

11/27/2002

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

RIGHT NUMBER: 37-3155

NAME AND ADDRESS: MICHAEL J FLEMING
17826 HWY 30
BLISS ID 83314-5066

SOURCE: SOUTH FORK BIRCH CREEK TRIBUTARY: BIRCH CREEK

QUANTITY: 0.500 CFS

PRIORITY DATE: 05/14/1934

POINT OF DIVERSION:
T06S R13E S35 NESWSW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.500 CFS
STOCKWATER	01/01 12/31	0.050 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S34	NESE	2.6	T06S R13E S34	SESE	32.0
T07S R13E S02 Lot 2 SWNE	6.1	T07S R13E S02 Lot 1 SENE	7.9		

STOCKWATER same as IRRIGATION

48.6 ACRES TOTAL

Right nos. 37-795, 37-796, 37-798 and 37-3155 are limited to the irrigation of a combined total of 48.6 acres in a single irrigation season.

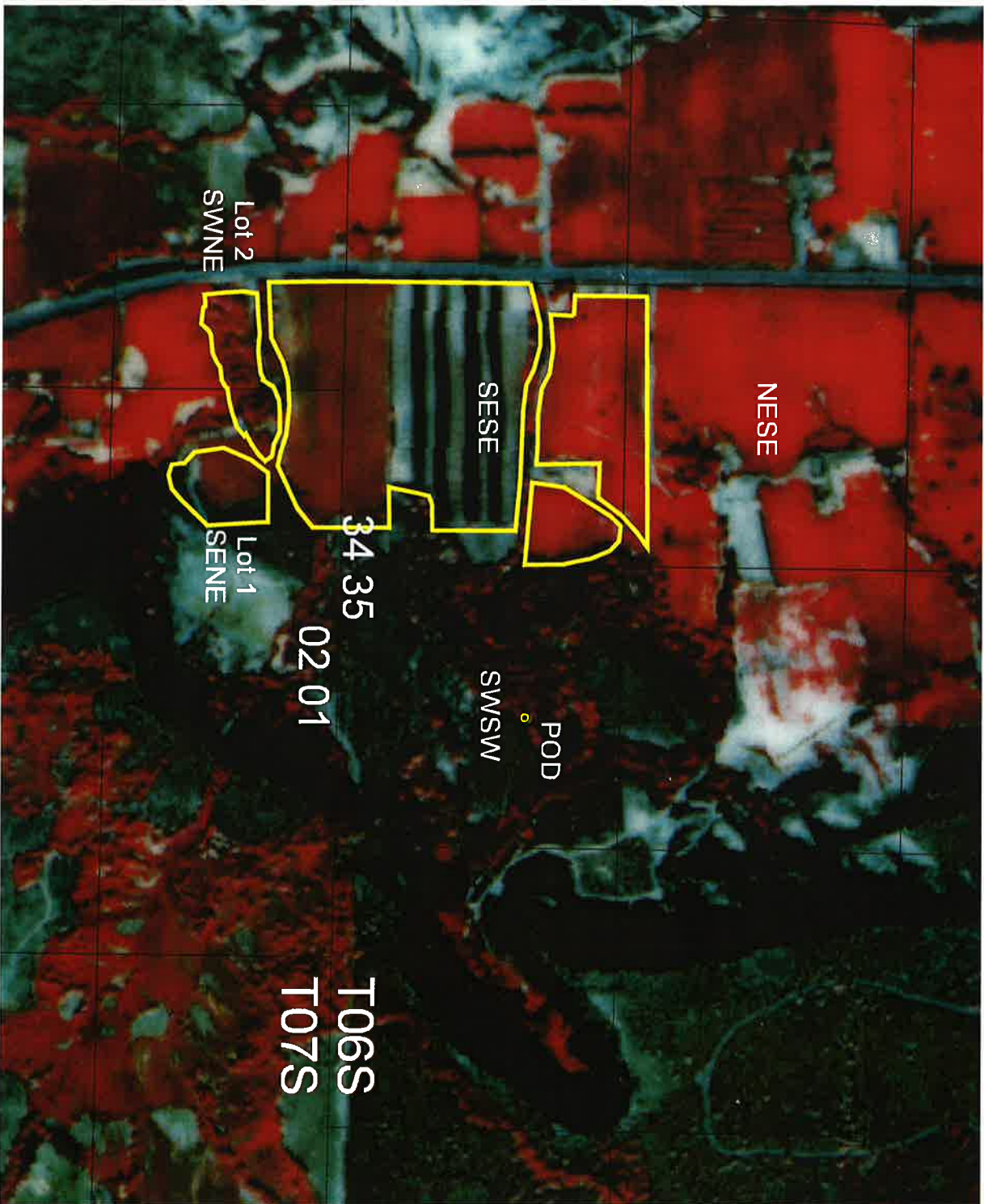
This right is limited to the irrigation of 25 acres within the place of use described above in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

