

RECEIVED

FEB 09 1999

Department of Water Resources

1999 FEB -8 AM 8:37

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED OK

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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT 55-10351
_____	)	

I. FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

All objections to this water right were resolved by stipulation of the parties with a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements as set forth in the *Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 55-10351*.

DATED: February 8, 1999.



FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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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

CERTIFICATE OF MAILING

Water Right(s): 55-10351

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on February 08, 1999, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

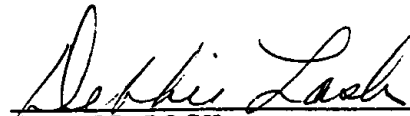
CHARLES W STEINER

Represented by:
PATRICK D. MADIGAN
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

CERTIFICATE OF MAILING


DEBBIE LASH
Deputy Clerk

PAGE 1
02/05/99

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FEB 09 1999

Department of Water Resources

1999 FEB -8 AM 8:37

DISTRICT COURT-SRBA
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ~~TWIN FALLS~~ *KL*

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

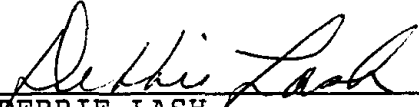
Water Right(s): 55-10351

On February 08, 1999, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED February 08, 1999.


DEBBIE LASH
Deputy Clerk

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FEB 09 1999

Department of Water Resources 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)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 55-10351

1999 FEB -8 AM 8:37

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

NAME AND ADDRESS: CHARLES W STEINER
STAR RT
OREANA, ID 83650

SOURCE: LOUISA CREEK TRIBUTARY: ROCK CREEK

QUANTITY: 175.00 AFY

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

PRIORITY DATE: 06/01/1931

POINT OF DIVERSION: T07S R02W S31 NESE (Rediversion) Within Owyhee County
T08S R02W S06 SWNE

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation Storage	01-01 TO 12-31	175.00 AFY
Irrigation from Storage	04-01 TO 10-31	175.00 AFY
Stockwater Storage	01-01 TO 12-31	8.10 AFY
Stockwater from Storage	01-01 TO 12-31	8.10 AFY

PLACE OF USE:

PLACE OF USE:	Within Owyhee County
Irrigation from Storage	
T07S R02W S30	SWSE 6.0 LOT 03 (NWSW)11.0
	NESW 1.0 LOT 04 (SWSW)30.0
	SESW 24.0
S31	NWNE 10.0
R03W S25	NWNW 1.0
	NESE 26.0
	NWNE 3.0
	SWNE 33.0
	NENW 26.0
	SESE 3.0
	SENE 14.0
	NENW 10.0
	SENE 10.0

208.0 Acres Total

Irrigation Storage	Same as Other Use
Stockwater Storage	Same as Other Use
Stockwater from Storage	Same as Other Use

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 403 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02008, 55-02152A,
55-02208A, 55-04150, 55-10352, 55-10353 & 55-10354.

PLACE OF USE FOR STOCKWATER FROM STORAGE IS SAME AS
IRRIGATION FROM STORAGE.

RECOMMENDATION

FEB 8 1999

[Signature]

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

NOV 20 1998

Department of Water Resources
Adjudication Bureau

NOV 19 1998

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

Subcase 55-10351

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

OBJECTOR:

United States of America on behalf of
Bureau of Land Management

Larry C. Brown 11/19/98
Larry Brown date
Attorney, U.S. Department of Justice
Environment and Natural Resources Division

Patricia M. [Signature] 11/19/98
IDWR Concurrence date
ATTORNEY FOR IDWR

[Signature] 11/19/98
Attorney for IDWR date

CLAIMANT:

[Signature] 11/19/98
date

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

DATE: NOV-18-1998

PAGE: A-1

RIGHTS FROM: SOURCE: LOUISA CREEK TRIBUTARY: ROCK CREEK

RIGHT NUMBER: 55-10351

NAME AND ADDRESS: CHARLES W STEINER
STAR RT
OREANA ID 83650

SOURCE: LOUISA CREEK TRIBUTARY: ROCK CREEK

QUANTITY: 175.0 AFY

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

PRIORITY DATE: 06/01/1931

POINT OF DIVERSION: T07S R02W S31 NESE (R) Within Owyhee County
~~SENE~~ (R)
T08S R02W S06 SWNE

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION FROM STORAGE	04-01 10-31	175.0 AFY
IRRIGATION STORAGE	01-01 12-31	175.0 AFY
STOCKWATER STORAGE	01-01 12-31	8.1 AFY
STOCKWATER FROM STORAGE	01-01 12-31	8.1 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within Owyhee County

T07S R02W S30	NESW 1	Lot 3 (NWSW)11	Lot 4 (SWSW)30	SESW 24
	SWSE 6			
S31	NWNE 10	NENW 26		
R03W S25	NWNE 3	SWNE 33	SENE 14	NENW 10
	NWNW 1	SENE 10	NESE 26	SESE 3
R02W S31	SWNE 8			
<u>208 ACRES TOTAL</u>				
<u>213 ACRES TOTAL</u>				

SLB RB
PM

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 403 ACRES IN A SINGLE
THE IRRIGATION OF A COMBINED TOTAL OF 403 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02008, 55-02152A,
55-02208A, 55-04150, 55-10352, 55-10353 & 55-10354.

Place of use for STOCKWATER FROM STORAGE is same as IRRIGATION FROM STORAGE

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

DATE: NOV-18-1998

PAGE: A-2

55-10351 (CONT.)

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

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

IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL PROVISION FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF WATER RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE PROVIDED AT THAT TIME TO FILE AN OBJECTION WITH THE DISTRICT COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF WATER RIGHTS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 600 RANGE CATTLE.

CERTIFICATE OF MAILING

I certify that on Nov. 19, 1998, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

☐ Overnight Mail
☐ Regular Mail
☒ hand-delivered

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☐ Regular Mail
☒ hand-delivered
☐ facsimile

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ hand-delivered
☐ facsimile

United States Department of Justice
Adjudication Team
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☒ hand-delivered
☐ facsimile

Patrick D. Madigan
Rosholt, Robertson & Tucker
P.O. Box 2139
Boise, ID 83701-2139

☐ Overnight Mail
☒ Regular Mail
☐ hand-delivered
☐ facsimile

**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

A. Subcase 55-10351

(Insert water right number)

**DOMESTIC AND
STOCK WATER RIGHT
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Charles W Steiner

Address: Star Rt; Oreana, ID 83650

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☒ **Priority Date**
Should be: see attached.
5. ☒ **Point(s) of Diversion**
Should be: See attached
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POD and POU. Claimant's water right should not include this POD and POU.

RECEIVED
BUREAU OF LAND MANAGEMENT
U.S. DEPARTMENT OF THE INTERIOR
WASHINGTON, D.C. 20250

F.

VERIFICATION (Must be Completed)

State of Idaho)

)ss.

County of Ada)

Daryl Albiston, BLM Area Manager, duly sworn, upon oath, deposes and says:

(Name of person filing objection)

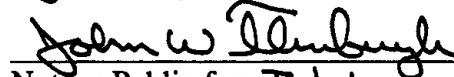
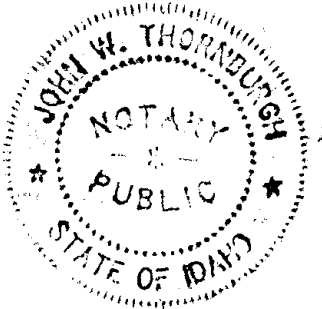
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: August 31, 1998



Notary Public for Idaho

Residing at: Boise

My Commission Expires: 5-16-2003

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on SEPT. 4, 1995, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Charles W Steiner

Address: Star Rt. Oreana, ID 83650

Name:

Address:

Name:

Address:

Name:

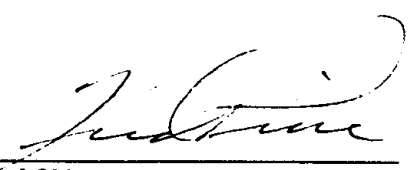
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

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



Signature of Objector or attorney
mailing on Objector's behalf

SRBA

DIRECTORS REPORT 55-10351

Return to SRBA Home Page

IWT072

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

Right Number: 55-10351 -POD on BLM.
-POD on BLM.

