

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: A36-00035E
Date Received: 7/13/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LLOYD BROWN 208-837-6101
Address: 2802 S. 850 E.
HAGERMAN, ID 83332
OR
Name: KATHLEEN BROWN 208-837-6101
Address: 2802 S. 850 E.
HAGERMAN, ID 83332
2. Date of Priority: MAR 08, 1902
3. Source: WEATHERBY SPRINGS Trib. to: BILLINGSLEY CREEK
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
07S 14E 30 NE SW GOODING
5. Description of diverting works:
VIA BUCKEYE DITCH
6. Water is used for the following purposes:
Purpose From To C.F.S. (or) A.F.A.
IRRIGATION 03/15 11/15 0.240
7. Total Quantity Appropriated is:
0.240 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 24.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:
Township Range Section 1/4 of 1/4 Lot Use Acres
07S 13E 27 NW NE IRR 8.0

A36-00035E

Page 1

Date: 10/09/90

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JAN 21 1993

10. Place of Use: Continued

Section Acres 8.0

Total Acres 8.0

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:
A36-00034E

14. Remarks:
CHANGE OF OWNERSHIP 9-28-1990.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/22/1932

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 _____

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[☒] Water Right Number(s): A36-07437, A36-00034A, -00035D

[☒] Name and Address of Former Claimant: Harold W. Smith and Wilma A. Smith
2810 South 850 East
Hagerman, Idaho 83332

[☒] New Claimant(s): Lloyd Brown or Kathleen Brown

[☒] New Mailing Address: 2802 South 850 East
Hagerman, Idaho 83332

New Telephone Number: (208) 837 - 6101

[☒] Does the change in ownership result in a splitting of the water right claimed? X yes no

If yes, then describe the portion of the water right that is now claimed by the new owner:

0.28 cfs from the Buckeye Ditch is to be transferred to the new owner.

0.10 cfs from the Bell Ditch is to be transferred to the new owner.

One-Half interest in domestic water right #36-07437

[☒] Attach proof of ownership Describe proof attached: Copy of the recorded Warranty Deed & Copy of the Hot Water Well Agreement

[☒] Signature of New Claimant(s): Lloyd Brown

Date: September 28, 1990

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10-5-90 By: SC

Further Action Needed: NO

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any: A37-07437A

A37-07437B

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WARRANTY DEED

For Value Received

Harold W. Smith and Wilma A. Smith, husband and wife,
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto
Lloyd Brown and Kathleen Brown, husband and wife,
hereinafter referred to as Grantee, whose current address is
2802 South 850 East, Hagerman, ID, 83332
the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER WITH 14 shares of Buckeye Ditch water and 5 shares of Bell
Ditch water.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant
to and with the said Grantee, that Grantor is the owner in fee simple of said
premises; that said premises are free from all encumbrances except current years
taxes, levies, and assessments, and except U. S. Patent reservations, restrictions,
easements of record, and easements visible upon the premises, and that Grantor will
warrant and defend the same from all claims whatsoever.

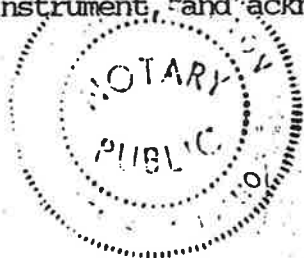
Dated: September 28th, 1990.

Harold W. Smith
Harold W. Smith

Wilma A. Smith
Wilma A. Smith

STATE OF IDAHO)
: ss
COUNTY OF Gooding)

On This 28th day of September, in the year 1990, before me, a Notary Public
in and for said State, personally appeared Harold W. Smith and Wilma A. Smith, known
or identified to me to be the persons whose names are subscribed to the within
Instrument, and acknowledged to me that they executed the same.



Susan M. Bilton
Notary Public for Idaho
Residing at Gooding, Idaho
Commission Expires: 10/16/92

142408

STATE OF IDAHO, COUNTY OF GOODING

Filed for record at the request of **FIRST AMERICAN TITLE**

5 min. past 1 o'clock P M. this 28
of Sept, 1990.

JOHN A. MYERS, Recorder

for 6.00

First American Title Company of Idaho

FILE: A36-000 35 E
A36-00035D

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

SPLIT CLAIM

Ident. Number: A36-00033A
Date Received: 7/13/1988
Receipt No: S000912
Received By: SCC

COPY

FOR YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
DO NOT FILE
ACQUIRED UNDER STATE LAW

1. Name: HAROLD W. SMITH 208-837-6537
Address: RT. 1, BOX 34
HAGERMAN, ID 83332
OR
Name: WILMA A. SMITH 208-837-6537
Address: RT. 1, BOX 34
HAGERMAN, ID 83332
2. Date of Priority: MAR 08, 1902
3. Source: WEATHERBY SPRINGS Trib. to: BILLINGSLEY CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	14E	30	NE	SW			GOODING
5. Description of diverting works:
VIA BUCKEYE DITCH
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.320		
7. Total Quantity Appropriated is:
0.320 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 30.0 Acre Feet Per Annum.
9. Non-irrigation uses:

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OCT 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	13E	27	NW NE		IRR	10.0

Section Acres 10.0

Total Acres 10.0

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:

A36-00034A

14. Remarks:

THIS WR IS BASED ON POU OF THE TWO WR LISTED. WARRANTY DEED DESCRIBES A DIFFERENT PRIORITY AND IS PROBABLY BASED ON WR #36-00024 & 36-00025. THESE WR POU IS SWSE OF SECTION 22. WR #36-00033 AND 36-00034 HAVE NUMEROUS UNRECORDED TRANSFERS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/22/1932

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 X 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): Harold W Smith Date: 07-13-1988

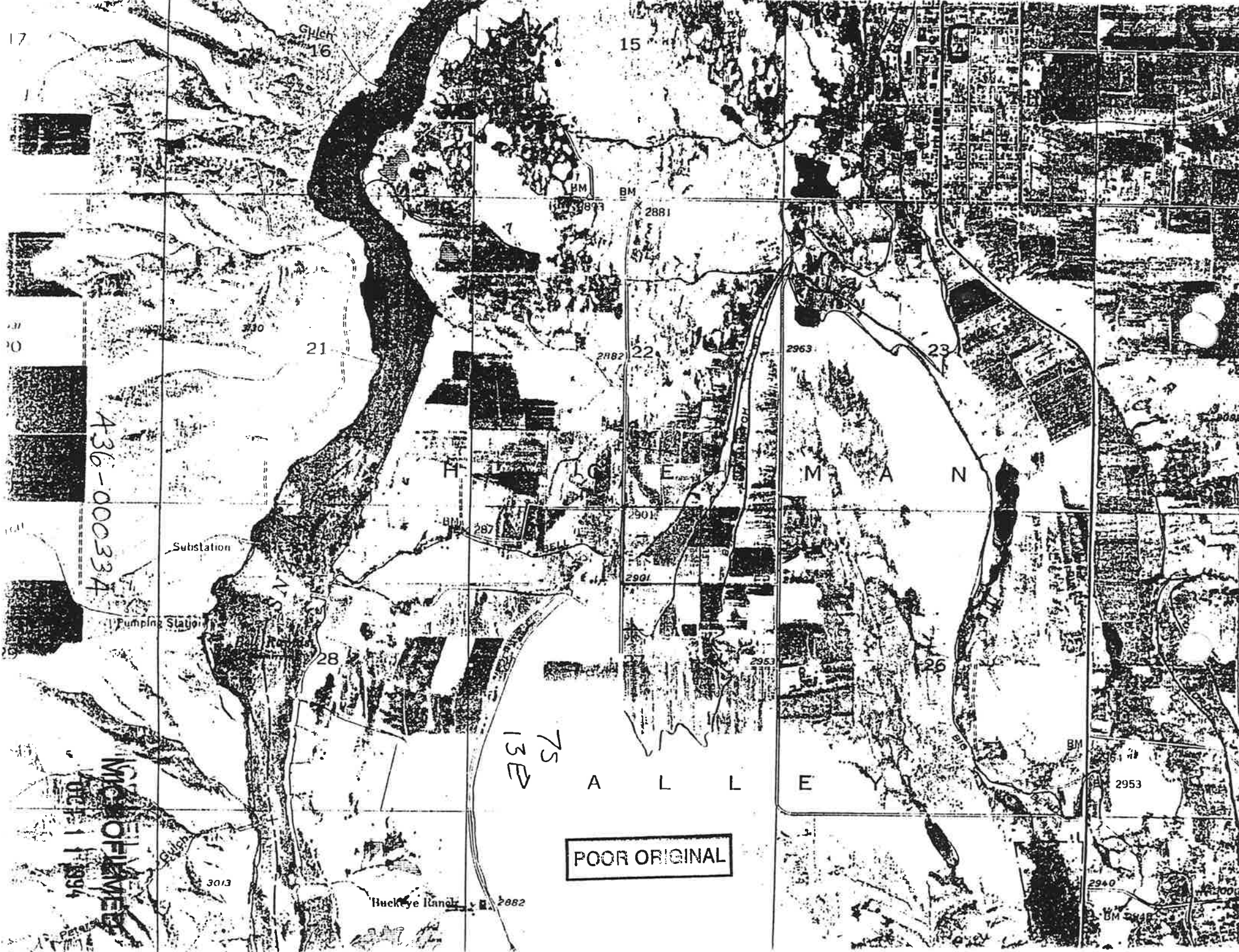
Date: _____

State of Idaho)
County of T. F.) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of July 19 88 Don White
Notary Public

Seal

Residing at T. F.
My Commission Expires 5/95



17

16

15

21

22

23

26

28

436-000334

Substation

Pumping Station

Ball Road

75
13E

POOR ORIGINAL

Huckeye Ranch

2882

2953

2940

3013

Gully

MO. OF LAND
11 1994

HOT WATER WELL AGREEMENT

This Agreement is made and entered into this 17th day of September, 1990, by and between Harold W. Smith and Wilma A. Smith, husband and wife, hereinafter referred to as "Smiths," and James Fox, a single man, hereinafter referred to as "Fox."

RECITALS:

1. Smiths own a State of Idaho Department of Water Resources Water Permit No. 36-7437 for a hot water well, said well being located upon the south two acres of certain real property located in Gooding County, Idaho, described on Exhibit "A" which is attached hereto and by this reference made a part hereof. Said property is hereinafter referred to as "Parcel A."

2. Smiths are selling said south two acres to Fox and desire to retain the balance of said property.

3. Smiths desire to retain an undivided one-half interest in said unfinished well for use on that portion of Parcel A which they are not selling to Fox.

4. Smith and Fox desire to set forth their respective interest in said hot water well.

NOW, THEREFORE, the parties agree as follows:

1. Smiths shall retain and Fox grants to Smiths an undivided one-half interest in a hot water well located on Parcel A.

2. Smiths shall retain and Fox grants to Smiths a fifteen foot right of way (7-1/2 feet on each side of said pipe) from the well site itself to the Smiths' property. Smiths shall use the most direct route possible for placement of the pipe line. Smiths shall be responsible for all costs of installation and maintenance of said pipe line.

