

11/08/2006

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

RIGHT NUMBER: 75-14345
NAME AND ADDRESS: DELOY WOLFLEY
10401 N PECAN
ORO VALLEY AZ 86737
MARIA WOLFLEY
10401 N PECAN
ORO VALLEY AZ 85737

SOURCE: DAVIS CREEK
SMOUT CREEK
TRIBUTARY: FREEMAN CREEK
TRIBUTARY: FREEMAN CREEK

QUANTITY: 0.440 CFS
The rights listed below are limited to a total combined diversion rate of 4.0 cfs.
Combined Right Nos.: 75-14343, 75-14345, 75-14347 and 75-14349.

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION:
T23N R23E S29 NENWSW Within LEMHI County
T23N R23E S29 NWNWSW Within LEMHI County
T23N R23E S30 NENWNE Within LEMHI County
T23N R23E S30 NWSWNE Within LEMHI County
T23N R23E S30 NWNESW Within LEMHI County
T23N R23E S30 SENWSW Within LEMHI County
T23N R23E S30 SENESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.440 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T23N R22E S25	SENE	2.50	T23N R22E S25	NESE	20.00
T23N R22E S25	SESE	0.10	T23N R22E S36	SENE	2.80
T23N R23E S30	SWNE	3.40	T23N R23E S30	SWNW	3.70
T23N R23E S30	SENW	18.00	T23N R23E S30	NESW	4.00
T23N R23E S30	NWSW	7.00	T23N R23E S30	NESE	11.00
T23N R23E S30	SWSE	17.00	T23N R23E S30	SESE	6.90
T23N R23E S31	NWNE	17.00	T23N R23E S31	NENW	20.00

133.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 133.4 acres in a single irrigation season. Combined Right Nos.: 75-14343, 75-14345, 75-14347 and 75-14349.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Keller and Wolff
607.1 total acres found to be irrigated

Keller 473.7 acres = $78.03\% \times 1.4 \text{ cfs} = 1.09 \text{ cfs}$ 14342
Wolff 133.4 acres = $21.97\% \times 1.4 \text{ cfs} = 0.31 \text{ cfs}$ 14343

14344 $78.03\% \times 2.0 \text{ cfs} = 1.56 \text{ cfs}$
14345 $21.97\% \times 2.0 \text{ cfs} = 0.44 \text{ cfs}$

14346 $78.03\% \times 9.4 \text{ cfs} = 7.33$
14347 $21.97\% \times 9.4 \text{ cfs} = 2.07$

14348 $78.03\% \times 6.0 \text{ cfs} = 4.68$
14349 $21.97\% \times 6.0 \text{ cfs} = 1.32$

$473.7 \times 0.03 \text{ cfs/acre} = 14.21 - 2.65 \text{ decreed} = 11.56$

$133.4 \text{ ac} \times 0.03 \text{ cfs/acre} = 4.0 \text{ cfs}$
 $133.4 \text{ ac} \times 0.02 \text{ cfs/acre} = 2.67 \text{ cfs}$
 $133.4 \text{ ac} \times 0.04 \text{ cfs/acre} = 5.34 \text{ cfs}$
 $133.4 \text{ ac} \times 0.03 \text{ cfs/acre} = 4.0 \text{ cfs}$
 $133.4 \text{ ac} \times 0.02 \text{ cfs/acre} = 2.67 \text{ cfs}$
 $133.4 \text{ ac} \times 0.04 \text{ cfs/acre} = 5.34 \text{ cfs}$

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 75-14345
Date Received: 5/2/1990
Receipt No:
Received By:

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

1. Name of Claimant(s)

DELOY WOLFLEY
10401 N PECAN
ORO VALLEY AZ USA 86737

Phone: (520)742-6808

MARIA WOLFLEY
10401 N PECAN
ORO VALLEY AZ USA 85737

Phone: (520)742-6808

2. Date of Priority: 05/01/1885

3. Source: DAVIS CREEK , DAVIS CREEK , SMOUT CREEK , SMOUT CREEK , SMOUT CREEK ,
DAVIS CREEK , DAVIS CREEK Trib. to: FREEMAN CREEK , FREEMAN CREEK , FREEMAN CREEK ,
FREEMAN CREEK , FREEMAN CREEK , FREEMAN CREEK , FREEMAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	23E	30	NE NW NE	LEMHI	
23N	23E	30	SE NW SW	LEMHI	
23N	23E	29	NE NW SW	LEMHI	
23N	23E	30	SE NE SE	LEMHI	
23N	23E	29	NW NW SW	LEMHI	
23N	23E	30	NW NE SW	LEMHI	
23N	23E	30	NW SW NE	LEMHI	

5. Description of diverting works:

DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2	

7. Total Quantity Appropriated is:
2 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
23N	22E	25	SE	NE		IRRIGATION	2.5
			NE	SE		IRRIGATION	21
						Section Acres	23.5
23N	22E	36	SE	NE		IRRIGATION	3
						Section Acres	3
23N	23E	30	SW	NE		IRRIGATION	3.5
			SW	NW		IRRIGATION	4
			SE	NW		IRRIGATION	18
			NE	SW		IRRIGATION	5
			NW	SW		IRRIGATION	5
			SW	SE		IRRIGATION	20
			SE	SE		IRRIGATION	7
						Section Acres	62.5
23N	23E	31	NW	NE		IRRIGATION	20
			NE	NW		IRRIGATION	20
						Section Acres	40
			Total Acres	129			

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

P/D NOT GIVEN IN DECREE.

FARM CREDIT SERVICES IS THE LIENHOLDER/ THE OWNERSHIP OF THIS LAND IS IN QUESTION
3/12/96 DC

This right is a split from former right 75-80 .

75-80 was split but POU and Q were not amended because the shape and file would not match with the claim. Recommendation will pro rate the acreage and diversion rate.

15. Basis of Claim: Decreed