37-3155



T06S R13E S34
T07S R13E S02



Map prepared by: Carter Fritschle
Date prepared: 11/26/02
1987-1988 NAPP photography
Idaho Department of Water Resources

State of Idaho

License and Certificate of Water Right

Water License No. 17927

Amount 0.5 second foot

Water District No.

Priority May 14, 1934

THIS IS TO CERTIFY that FRED L. THOMPSON
 of Hagerman, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated May 14, 1934; that Permit No. 17927
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 0.8 second feet, was issued thereunder on July 8, 1939, showing that said works
 were completed on the 29th day of June, 1939; and that on the 14th
 day of May, 1945,

FRED L. THOMPSON

of Hagerman, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of Birch Creek (South
 fork), a tributary of Birch Creek, for the purpose of irrigation and domestic
 use, under Use Permit No. 17927 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
 hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 7
 of Licenses, at page 4273, on the 19th day of December, 1945;

The right hereby confirmed dates from May 14, 1934;

The Point of Diversion is located
 in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, Tp. 6 S., R. 13 E., B. M. Gooding County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
 is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.5
 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	13 E.	34	SE $\frac{1}{4}$ SE $\frac{1}{4}$	6	6
7 S.	13 E.	2	Lot 1	35	19
Number of acres actually irrigated					25

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

WITNESS the seal and signature of the State Reclamation Engineer
 this 19th day of December, 1945, affixed at Boise, Idaho,

(SEAL)

MARK R. KULP
 Commissioner of Reclamation
 State Reclamation Engineer

47-2198-
 37-3155

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17927

This proof is for Beneficial use

In Water District No.

1. Name of applicant Fred L. Thompson, Hagerman, Idaho
 2. Source of water supply: Birch Creek (South Fork)
 3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35
T. 6 S. R. 13 E. County of Gooding
 4. Describe works as they exist, giving dimensions and capacities of same: A concrete control dam of an average height of 1 $\frac{1}{2}$ Ft. and 30 Ft. long diverts to a ditch of 1 foot width and from 1 to 3 feet in depth.
 5. Water is used for: Irrigation and domestic purposes
 6. State whether or not water has been turned into works of diversion: Yes
 7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):
Lot 1, Section 2, Twp. 7 South, Range 13 East, B.M.;
Part SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, Twp. 6 South, Range 13 East, B.M.
- Such is answer given in Gooding* *→ No more plots in County*
- (Submit map on attached plat, showing location and details of above description.)
8. What large stream would the water here appropriated finally reach? Snake River
- Remarks: This diversion is used jointly by Permits numbered 17927 and 17928 respectively.