3. Any expenses incurred in the repair and maintenance of said well, pipes or appurtenances and building constructed in conjunction with the use of said well and the water it produces will be paid by one-half by the Smiths and one-half by Fox. Provided, however, the cost to complete the well shall be the sole and exclusive expense of Smiths.

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1 4. The parties acknowledge that the well is
2 presently unfinished and plugged at the bottom and that
3 Smiths may abandon the well if they so desire or may at their
4 expense deepen the well at no cost to Fox. Should Smith
elect to deepen the well, Fox hereby grants the right of
ingress and egress for the purpose of drilling said well
deeper. Should Smiths elect not to deepen the well, they may
keep any cash settlement received from Justice Drilling Co.

5 5. If the well is not deepened within three
6 years, their right shall lapse and Smiths will have no right
in said hot water well.

7 6. The rights to said well, water permit and pipe
8 line easement which are granted herein shall run with and
become an appurtenance to that portion of Parcel A that is
being retained by Smiths.

9 7. The parties agree that this Agreement will be
binding upon their heirs and assigns.

10 IN WITNESS WHEREOF, the parties have signed this
11 Agreement the dates set forth opposite their respective
signature lines.

12 Dated: 09-17, 1990

Harold W. Smith
Harold W. Smith

14 Dated: 9-17, 1990

Wilma A. Smith
Wilma A. Smith

"Smiths"

17 Dated: Sept 17, 1990

James Fox
James Fox

"Fox"

19 STATE OF IDAHO)
20) ss
County of Gooding)

21 On this 17 day of September, 1990, before
22 me, the undersigned, a Notary Public in and for said County
and State, personally appeared Harold W. Smith and Wilma A.
23 Smith, husband and wife, known to me to be the persons whose

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1 names are subscribed to the foregoing instrument, and
acknowledged to me that they executed the same.

2 IN WITNESS WHEREOF, I have hereunto set my hand and
3 affixed my official seal the day and year in this certificate
4 first above written.
5

Susan M. Bolton
NOTARY PUBLIC FOR IDAHO
Residing at: Gooding, ID
My Commission Expires: 10-16-92

6 STATE OF IDAHO)
7 : ss
8 County of Gooding)

9 On this 17th day of September, 1990, before
me, the undersigned, a Notary Public in and for said County
and State, personally appeared James Fox, known to me to be
10 the person whose name is subscribed to the foregoing
instrument, and acknowledged to me that he executed the
11 same.

12 IN WITNESS WHEREOF, I have hereunto set my hand and
13 affixed my official seal the day and year in this certificate
14 first above written.

Susan M. Bolton
NOTARY PUBLIC FOR IDAHO
Residing at: Gooding, ID
My Commission Expires: 10-16-92

15 \KHA\SMITHHWW

16 1422874p

17 OF IDAHO, COUNTY OF GOODING

18 for record at the request of FIRST AMERICAN TITLE

19 30 min. past 3 o'clock P M. this 17

20 of Sept, 1990. Fee \$12.00

21 JOHN A. MYERS, Recorder

22 By William K. Pratt Deputy

23
HOT WATER WELL AGREEMENT - 3

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EXHIBIT "A"

PARCEL A (Koopman)

Township 7 South, Range 13 East of the Boise Meridian

Section 27: Part of the NW 1/4 NE 1/4, described as follows:

Beginning at the Southwest corner of said NW 1/4 NE 1/4;

Thence N $0^{\circ}24'E$, 771.9 feet along the West line of said NW 1/4 NE 1/4 to the True Point of Beginning;

Thence N $89^{\circ}50'E$, 584.47 feet to the East bank of Bell Irrigation Ditch;

Thence along the East bank of said Bell Irrigation ditch the following courses and distances;

Thence N $55^{\circ}31'E$, 263.3 feet;

Thence N $22^{\circ}59'E$, 85.25 feet;

Thence N $56^{\circ}09'E$, 91.67 feet;

Thence N $18^{\circ}59'E$, 75.9 feet;

Thence N $36^{\circ}06'E$, 207.3 feet to the North line of said NW 1/4 NE 1/4;

Thence S $89^{\circ}52'W$, 1053.25 feet to the North quarter corner of said Section 27;

Thence S $0^{\circ}24'W$, along the West line of NW 1/4 NE 1/4, 516.5 feet to the point of beginning.

IN THE COUNTY OF GOODING, STATE OF IDAHO

Together with 12 shares of water in the Buckeye Ditch.

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"A"

Part of the Northwest Quarter of the Northeast Quarter of Section 27, Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho, described as follows:

Beginning at the Southwest corner of said Northwest Quarter of the Northeast Quarter;
Thence North 0°24' East, 771.9 feet along the West line of said Northwest Quarter of the Northeast Quarter to the True Point of Beginning;
Thence North 89°50' East, 584.47 feet to the East bank of Bell Irrigation Ditch;
Thence along the East bank of said Bell Irrigation Ditch the following courses and distances:
 Thence North 55°31' East, 263.3 feet;
 Thence North 22°59' East, 85.25 feet;
 Thence North 59°09' East, 91.67 feet;
 Thence North 18°59' East, 75.9 feet;
Thence North 36°06' East, 207.3 feet to the North line of said Northwest Quarter of the Northeast Quarter;
Thence South 89°52' West, 1053.25 feet to the North Quarter Corner of said Section 27;
Thence South 0°24' West along West line of the Northwest Quarter of the Northeast Quarter 516.5 feet to the Point of Beginning.

LESS AND EXCEPTING:

A parcel of land located in the Northwest Quarter of the Northeast Quarter of Section 27, Township 7 South, Range 13 East, Boise Meridian, Gooding County, Idaho and more particularly described as follows:

Commencing at the North Quarter corner of said Section 27,
Thence South 0°55'18" West along the West boundary of the Northwest Quarter of the Northeast Quarter of Section 27, for a distance of 403.52 feet to the TRUE POINT OF BEGINNING;

Thence South 89°57'22" East for a distance of 222.63 feet;
Thence South 85°30'03" East for a distance of 140.41 feet;
Thence South 89°19'13" East for a distance of 378.76 feet to a point on the East bank of Bell Irrigation Ditch;

Thence along the East bank of Bell Irrigation Ditch on the following courses:

 South 50°19'02" West, 32.85 feet;
 South 71°31'56" West, 26.94 feet;
 South 56°14'22" West, 108.36 feet;

Thence leaving the East bank of Bell Irrigation Ditch, South 89°16'33" West for a distance of 277.18 feet;

Thence South 0°55'18" West parallel with the West boundary of the Northwest Quarter of the Northeast Quarter for a distance of 8.57 feet;

Thence North 89°38'42" West for a distance of 325.0 feet to a point on the West boundary of the Northwest Quarter of the Northeast Quarter;

Thence North 0°55'18" East along the West boundary of the Northwest Quarter of the Northeast Quarter of Section 27 for a distance of 115.48 feet to the TRUE POINT OF BEGINNING.

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H. W. S. mas

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

[✓] Water Right Number(s): A36-00034A, -00035D, A36-10207

[✓] Name and Address of Former Claimant: Harold W. Smith and Wilma A. Smith

2810 South 850 East

Hagerman, Idaho 83332

[✓] New Claimant(s): James Fox

[✓] New Mailing Address: P. O. Box #636

2810 South 850 East, Route #1

Hagerman, Idaho 83332

New Telephone Number: (208) 837 - _____

[✓] Does the change in ownership result in a splitting of the water right claimed? X yes _____ no

If yes, then describe the portion of the water right that is now claimed by the new owner:

**per phone call w/ Cliff Jensen.* 0.06 ~~0.10~~ cfs from the Buckeye Ditch is to be transferred to the new owner.

0.06 cfs from the Bell Ditch is to be transferred to the new owner.

One-Half interest in the domestic well water rights.

[✓] Attach proof of ownership Describe proof attached: Copy of the recorded Warranty Deed & copy of of the Domestic Well Agreement

[✓] Signature of New Claimant(s): James Fox

Date: September 17, 1990

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10-5-90 By: SCU

Further Action Needed: yes

Further Action Taken

Date: 10-9-90 By: SCU

Final Review and Data-Entry

Date: 10-9-90 By: SCU

Claim Numbers of Split, if any:

A36-00034F
-00035F } Fox
-10207B

A36-10207 A = Smith

A36-00034E } Brown
-00035E

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JAN 21 1993



WARRANTY DEED

For Value Received

Harold W. Smith and Wilma A. Smith, husband and wife,
 hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto
 James Fox, a single man,
 hereinafter referred to as Grantee, whose current address is
 P.O. Box 636, Hagerman, ID, 83332
 the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Together with 5 shares of water from Buckeye Ditch and 3 shares of
 water from Bell Ditch.

142284

STATE OF IDAHO, COUNTY OF GOODING

Filed for record at the request of **FIRST AMERICAN TITLE**
26 min. past 3 o'clock P M. this 17
 of Sept, 1990. Fee #800

JOHN A. MYERS, Recorder

By Helen K. Pratt Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
 Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant
 to and with the said Grantee, that Grantor is the owner in fee simple of said
 premises; that said premises are free from all encumbrances except current years
 taxes, levies, and assessments, and except U. S. Patent reservations, restrictions,
 easements of record, and easements visible upon the premises, and that Grantor will
 warrant and defend the same from all claims whatsoever.

Dated: September 17th, 1990.

Harold W. Smith
 Harold W. Smith

Wilma A. Smith
 Wilma A. Smith

STATE OF IDAHO)
) : ss
 COUNTY OF Gooding)

On This 17th day of September, in the year 1990, before me, a Notary Public
 in and for said State, personally appeared Harold W. Smith and Wilma A. Smith, known
 or identified to me to be the persons whose names are subscribed to the within
 Instrument, and acknowledged to me that they executed the same.



