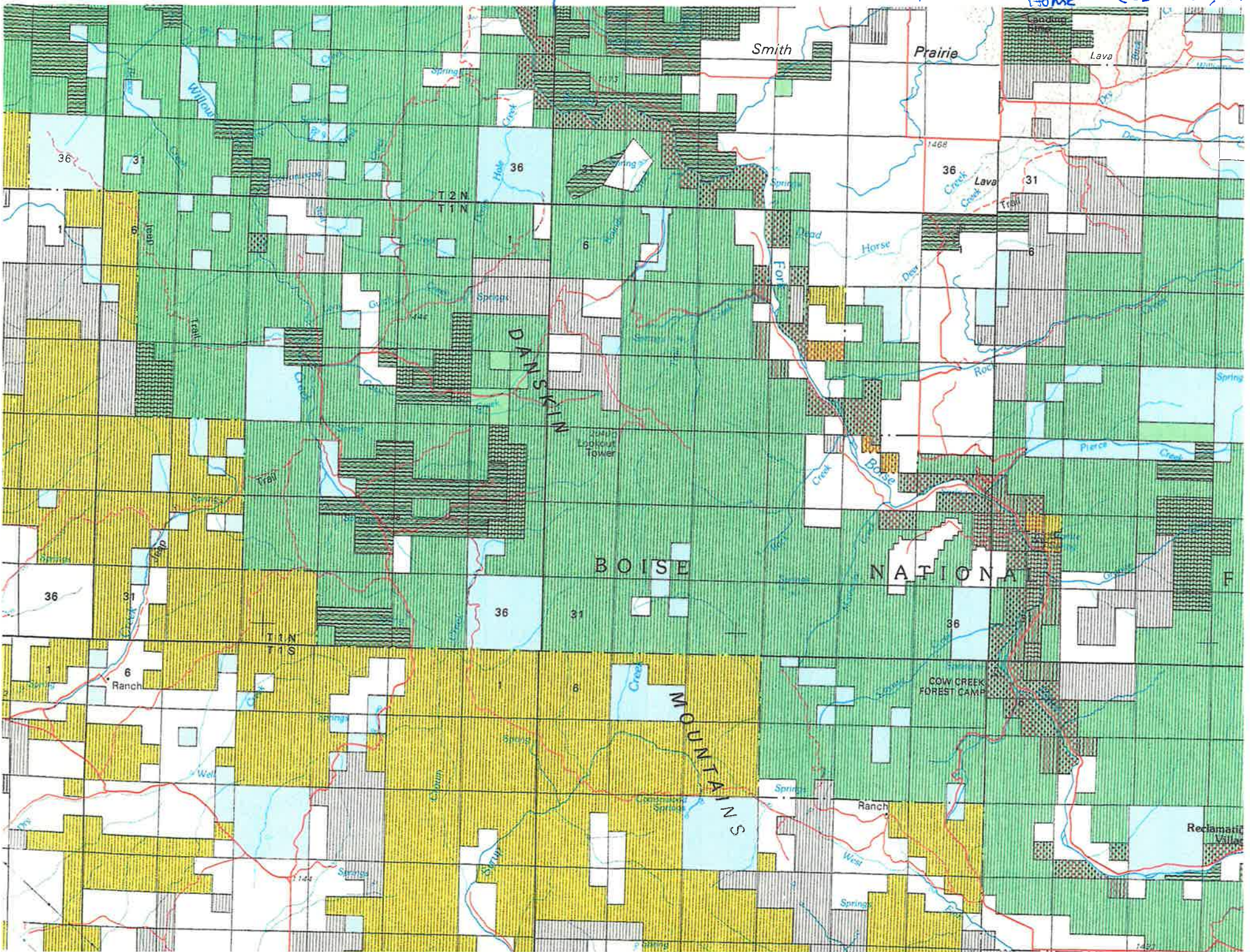
R6E

R7E

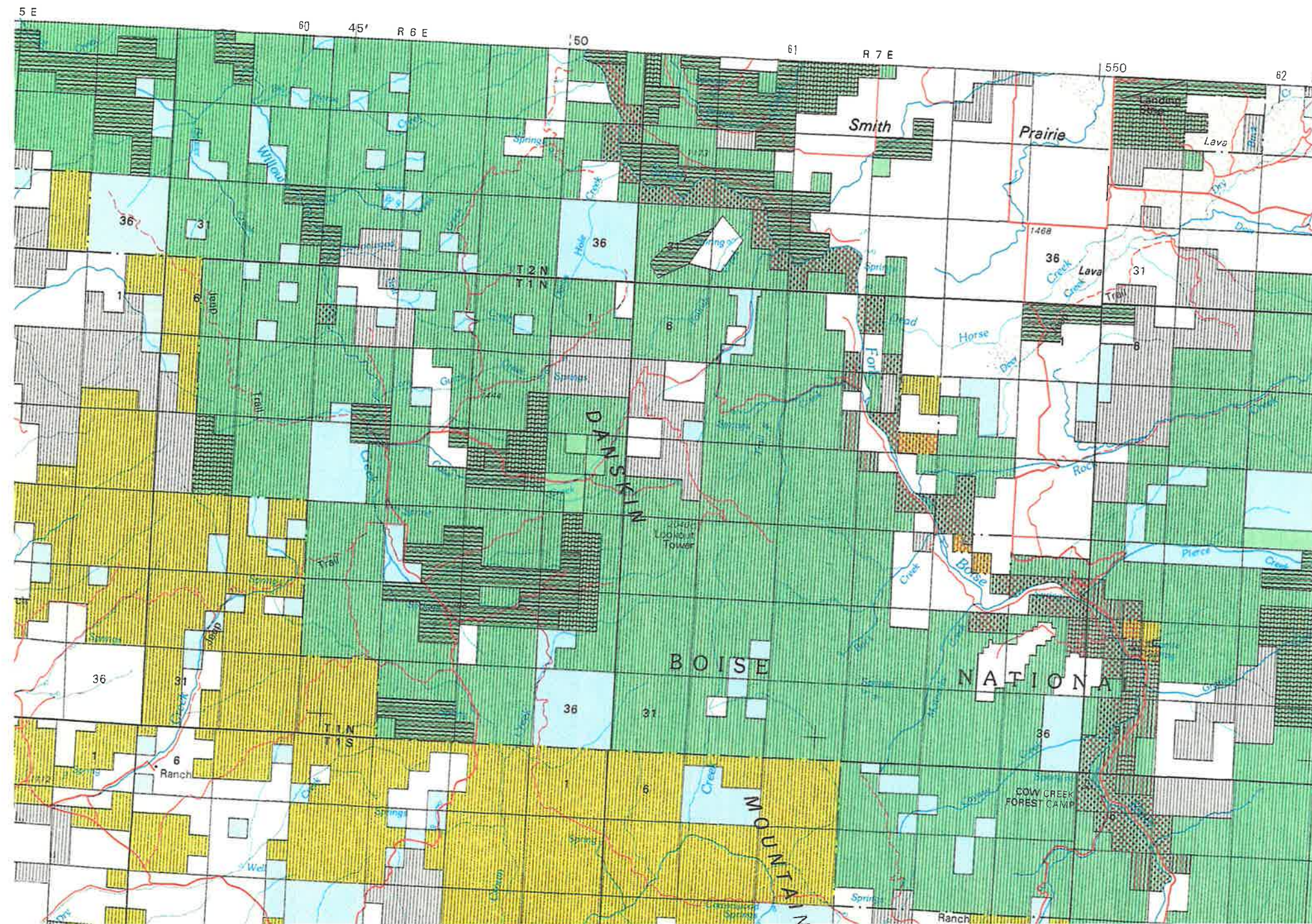
BLM 1/100,000

Mountain Home

(L3 MAP) 1978



BM 1/100,000 Mountain June 1978 MAP (L3)