This examination was made on the 9th day of July, 1945

(Signed)

H. H. Johnson

Hand-drawn map of a river system on a grid. The map shows the Snake River flowing north, with a tributary Malad River joining from the east. A 'Point of Diversion' is marked where a 'Creek' joins the river. A 'Bell' area is indicated near the diversion. A 'South' label is on the right. A 'John Bell's Road' runs vertically. A 'First Standard Parallel' line is marked. Grid numbers 33, 34, 35, 724, 794, 4, 3, 2, 1 are present. A note at the bottom right says 'Chinook 28 ft. in 1911 in D.V.'

Claims
"28 A. in
in B.V.

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: A37-03155
Date Received: 8/15/1988
Receipt No: S001436
Received By: WJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAICHAEL J. FLEMING 208-837-4934
Address: RT 1 BOX 7
HAGERMAN, ID 83332

2. Date of Priority: MAY 14, 1934

3. Source: BIRCH CREEK, SOUTH FORK Trib. to: BIRCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	13E	35	SW	SW			GOODING

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	10/01	0.500		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 HOLSTEIN HEIFERS & BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	34	SW	SE		IRR	10.0
			SE	SE		IRR	37.0

Section Acres 47.0

A37-03155

Page 1

Date: 08/15/88

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	35	SW	SW		IRR	40.0
						Section Acres	40.0
07S	13E	1	NW	NW		IRR	11.0
						Section Acres	11.0
		2	NE	NE		IRR	30.0
			NW	NE		IRR	8.0
						Section Acres	38.0
						Total Acres	136.0

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:

A3700795, A37-00796, A37-00798, A37-03157

14. Remarks:

TOTAL CFS=2.74 WHEN COMBINED WITH OTHER WATER RIGHTS.

15. Basis of Claim: LICENSE

Water Right Number: 17927

16. Signature(s)

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

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Michael J. Penning Date: Aug 15 1988
Date:

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl Id
My Commission Expires 6-30-94

Idaho
Power

C 9
(651c)

B
16.6(653c)

C
15.3

D
3.1

F
3.5

E
17.4

G
1.8

J
8.6

K
3.8

L
3.0

2.2

C
3.1

D
2.6

E
4.2

F
3.5

I
4.2

H
9.1

J
3.5

K
1.3

O
2.5

M
1.4

C 19
(5950)

N
7.9

C 35

(5190)

C 34
(1210)

A
4.5

C
15.2

A
13.4

34

35

21

C 317
(546c)

B
2.7

P
7.0

B
3.5

C 196

B
8.1

C
1.9

B
5.7

C
3.2

C 315
(6490)

C 36
(596c)

P
2.4

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"NOT TO SCALE"

AJ0749NP
No. R37-03155

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

DATE: 09/02/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL J FLEMING 17826 HIGHWAY 30 BLISS ID 833145066 (208) 837-6453	05/14/1934	IRRIGATION STOCKWATER	04-01 10-01 01-01 12-31	0.330 CFS 0.050 CFS	110.40 AFA
TOTAL DIVERSION:					0.330 CFS	110.40 AFA
CONSUMPTIVE USE:						82.80 AFA

Water Source: BIRCH CREEK, SOUTH FORK
Point(s) of Diversion: T06S R13E S35 NESWSW
Tributary to: BIRCH CREEK
Stage: LICENSE
GOODING County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE						
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	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	SUM
06S	13E	34	:	:	:	:	:	:	:	:	:	27.6
TOTAL ACRES											25	27.6

Place of use Legal Description for: STOCKWATER

NE		NW		SW		SE						
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	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	SUM
06S	13E	34	:	:	:	:	:	:	:	:	:	27.6

POU County: GOODING

Non-irrigation Uses: S/150 HOLSTEIN HEIFERS & BEEF CATTLE

Other Rights: 37-00795, 37-00796, 37-00798

RECEIVED
OCT 06 1999
Department of Water Resources
Southern Region

Remarks: GEN TOTAL CFS=2.74 WHEN COMBINED WITH OTHER WATER RIGHTS.