Susan M. Butler
 Notary Public for Idaho
 Residing at Gooding, Idaho
 Commission Expires: 10-16-92

EXHIBIT "A"

A parcel of land located in the Northwest Quarter of the Northeast Quarter of Section 27, Township 7 South, Range 13 East, Boise Meridian, Gooding County, Idaho and more particularly described as follows:

Commencing at the North Quarter corner of said Section 27,
Thence South 0°55'18" West along the West boundary of the
Northwest Quarter of the Northeast Quarter of Section 27,
for a distance of 403.52 feet to the TRUE POINT OF
BEGINNING;

Thence South 89°57'22" East for a distance of 222.63 feet;
Thence South 85°30'03" East for a distance of 140.41 feet;
Thence South 89°19'13" East for a distance of 378.76 feet to
a point on the East bank of Bell Irrigation Ditch;
Thence along the East bank of Bell Irrigation Ditch on the
following courses:

South 50°19'02" West, 32.85 feet;
South 71°31'56" West, 26.94 feet;
South 56°14'22" West, 108.36 feet;

Thence leaving the East bank of Bell Irrigation Ditch,
South 89°16'33" West for a distance of 277.18 feet;
Thence South 0°55'18" West parallel with the West boundary of
the Northwest Quarter of the Northeast Quarter for a
distance of 8.57 feet;
Thence North 89°38'42" West for a distance of 325.0 feet to a
point on the West boundary of the Northwest Quarter of
the Northeast Quarter;
Thence North 0°55'18" East along the West boundary of the
Northwest Quarter of the Northeast Quarter of Section
27 for a distance of 115.48 feet to the TRUE POINT OF
BEGINNING.

Ans. S *W.S.*

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JAN 21 1993

DOMESTIC WELL AGREEMENT

This Agreement is made and entered into this 17th, day of September, 1990, by and between Harold W. Smith and Wilma A. Smith, husband and wife, hereinafter referred to as "Smiths," and James Fox, a single man, hereinafter referred to as "Fox."

RECITALS:

1. Smiths own a domestic well, said well being located upon the South two acres of certain real property located in Gooding County, Idaho, described on Exhibit "A" which is attached hereto and by this reference made a part hereof. Said property is hereinafter referred to as "Parcel A."

2. Smiths are conveying to Fox said two acres and desire to reserve an undivided one-half interest in the domestic well located thereon for use upon the real property described on Exhibit "B" which is attached hereto and by this reference made a part hereof. Said property is hereinafter referred to as "Parcel B."

NOW, THEREFORE, the parties agree as follows:

1. Smiths shall retain and Fox grants to Smiths an undivided one-half interest in a domestic well and 50% of all water produced by the well located on Parcel A.

2. Smiths shall retain and Fox grants to Smiths a pipe line right of way along the existing pipe line from the well on Parcel A to the boundary of Parcel B, said right of way being seven and one-half feet on each side of said pipe line. Smiths shall be responsible for the maintenance and repair of said pipe line.

3. Any expenses incurred in the repair and maintenance of said well, pipes or appurtenances and building constructed in conjunction with the use of said well and the water it produces will be paid by one-half by the Smiths and one-half by Fox.

4. The well water will only be used by the parties for domestic household use and livestock watering. No water shall be used for irrigation purposes.

5. The electric pump is on Fox's electric meter. Smiths will pay to Fox the sum of \$5.00 per month for

1 electric power. If it is determined by the parties that the
2 cost of the electric power is less than or exceeds the sum of
\$5.00 per month, said monthly power payment will be adjusted
accordingly.

3 6. The rights to said well, water permit and pipe
4 line easement which are granted herein shall run with and
become an appurtenance to Parcel B.

5 7. The parties agree that this Agreement will be
binding upon their heirs and assigns.

6 IN WITNESS WHEREOF, the parties have signed this
7 Agreement the dates set forth opposite their respective
signature lines.

8 Dated: 09-17, 1990

Harold W. Smith
Harold W. Smith

10 Dated: 9-17, 1990

Wilma A. Smith
Wilma A. Smith

"Smiths"

13 Dated: Sept. 17, 1990

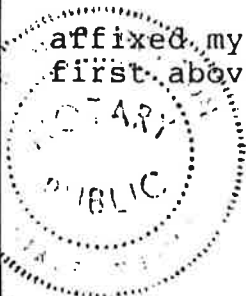
James Fox
James Fox

"Fox"

15 STATE OF IDAHO)
16 County of Coeur d'Alene : ss

17 On this 17th day of September, 1990, before
18 me, the undersigned, a Notary Public in and for said County
19 and State, personally appeared Harold W. Smith and Wilma A.
Smith, husband and wife, known to me to be the persons whose
names are subscribed to the foregoing instrument, and
acknowledged to me that they executed the same.

20 IN WITNESS WHEREOF, I have hereunto set my hand and
21 affixed my official seal the day and year in this certificate
22 first above written.



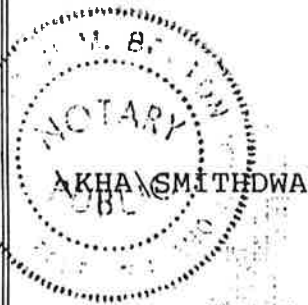
Susan M. Burt
NOTARY PUBLIC FOR IDAHO
Residing at: Coeur d'Alene ID
My Commission Expires: 10-16-92

1 STATE OF IDAHO)
2 County of Gooding) : ss

3 On this 17th day of September, 1990, before
4 me, the undersigned, a Notary Public in and for said County
5 and State, personally appeared James Fox, known to me to be
6 the person whose name is subscribed to the foregoing
7 instrument, and acknowledged to me that he executed the
8 same.

9 IN WITNESS WHEREOF, I have hereunto set my hand and
10 affixed my official seal the day and year in this certificate
11 first above written.

12 Diana M. Batten
13 NOTARY PUBLIC FOR IDAHO
14 Residing at: Gooding, Id
15 My Commission Expires: 10/16/92



16 122286

17 STATE OF IDAHO, COUNTY OF GOODING

18 Filed for record at the request of FIRST AMERICAN TITLE

19 29 min. past 3 o'clock P M. this 17
20 of Sept, 19 90. Fee \$21.00

21 JOHN A. MYERS, Recorder

22 By William K. Pratt Deputy

EXHIBIT "A"

PARCEL A (Koopman)

Township 7 South, Range 13 East of the Boise Meridian

Section 27: Part of the NW 1/4 NE 1/4, described as follows:

Beginning at the Southwest corner of said NW 1/4 NE 1/4;

Thence N 0°24'E, 771.9 feet along the West line of said NW 1/4 NE 1/4 to the True Point of Beginning;

Thence N 89°50'E, 584.47 feet to the East bank of Bell Irrigation Ditch;

Thence along the East bank of said Bell Irrigation ditch the following courses and distances;

Thence N 55°31'E, 263.3 feet;

Thence N 22°59'E, 85.25 feet;

Thence N 56°09'E, 91.67 feet;

Thence N 18°59'E, 75.9 feet;

Thence N 36°06'E, 207.3 feet to the North line of said NW 1/4 NE 1/4;

Thence S 89°52'W, 1053.25 feet to the North quarter corner of said Section 27;

Thence S 0°24'W, along the West line of NW 1/4 NE 1/4, 516.5 feet to the point of beginning.

IN THE COUNTY OF GOODING, STATE OF IDAHO

Together with 12 shares of water in the Buckeye Ditch.

MICROFILMED

JAN 21 1993

EXHIBIT "B"

PARCEL B (Grace)

Township 7 South, Range 13 East of the Boise Meridian

Section 27: Part of the NW 1/4 NE 1/4 described as follows:

Beginning at a point on the West line of said NW 1/4 NE 1/4, from which the SW Corner of said NW 1/4 NE 1/4 bears S 0°24'W, 552.96 feet;

Thence N 89°50'E, 456.20 feet to a point on the East bank of the Bell Irrigation ditch;

Thence along said East bank the following courses and distances:

N 54°23'E, 68.04 feet;

N 14°03'E, 114.66 feet;

N 34°16'E, 82.85 feet;

Thence leaving said East Bank S 89°50'W, 584.47 feet to the West line of said NW 1/4 NE 1/4;

Thence S 0°24'W, 218.94 feet to the Point of Beginning

together with two shares of water from the Buckeye Ditch and eight inches of water from the Bell Ditch as decreed in 1884.

EXCEPTING THEREFROM:

That part of the NW 1/4 NE 1/4, described as follows:

Thence South 00°55'18" West, 638.44 feet to the REAL POINT OF BEGINNING, said point lies North 00°55'18" East, 4613.22 feet, from the South quarter corner of said Section, and North 00°55'18" East, 649.96 feet from Southwest corner of N 1/2 NE 1/4 of said Section;

MICROFILMED

JAN 21 1993

Thence South $89^{\circ}38'42''$ East, 325.00 feet;
Thence South $00^{\circ}55'18''$ West, 97.00 feet;
Thence North $89^{\circ}38'42''$ West, 325.00 feet;
Thence North $00^{\circ}55'18''$ East, 97.00 feet,
to the REAL POINT OF BEGINNING.

EXCEPTING THEREFROM:

That part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, described
as follows:

Commencing at the North quarter corner of
said Section 27;

Thence South $0^{\circ}55'18''$ West along the West
boundary of the of the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
516.50 feet, said point lies North
 $0^{\circ}55'18''$ East, 4735.16 feet from the South
quarter corner of said Section 27;

Thence South $89^{\circ}38'42''$ East, 325.00 feet
to THE TRUE POINT OF BEGINNING;

Thence South $89^{\circ}38'42''$ East, 259.47 feet
to a point on the East bank of the Bell
Irrigation Ditch;

Thence along said East bank the following
courses and distances;

Thence South $34^{\circ}47'18''$ West, 82.85 feet;
Thence South $14^{\circ}34'18''$ West, 114.66 feet;
Thence South $54^{\circ}54'18''$ West, 68.01 feet;
Thence leaving said East bank North
 $89^{\circ}38'42''$ West, 131.22 feet to a point
that lies South $89^{\circ}38'42''$ East, 325.00
feet from the West boundary of said NW $\frac{1}{4}$
NE $\frac{1}{4}$;

Thence North $0^{\circ}55'18''$ East, 218.94 feet to
THE TRUE POINT OF BEGINNING.

TOGETHER WITH an easement for ingress and
egress described as follows:

Commencing at the North quarter corner of
said Section 27;

366121 JAN 1 1993
MICROFILMED

Thence south $0^{\circ}55'18''$ West along the West boundary of the NW $1/4$ NE $1/4$, 613.44 feet to a point that lies North $0^{\circ}55'18''$ East, 4638.22 feet from the South quarter corner of said Section which point shall be known as THE TRUE POINT OF BEGINNING;

Thence South $89^{\circ}38'42''$ East, 325.00 feet to a point on the West boundary of the above described property;

Thence South $0^{\circ}55'18''$ West along the West boundary of the above described property 25.00 feet;

Thence North $89^{\circ}38'42''$ West, 325.00 feet to a point on the West boundary of said NW $1/4$ NE $1/4$;

Thence North $0^{\circ}55'18''$ East along the West boundary of said NW $1/4$ NE $1/4$, 25.00 feet to THE TRUE POINT OF BEGINNING.