Name and Address: CHARLES W STEINER
STAR RT
OREANA, ID 83650

Source: LOUISA CREEK Tributary: ROCK CREEK

Quantity: 175.00 AFY

Priority Date: 06-01-1931

Diversion Point: T07S R02W S31 (SENE) BLM (Rediversion)
T08S R02W S06 SWNE Within Owyhee County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation Storage	Irrigation Seaso	175.00 AFY
	Irrigation from Storage	Irrigation Seaso	175.00 AFY
	Stockwater Storage	01-01 TO 12-31	8.10 AFY
	Stockwater from Storage	01-01 TO 12-31	8.10 AFY

Place of Use:	Irrigation from Storage	Within Owyhee County
T07S R02W S30	SWSE 6	LOT 3 (NWSW) 11
	NESW 1	LOT 4 (SWSW) 30
	SESW 24	
S31	NWNE 10	(SWNE 5) BLM
	NENW 26	
R03W S25	NWNW 1	SESE 3
	NESE 26	SENE 14
	NWNE 3	NENW 10
	SWNE 33	SENW 10
213	Acres Total	

Irrigation Storage
Same as Other Use

Stockwater Storage
Same as Other Use

Stockwater from Storage
Same as Other Use

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 408 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02008, 55-02152A,
55-02208A, 55-04150, 55-10352, 55-10353 & 55-10354.

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - Beneficial Use

STOCKWATER, 600 RANGE CATTLE.

[Return to SRBA Home Page](#)

AJ0729NP
No. 55-10351

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/28/98
PAGE: 2

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

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

Comments: Date: 03/02/1998 User-ID: JSURTE Subject: RECOMMENDATION OF ACRES & PRIORITY

THE ACRES LISTED IN THIS RIGHT ARE ALL OF THE ACRES SOUTH OF ROCK CREEK THAT COULD BE IRRIGATED VIA THE LOUISA CREEK DITCH EXCEPT FOR THE ACRES IN THE NW1/4 OF SEC. 31. PER AN AFFIDAVIT FROM LESTER BUCK, THOSE ACRES WERE NOT DEVELOPED UNTIL AFTER TRIANGLE RESERVOIR WAS BUILT AND FILLED THE FIRST TIME - SPRING OF 1967. THOSE RIGHTS ARE COVERED UNDER RIGHT NO. 55-10353 - LIVEFLOW AND 55-10354 - STORAGE IN TRIANGLE RESERVOIR. EVIDENCE OF THE PRIORITY ON THIS RIGHT IS A COPY OF THE PROOF OF COMPLETION OF WORKS FOR THE CANCELLED PERMIT FOR LOUISE CREEK RESERVOIR. ALL DEPT. DAM SAFETY RECORDS STATE THE DAM WAS CONSTRUCTED IN 1931.

Date: 03/04/1998 User-ID: AUJ10-DS Subject: AUJ10 CONDITION UPDATE
CONDITION CODE(S) H03 H04 ADDED IF NOT ALREADY PART
OF RECORD THRU

Date: 04/15/1998 User-ID: SSSHERMAN Subject: NOTICE OF APPEARANCE
NOA FROM PAT MADIGAN REPRESENTING CHARLES W STEINER.

Date: 04/29/1998 User-ID: JSURTE Subject: TOTAL ACRE LIMITER CHANGED PER NOE FOR 55-04150
PER THE NOTICE OF ERROR SUBMITTED ON 55-04150, 41 ADDITIONAL
ACRES WERE ADDED IN SEC. 31 TO THIS RIGHT. THESE 41 ACRES WERE
NOT INCLUDED IN LESTER BUCK'S AFFIDAVIT FOR THE ACRES PUT IN
AFTER TRIANGLE RESERVOIR FILLED IN 1967 AND COULD HAVE BEEN
IRRIGATED FROM THE LOUISA CREEK DITCH WHICH DIVERTS FROM LOUISA
CREEK IN THE NESE, S31. THEREFORE, EVEN THOUGH THE NOTICE OF
ERROR WAS NOT SUBMITTED FOR THIS RIGHT, THE NOTICE OF ERROR FOR
55-04150 APPLIES TO THIS RIGHT ALSO. THE TOTAL ACRE LIMITER
CONDITION WAS ALSO CHANGED FOR THIS RIGHT DUE TO THE 15
ADDITIONAL ACRES ADDED WHICH HAD NOT BEEN IN THE 393 CALCULATION.
THE 26 ACRES IN THE MENU, S31 HAD BEEN A PART OF THE PREVIOUS
CALCULATION 393 ACRES. THEREFORE, THE TOTAL ACRES IS NOW 408.

Date: 06/19/1998 User-ID: JSURTE Subject: SEASON OF USE CHANGED
SEASON OF USE CHANGED FOR IRRIGATION FROM STORAGE TO THE NEW IDWR
STANDARD SEASON OF USE FOR THIS AREA.

Date: 06/25/1998 User-ID: AUJ10-DS Subject: AUJ10 CONDITION UPDATE
CONDITION CODE(S) A07 ADDED IF NOT ALREADY PART
OF RECORD THRU

Audit: 02/17/98 JSURTE 03/02/98 JSURTE 03/03/98 JSURTE 03/04/98 AUJ10-DS
04/15/98 SSSHERMAN 04/29/98 JSURTE 06/19/98 JSURTE 06/25/98 AUJ10-DS
06/29/98 CPDCHAFF

AJ0749NP
No. R55-10351

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

DATE: 04/29/98
PAGE: 2

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Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
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Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:
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Comments: Date: 03/02/1998 User-ID: JSHURTE Subject: RECOMMENDATION OF ACRES & PRIORITY

THE ACRES LISTED IN THIS RIGHT ARE ALL OF THE ACRES SOUTH OF ROCK CREEK THAT COULD BE IRRIGATED VIA THE LOUISA CREEK DITCH EXCEPT FOR THE ACRES IN THE NW1/4 OF SEC. 31. PER AN AFFIDAVIT FROM LESTER BUCK, THOSE ACRES WERE NOT DEVELOPED UNTIL AFTER TRIANGLE RESERVOIR WAS BUILT AND FILLED THE FIRST TIME - SPRING OF 1967. THOSE RIGHTS ARE COVERED UNDER RIGHT NO. 55-10353 - LIVEFLOW AND 55-10354 - STORAGE IN TRIANGLE RESERVOIR. EVIDENCE OF THE PRIORITY ON THIS RIGHT IS A COPY OF THE PROOF OF COMPLETION OF WORKS FOR THE CANCELLED PERMIT FOR LOUISE CREEK RESERVOIR. ALL DEPT. DAM SAFETY RECORDS STATE THE DAM WAS CONSTRUCTED IN 1931.

Date: 03/04/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) H03 H04 ADDED IF NOT ALREADY PART
OF RECORD THRU

Date: 04/15/1998 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE
NOA FROM PAT MADIGAN REPRESENTING CHARLES W STEINER.

Date: 04/29/1998 User-ID: JSHURTE Subject: TOTAL ACRE LIMITER CHANGED PER NOE FOR 55-04150
PER THE NOTICE OF ERROR SUBMITTED ON 55-04150, 15 ADDITIONAL
ACRES WERE ADDED IN SEC. 31 TO 55-04150. THEREFORE, THE TOTAL
ACRES FROM ALL RIGHTS WENT FROM 393 TO 408. THIS RIGHT WAS
CHANGED IN THE POU1 TOTAL ACRE LIMITER TO REFLECT 408 TOTAL ACRES

Audit: 04/29/98 JSHURTE

DATE: 04/29/98
PAGE: 1

TOTAL DIVERSION: 175.00 AFA

Stage: BENEFICIAL USE

OWYHEE County
OWYHEE County

TOTAL ACRES

POU County: Owyhee

N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 15,000 GALLONS PER DAY.