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

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

Comments: Date: 03/25/1991 User-ID: BEDKE Subject: SCC-STAFF REVIEW

Date: 09/02/1999 User-ID: SSHERMAN Subject: ADDRESS CHANGE AND DATA ENTRY
ADDRESS CHANGE BY CLAIMANT LETTER; CORRECTED MISPELLED FIRST

AJ0749NP
No. R37-03155

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

DATE: 09/02/99
PAGE: 2

Comments: Date: 09/02/1999 User-ID: SSHERMAN Subject: ADDRESS CHANGE AND DATA ENTRY
NAME TYPO TO MATCH SIGNATURE ON CLAIM.

Audit: 09/02/99 SSHERMAN



State of Idaho

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

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

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

OCT 06 1999

Department of Water Resources
Southern Region

MICHAEL J FLEMING
17826 HIGHWAY 30
BLISS ID 83314-5066

August 24, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Snake River Basin Adjudication (SRBA)
Water Rights #36-00064B, 36-10446, 36-15094, 37-00795A,
37-00796, 37-03155, 37-03157, 37-07559, 37-00798, 37-10993
& 47-10199

Change of Address

*Records changed, NCAP prepared
SS 9-2-99*

Dear Water Right Holders:

IDWR has been notified the address presently in our records is incorrect. 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. Future notices related to your water rights can be sent only to the address on your water right or as otherwise changed by you.

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 and list any other water rights you may have before returning this letter by September 17, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above, or as otherwise changed.

Michael J Fleming
Claimant Signature

208-837-6453
Telephone No.

*Corrected name
misspelled name
to match signature
to reclaim*

*Pamir
cc: W.A.*

No prefix

None

Water Right Number - **B37-03155** Adj. Flag Translation: RESEARCH Old (D) Number - 17927

*** C - CURRENT OWNER ***
FLEMING MAICHAEL J.

1 - RT 1 BOX 7
2 -
3 -
City- HAGERMAN
Phone - 208-837-4934

State- ID Zip- 83332

Priority Date - 05/14/1934 + - - - - Region - - - - +
17 Error in Region L - LICENSE + - - - - Stage - - - - +
Status - - - - +

Source - BIRCH CREEK, SOUTH FORK + - - - - Tributary - - - - +
BIRCH CREEK

Twn Rng Sec Tract Lot Rflg County (Blank if no Index Code)
06S 13E 35 NE SW SW (47) GOODING

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/01 0.330 110.40
04 - STOCKWATER 01/01 12/31 0.050

Total Div. Rate - 0.330 + - Total Div. Volume - 110.40 + - Total Consumptive Use - 82.8 +

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
06S	13E	34	NE SE		2.5		01	IRRIGATION	(47) GOODING
06S	13E	34	SE SE		25.1		01	IRRIGATION	(47) GOODING
06S	13E	34					04	STOCKWATER	(47) GOODING

Total Acres: 27.6

+ - - - - Diversion Means -
+ - - - - Non-Irrigation Use - S/150 HOLSTEIN HEIFERS & BEEF CATTLE
+ - - - - Other Rights for Same Use - 37-00795, 37-00796, 37-00798
Remarks -
TOTAL CFS=2.74 WHEN COMBINED WITH OTHER WATER RIGHTS.
No Old Water Right Numbers Found Old Water Right Numbers - - - - -

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Adj. flag translation: RESEARCH

Conditions of Approval --
No Conditions of Approval found.