MICROFILMED

JAN 21 1983

Water Right Number - 836-00035E

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
BROWN

KATHLEEN

1 - 2802 S 850 E

2 -

3 -

City- HAGERMAN

Phone - 208-837-6101

State- ID Zip- 83332

BROWN

LLOYD

1 - 2802 S 850 E

2 -

3 -

City- HAGERMAN

Phone - 208-837-6101

State- ID Zip- 83332

*** O - ORIGINAL OWNER ***
SMITH

WILMA A

1 - RT 1 BOX 34

2 -

3 -

City- HAGERMAN

Phone - 208-837-6537

State- ID Zip- 83332

SMITH

HAROLD W

1 - RT 1 BOX 34

2 -

3 -

City- HAGERMAN

Phone - 208-837-6537

State- ID Zip- 83332

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
09/10/1884 ERROR IN REGION D - DECREED

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

Point of Diversion						
Tw	Rng	Sec	Tract	Lot	RFlg	County
07S	13E	11	NW SE NE		(47)	GOODING
			SE SE NE		(47)	GOODING

Water Use		Diversion Rate		Diversion Volume	
Code	Description	Period From	Period To		
01	IRRIGATION	04/01	10/31	0.100	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.100 0.0

Place of Use							County	
Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	
07S	13E	27	NW NE		8.0	01	IRRIGATION	(47) GOODING

Total Acres: 8.0

VERIFIED BY: KKC

Water right number - R36-00035E

Prefix Translation: RESEARCH

+ - - Diversion Means - VIA BUCKEYE DITCH AND/OR BELL DITCH; SPRINKLER SYSTEM

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-00034E

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

WATER IS DELIVERED THROUGH THE BUCKEYE DITCH AND BELL DITCH.
0.04 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THE NUMBER OF IRRIGATED ACRES FOR THIS RIGHT WAS DETERMINED
BASED ON A DIVERSION RATE OF 0.02 CFS PER ACRE AT THE FIELD
HEADGATE.
USE OF THIS RIGHT WITH RIGHT NO. 36-00034E IS LIMITED TO A
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 24 AF, AND TO
THE IRRIGATION OF A COMBINED TOTAL OF 8 ACRES IN A SINGLE
IRRIGATION SEASON.

+ - - - - - Old Water Right Numbers - - - - -
3600035D

+ - - - - - Conditions of Approval - - - - -
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO IDAHO CODE 42-1416A.

+ - - - Decree Plaintiff - - - + - - - Decree Defendant - - - + - - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - - +
08/07/92 CHRISTEN

+ - - - - - 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	- 08/07/1992	Old Judicial District	-
Claim Received Date	- 07/13/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X999999	Water District	- 36A
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	- C
				Notice of Error Flag	-

MARK AND CONDITION CODE WORKSHEET

SYSTEM CLAIM NUMBERS

R36 00035E

AGENT

INITIALS

SC

DATE

8-9-92

R36 00034E

CLAIM NO.
OR ENTRY
ORDER

REMARK
CODE

ENTRY DATA

CONDITION
CODE

STAGE
OR
STATUS

PRESUMPTION
CODE

K06

3 acres

C03

(C)

K05

0.02 cfs

F01

Buckeye Ditch &
Bell Ditch

E09

36-00034E

<Delete Diversion Rate>

24 AF CU.

8 acres

D02

0.04 cfs

Water Dist

36A

RECEIVED *deemed* RECEIVED

AUG 31 1998

AUG 24 1998

Department of Water Resources
Southern Region

Department of Water Resources

5-attH
DJ 6-20

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

1998 AUG 20 AM 11:25

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED *[Signature]*

In Re SRBA

Subcase 36-00035E

Case No. 39576

ORDER VACATING HEARING and
ORDER SETTING STATUS
CONFERENCE

A hearing on the *Motion to Alter or Amend* filed by the North Snake Ground Water District was set for August 27, 1998. However, counsel for IDWR advised the Court that it may resolve the matter soon with certain proposals made to the claimant and the District. It is expected that IDWR will promptly notify the Court if settlement cannot be reached in short order.

THEREFORE, it is ordered that the hearing on the District's *Motion to Alter or Amend* set for August 27, 1998, is **vacated**. A telephone status conference will be held on **October 23, 1998, beginning at 10:00 a.m.**

DATED August 20, 1998.

Terrence A. Dolan
TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER VACATING HEARING AND SETTING STATUS CONFERENCE was mailed on August 20, 1998, with sufficient first-class postage to the following:

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

Lloyd Brown
Box 543
Hagerman, Idaho 83332

Josephine Beeman
Box 1427
Boise, Idaho 83701-1427

Director of IDWR
Box 83720
Boise, Idaho 83720-0098

Josephine Beeman
Deputy Clerk

RECEIVED

MAR 02 1998

Department of Water Resources
Southern Region

RECEIVED

FEB 23 1998

Department of Water Resources

1998 FEB 19 AM 9:16

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

Case No. 39576

Subcase 36-00035E

ORDER RESETTING HEARING

On December 26, 1997, the North Snake Ground Water District filed a *Motion to Alter or Amend* in the above subcase. The claimants are Lloyd and Kathleen Brown.

The matter was set for hearing on February 17, 1998. However, at the hearing, it was discovered that the Court failed to notify the District of the hearing.

Therefore, IT IS ORDERED that the hearing on the *Motion* is reset as follows:

Wednesday, April 1, 1998, 10:00 a.m.

SRBA Courthouse
253 3rd Avenue North
Twin Falls, Idaho.

DATED February 19, 1998.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

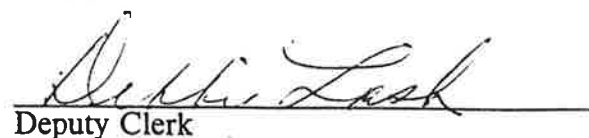
I certify that a true and correct copy of the ORDER RESETTING HEARING was mailed on February 19, 1998, with sufficient first-class postage to the following:

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

Director of IDWR
Box 83720
Boise, Idaho 83720-0098

Lloyd Brown
Box 543
Hagerman, Idaho 83332

Josephine Beeman
608 West Franklin Street
Boise, Idaho 83702


Deputy Clerk

North Snake Ground Water District

Josephine P. Beeman
Dana L. Hofstetter
BEEMAN & HOFSTETTER, P.C.
608 West Franklin Street
P. O. Box 1427
Boise, ID 83701-1427
(208) 388-8900
(208) 388-8400 (Facsimile)
beehof@micron.net

COPY

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

In Re SRBA	)	Subcase Nos. 36-00035E
	)	
Case No. 39576	)	
	)	AFFIDAVIT OF STEVE CLELLAND
_____	)	

Steve C. Clelland, being first duly sworn upon oath, deposes and says:

1. I am a Senior Water Agent employed by the Idaho Department of Water Resources (IDWR).
2. My work address is Idaho Department of Water Resources, 1341 Fillmore Street, Suite 200, Twin Falls, Idaho 83301-3380.
3. I have been requested by the law firm of Beeman & Hofstetter, P.C., who represent claimants and the North Snake Ground Water District in the Snake River Basin Adjudication, to present the basis of the Director's recommendation in relation to the type of irrigation system used

on the place of use for right number 36-00035E. This request was made pursuant to *Idaho Code* §§ 42-1401B(1) and 42-1412(4).

4. I make the following statements based upon my own personal knowledge.

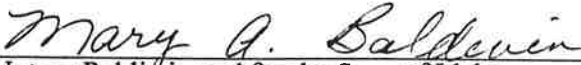
5. On August 16, 1990, I conducted a field examination for claim number 36-00035E in the Snake River Basin Adjudication. During that examination, I observed sprinklers as being the sole mechanism for irrigation of the associated place of use.

DATED this 24th day of December, 1997.



STEVE CLELLAND

SUBSCRIBED AND SWORN to before me this 24th day of December, 1997.



Notary Public in and for the State of Idaho
Residing at: Gooding Id
My Commission Expires: 10/16/1998

CERTIFICATE OF SERVICE

I hereby certify that on the _____ day of December, 1997, I caused to be served copies of the foregoing **Affidavit of Steve Clelland** by depositing a copy thereof in the U.S. mail, postage prepaid, upon:

Original via fax:

Clerk of the District Court
Snake River Basin Adjudication
P. O. Box 2707
Twin Falls, ID 83303-2707

Copies to:

Lloyd Brown
Kathleen Brown
2802 South 850 East
P. O. Box 543
Hagerman, ID 83332

Idaho Department of Water Resources
Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

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

U.S. Dept. of Justice
Environment & Natural Resources
550 W. Fort St., MSC 033
Boise, ID 83724

Josephine P. Beeman

D:\1780\2\35E\1885

HAGERMAN

Surface Irrigation Diversion Rate Analysis Sheet

WR#'s 36-00035E

34E

3 acres of 8 total

given .04 c.f.
.06 3 ac
sprinkler

SOIL	SOIL AC.	% ROW	ROW AC.	FIR ROW	CFS ROW	% FOR.	FOR. AC.	FIR FOR.	CFS FOR.
KEC	0.53	70	0.37	0.040	0.015	30	0.16	0.028	0.005
KOA	2.82	70	1.97	0.036	0.071	30	0.85	0.024	0.020
KOB	4.63	70	3.24	0.037	0.120	30	1.39	0.027	0.038
TOTALS	7.98		5.58		0.206		2.40		0.063

CLAIM

34E .1 CFS
35E .24 CFS

REC. FIR

0.27*

CFS

=

SUM

0.269

CFS

X

8.60

REC. AC.

7.98

GIS AC.

DATE 11/12/97

INIT. JP

*ADD CONVEYANCE LOSS (IF APPLICABLE) FOR
TOTAL IRRIGATION DIVERSION REQUIREMENT

DIVERSION CAPACITY OR LIC./DEC. AMOUNT MAY LIMIT

WR

3C-00035E

Soil_type	Sum_Acres.Decima	Mad_row	Mad_for	Fir_row	Fir_for
KEC	0.5300	1.11	1.84	0.040	0.028
KOA	2.8200	1.30	2.47	0.036	0.024
KOB	4.6300	1.23	1.99	0.037	0.027

11/97

Mr. Brown indicates
that a Mr. from
the ditch co.
should be in this
file giving permission
for bus delivery
down the Buckeye
only

R-

IDAHO DEPARTMENT OF WATER RESOURCES

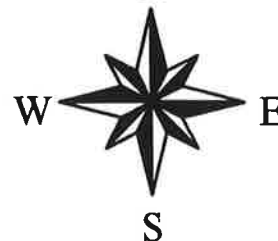
36-00034E & 36-00035E

LLOYD & KATHLEEN BROWN



660 0 660 1320 Feet

TNS 8S, RNG 21E, SEC 32
TNS 9S, RNG 21E, SEC 5



⊙ 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 NOVEMBER 1997
BY JEANIE ROBERTSON

CLAIM NUMBERS 36-00035E 36-00034E DATE 11/10/97

TRANSFER NUMBER _____

OBJECTION FILED _____

AGENT JRTOTAL ACRES FROM RECOMMENDATION 8GEOGRAPHIC INFO SYSTEM 7.98

RIGHT 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	07S	13E	27		8														8
GIS					7.98														7.98
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			0
GIS																			0
RECOM																			0
GIS																			0
RECOM																			0
GIS																			0

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF 731 ✓

POLYGON CREATED ON 604 () _____

ATTRIBUTES OF B36-POU.SHP (731) _____

B36-DBPOD.DBF 454, 455ATTRIBUTES OF B36-POD.SHP (455) NWSENE-11(Bell Ditch)36-00034E = 8 Ac (P.P.U.)(454) SESENE-1136-00035E = 3 A in 8Ac. P.P.U.(Buckeye Ditch)P/U CONFLICT yes () no ()P/D CONFLICT yes () no ()READY FOR DECREE yes () no ()SENT FOR DECREE yes () no ()

IDAHO DEPARTMENT OF WATER RESOURCES SURFACE IRRIGATION ANALYSIS WORKSHEET

WATER RIGHT NOS.