N08 - THE QUANTITY OF WATER DECEDED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 408 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02008, 55-02152A, 55-02208A, 55-04150, 55-10352, 55-10353 & 55-10354.

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 03/02/1998 User-ID: JSHURTE Subject: RECOMMENDATION OF ACRES & PRIORITY

THE ACRES LISTED IN THIS RIGHT ARE ALL OF THE ACRES SOUTH OF ROCK CREEK THAT COULD BE IRRIGATED VIA THE LOUISA CREEK DITCH EXCEPT FOR THE ACRES IN THE NW1/4 OF SEC. 31. PER AN AFFIDAVIT FROM LESTER BUCK, THOSE ACRES WERE NOT DEVELOPED UNTIL AFTER TRIANGLE RESERVOIR WAS BUILT AND FILLED THE FIRST TIME - SPRING OF 1967. THOSE RIGHTS ARE COVERED UNDER RIGHT NO. 55-10353 - LIVEFLOW AND 55-10354 - STORAGE IN TRIANGLE RESERVOIR. EVIDENCE OF THE PRIORITY ON THIS RIGHT IS A COPY OF THE PROOF OF COMPLETION OF WORKS FOR THE CANCELLED PERMIT FOR LOUISE CREEK RESERVOIR. ALL DEPT. DAM SAFETY RECORDS STATE THE DAM WAS CONSTRUCTED IN 1931.

Date: 03/04/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) H03 H04 ADDED IF NOT ALREADY PART
OF RECORD THRU

Date: 04/15/1998 User-ID: SSSHERMAN Subject: NOTICE OF APPEARANCE
NOA FROM PAT MADIGAN REPRESENTING CHARLES W STEINER.

Date: 04/29/1998 User-ID: JSHURTE Subject: TOTAL ACRE LIMITER CHANGED PER NOE FOR 55-04150
PER THE NOTICE OF ERROR SUBMITTED ON 55-04150, 41 ADDITIONAL
ACRES WERE ADDED IN SEC. 31 TO THIS RIGHT. THESE 41 ACRES WERE
NOT INCLUDED IN LESTER BUCK'S AFFIDAVIT FOR THE ACRES PUT IN
AFTER TRIANGLE RESERVOIR FILLED IN 1967 AND COULD HAVE BEEN
IRRIGATED FROM THE LOUISA CREEK DITCH WHICH DIVERTS FROM LOUISA
CREEK IN THE NESE, S31. THEREFORE, EVEN THOUGH THE NOTICE OF
ERROR WAS NOT SUBMITTED FOR THIS RIGHT, THE NOTICE OF ERROR FOR
55-04150 APPLIES TO THIS RIGHT ALSO. THE TOTAL ACRE LIMITER
CONDITION WAS ALSO CHANGED FOR THIS RIGHT DUE TO THE 15
ADDITIONAL ACRES ADDED WHICH HAD NOT BEEN IN THE 393 CALCULATION.
THE 26 ACRES IN THE NEMW, S31 HAD BEEN A PART OF THE PREVIOUS
CALCULATION 393 ACRES. THEREFORE, THE TOTAL ACRES IS NOW 408.

Audit: 04/29/98 JSHURTE

Original GIS MAP IN 02152A

26 Ae
Der Ae
Attached
map
also

NEUTRAL
10 Ae
5 Ae
SCALE

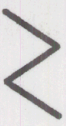


IDAHO DEPT OF WATER RESOURCES

T07S, R02W, S30 & S31

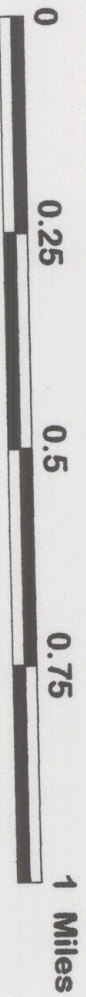
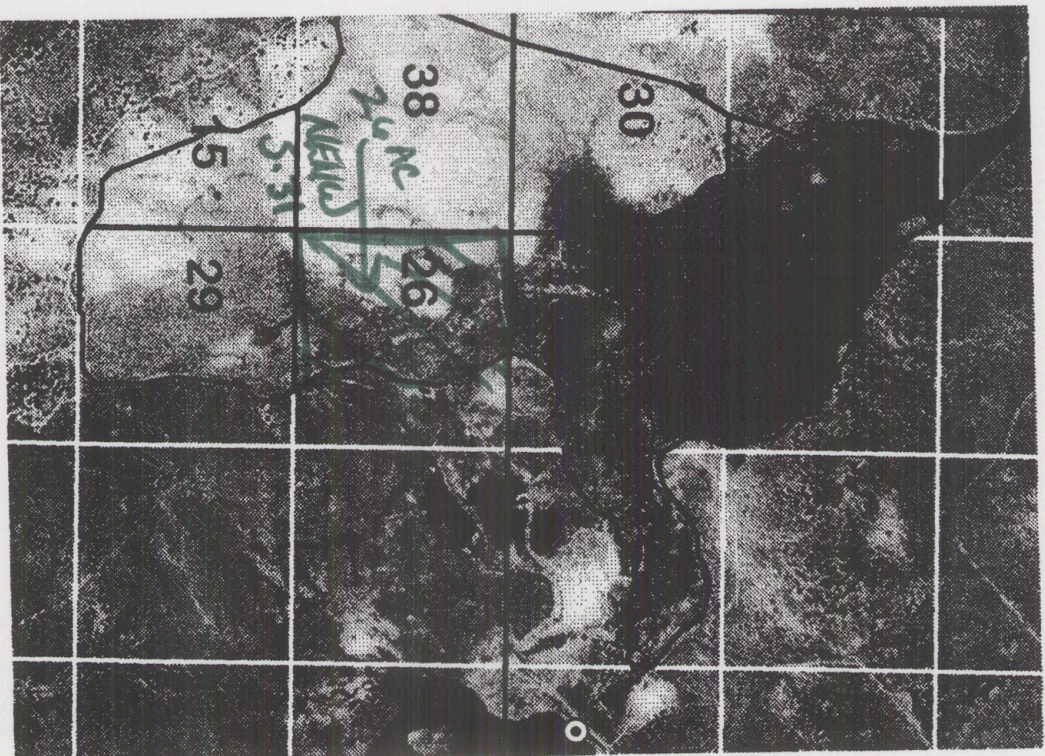
CLAIM(S) : 55-02008, 55-02152A,
55-02208A, 55-04150, 55-10351,
55-10352, 55-10353
& 55-10354
OWNER: CHARLES STEINER
Prepared by: Jan Shurte
Date: 3-2-1998

1987 NAPP PHOTO

 SECTION LINES

 PLACE OF USE

1/4 1/4 LINES



March 6, 1998

**NOTICE OF ERROR
REPLY**

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

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

**YOUR DEADLINE FOR RETURNING A
NOTICE OF ERROR REPLY IS:**

March 30, 1998

Water right number: 55-04150

CHARLES W STEINER
STAR RT
OREANA ID 83650

Daytime Telephone Number:

Evening Telephone Number:

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

I disagree with the amount of acres recommended.

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

Add 26 acres in the NE 1/4 NW 1/4 of Sec. 31, T7S, R2W.

Add 10 acres in the NW 1/4 NE 1/4 of Sec. 31, T7S, R2W.

Add 5 acres in the SW 1/4 NE 1/4 of Sec. 31, T7S, R2W.

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

This acreage should be added to reflect the irrigation that has occurred by application of Louisa Creek water prior to construction and operation of Triangle reservoir on Rock Creek.