+ - - - Decree Defendant - - +

Decree Date
00/00/0000

Subject: SCC-STAFF REVIEW

—Comments

- +
BEDKE

Temporary Right -H

Receipt Number - S001436

Water District

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Decree Date
00/00/0000

CLAIM NUMBER: A37-03155

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			3-15-91 Sec/NB	N			DB	
POINT OF DIV	Y			(Y)	1,2,4,5			
SOURCE				(Y)	1,4,5			
PLACE OF USE	Y			(Y)	6. Lic.			
DIV. AMOUNT CFS/VOLUME	Y			(Y)				
CONSUMPTIVE USE	-			(Y)				
PURPOSES	Y			N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM				N				
REMARKS	Y							

"VERIFIED BY" CODES

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

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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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:49:13
09/18/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A37-03155

note: I

LAST: FLEMING
ADDRESS: RT 1 BOX 7
CITY: HAGERMAN
PHONE NUMBER: 208-837-4934

FIRST: ~~MAICHAEL J.~~
STATE: ID ZIP: 83332

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: TOTAL CFS=2.74 WHEN COMBINED WITH OTHER WATER RIGHTS.

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

PHONE NUMBER: () -

DATE OF FIELD EXAM: / /

APPOINTMENT MADE: Y () N ()

TIME: : A () P ()

ACCOMPANIED BY:

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A37-03155 PRIORITY DATE: 05-14-1934 STAGE: L

B. WR RECORD: # 37-03155 PRIORITY DATE: 05-14-1934 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
 H

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

REMARKS:

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RECOMMENDED PRIORITY DATE:

05-14-1934

REVIEWED BY

 SC

DATE

 3-22-91

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-03155	06S	13E	35		SW	SW		GOODING

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A37-00798
A37-03157
A37-04365
A37-04366

WR RECORDS IN SAME 40 ACRE TRACT

37-00798
37-03156
37-03157
37-04365
37-04366
37-07116

SOURCE: BIRCH CREEK, SOUTH FORK

TRIB: BIRCH CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
37-03155	06S	13E	35		SW	SW		GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

37-00798
37-03156
37-03157
37-04365
37-04366
37-07116

NONE

A37-00798
A37-03157
A37-04365
A37-04366
A37-00796
A37-10993
A36-10912
A37-12825

SOURCE: BIRCH CREEK, SOUTH FORK

TRIB: BIRCH CREEK

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	<u>W</u>

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REMARKS:

Found Rock & Plastic Dam. Diverts water into pipeline which gravity feeds the mainline system on both sides of the creek below. (See photos & maps)
~~Separate P&I for area around Stock Creek~~ *Not recommended under this P&I.*

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:						
TWP.	RGE.	SEC.	1/4	1/4	LOT	COUNTY
		35	NE	SW	SW	
SOURCE: BIRCH CREEK, SOUTH FORK						
TRIB: BIRCH CREEK						
REVIEWED BY: <i>SC</i>						
DATE: <i>3-22-91</i>						

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A. ROOT WATER RIGHT NUMBERS: A37-03155

B. POB LISTING

TWP RING SEC 1/4 1/4 LOT NAME

AJ
#/ACRES

WR
#/ACRES

LANDSAT
DATA

FIELD
EXAM.
RECOMM.
ACRES

06S 13E 34 SW SE	FLEMING, MICHAEL J.	A37-03155	/10.0	-	/		
	FLEMING, MICHAEL J.	A37-00795	/10.0	-	/		
	FLEMING, MICHAEL J.	A37-00796	/10.0	-	/		
	FLEMING, MICHAEL J.	A37-00798	/10.0	-	/		
	FLEMING, MICHAEL J.	A37-03157	/10.0	37-03157	/10.0		
	SWENSON, EUGENE P.	A37-04365	/9.0	37-04365	/9.0		
	BOYER, ROY C.			37-00799	/		

06S 13E 34 SE SE	FLEMING, MICHAEL J.	A37-03155	/37.0	37-03155	/6.0	34.0	25.1
	FLEMING, MICHAEL J.	A37-00795	/37.0	37-00795	/34.0		
	FLEMING, MICHAEL J.	A37-00796	/37.0	37-00796	/34.0		
	FLEMING, MICHAEL J.	A37-00798	/37.0	37-00798	/6.0		
	FLEMING, MICHAEL J.	A37-03157	/37.0	-	/		25.1
	FLEMING, MICHAEL J.	A37-07559	/	37-07559	/		
	TERRY, LILA A.			37-03156	/20.0		