The following information is submitted to the Idaho Department of Water Resources to allow it to form an opinion regarding the amount of water needed to irrigate my fields using a surface water irrigation system.

My fields were historically irrigated using a surface water system: 1 Yes ___ No

My typical cropping pattern, based upon the percentage of my total acreage, is as follows:

FORAGE/GRAIN/OTHER (hay, pasture, grain, mint)

30 %

ROW CROPS (beans, potatoes, sugar beets, corn)

70 %

My total acreage is 48 acres.

Stacy Brown
Signature of Claimant

11-12-97
Date

Signature of Claimant

Date

Royanne Brown
Signature of IDWR agent

11/12/97
Date

SUBCASE NO. 36-00035E

	CLAIM (7/13/88)	AMENDED CLAIM	RECOMMENDATION	OBJECTION
NAME	Lloyd Brown Kathleen Brown		Kathleen Brown Lloyd Brown	
BASIS OF CLAIM	Decree		Decree	
SOURCE	Weatherby Springs		Billingsley Creek	
QUANTITY	0.240 cfs		.1 cfs	XX Change to original decree
PRIORITY DATE	03/08/1902		09/10/1884	
PURPOSE OF USE	Irrigation		Irrigation	
PERIOD OF USE	3/15 - 11/15		3/15 - 11/15	
POINT OF DIVERSION	T07S R14E S30		T07S R13E S11	
PLACE OF USE	T07S R13E S27 8 acres		T07S R13E S27	
REMARKS			+ see below	

+ Right includes accomplished change in point of diversion pursuant to Idaho Code 42-1416A.

Water is delivered through the Buckeye Ditch and Bell Ditch.

0.04 cfs of this right is limited to use for conveyance losses in delivery of this right.

This right is limited to the irrigation of 3 acres within the place of use described above in a single irrigation season.

Use of this right with right no. 36-00034E is limited to a total combined annual consumptive use volume of 24 af, and to the irrigation of a combined total of 8 acres in a single irrigation season.

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

DATE: NOV-11-1997

PAGE: A-2

36-00035E (CONT.)

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

WATER IS DELIVERED THROUGH THE BUCKEYE DITCH AND BELL DITCH.

0.04 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

11/12/07 Initial Hearing N.B.

36-00035F

- Claimant objected only to Qty. This is one we will want Jett to run MAD analysis on
- Need to make sure that splits do not exceed vest rights - see split sheet - this is a real problem with these rights!

Need to research JCFE to settle this right. They initiate the same P.O.C.

- Call Jett on Weds morning!

$$\begin{array}{r}
 \textcircled{-35E} \quad (1902) \\
 0.06 \text{ cfs} \\
 + 04 \text{ (CL)} \\
 \hline
 = 10
 \end{array}
 \quad 3 \text{ AC} / 8 \text{ AC P.P.U.}$$

$$\begin{array}{r}
 -34E \quad (1884) \quad \text{as claimed} \\
 0.10 \text{ cfs} \\
 8/\text{AC. P.P.U.}
 \end{array}$$

Total ac. = 8 ac.

$$X.02 \text{ cfs} = 0.16$$

$$\left[\begin{array}{l}
 \text{Earlier Rt (34E) used in full } .10 \\
 \text{next rt (35E) fills difference } .06 \\
 \text{(= to 3Ac rate)} \quad \underline{\underline{.16}}
 \end{array} \right]$$

- 35E
BROWN

DECREED RIGHT SPLIT ANALYSIS

PARENT RIGHT NO. 36-00035TOTAL DIVERSION RATE 1.60 cfsPREPARATION DATE 8/5/92 HNT8-7-92 sc

CLAIM PORTION	CLAIMED RATE	RECOMMENDED RATE	IS CLAIMED RATE EXCEEDED BY ANALYSIS	CONVEYANCE LOSS	DOES DIV RATE + CALC. C.L. EXCEED CLAIMED RATE	TOTAL RECOMMENDED DIV. RATE
A	<u>split right</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
B	<u>0.60</u>	<u>0.26</u>	<u>N</u>	<u>0.04</u> ^{0.26}	<u>N</u> ^{0.13}	<u>0.30</u>
<C>	<u>0.02</u>	<u><DISALLOW></u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
D	<u>split claim (.32)</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
E	<u>0.24</u>	<u>0.06</u>	<u>N</u>	<u>0.04</u>	<u>N</u>	<u>0.10</u>
F	<u>0.06</u>	<u><DISALLOW></u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<G>	<u>0.02</u>	<u><DISALLOW></u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
- 35 H	<u>0.20</u>	<u>0.10</u>	<u>N</u>	<u>0.15</u>	<u>Y</u> (0.25)	<u>0.20</u>
- 35 J	<u>0.40</u>	<u>0.34</u>	<u>N</u>	<u>0.14</u>	<u>Y</u> (0.48)	<u>0.40</u>
TOTAL:	<u>1.54 cfs</u>	<u>0.76 cfs</u>		<u>0.37</u>		<u>1.00 cfs</u>
of Rec'd	<u>1.44 cfs</u>					

8/21/97 scCURRENT RECOMMEND SPLIT REVIEWRate/Ac

Sturtevant - 35 B = 0.60 cfs 13 Ac

Brown - 35 E = 0.10 cfs 8 Ac

Deage - 35 H = 0.20 cfs 5 Ac

(Mackie) Skoer - 35 J = 0.40 cfs 9 Ac

(FIR 0.47/CL = 0.13) 0.03615 cfs

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PARENT RIGHT NO. 36-00035TOTAL DIVERSION RATE 1.60 cfsPREPARATION DATE 8/5/92 HHT8-7-92 sa

CLAIM PORTION	CLAIMED RATE	RECOMMENDED RATE	IS CLAIMED RATE EXCEEDED BY ANALYSIS	CONVEYANCE LOSS	DOES DIV RATE + CALC. C.L. EXCEED CLAIMED RATE	TOTAL RECOMMEN: DIV. RA
A —	<u>split right</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
B	<u>0.60</u>	<u>0.26</u>	<u>N</u>	<u>0.04</u>	<u>N</u>	<u>0.30</u>
< C >	<u>0.02</u>	<u>< DISALLOW ></u>	<u>not a part of this water right.</u>			<u>X</u>
D —	<u>split claim (.32)</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
E	<u>0.24</u>	<u>0.06</u>	<u>N</u>	<u>0.04</u>	<u>N</u>	<u>0.10</u>
F	<u>0.06</u>	<u>< DISALLOW ></u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
< G >	<u>0.02</u>	<u>< DISALLOW ></u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
R- 35 H	<u>0.20</u>	<u>0.10</u>	<u>N</u>	<u>0.15</u>	<u>Y (0.25)</u>	<u>0.20</u>
R- 35 J	<u>0.40</u>	<u>0.34</u>	<u>N</u>	<u>0.14</u>	<u>Y (0.48)</u>	<u>0.40</u>
TOTAL:	<u>1.54 cfs</u>			<u>0.37</u>		<u>1.00</u>

MICROFILMED

AN 21 1.02

"DO NOT FILM"

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. 36-00035E -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)

CHANGES TO THE DIRECTOR'S REPORT

See attached List of Recommended Water Rights Acquired under State Law.

☒ 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 Pages
Notice of Claim No. A36-00035E	4
Recommended Water Rights Acquired under State Law	1

(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 31st 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 & KATHLEEN 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

FILE: A36-000 35 E
A36-00035D

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

SPLIT CLAIM

Ident. Number: A36-00033A

Date Received: 7/13/1988

Receipt No: S000912

Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD W. SMITH 208-837-6537
Address: RT. 1, BOX 34
HAGERMAN, ID 83332

OR

Name: WILMA A. SMITH 208-837-6537
Address: RT. 1, BOX 34
HAGERMAN, ID 83332

2. Date of Priority: MAR 08, 1902

3. Source: WEATHERBY SPRINGS Trib. to: BILLINGSLEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	14E	30		NE	SW		GOODING

5. Description of diverting works:
VIA BUCKEYE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.320		

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

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A36-00033A

Page 1

Date: 07/13/88

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OCT 11 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	13E	27	NW NE		IRR	10.0

Section Acres 10.0

Total Acres 10.0

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:

A36-00034A

14. Remarks:

THIS WR IS BASED ON POU OF THE TWO WR LISTED. WARRANTY DEED
DESCRIBES A DIFFERENT PRIORITY AND IS PROBABLY BASED ON
WR #36-00024 & 36-00025. THESE WR POU IS SWSE OF SECTION 22.
WR #36-00033 AND 36-00034 HAVE NUMEROUS UNRECORDED TRANSFERS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/22/1932

NEW INTERNATIONAL MORTGAGE BAN
Decree Plaintiff

IDAHO POWER COMPANY
Decree Defendant

vs

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 X 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.