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

DATE:

4/15/98

SIGNATURE:

Charles W. Steiner

Please print your name:

Charles W. Steiner

AJ0743NP
(0D-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

04/15/98 10:31:05
Page 1

Water Right Number - R55-10351

Prefix Translation: RESEARCH

Old (D) Number -

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

*** A - ATTORNEY ***
MIDIGAN

PATRICK D

1 - DONALD I. JENSEN & TUCKER
2 - PO BOX 2139
3 -

State ID zip- 837012139

*** C - CURRENT OWNER ***
STEINER

CHARLES W

1 - STAR RT
2 -
3 -
City- OREANA
Phone - 208-000-0000

State- ID Zip- 83650

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1931 14 WESTERN J - BENEFICIAL USE

+ - - - - Source - - - - - + - - - - - Tributary - - - - - +
LOUISA CREEK ROCK CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
08S 02W 6 SM NE (73) OMYHEE LOUISA CREEK DAM
07S 02W 31 SE NE R (73) OMYHEE REDIVERSION PT LOUISA CK

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
02 - IRRIGATION STORAGE 01/01 12/31 175.00
03 - IRRIGATION FROM STORAGE 04/15 10/15 175.00
05 - STOCKWATER STORAGE 01/01 12/31 8.10
06 - STOCKWATER FROM STORAGE 01/01 12/31 8.10

+ - Total Div. Rate - + - Total Div. Volume - +
175.00 175.00

+ - Total Consumptive Use - + - KW Usage - +
0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 02W 30 NE SM 1.0 03 IRRIGATION FROM STORAGE (73) OMYHEE
07S 02W 30 NW SM 11.0 03 IRRIGATION FROM STORAGE (73) OMYHEE
07S 02W 30 SE SM 30.0 03 IRRIGATION FROM STORAGE (73) OMYHEE
07S 02W 30 SE SM 24.0 03 IRRIGATION FROM STORAGE (73) OMYHEE
07S 02W 30 SE SM 6.0 03 IRRIGATION FROM STORAGE (73) OMYHEE
07S 03W 25 NW NE 3.0 03 IRRIGATION FROM STORAGE (73) OMYHEE
07S 03W 25 SW NE 33.0 03 IRRIGATION FROM STORAGE (73) OMYHEE
07S 03W 25 SE NE 14.0 03 IRRIGATION FROM STORAGE (73) OMYHEE
07S 03W 25 NE NW 10.0 03 IRRIGATION FROM STORAGE (73) OMYHEE
07S 03W 25 NW NW 1.0 03 IRRIGATION FROM STORAGE (73) OMYHEE
07S 03W 25 SE NW 10.0 03 IRRIGATION FROM STORAGE (73) OMYHEE
07S 03W 25 SE SE 26.0 03 IRRIGATION FROM STORAGE (73) OMYHEE
07S 03W 25 SE SE 3.0 03 IRRIGATION FROM STORAGE (73) OMYHEE

Water right number - R55-10351

Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Code	Place of Use	Description	County
Total Acres: 172.0									

- - - Diversion Means - SEE REMARKS

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

- - - Remarks - - - - -

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 393 ACRES IN A SINGLE
IRRIGATION SEASON, COMBINED RIGHT NOS.: 55-02008, 55-02152A,
55-02208A, 55-04150, 55-10352, 55-10353 & 55-10354.

EXP STOCKWATER, 600 RANGE CATTLE.

- - - No Old Water Right Numbers Found - - - Old Water Right Numbers - - - - -

- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.
- H03 - IRRIGATION PERIOD OF USE IS CURRENTLY ON APPEAL TO THE IDAHO
SUPREME COURT. THE SRBA COURT RULED "IRRIGATION SEASON" IS
ADEQUATE AND APPROPRIATE TO DESCRIBE THE PERIOD OF USE.
APPELLANTS ARGUE A SPECIFIC CALENDAR DESCRIPTION IS NECESSARY
TO DESCRIBE THE PERIOD OF USE FOR A WATER RIGHT. IF THE IDAHO
SUPREME COURT OVERTURNS THE DECISION OF THE SRBA COURT ON USING
"IRRIGATION SEASON" THE SPECIFIC CALENDAR DESCRIPTION SHOWN MAY
BE USED.
- H04 - POSSIBLE ALTERNATIVE PERIOD OF USE 04/15 10/15
SEE EXPLANATORY MATERIAL BELOW.

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

+ - - - - Comments - - - - -
Date: 03/02/1998 User Id: JSHURTE Subject: RECOMMENDATION OF ACRES & PRIORITY
THE ACRES LISTED IN THIS RIGHT ARE ALL OF THE ACRES SOUTH OF ROCK CREEK THAT COULD BE IRRIGATED VIA THE LOUISA CREEK DITCH EXCEPT
FOR THE ACRES IN THE NW1/4 OF SEC. 31. PER AN AFFIDAVIT FROM LESTER BUCK, THOSE ACRES WERE NOT DEVELOPED UNTIL AFTER TRIANGLE
RESERVOIR WAS BUILT AND FILLED THE FIRST TIME - SPRING OF 1967. THOSE RIGHTS ARE COVERED UNDER RIGHT NO. 55-10353 - LIVERFLOW AND
55-10354 - STORAGE IN TRIANGLE RESERVOIR. EVIDENCE OF THE PRIORITY ON THIS RIGHT IS A COPY OF THE PROOF OF COMPLETION OF
WORKS FOR THE CANCELLED PERMIT FOR LOUISE CREEK RESERVOIR. ALL DEPT. DAM SAFETY RECORDS STATE THE DAM WAS CONSTRUCTED IN 1931.

Prefix Translation: RESEARCH

Audit Fields - - +
04/15/98 SSHERMAN

Adjudication Rights Dates and Flags Area			
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000
Claim Received Date	- 08/10/1994	Last Amended Date	- 08/10/1994
		Receipt Number	- W017904
		POU Ownership Flag	- Y
		Name Connector	- AND/OR
		Civil Case Number	- 39576
		Old Case Number	-
		Old Judicial District	-
		Temporary Right	- P
		Water District	-
		Federal/State Indicator	- S
		Presumption Flag	-
		Notice of Error Flag	-

RECEIVED

APR 14 1998

Department of Water Resources

RECEIVED

APR 17 1998

WATER RESOURCES
WESTERN REGION

Patrick D. Madigan
ROSHOLT, ROBERTSON & TUCKER
P.O. Box 2139
Boise, ID 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034

Attorney for Charles W. Steiner

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

NOTICE OF APPEARANCE

The law firm of Rosholt, Robertson & Tucker, P.O. Box 2139, Boise, Idaho 83701-2139, through Patrick D. Madigan, hereby enters its appearance as counsel for Charles W. Steiner, in the Snake River Basin Adjudication, Case No. 39576.

Dated this 13th day of April, 1998.

ROSHOLT, ROBERTSON & TUCKER

Patrick D. Madigan
Patrick D. Madigan

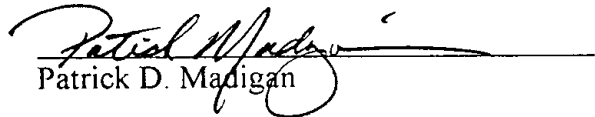
CERTIFICATE OF MAILING

I hereby certify that on this 13th day of April, 1998, a true and correct copy of the **NOTICE OF APPEARANCE** was mailed via U.S. mail, postage prepaid to the following:

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

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

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


Patrick D. Madigan

Clients/steiner not of appearance

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

Boise Office
1221 W. IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

COPY

Twin Falls Office
142 3rd AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

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APR 14 1998

Department of Water Resources

April 13, 1998

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
TIMOTHY J. STOVER
NORMAN M. SEMANKO

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

Re: *Notice of Appearance*

Diana:

Pursuant to our telephone conversation this morning, I have prepared and am filing the enclosed general Notice of Appearance on behalf of Charles W. Steiner. Because his water right claims are located in basin 55 and have not yet been reported by IDWR, there are no subcases to identify. It is my understanding that the attached certificate of service will suffice and that all other SRBA parties shall receive notice through the docket sheet procedure under AO1, Rules of Procedure, Rule 6(e).