06S 13E 35 SW SW	FLEMING, MICHAEL J.	A37-03155	/40.0	-	/	12.0	
	FLEMING, MICHAEL J.	A37-00795	/40.0	37-00795	/40.0		
	FLEMING, MICHAEL J.	A37-00796	/40.0	37-00796	/40.0		
	FLEMING, MICHAEL J.	A37-00798	/40.0	-	/		
	FLEMING, MICHAEL J.	A37-03157	/40.0	-	/		
	FLEMING, MICHAEL J.	A37-10993	/	-	/		
	TERRY, LILA A.			37-03156	/5.0		

07S 13E 1 NW NW	FLEMING, MICHAEL J.	A37-03155	/11.0	-	/		
	FLEMING, MICHAEL J.	A37-00795	/11.0	-	/		
	FLEMING, MICHAEL J.	A37-00796	/11.0	-	/		
	FLEMING, MICHAEL J.	A37-00798	/11.0	-	/		
	FLEMING, MICHAEL J.	A37-03157	/11.0	-	/		
	FLEMING, MICHAEL J.	A36-15094	/50.0	-	/		

07S 13E 2 NE NE	FLEMING, MICHAEL J.	A37-03155	/30.0	-	/		
	FLEMING, MICHAEL J.	A37-00795	/30.0	-	/		
	FLEMING, MICHAEL J.	A37-00796	/30.0	-	/		
	FLEMING, MICHAEL J.	A37-00798	/30.0	37-00798	/29.0		
	FLEMING, MICHAEL J.	A37-03157	/30.0	-	/		

07S 13E 2 NW NE	FLEMING, MICHAEL J.	A37-03155	/8.0	-	/		
	FLEMING, MICHAEL J.	A36-10446	/6.0	-	/		
	FLEMING, MICHAEL J.	A37-00795	/8.0	-	/		
	FLEMING, MICHAEL J.	A37-00796	/8.0	-	/		
	FLEMING, MICHAEL J.	A37-00798	/8.0	37-00798	/6.0		
	FLEMING, MICHAEL J.	A37-03157	/8.0	-	/		
	ELGAN, DOUGLAS L.	A36-10912	/	-	/		

TOTAL ACRES

A37-03155

136.00

6.00

46.00

6S. BE

34

NESE

2.5

2.5

27.6

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FEB 23 1993

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

C. FIELD EXAM REQUIRED?

DUE TO POB DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER ☒

PRESUMPTION FLAG:

REMARKS:

Based on PoD found + delivery system only these acres + PoD can be irrigated.

RECOMMENDATIONS:

TOTAL ACRES: 27.6

REVIEWED BY: See

DATE: 3-22-91

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FEB 23 1993

A. AJ CLAIMED USES:

PURPOSES
A37-03155 IRRIGATION
A37-03155 STOCKWATER

MONTH/DAY
FROM 04-01 TO 10-01
FROM 01-01 TO 12-31

DIVERSION QUANTITY
.500 CFS
.050 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.500 CFS

B. WR RECORDED USES:

PURPOSES
37-03155 IRRIGATION
37-03155 DOMESTIC

MONTH/DAY
FROM
TO

DIVERSION QUANTITY
.050 CFS
.050 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.500 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

REMARKS:

allow change in use since Domestic can include stockwater.

Y (☒) N (☐)
Y (☐) N (☒)

Explain in remarks, below.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y (☒) N (☐)

AJ TOTAL CLAIMED DIVERSION RATE: 0.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.500 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) N
FIELD DATABASE EXAMINER

B.