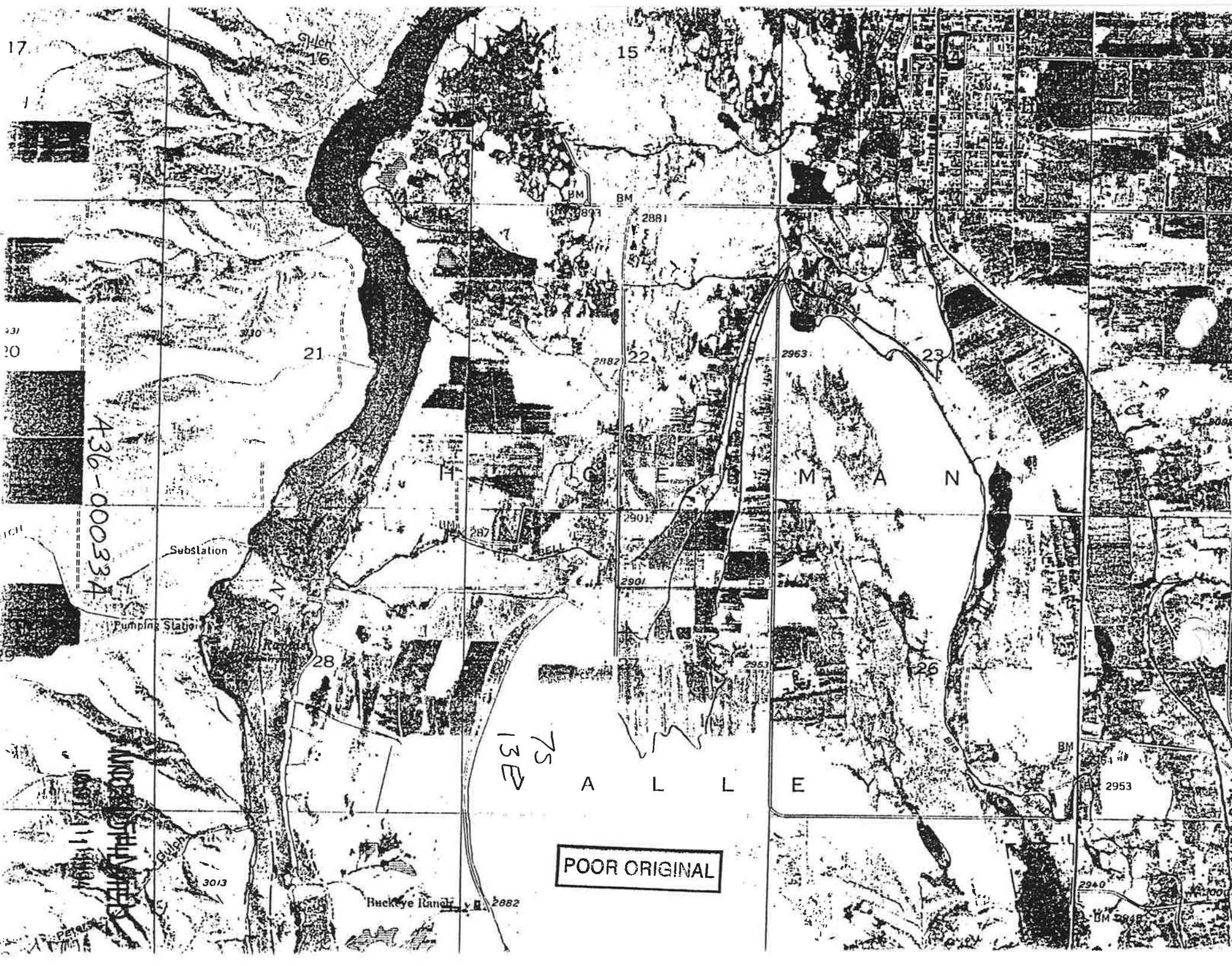
Signature of Claimant(s): Harold W Smith Date: 07-13-1988
Date:

State of Idaho)
County of T. F.) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of July 19 88 Don White
Notary Public

Seal

Residing at T. F.
My Commission Expires 5/95



17

15

21

22

23

26

28

20

29

436-000334

75
13E

POOR ORIGINAL

Substation

Pumping Station

Buckeye Ranch

M A N

A L L

2953

2940

BM 2848

2963

2881

2882

BM 2893

287

2901

2901

2953

BM 2951

3013

2882

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: AUG-29-1993
PAGE:

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: BILLINGSLEY CREEK		TRIBUTARY: SNAKE RIVER				
36-00035E	KATHLEEN BROWN LLOYD BROWN 2802 S 850 E HAGERMAN ID 83332	09/10/1884	IRRIGATION	03-15 11-15	.1	CFS
TOTAL QUANTITY:					.1	CFS
POINT OF DIVERSION:						
T07S R13E S11		NWSENE SESENE				
PLACE OF USE: IRRIGATION						
T07S R13E S27		NWNE 8.0				
8.0 ACRES TOTAL						
REMARKS:	RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO IDAHO CODE 42-1416A. WATER IS DELIVERED THROUGH THE BUCKEYE DITCH AND BELL DITCH. 0.04 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 36-00034E IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 24 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 8 ACRES IN A SINGLE IRRIGATION SEASON.					

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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. 36-0035E
(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.

36-00035E -0001/
93-04-0034

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

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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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.

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(Over)

☐ 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

Lloyd 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.

Lloyd Brown
Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

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

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

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

MICROFILMED

JAN 21 1993

AUG-24-1992

NOTICE OF ERROR FORM

RECEIVED

OCT 02 1992

Department of Water Resources

Please type or print clearly, fill out completely, and return to:
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000

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:

36-00035E

RECEIVED

2. Name: Lloyd Brown

OCT 05 1992

Address: 2802 S. 850E
Hagerman, Id 83332

Department of Water Resources
Southern Region Office

MICROFILMED

Weekday Telephone Number: 837-6101

JAN 21 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE



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 19, 1992

LLOYD BROWN
2802 S 850 E
HAGERMAN ID 83332

Re: Snake River Basin Adjudication (SRBA)
Notice of Error Response
Recommended Right Nos. 36-00034E and 36-00035E

Dear Mr. Brown,

You recently filed a Notice of Error with IDWR concerning the water right referenced above. No change to our recommendation has been made at this time.

You have requested an increase in the amount of water recommended for diversion under this right. Our investigation included consideration of your soil types, irrigation methods and the established weather and crop correlations as identified by local research. The amount of water recommended for your water right is the amount determined to be adequate for the beneficial use you have described. No further increase will be recommended without evidence to support the beneficial use of additional flows.

After reviewing our explanation, you may still disagree with the proposed IDWR recommendations. You may file an objection with the Court after you receive the final recommendation of your water right. The objection process will be explained at the time you receive this final recommendation.

Please contact this office if you have other questions or concerns.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:rm

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JAN 21 1993

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KATHLEEN BROWN	09/10/1884	IRRIGATION	03-15 11-15	0.10 CFS	
C	LLOYD BROWN					
	2802 S 850 E					
	HAGERMAN ID 83332					
	(208) 837-6101					
TOTAL DIVERSION:					0.10 CFS	

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	27	:			08		:					:					:					:	8.0
TOTAL ACRES																							8.0	

POU County: GOODING

Other Rights: 36-00034E

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO IDAHO CODE 42-1416A.

Remarks: WATER IS DELIVERED THROUGH THE BUCKEYE DITCH AND BELL DITCH.
0.04 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 36-00034E IS LIMITED TO A
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 24 AF, AND TO
THE IRRIGATION OF A COMBINED TOTAL OF 8 ACRES IN A SINGLE
IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date: 10/19/1992

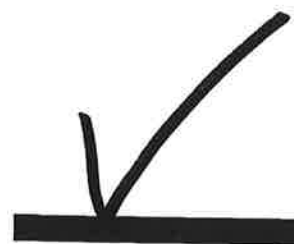
Misc: Water District Number: 36A Field Inspection Flag:
Presumption Flag: C

Comments: 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 8/11/92. DID NOT REVERIFY ANY PART OF CLAIM.

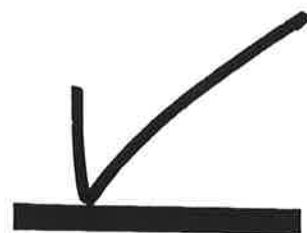
Date: 10/19/1992 User-ID: SOUTH3 Subject: NO CHANGE TO RECOMMENDATION
A LETTER EXPLAINING RECOMMENDED CFS HAS BEEN SENT. RMC

MICROFILMED
JAN 21 1993

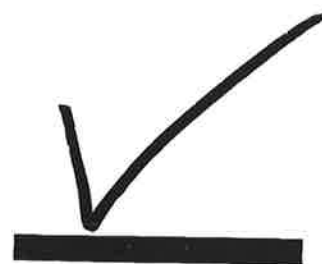
R PROOF



CVR



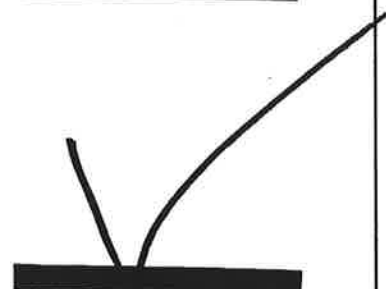
MAPS



PHOTOS



MISC



MICROFILMED

JAN 21 1999

PRINTED BY

HAT

MICROFILMED

JAN 21 1993

Water Right Number - R36-00035E

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
BROWN

KATHLEEN

1 - 2802 S 850 E

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6101

BROWN

LLOYD

1 - 2802 S 850 E

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6101

*** O - ORIGINAL OWNER ***
SMITH

WILMA A

1 - RT 1 BOX 34

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6537

SMITH

HAROLD W

1 - RT 1 BOX 34

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6537

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
09/10/1884 ERROR IN REGION 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

0.100

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.100 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

07S

13E

27

NW NE

8.0

01

IRRIGATION

(47) GOODING

Total Acres: 8.0

Prefix Translation: RESEARCH

+ - - Diversion Means - VIA BUCKEYE DITCH AND/OR BELL DITCH; SPRINKLER SYSTEM

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-00034E

+		Remarks

WATER IS DELIVERED THROUGH THE BUCKEYE DITCH AND BELL DITCH.
0.04 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 36-00034E IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 24 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 8 ACRES IN A SINGLE IRRIGATION SEASON.

[illegible]

36000350

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

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO IDAHO CODE 42-1416A.

+ - - - Decree Plaintiff - - + + - - - Decree Defendant - - + + - Decree Date - +
00/00/0000

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	52
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No Comments Found

+ - - Audit Fields - - +
08/11/92 THORNTON

+ 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	08/11/1992	Old Judicial District	-
Claim Received Date	- 07/13/1988	Last Amended Date	00/00/0000	Temporary Right	- P
		Receipt Number	- X999999	Water District	- 36A
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	- C
				Notice of Error Flag	-

MICROFILMED

JAN 21 1993

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	Y		8-16-90 SCL	(Y)	6.	SCC 8-7-92	PB	KC 8-7-92
POINT OF DIV	Y			(Y)	1,5 6			
SOURCE	Y			(Y)	1,5			
PLACE OF USE	Y			(Y)				
DIV. AMOUNT CFS/VOLUME	Y			(Y)	6.			
CONSUMPTIVE USE	-			(Y)	DEGREE			
PURPOSES	Y			(Y)				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			(Y)	6			
REMARKS	Y			N				
	Y			(Y)	6			

"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.