Also enclosed is a copy to be conformed and returned to me in the self-addressed stamped envelope provided.

Thank you for your assistance in this matter.

Sincerely,


Patrick D. Madigan

PDM:mh
Enclosure

DATE: 03/03/98
PAGE: 1

PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
06/01/1931	IRRIGATION STORAGE	01-01 12-31		175.00 AFA
	IRRIGATION FROM STORAGE	04-15 10-15		175.00 AFA
	STOCKWATER STORAGE	01-01 12-31		8.10 AFA
	STOCKWATER FROM STORAGE	01-01 12-31		8.10 AFA

Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R55-10351

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

DATE: 03/03/98
PAGE: 2

Comments: Date: 03/02/1998 User-ID: JSHURTE Subject: RECOMMENDATION OF ACRES & PRIORITY

THE ACRES LISTED IN THIS RIGHT ARE ALL OF THE ACRES SOUTH OF ROCK CREEK THAT COULD BE IRRIGATED VIA THE LOUISA CREEK DITCH EXCEPT FOR THE ACRES IN THE NW1/4 OF SEC. 31. PER AN AFFIDAVIT FROM LESTER BUCK, THOSE ACRES WERE NOT DEVELOPED UNTIL AFTER TRIANGLE RESERVOIR WAS BUILT AND FILLED THE FIRST TIME - SPRING OF 1967. THOSE RIGHTS ARE COVERED UNDER RIGHT NO. 55-10353 - LIVEFLOW AND 55-10354 - STORAGE IN TRIANGLE RESERVOIR. EVIDENCE OF THE PRIORITY ON THIS RIGHT IS A COPY OF THE PROOF OF COMPLETION OF WORKS FOR THE CANCELLED PERMIT FOR LOUISE CREEK RESERVOIR. ALL DEPT. DAM SAFETY RECORDS STATE THE DAM WAS CONSTRUCTED IN 1931.

Audit: 03/03/98 JSHURTE

SUMMARY OF RECOMMENDATION FOR CHARLES STEINER - BASIN 55

55-02008 - ROCK CREEK & LOUISA CREEK

This right was based on a license with a priority date of 1908. Basically I recommended it for the same lands it was licensed for, only changing the acreage slightly to reflect current irrigated acres in those 1/41/4s. This right was recommended for both sides of Rock Creek due to the original right being from both Rock and Louisa Creek diversions. Total acres licensed = 157.

55-10352 - ROCK CREEK

Original claim was filed for 3-15-1912 based on beneficial use. However, I recommended a priority date of 11-14-1922 based on the idea that the field exam conducted in 1914 under the above licensed right 55-02008 did not mention any irrigation of other ground. The next evidence of irrigation came in a cancelled permit file. The permit had originally been filed for additional lands in the N1/2NE1/4, N1/2NW1/4, Sec. 25. However, due to no proof of beneficial use having been submitted, the permit was cancelled. In the original days of the Dept. the requirement was to file proof of completion of works and proof of beneficial use. If one was filed and the other wasn't, then the permit was cancelled. In this cancelled permit file there was proof of completion of works filed stating that the water had been put to beneficial use 10 years prior to the lands in Sec. 25. However, 10 years earlier would have been 1912 since the proof of completion of works was dated 1922. Because the field exam under 55-02008 was conducted in 1914, and these acres were not mentioned, I used the date of the notarized proof of completion of works as the date of priority for this right, 11-14-1922. Also submitted with this file were the homestead papers of Arthur Corlett which did show his intention to develop this land in Sec. 25. This right was recommended for an additional 71 acres of land irrigated within the same legal as the permit was filed for, N1/2NE1/4, N1/2NW1/4, S.25. These lands are lands that only Rock Creek water could be used to irrigate.

55-04150 - LOUISA CREEK

This right covers what Louisa Creek could have irrigated over and above those acres covered under Right No. 55-02008 for the liveflow (cfs) portion. There is no evidence that more water and acres were diverted &/or irrigated from Louisa Creek between 55-02008 and the building of the Louisa Creek dam in 1931. The lands covered by this right are lands South of Rock Creek that could have been irrigated from the Louisa Creek ditch. The acres in the W1/2NW1/4, and SENW, Sec. 31 are not included due to Lester Buck's affidavit which stated those lands were not irrigated until Triangle first filled in 1967. Those acres are covered under 55-10353 & 55-10354. The priority date is based on the above idea that there is no evidence that these lands were irrigated prior to the license issued under 55-02008 and not until the dam was built in 1931.

55-10351- LOUISA CREEK STORAGE

This right covers the storage right for Louisa Creek Reservoir which was built in 1931. The acres listed in this right are the acres that could have been irrigated via the Louisa Creek ditch and are all South of Rock Creek, except for the acres irrigated in the W1/2NW1/4 and SENW, Sec. 31 per Lester Buck's affidavit as explained above. Evidence of the date this dam was built is also from a cancelled permit 55-02171 which was filed for Louisa Creek dam specifically. This permit was cancelled for the same reason as before - proof of completion of works were submitted but not proof of beneficial use. Louisa Creek Dam was obviously completed in 1931 - per dam safety files also - however, as in many permits in those days, proof of completion of works was submitted and not proof of beneficial use. The proof of completion of works is a signed and notarized affidavit stating the work was completed and other documents from the file noting the dam was completed in 1931.

55-02152A & 55-02208A - ROCK CREEK & LOUISA CREEK LIVEFLOW & STORAGE IN TRIANGLE RESERVOIR

These rights have both been previously licensed and were licensed for 96 acres of land. I have recommended them both for the same 96 acres although they overlap with some of the acres under the earlier rights. The reason for this is due to the possible litigation concerning the following 1967 rights. Since these were licensed for the 96 acres, they should remain so in case the 1967 rights are compromised. These acres were determined based on contour lines rather than on an aerial photo. The earlier right listed above are evidence that more than 96 acres were irrigated at some point prior to these licenses.

55-10353 & 55-10354 - ROCK CREEK & LOUISA CREEK LIVEFLOW & STORAGE IN TRIANGLE RESERVOIR

These rights have been recommended to pick up the additional acres not listed under the previous rights. Especially those acres in the W1/2NW1/4 and SENW, Sec. 31 listed in Lester Buck's affidavit stating that those acres were first irrigated in 1967 after Triangle Reservoir first filled. An ASCS map dated in 1969 does show the ditch from the south headgate flowing around these lands in the NW1/4, Sec. 35 thus indicating these lands were irrigated by then. The 1967 date comes from Lester Buck's affidavit. The additional 31 acres recommended in 55-10353 are acres that needed to be covered from either Rock Creek or Louisa Creek to be sure they were covered by both sources in the end. For instance, the 2 acres in the NESW, S30, and the 3 acres in the NWNE, 1 acre in the SWNE, 1 acre in the NWNW, 3 acres in the SESE, S25, were to cover irrigation from Rock Creek that had not been previously covered. Then, the acres in the NWSW(6), NESW(2), S30, NENW(10) and NESE(5), S25 were listed to cover irrigation from both sources that had not been previously covered. NOTE: The difference in acres for each right comes from one being for liveflow, 55-10353, where many of the acres were previously covered under other rights and the other for storage from Triangle where only 96 acres had been previously covered. The remaining 297 acres for storage are being covered under 55-10354.

RECEIVED

MAR 20 1998

WATER RESOURCES
WESTERN REGION

Jan -
you still believe chuea
accidentally applied for all
of A's water & used the Hatter
description in '79 -

Why then has he carried
that forward & re-applied

in 84 & 89?

He could have
corrected his MISTAKE

Don

Thanks for your help -

As always you are
a delight to work with.

Don

UP TO
\$500.00
REWARD
FOR ARREST &
CONVICTION OF
RUSTLERS

DON'T TAKE OUR COWS
OR HORSES!