ANALYSIS OF DANSKIN CATTLE CO., CLAIMS

LAND USES

BLM / FOREST / PRIVATE

IN

SECTIONS 9, 10, 15, 22 & 23

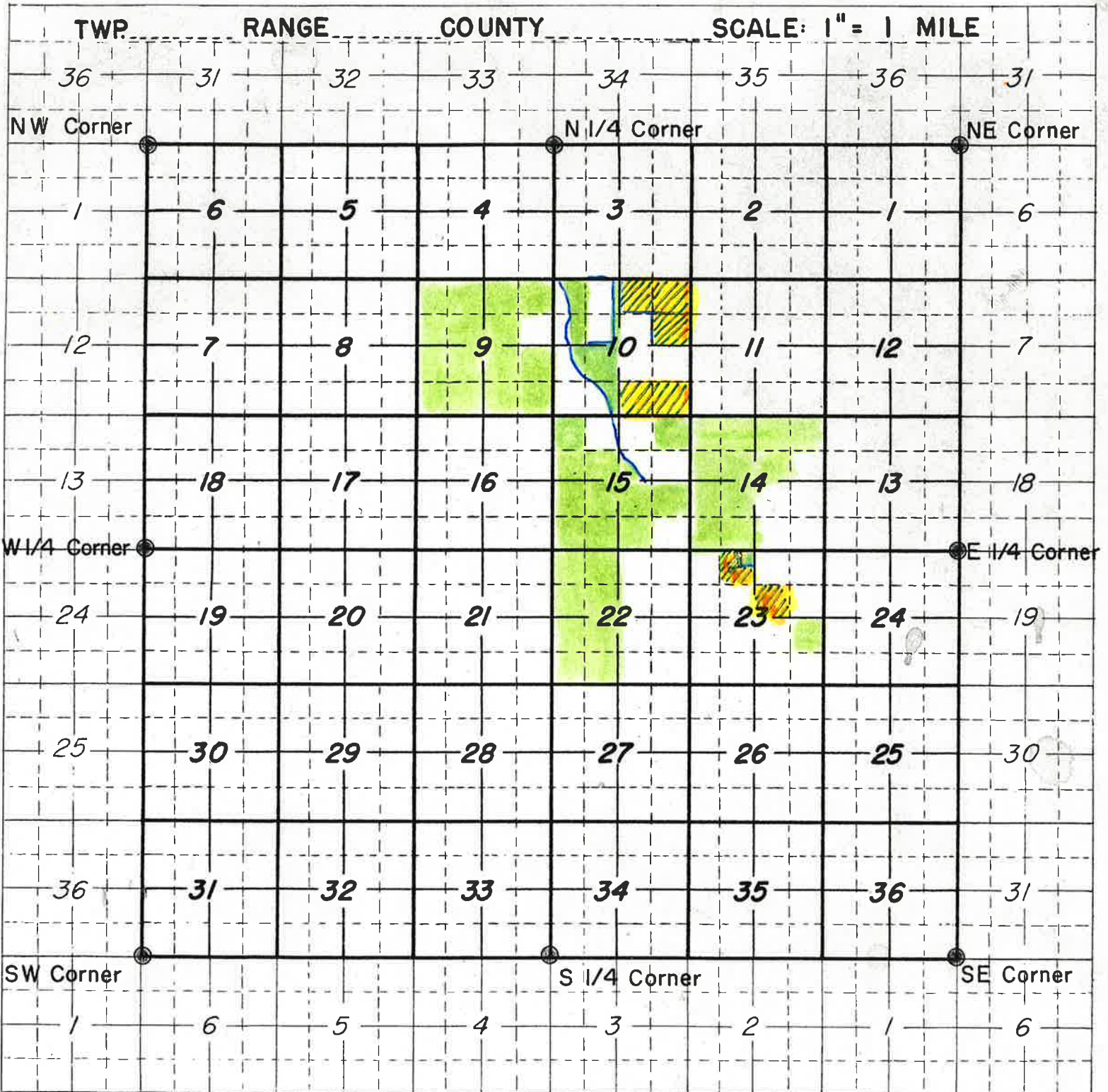
14

TIN RTE

□ = DPAU PRIVATE LANDS

▨ = BLM cross hatch w yellow

■ = SOLID GREEN (FOREST)



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/15/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DANSKIN CATTLE CO C/O ROBERT C BAKER PO BOX 488 MOUNTAIN HOME ID 83647 (208) 587-3617	05/20/1900	IRRIGATION	04-01 11-01	1.000 CFS	
				TOTAL DIVERSION:	1.000 CFS	
				CONSUMPTIVE USE:		485.00 AFA

Tributary to: S. FORK BOISE RIVER

Stage: DECREED

Point(s) of Diversion:

T01N R07E S14
S15

NWNW
NENE

ELMORE County
ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																				
				NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM		
01N	07E	10	:																																91.0	
01N	07E	10	:																																	
01N	07E	14	:																																5.0	
01N	07E	15	:	01	01-36	04	03	05	09			31	04			02				04	01													98.0		
																				TOTAL ACRES				194.0												

POU County: ELMORE

Other Rights: YES

Other Water Rights Listing Overlapping Place(s) of Use:
A63-04225 A63-05069 A63-19755

Remarks: GEN THIS RIGHT IS SUPERIOR TO OTHER RIGHTS FROM ROCK CREEK.
NO PRIORITY DATE DECREED.
PART OF THIS WATER IS CONVEYED THROUGH THE JOY DITCH. THE
PRIORITY DATE WAS DETERMINED BY MR. BAKER BASED ON RESEARCH DONE
ON OLD PATENTS SHOWING USAGE BACK IN THE 1890'S.
THE EXPANDED ACREAGE IN THE NW1/4, SECTION 10 IS ASSUMED TO
HAVE BEEN IRRIGATED SINCE 1950 BECAUSE OF THE ADDITION OF
CONCRETE PIPE.
THE EXPANDED ACREAGE IN SECTION 10; SW1/4 AND SECTION 15; NW1/
WAS DONE SO IN 1974. THIS AREA IS SHOWN IN ORANGE ON THE MAP.
ALL OTHER EXPANDED PLACES OF USE WERE IN USE ON THE DATE OF
PRIORITY.

Dates:	Exam Made Date:	Verified Date:	05/28/1985	Objection Filed Date:
Misc:	Water District Number: 63	Field Inspection Flag:		
		Presumption Flag:	D	