SPLIT:

A36-00035 E BROWN

A36-00035 F FOX

A36-00035 G SMITH

MICROFILMED

JAN 27 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:25:27
10/09/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-00035D

LAST: SMITH
ADDRESS: RT. 1 BOX 34
CITY: HAGERMAN
PHONE NUMBER: 208-837-6537

FIRST: WILMA A.
STATE: ID ZIP: 83332

OWNER CODE: C

LAST: SMITH
ADDRESS: RT. 1 BOX 34
CITY: HAGERMAN
PHONE NUMBER: 208-837-6537

FIRST: HAROLD W.
STATE: ID ZIP: 83332

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THIS WR IS BASED ON POU OF THE TWO WR LISTED. WARRANTY DEED
DESCRIBES A DIFFERENT PRIORITY AND IS PROBABLY BASED ON
WR #36-00024 & 36-00025.
|
10-5-90 SCC
THIS CLAIM ORIGINALLY NUMBERED A36-00033A.
DURING THE REVIEW PROCESS AND FIELD EXAM IT BECAME OBVIOUS THAT
THE WR 36-00033 IS NOT THE BASIS FOR THIS CLAIM. FURTHER RE-
SEARCH HERE AT IDWR INDICATES THE WR 36-00035 IS THE BASIS. THE
NUMBER CHANGE IS MADE NOW TO REFLECT THIS CORRECTION.
A36-00033A HAS BEEN LABELED A REFERENCE RT. AND THE RECEIPT HAS
BEEN CHANGED TO THIS NUMBER. SEE FILE FOR COMPLETE REVIEW.

MICROFILMED

JAN 21 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 8/16/90

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED

JAN 21 1993

A. AJ CLAIM: # A36-00035D PRIORITY DATE: 03-08-1902 STAGE: D
B. WR RECORD: # 36-00035A PRIORITY DATE: 9-10-1884 STAGE:

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
YFIELD
EXAMINER
YARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(☒) N(☐)
IF YES EXPLAIN.

REMARKS: Per Remarks on original claim Warranty Deed indicated the same priority date
as WR 36-00024 & 25. Based on the researched attachments this date is more accurate.

RECOMMENDED PRIORITY DATE:

9-10-1884

REVIEWED BY

See

DATE 10-18-90

Split Claims: Same

Based on facts of review and field exam:

Buckeye Ditch water can be dumped into the
Bell Ditch above the diversion headgate for
this right. The actual diversion is the Bell Ditch.

* Allow this right as the basis of claim
but the Bell ditch & POD is added to
recognize actual use.

See 8-7-92

MICROFILMED

JAN 21 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-00035D	07S	14E	30		NE	SW		GOODING

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A36-00009	NONE
A36-00011	
A36-00069	
A36-00198A	
A36-00033E	
A36-00041A	
A36-00042	
A36-00044	
A36-00086D	
A36-00086C	
A36-07071	
A36-10385	
A36-10386	
A36-00033	
A36-00041B	
A36-00086B	
A36-00086E	
A36-00041	
A36-00068	
A36-00033A	

WR RECORDS IN SAME 40 ACRE TRACT

36-00009
36-00010
36-00011
36-00015
36-00016
36-00017
36-00033
36-00041
36-00042
36-00044
36-00045
36-00060
36-00061
36-00062
36-00063
36-00068
36-00069
36-00086A
36-00086B
36-00105
36-00116
36-00118
36-00119
36-00120
36-02029
36-07071
36-07740

SOURCE: WEATHERBY SPRINGS

TRIB: BILLINGSLEY CREEK

B. WR POINT OF DIVERSION AND SOURCE:

3600035A THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER 7S. 13E. 11 SENE
BILLINGSLEY CREEK

C. FIELD EXAM REQUIRED?

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

DATABASE

FIELD EXAMINER

Y
<u>Y</u>

MICROFILMED

JAN 21 1993

REMARKS:

Claimant diverts water via the Buckeye Ditch - the Weatherby Springs water cannot be delivered via the Buckeye. ~~6" pipe carries water across the Bell Ditch~~

(See also Notes on A36-00035A)
VERIFICATION REPORT

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
7S.	13E.	11	SE	NE SE	SW NE	—	47
SOURCE: BILLINGSLEY CREEK			NW	SE	NE	TRIB: SNAKE RIVER	
REVIEWED BY: <u>see</u>						DATE: 10-18-90	

Water is Dumped into the Bell Ditch or it is waste water

Via Buckeye Ditch and Bell Ditch.

C03

Split Claims: Same

A. ROOT WATER RIGHT NUMBERS: A36-00035B
A36-00035C
A36-00035D

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	13E	27	NW	NE		SMITH, WILMA A.	A36-00035D / 10.0	-	38.0	X	
						STURTEVANT, JOYCE	A36-07252 /	36-07252 /			
						SMITH, HAROLD W.	A36-10207 /	-			
						DRAGE, GORDON	A36-10392 /	-			
						SCHEUERMANN, RUTH F.	A36-10472 /	-			
						BEUTLER, KAY E.	A36-10616 /	-			
						SMITH, HAROLD W.	A36-00034A / 10.0	-			
						SHAFFER, ROGER	A36-00034B / 1.0	-			
						DRAGE, GORDON	A36-00034C / 5.0	-			
						BROWN, LLOYD	A36-07437A /	-			
						FOX, JAMES	A36-07437B /	-			
						DRAGE, GORDON	R36-00034C / 5.0	-			
						CLIFFORD, EDNA N.		36-00033 /			
						CLIFFORD, EDNA N.		36-00034 /			
						BIG BEND IRRIGATION & MINING C		36-00133 /			
						BIG BEND IRRIGATION & MINING C		36-00192 /			
						SMITH, HAROLD		36-07437 /			
TOTAL ACRES						A36-00035D	10.00		38.00		

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

Y

verify by field Exam.

8 acres

for this portion

See Map on

(H36-00033A Verification Report)

FILED

JAN 21 1993

PRESUMPTION FLAG:

REMARKS:

MICROFILMED

JAN 21 1991

RECOMMENDATIONS:

TOTAL ACRES: ~~10.0~~REVIEWED BY: SCCDATE: 10-18-90

Based on the field irrigation requirement of this
Right as Recommended 0.02 cfs/Acre
This right is limited to the irrigation of 3 Acres

$$\left(\frac{0.06 \text{ cfs}}{0.02 \text{ cfs/Ac}} = 3.0 \text{ Acres} \right)$$

Split claims:

A36-00035 E Brown

3.0 / 8.0 Acres

NWNE

See p-7-92

PPU.

w/ 36-00034E

A36-00035 F Fox

1.5 Acres

NWNE

A36-00035 G Smith

0.5 Acres

NWNE

A. AJ CLAIMED USES:

PURPOSES
A36-00035D IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
.320 CFS
.320 CFS

B. WR RECORDED USES:

PURPOSES

MONTH/DAY

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
Y
Y

FIELD
EXAMINER
N
N
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y(~~X~~) N()
Y() N(~~X~~)

Explain in remarks, below.

REMARKS:

MICROFILMED

JAN 21 1983

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 0.320 CFS
 WR ROOT RIGHT TOTAL DIVERSION RATE: 36 - 0035A 1.00 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?

FIELD
 DATABASE EXAMINER
 Y

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

MICROFILMED
 JAN 21 1993

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? ☒ (Y) N() IF YES COMPLETE OVERLAP REVIEW.OTHER RIGHTS LISTED IN CLAIM: ~~A36-00034A~~for A36-00035 E
 A36-00034 E

Change Claim

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-00035D	WEATHERBY SPRINGS	SMITH, WILMA A.	0.320	0.032		
A36-00034A	BILLINGSLEY CREEK	SMITH, HAROLD W.	0.160	0.016		
A36-00034C	BILLINGSLEY CREEK	DRAGE, GORDON	0.200	0.040		
R36-00034C	BILLINGSLEY CREEK	DRAGE, GORDON	0.100	0.020	20.00	4.00

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-07252	STOCKWATER	STURTEVANT, JOYCE	FROM 01-01 TO 12-31	.002 CFS	.70 AF/A
A36-07252	DOMESTIC	STURTEVANT, JOYCE	FROM 01-01 TO 12-31	.030 CFS	.60 AF/A
A36-10207	DOMESTIC	SMITH, HAROLD W.	FROM 01-01 TO 12-31	.040 CFS	
A36-10392	DOMESTIC	DRAGE, GORDON	FROM 01-01 TO 12-31	.040 CFS	
A36-10392	STOCKWATER	DRAGE, GORDON	FROM 01-01 TO 12-31	.040 CFS	
A36-10472	DOMESTIC	SCHUEERMANN, RUTH F.	FROM 01-01 TO 12-31	.040 CFS	
A36-10616	DOMESTIC	BEUTLER, KAY E.	FROM 01-01 TO 12-31	.040 CFS	
A36-07437A	DOMESTIC	BROWN, LLOYD	FROM 01-01 TO 12-31	.015 CFS	.25 AF/A
A36-07437B	DOMESTIC	FOX, JAMES	FROM 01-01 TO 12-31	.015 CFS	.25 AF/A

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JAN 21 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 10.0 x 0.02 CFS/ACRE = 0.20 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE?

Y(☒)N(☐)0.16 cfs

1b. CALCULATIONS

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(☐) N(☒) ***36-00034E supplies 0.10 cfs

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 30.0 AF/A

ACRES 10 x CONSUMPTIVE VOL. AF/A FOR AREATOTAL CONSUMPTIVE USE 20 AF/A2436-00035 supplies 0.06 cfs
0.16 cfs

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 10 x DIVERSION VOL. AF/A FOR AREA 4 =TOTAL DIVERSION VOLUME 40 AF/AN/A* allowed conveyance loss for this right
= 0.04 cfs

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(☐) N(☐)

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

Total this right: 0.10 cfs

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

IRRIGATION

4-1 10-31
3-15 11-15

DATABASE EXAMINER

DATABASE EXAMINER

DATABASE EXAMINER

0.20 ~~X~~
0.40 0.20 ~~X~~

40 ~~X~~
40 N/A

30 ~~X~~
30 ~~X~~

TOTAL FOR THIS RIGHT

REVIEWED BY: SC

DATE: 10-18-90

MICROFILMED

JAN 21 1993

See 8-7-92

~~36-00035~~ ~~proposed~~ ~~Rate:~~ ~~$\frac{1.6 \text{ cfs}}{160}$~~ = ~~$\frac{0.01 \text{ cfs}}{160}$~~
Sprinklers - 1" / ac.
~~since park is unclaimed allow $\frac{0.02 \text{ cfs}}{\text{ac.}}$~~

"R" Sprinkler claims:

				Total Diversions	Volume	T.C.U.
K06 = 3 acres	-35E	BROWN	(3 x 0.02)	= 0.06 + 0.04	$\frac{N/A}{52}$	24
K05 = 0.02 cfs	-35F	FOX	(1.5 x 0.02)	= 0.03	6	4.5
F01 = Buehney Bell	-35G	SMITH	(0.5 x 0.02)	= 0.01	2	1.5

E09 = 36-00034E
24 AF CU
8 Acres

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED
(☒)
(☒)
(☐)

NEEDS
REVIEW
(☐)
(☐)
(☒)

Legal Review

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-00035

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.600

EXAMINER _____

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A36-00035B	A36-00035B	0.600	-		36-00035B	0.600
A36-00035A	A36-00035C	0.020	-		36-00035A	1.000
A36-00035A	A36-00035D	0.320	-		36-00035A	1.000
			-		36-00035	
TOTAL CFS		0.940				2.600

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
N

FIELD
EXAMINER
N
N

REMARKS:

See A36-00035A for split Review.