SINCE
1878

OWYHEE
CATTLEMEN'S
ASSOCIATION



WINTERCAMP RANCH TRUST
DON BARNHILL
Hatton Ranch, Idaho
P.O. Box 343 Jordan Valley, OR 97910
(208) 891-2620

RECEIVED

MAR 20 1998

WATER RESOURCES
WESTERN REGION

3/18/98

Jon Schute

Please find enclosed forms to
respond to notice of Error in
Charles Stern's Water Right Claims

As you are aware I adamantly disagree
with Dept. records suggest non-use of
these claims plus the tremendous expansion
of any actual use which I feel I can
prove to be no more than 96 acres as
documented by your Dept.

All other lands claimed as irrigated
in fact SUB-IRRIGATE naturally and
take NO-IRRIGATION - an issuance of
these additional acres opens up the
possibility of licensure of therefore transfer to
non-irrigated lands constituting an expansion
of a right non-existent.

I adamantly object to the Stern Claims of
R550284, R55 02008, R55 02152A, R55 10351, R55 02208A
R55 04150, R55 10352, R55 10353, R55 10354

Please post this in all these files Sincerely, Jon Schute

ADGX COPY
TO ALL 9 FILLS NOTICE OF ERROR
PLEASE REPLY

RECEIVED

MAR 20 1998

WATER RESOURCES
WESTERN REGION

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

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

YOUR DEADLINE FOR RETURNING A

NOTICE OF ERROR REPLY IS:

Water right number: R550284 R5510352
R5502008 R5510353
R5502152A R5510354
R5510351
R55 02208A
R55 04150

Daytime Telephone Number: 208 891 2620 541 586 2278

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): ALL 9 OF THESE CLAIMS ARE BASED UPON FRAUDULENT ALLEGATIONS OF USE BY IDWR RECORDS ALL OF THESE CLAIMS LACK PROOF OF BENEFICIAL USE AND WERE
 2. Describe the changes you wish to make in the proposed recommendation: CANCELLED (LICENSE/PERMIT APPLICATIONS ON RECORD) WHILE THIS OWNER OWNED THIS PROPERTY WITH BENEFIT OF PROPER NOTICE TO ALL STAKEHOLDERS ARBITRARILY ISSUED A LICENSE TO THE
 3. Give a brief explanation as to why you disagree with these portions: LANDS HEREIN CLAIMED FOR 96 ACRES OF ACTUAL USE IN THE LATE 60'S EARLY 70'S BUT WITHOUT APPLICATION FOR SAME BY ANYONE I CONTEND (IDWR RECORDS SUPPORT) A MAXIMUM OF 96 ACRES WAS EVER ACTIVELY IRRIGATED
- I AGREE with this proposed recommendation; no changes need to be made.

DATE: 3/19/98

SIGNATURE: Don Barnett

Please print your name:

DON BARNETT

PO BOX 343
GRAND VALLEY
OREGON
97910

RECEIVED

MAR 20 1998

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

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

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

NOTICE OF ERROR REPLY IS:

Water right number: *R5510351*

Daytime Telephone Number: *208 991 2620 591-586 2278*
Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): *ALL OF IT - IT IS BASED UPON FRAUDULENT AFFIDAVITS OF HISTORICAL USE AND FURTHER UPON DENIED APPLICATION PERMITS FOR NON BENEFICIAL USE -*
2. Describe the changes you wish to make in the proposed recommendation: *THE ONLY DOCUMENTED POSSIBLE USE WAS FOR 96 ACRES ARBITRARILY GIVEN TO THIS LAND BY IDWR IN THE 60'S WITHOUT BENEFIT OR EVEN AN APPLICATION FOR*
3. Give a brief explanation as to why you disagree with these portions: *OR PROOF OF BENEFICIAL USE BY THIS OWNERS PREDECESSOR - AMUSED GUEST*

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

DATE: *3/12/98* SIGNATURE: *Don Barnhill* *DON BARNHILL*
Please print your name: *PO Box 343*
Jordan Valley
OR
97910

17:20:00
03/16/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A55-10351

LAST: STEINER
ADDRESS: STAR RT
CITY: OREANA
PHONE NUMBER: 208-000-0000
OWNER CODE: C

FIRST: CHARLES W
STATE: ID ZIP: 83650

OWNER CODE: C

FIELD EXAM REQUIRED?

FIELD
EXAMINER
Y() N()

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: GEN	DESCRIPTION OF DIVERSION WORKS: 35' CONCRETE DAM IN CREEK. DIVERSION FROM LOUISA CREEK VIA GRAVITY FLOW THROUGH DITCH AND/OR WATER IS ALLOWED TO FLOW INTO TRIANGLE RESERVOIR AND RE-DIVERTED VIA 2 OUTLETS AND GRAVITY FLOW. FLOOD IRRIGATION
--------------------	--

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 / NOTES:

A. AJ CLAIM: # A55-10351 PRIORITY DATE: 06-01-1931 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? *DAM SAFETY FURTHER AND CANCELLED DAM PERMIT*

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? *(ASR IN FILE)*

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

NOTES:

Per dam safety file and proof of completion of work for 55-10351 (case. Permit of proof of beneficial use submitted). See copies of affidavits in file.

RECOMMENDED PRIORITY DATE:

6-6-1931

REVIEWED BY

DATE *3-2-98*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A55-10351	07S 02W	30		SE	SE			R	OWYHEE		
A55-10351	07S 02W	31		NE	NE			I	OWYHEE		
A55-10351	08S 02W	6		SW	NE				OWYHEE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX

R PREFIX
 A55-02006
 A55-02008
 A55-02152A
 A55-02152B
 A55-02208A
 A55-02208B
 A55-04150
 A55-10352
 A55-10353
 A55-10354

WR RECORDS IN SAME 40 ACRE TRACT

55-02152
 55-02208
 55-04150

SOURCE: LOUISA CREEK

TRIB: ROCK CREEK

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A (X) Y () N ()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? *Can safely* N/A (X) Y () N ()E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y () N (X) *Can see on map*

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A (X) Y () N ()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y () N (X)

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y () N (X)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) _____ Y() N()
AJ FIELD EXAM (DATE OF FIELD EXAM) _____ NAME OF EXAMINER John Smith Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
07S	02W	30	SE	SE	SE		R	ONYHEE		
07S	02W	31	NE	NE	NE			ONYHEE		
08S	02W	6	SW	SW	NE			ONYHEE		
15	20	6			NE				Louisa Ck Dam	
25	20	31			NE				" " Ditch	

SOURCE: LOUISA CREEK TRIB: Rock Creek

REVIEWED BY: [Signature] DATE: 3-2-98

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT (X)

Recommended Louisa Creek dam & Louisa
Creek ditch from Louisa Creek as POD.
Waugh dam PD's recommended under 55-032088 &
55-10354