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A3700795, A37-00796, A37-00798, ~~A37-03157~~ *del*

LIST ALL RIGHTS WITH A SAME POV AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A37-03155	BIRCH CREEK, SOUTH FORK	FLEMING, MAICHAEL J.	0.500	0.003		
A37-00795	BIRCH CREEK	FLEMING, MICHAEL J.	0.700	0.005		
A37-03157	BIRCH CREEK, SOUTH FORK	FLEMING, MICHAEL J.	0.200	0.001		
A37-04365	UNNAMED STREAM	SWENSON, EUGENE P.	0.500	0.055		
A36-15094	WASTEWATER	FLEMING, MICHAEL J.	1.000	0.020		
A36-10446	SPRING	FLEMING, MICHAEL J.	0.700	0.116		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A37-03155	STOCKWATER	FLEMING, MAICHAEL J.	FROM 01-01 TO 12-31	.050 CFS	
A37-07559	FISH PROPAGATION	FLEMING, MICHAEL J.	FROM 01-01 TO 12-31	10.000 CFS	
A37-10993	DOMESTIC	FLEMING, MICHAEL J.	FROM 01-01 TO 12-31	.060 CFS	
A37-10993	STOCKWATER	FLEMING, MICHAEL J.	FROM 01-01 TO 12-31	.040 CFS	
A36-10912	DOMESTIC	ELGAN, DOUGLAS L.	FROM 01-01 TO 12-31	.040 CFS	

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D.

1a. IRRIGATION RATE
ACRES 27.6 x 0.02 CFS/ACRE = 0.552 CFS
(Taken from P/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 27.6 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 82.8 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 27.6 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 110.4 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

WR proportional Rate
$$= \frac{0.50}{41.0} = 0.012 \text{ cfs/Ac.}$$

$$0.012 \times 27.6 = \underline{\underline{0.33 \text{ cfs}}}$$

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FEB 23 1983

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

IRRIGATION
STOCKWATER

4-1 10-1
1-1 12-31

DATABASE EXAMINER
0.33
0.05

DATABASE EXAMINER
110.4
110.4

DATABASE EXAMINER
82.8
82.8

TOTAL FOR THIS RIGHT

REVIEWED BY: SC

DATE: 3-22-91

(Linda when
combined
1" / ac.)

" 2 pts of Diversion in NE SW SW S. 35"
- Not Recommended under this Rt.

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
()

NEEDS
REVIEW
()
()
()

unclaimed portions

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 37-03155

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.500

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

- A37-03155

0.500

-

0.33

37-03155

0.500

unclaimed
TOTAL CFS

0.500

unclaimed
0.17
0.55

0.500

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

REMARKS:

unclaimed portion 0.17

AUTHENTICATION:

SIGNATURE:

Steve C. O. O. O.

DATE:

3-22-91

NAME OF FIELD EXAMINER:

TITLE:

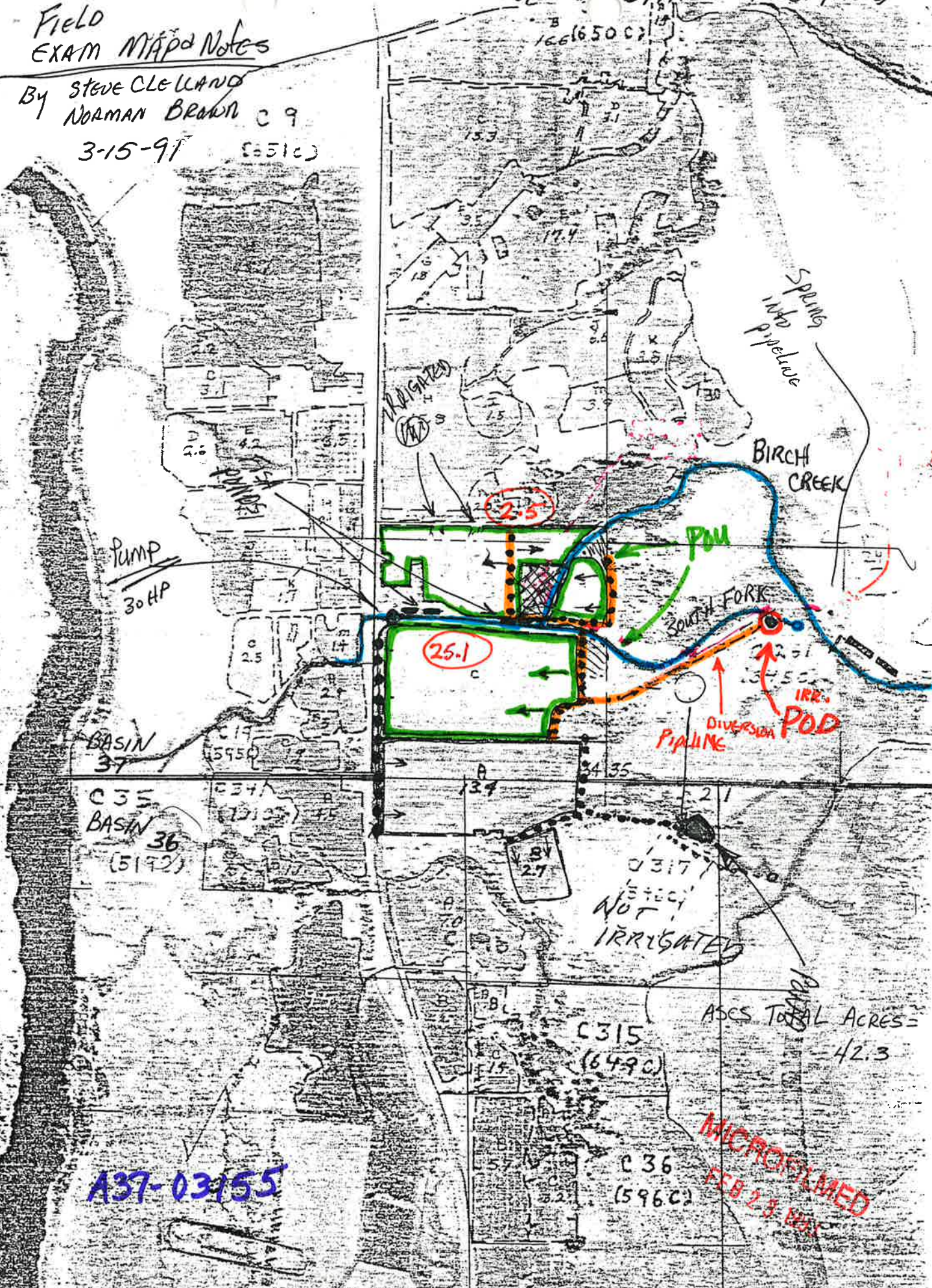
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Field
EXAM MAP Notes

By STEVE CLELLAND
NORMAN BROWN C 9

3-15-91 (551C)

FOR MICHAEL FLEMING



A37-03155

44.0

Estimated acres
Based on
- ASCS figures
confirmed w/
NAPP
photo

BIRCH
CREEK

~~BASIN~~
~~37~~

C 3 E
BASIN 36
(5170)

A37-03/55

ASCS TOTAL ACRES =

42.3

C315
(64-70)

C 36
6596 C

MICROFILMED
FEB 23 1981

RECOMMEN
ACRES:

42.2

Estimated acres
Based on
- ASCS figures
confirmed w/
NAPP
photo

BIRCH
CREEK

BASIN
37

C35
BASIN
36
(5190)

A37-03165

ASCS TOTAL ACRES=

42.3

MICROFILMED
FEB 23 1988

C315
(6490)

C36
(5960)

st Standard Parallel

33

3

7.24

Snake

River

Malaga

John Bell's Road

HWY 99

South

Un-named Stream

Point of Diversion

Creek

MT. RILEY

Ditch is replaced by steel mainline

7.94

MICROFILMED
FEB 23 1993

37-3155