AUTHENTICATION:

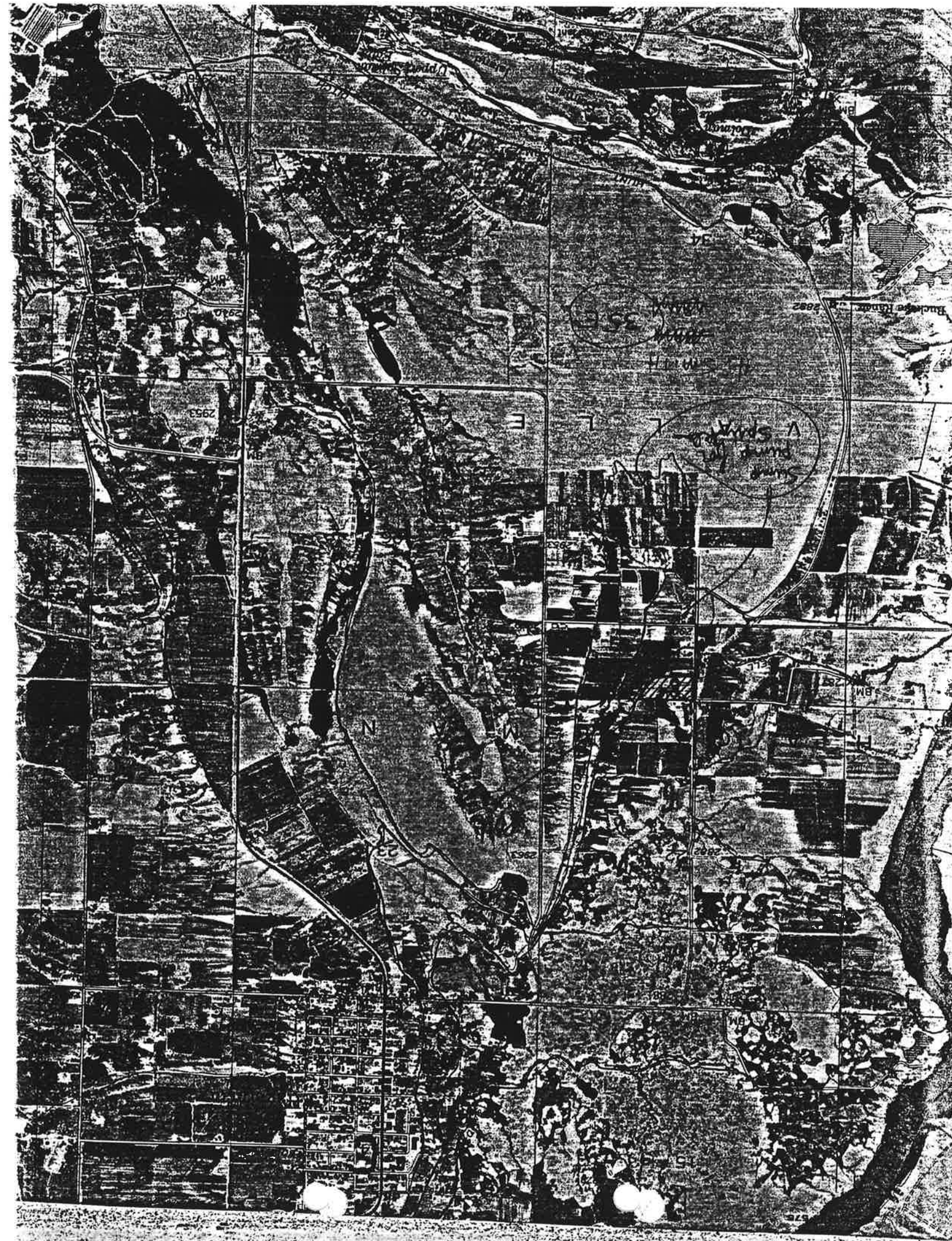
SIGNATURE: Steve Cullen

DATE: 10-18-90

NAME OF FIELD EXAMINER: _____ TITLE: _____

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JAN 21 1993



CONVEYANCE LOSS - WORSTELL

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	800	10.0	2.00	0.20	0.06	18.83	0.0107	0.00	26.81
2	600	10.0	2.00	0.15	1.02	18.77	0.0081	0.02	26.55
3	1400	10.0	2.00	0.35	0.24	17.75	0.0199	0.01	25.38
4	800	10.0	2.00	0.20	0.44	17.51	0.0115	0.02	24.79
5	1100	10.0	2.00	0.28	0.17	17.07	0.0163	0.01	24.14
6	1200	10.0	2.00	0.30	0.10	16.90	0.0179	0.01	23.70
7	300	10.0	2.00	0.08	1.22	16.80	0.0045	0.11	23.29
8	1000	10.0	2.00	0.25	0.16	15.58	0.0162	0.02	22.00
9	500	10.0	2.00	0.13	0.50	15.42	0.0082	0.06	21.58
10	2200	10.0	2.00	0.56	4.13	14.92	0.0373	0.62	20.96
11	5500	10.0	2.00	1.39	0.20	10.79	0.1288	0.06	16.27
12	1700	10.0	2.00	0.43	0.09	10.59	0.0406	0.03	14.68
13	3900	10.0	2.00	0.99	0.34	10.50	0.0938	0.14	14.16
14	600	10.0	2.00	0.15	0.27	10.16	0.0149	0.12	12.84
15	1500	10.0	2.00	0.38	0.62	9.89	0.0383	0.29	12.42
16	1600	10.0	2.00	0.40	1.00	9.27	0.0436	0.51	11.42
17	600	10.0	2.00	0.15	0.30	8.27	0.0183	0.16	10.01
18	300	10.0	2.00	0.08	3.25	7.97	0.0095	1.75	9.56
19	3000	10.0	2.00	0.76	0.24	4.72	0.1606	0.17	6.24
20	3000	10.0	2.00	0.76	4.48	4.48	0.1692	3.89	5.24
TOTALS	31600			7.98	18.83			7.98	

Buckeye Ditch

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← this loss shared w/ other
Rights @ $\frac{0.04 \text{ cfs}}{\text{each}}$

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

A36-00034E
- 000.

A36-00035E
- 00035F

7-24-92

1987

→ after commencement

original claim A36-00034A

claimed 10 Acres @ 0.16 CFS

SPLIT

34E

agreed split
found claimed 8 acres @ .10 CFS

34F

found 1.5 acres @ .06 CFS

Recommendation based on claim 34A & split agreement
Base right would have been Recommended for 9.5 acres @ .16 CFS
∴ because of split 34E is recommended for 8 acres @ .10 CFS
As claimed

34F is recommended for 1.5 acres @ .05 CFS

Based upon 0.03 CFS/ACRE for
sprinkles irrigation .045 CFS ≈ .05

1987

→ after commencement

SPLIT

original claim

A36-00033A

Renumbered to this split

A36-00035D

.32 CFS 10 Acres

35E

found
a res
8

agreed rate
split
.24

35F

1.5

.06

35G

.02

Same analysis as above apply, giving
35E Recommendation 8 acres @ .16 CFS (sprinkles in 1/2 rate)
35F Recommendation 1.5 acres @ .05 CFS

analysis by K/K

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to A36-00035E

CONVERSATION MEMORANDUM

NAME OF PARTY CLIFF JENSEN
EMPLOYEE: STEVE CLELLAN

DATE 10-4-90 11AM
FILE A36-00033A + A36-00034A
HAROLD SMITH

RE: Change of Ownership

Mr. Jensen called to confirm the change of ownership I had received.

Also note the use of Two Houses under claim A36-10209 - The main Smith House and a Rental.

He clarified these points:

- 1) Hot water Well A36-7437 split $\frac{1}{2} + \frac{1}{2}$.
- 2) -34A = 0.06 FOX, 0.10 BROWN
- 3) -33A = 0.10 FOX, 0.28 BROWN

He requested the claimants copies for personal delivery.

I explained the WR claim A36-00033A needs to be changed to reflect the correct WR number. I told him I would consult my supervisors for correct policies and plan to complete all splits by next week.

NOTES

TO: A36-00035D

DATE: 10-9-90

Spoke to Cliff Jensen Re: split of Smith's Buckeye Rt. should read:

Brown 0.24

Fox 0.06

Smith 0.02

FROM:

Steve Clellan

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07/13/88
11:43:08

SMITH, HAROLD W.

ADJUDICATION FEE	0410162 9337 6490	\$160.00
ADJUDICATION DOCKET SHEET SUBSCRIPTION	0410196 9337 6515	\$7.50

\$167.50

CHECK 1607

WR/NO: A36-10207 A36-07437 A36-00035D A36-00034A

Idaho Department of Water Resources

Region: SOUTHERN

Signature: _____

10-5-90

*changed number from A36-00033A**Steve Allen*

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JAN 21 1989

DECREED RIGHT SPLIT ANALYSIS

PARENT RIGHT NO. 36-00035

TOTAL DIVERSION RATE

1.60 cfsPREPARATION DATE 8/5/92 HNT8-7-92 sa

CLAIM PORTION	CLAIMED RATE	RECOMMENDED RATE	IS CLAIMED RATE EXCEEDED BY ANALYSIS	CONVEYANCE LOSS	DOES DIV RATE + CALC. C.L. EXCEED CLAIMED RATE	TOTAL RECOMMENDED DIV. RATE
A — <u>split right</u>			<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
B	<u>0.60</u>	<u>0.26</u>	<u>N</u>	<u>0.04</u>	<u>N</u>	<u>0.30</u>
< C >	<u>0.02</u>	< <u>DISALLOW</u> >	<u>not a part of this water right.</u>			<u>X</u>
D — <u>split claim (.32)</u>			<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
E	<u>0.24</u>	<u>0.06</u>	<u>N</u>	<u>0.04</u>	<u>N</u>	<u>0.10</u>
F	<u>0.06</u>	< <u>DISALLOW</u> >	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
< G >	<u>0.02</u>	< <u>DISALLOW</u> >	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
R- 35 H	<u>0.20</u>	<u>0.10</u>	<u>N</u>	<u>0.15</u>	<u>Y (0.25)</u>	<u>0.20</u>
R- 35 J	<u>0.40</u>	<u>0.34</u>	<u>N</u>	<u>0.14</u>	<u>Y (0.48)</u>	<u>0.40</u>
TOTAL:	<u>1.54 cfs</u>			<u>0.37</u>		<u>1.00</u>

0.27
 .04
 ———
 .31

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JAN 21 1993