A. ROOT WATER RIGHT NUMBERS: A55-10351
R55-10351

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	02W	30	NE	SW		STEINER, CHARLES W	A55-10351 / 19.0	-	29.0		/
			NE	SW		STEINER, CHARLES W	R55-02208A / 20.0	-			
			NE	SW		STEINER, CHARLES W	R55-02008 / 19.0	-			
			NE	SW		STEINER, CHARLES W	R55-02152A / 20.0	-			
			NE	SW		STEINER, CHARLES W	R55-10351 / 1.0	-			
			NE	SW		STEINER, CHARLES W	R55-10353 / 2.0	-			
			NE	SW		STEINER, CHARLES W	R55-10354 / 2.0	-			
			NE	SW		STEINER, CHARLES W	A55-02008 / 19.0	-			
			NE	SW		STEINER, CHARLES W	A55-02152A / 19.0	-			
			NE	SW		STEINER, CHARLES W	A55-02208A / 19.0	-			
			NE	SW		STEINER, CHARLES W	A55-04150 / 19.0	-			
			NE	SW		STEINER, CHARLES W	A55-10354 / 19.0	-			
07S	02W	30	NW	SW	3	STEINER, CHARLES W	A55-10351 / 10.0	-	15.0		//
			NW	SW	3	STEINER, CHARLES W	R55-02008 / 10.0	-			
			NW	SW	3	STEINER, CHARLES W	R55-04150 / 1.0	-			
			NW	SW	3	STEINER, CHARLES W	R55-10351 / 11.0	-			
			NW	SW	3	STEINER, CHARLES W	R55-10353 / 6.0	-			
			NW	SW	3	STEINER, CHARLES W	R55-10354 / 16.0	-			
			NW	SW	3	STEINER, CHARLES W	A55-02008 / 10.0	-			
			NW	SW	3	STEINER, CHARLES W	A55-02152A / 10.0	-			
			NW	SW	3	STEINER, CHARLES W	A55-02208A / 10.0	-			
			NW	SW	3	STEINER, CHARLES W	A55-04150 / 10.0	-			
			NW	SW	3	STEINER, CHARLES W	A55-10354 / 10.0	-			
07S	02W	30	SW	SW	4	STEINER, CHARLES W	A55-10351 / 21.0	-	24.0		30
			SW	SW	4	STEINER, CHARLES W	R55-02208A / 30.0	-			
			SW	SW	4	STEINER, CHARLES W	R55-02008 / 21.0	-			
			SW	SW	4	STEINER, CHARLES W	R55-02152A / 30.0	-			
			SW	SW	4	STEINER, CHARLES W	R55-04150 / 9.0	55-04150 / 34.0			
			SW	SW	4	STEINER, CHARLES W	A55-02008 / 21.0	-			
			SW	SW	4	STEINER, CHARLES W	A55-02152A / 21.0	-			
			SW	SW	4	STEINER, CHARLES W	A55-02208A / 21.0	-			
			SW	SW	4	STEINER, CHARLES W	A55-04150 / 21.0	-			
			SW	SW	4	STEINER, CHARLES W	A55-10354 / 21.0	-			
			SW	SW	4	STEINER, CHARLES W	R55-10351 / 30.0	-			
			SW	SW		GIUSTI, ANGELO	55-02152 / 34.0				
			SW	SW		GIUSTI, ANGELO	55-02208 / 34.0				
07S	02W	30	SE	SW		STEINER, CHARLES W	A55-10351 / 30.0	-	36.0		27
			SE	SW		STEINER, CHARLES W	R55-02208A / 34.0	-			
			SE	SW		STEINER, CHARLES W	R55-02008 / 30.0	-			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	LR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	02W	30	SE	SW		STEINER, CHARLES W	R55-02152A / 34.0	-			
			SE	SW		STEINER, CHARLES W	R55-10351 / 24.0	-			
			SE	SW		STEINER, CHARLES W	A55-02008 / 30.0	-			
			SE	SW		STEINER, CHARLES W	A55-02152A / 30.0	-			
			SE	SW		STEINER, CHARLES W	A55-02208A / 30.0	-			
			SE	SW		STEINER, CHARLES W	A55-04150 / 30.0	55-04150 / 30.0			
			SE	SW		STEINER, CHARLES W	A55-10354 / 30.0	-			
			SE	SW		GIUSTI, ANGELO	55-02152 / 30.0	55-02152 / 30.0			
			SE	SW		GIUSTI, ANGELO	55-02208 / 30.0	55-02208 / 30.0			
			SE	SW		STEINER, CHARLES W	A55-10351 / 11.0	-	25.0		6
07S	02W	30	SE	SE		STEINER, CHARLES W	R55-02208A / 12.0	-			
			SE	SE		STEINER, CHARLES W	R55-02152A / 12.0	-			
			SE	SE		STEINER, CHARLES W	R55-04150 / 6.0	55-04150 / 32.0			
			SE	SE		STEINER, CHARLES W	R55-10351 / 6.0	-			
			SE	SE		STEINER, CHARLES W	A55-02152A / 11.0	-			
			SE	SE		STEINER, CHARLES W	A55-02208A / 11.0	-			
			SE	SE		STEINER, CHARLES W	A55-04150 / 11.0	-			
			SE	SE		STEINER, CHARLES W	A55-10353 / 11.0	-			
			SE	SE		STEINER, CHARLES W	A55-10354 / 11.0	-			
			SE	SE		GIUSTI, ANGELO	55-02152 / 32.0	55-02152 / 32.0			
07S	02W	30	SE	SE		STEINER, CHARLES W	A55-10351 / 1.0	-	3.0		0
			SE	SE		STEINER, CHARLES W	A55-02152A / 1.0	-			
			SE	SE		STEINER, CHARLES W	A55-02208A / 1.0	-			
			SE	SE		STEINER, CHARLES W	A55-04150 / 1.0	-			
			SE	SE		STEINER, CHARLES W	A55-10353 / 1.0	-			
			SE	SE		STEINER, CHARLES W	A55-10354 / 1.0	-			
			NE	NW		STEINER, CHARLES W	A55-10351 / 2.0	-			
			NE	NW		STEINER, CHARLES W	A55-02152A / 2.0	-			
			NE	NW		STEINER, CHARLES W	A55-02208A / 2.0	-			
			NE	NW		STEINER, CHARLES W	A55-04150 / 2.0	-			
07S	02W	31	NE	NW		STEINER, CHARLES W	A55-10353 / 2.0	-			
			NE	NW		STEINER, CHARLES W	A55-10354 / 2.0	-			
			NE	NW		STEINER, CHARLES W	A55-10351 / 34.0	-	26.0		
			NE	NW		STEINER, CHARLES W	R55-10353 / 26.0	-			
			NE	NW		STEINER, CHARLES W	R55-10354 / 26.0	-			
			NE	NW		STEINER, CHARLES W	A55-02152A / 34.0	-			
			NE	NW		STEINER, CHARLES W	A55-02208A / 34.0	-			
			NE	NW		STEINER, CHARLES W	A55-04150 / 34.0	-			
			NE	NW		STEINER, CHARLES W	A55-10353 / 34.0	-			
			NE	NW		STEINER, CHARLES W	A55-10354 / 34.0	-			
07S	02W	31	NW	NW	1	STEINER, CHARLES W	A55-10351 / 34.0	-	18.0		11
			NW	NW	1	STEINER, CHARLES W	R55-10353 / 38.0	-			

*Covered under
10354 per affidavit
from Glaxton Bush
concerning 551
acres*

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	02W	31	NW	NW	1	STEINER, CHARLES W	R55-10354 / 38.0	-	3.0		See pgs notes on pg
			NW	NW	1	STEINER, CHARLES W	A55-02152A / 34.0	-			
			NW	NW	1	STEINER, CHARLES W	A55-02208A / 34.0	-			
			NW	NW	1	STEINER, CHARLES W	A55-10354 / 34.0	-			
07S	02W	31	SW	NW	2	STEINER, CHARLES W	A55-10351 / 12.0	-			
			SW	NW	2	STEINER, CHARLES W	A55-10354 / 12.0	-			
			SW	NW	2	STEINER, CHARLES W	R55-10353 / 15.0	-			
			SW	NW	2	STEINER, CHARLES W	R55-10354 / 15.0	-			
07S	02W	31	SW	NW	2	STEINER, CHARLES W	A55-02152A / 12.0	-			
			SW	NW	2	STEINER, CHARLES W	A55-02208A / 12.0	-			
			SE	NW		STEINER, CHARLES W	A55-10351 / 28.0	-			
			SE	NW		STEINER, CHARLES W	A55-10354 / 28.0	-			
07S	02W	31	SE	NW		STEINER, CHARLES W	R55-10353 / 29.0	-	18.0		"
			SE	NW		STEINER, CHARLES W	R55-10354 / 29.0	-			
			SE	NW		STEINER, CHARLES W	A55-02152A / 28.0	-			
			SE	NW		STEINER, CHARLES W	A55-02208A / 28.0	-			
07S	02W	31	NE	SW		STEINER, CHARLES W	A55-10351 / 1.0	-			"
			NE	SW		STEINER, CHARLES W	A55-02152A / 1.0	-			
			NE	SW		STEINER, CHARLES W	A55-02208A / 1.0	-			
			NE	SW		STEINER, CHARLES W	A55-04150 / 1.0	-			
07S	03W	25	NE	SW		STEINER, CHARLES W	A55-10353 / 1.0	-	12.0		0 (only) H20 there (expected has 5)
			NE	SW		STEINER, CHARLES W	A55-10354 / 1.0	-			
			NE	NE		STEINER, CHARLES W	A55-10351 / 11.0	-			
			NE	NE		STEINER, CHARLES W	A55-10354 / 11.0	-			
07S	03W	25	NE	NE		STEINER, CHARLES W	A55-10352 / 13.0	-	25.0		3
			NE	NE		STEINER, CHARLES W	A55-02152A / 11.0	-			
			NE	NE		STEINER, CHARLES W	A55-02208A / 11.0	-			
			NE	NE		STEINER, CHARLES W	A55-04150 / 11.0	-			
07S	03W	25	NE	NE		STEINER, CHARLES W	A55-10352 / 11.0	-			
			NW	NE		STEINER, CHARLES W	A55-10351 / 28.0	-			
			NW	NE		STEINER, CHARLES W	R55-10352 / 25.0	-			
			NW	NE		STEINER, CHARLES W	R55-10351 / 3.0	-			
07S	03W	25	NW	NE		STEINER, CHARLES W	R55-10353 / 3.0	-			
			NW	NE		STEINER, CHARLES W	R55-10354 / 28.0	-			
			NW	NE		STEINER, CHARLES W	A55-02152A / 28.0	-			
			NW	NE		STEINER, CHARLES W	A55-02208A / 28.0	-			
07S	03W	25	NW	NE		STEINER, CHARLES W	A55-04150 / 28.0	-			
			NW	NE		STEINER, CHARLES W	A55-10352 / 28.0	-			
			NW	NE		STEINER, CHARLES W	A55-10354 / 28.0	-			
			NW	NE		STEINER, CHARLES W	R55-04150 / 3.0	-			
07S	03W	25	SW	NE		STEINER, CHARLES W	A55-10351 / 32.0	-	29.0		33

See previous
notes & notes
on pg. 13

o (only Rock Creek
H2O can reach
these areas).
(except for the Triangle
has Hanna Cr. H2O
down later)

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	UR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	03W	25	SW	NE		STEINER, CHARLES W	R55-02008 / 32.0	55-02008 / 25.0			
			SW	NE		STEINER, CHARLES W	R55-04150 / 1.0	-			
			SW	NE		STEINER, CHARLES W	R55-10351 / 33.0	-			
			SW	NE		STEINER, CHARLES W	R55-10353 / 1.0	-			
			SW	NE		STEINER, CHARLES W	R55-10354 / 33.0	-			
			SW	NE		STEINER, CHARLES W	A55-02008 / 32.0	-			
			SW	NE		STEINER, CHARLES W	A55-02152A / 32.0	-			
			SW	NE		STEINER, CHARLES W	A55-02208A / 32.0	-			
			SW	NE		STEINER, CHARLES W	A55-04150 / 32.0	-			
			SW	NE		STEINER, CHARLES W	A55-10354 / 32.0	-			
			SE	NE		STEINER, CHARLES W	A55-10351 / 18.0	-	33.0		
			SE	NE		STEINER, CHARLES W	R55-02008 / 14.0	55-02008 / 12.0			
07S	03W	25	SE	NE		STEINER, CHARLES W	R55-10351 / 14.0	-			
			SE	NE		STEINER, CHARLES W	A55-02008 / 18.0	-			
			SE	NE		STEINER, CHARLES W	A55-02152A / 18.0	-			
			SE	NE		STEINER, CHARLES W	A55-02208A / 18.0	-			
			SE	NE		STEINER, CHARLES W	A55-04150 / 18.0	-			
			SE	NE		STEINER, CHARLES W	A55-10354 / 18.0	-			
			SE	NE		STEINER, CHARLES W	R55-10354 / 14.0	-			
			NE	NW		STEINER, CHARLES W	A55-10351 / 32.0	-	33.0		
			NE	NW		STEINER, CHARLES W	R55-10352 / 18.0	-			
			NE	NW		STEINER, CHARLES W	R55-04150 / 10.0	-			
			NE	NW		STEINER, CHARLES W	R55-10351 / 10.0	-			
			NE	NW		STEINER, CHARLES W	R55-10353 / 10.0	-			
07S	03W	25	NE	NW		STEINER, CHARLES W	R55-10354 / 28.0	-			
			NE	NW		STEINER, CHARLES W	A55-02152A / 32.0	-			
			NE	NW		STEINER, CHARLES W	A55-02208A / 32.0	-			
			NE	NW		STEINER, CHARLES W	A55-04150 / 32.0	-			
			NE	NW		STEINER, CHARLES W	A55-10352 / 32.0	-			
			NE	NW		STEINER, CHARLES W	A55-10354 / 32.0	-			
			NW	NW		STEINER, CHARLES W	A55-10351 / 29.0	-	21.0		
			NW	NW		STEINER, CHARLES W	A55-02152A / 29.0	-			
			NW	NW		STEINER, CHARLES W	A55-04150 / 29.0	-			
			NW	NW		STEINER, CHARLES W	R55-10351 / 1.0	-			
			NW	NW		STEINER, CHARLES W	R55-10353 / 1.0	-			
			NW	NW		STEINER, CHARLES W	R55-10354 / 16.0	-			
07S	03W	25	NW	NW		STEINER, CHARLES W	A55-02208A / 29.0	-			
			NW	NW		STEINER, CHARLES W	A55-10352 / 29.0	-			
			NW	NW		STEINER, CHARLES W	A55-10354 / 29.0	-			
			NW	NW		STEINER, CHARLES W	R55-10352 / 15.0	-			
			NW	NW		STEINER, CHARLES W	R55-04150 / 1.0	-			
			SW	NW		STEINER, CHARLES W	A55-10351 / 1.0	-			
			SW	NW		STEINER, CHARLES W	A55-04150 / 1.0	-			
			SW	NW		STEINER, CHARLES W	A55-02152A / 1.0	-			

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0

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	LR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SW	NW		STEINER, CHARLES W	A55-02208A / 1.0	- /			
			SW	NW		STEINER, CHARLES W	A55-10353 / 1.0	- /			
			SW	NW		STEINER, CHARLES W	A55-10354 / 1.0	- /			
07S	03W	25	SE	NW		STEINER, CHARLES W	A55-10351 / 29.0	- /	6.0		10
			SE	NW		STEINER, CHARLES W	R55-02008 / 10.0	55-02008 / 20.0			
			SE	NW		STEINER, CHARLES W	R55-10354 / 10.0	- /			
			SE	NW		STEINER, CHARLES W	A55-02008 / 20.0	- /			
			SE	NW		STEINER, CHARLES W	A55-02152A / 29.0	- /			
			SE	NW		STEINER, CHARLES W	A55-02208A / 29.0	- /			
			SE	NW		STEINER, CHARLES W	A55-04150 / 29.0	- /			
			SE	NW		STEINER, CHARLES W	A55-10353 / 9.0	- /			
			SE	NW		STEINER, CHARLES W	A55-10354 / 29.0	- /			
			SE	NW		STEINER, CHARLES W	R55-10351 / 10.0	- /			
07S	03W	25	NE	SW		STEINER, CHARLES W	A55-10351 / 27.0	- /	5.0		
			NE	SW		STEINER, CHARLES W	A55-02152A / 27.0	- /			
			NE	SW		STEINER, CHARLES W	A55-02208A / 27.0	- /			
			NE	SW		STEINER, CHARLES W	A55-04150 / 27.0	- /			
			NE	SW		STEINER, CHARLES W	A55-10353 / 27.0	- /			
			NE	SW		STEINER, CHARLES W	A55-10354 / 27.0	- /			
07S	03W	25	SE	SW		STEINER, CHARLES W	A55-10351 / 14.0	- /			
			SE	SW		STEINER, CHARLES W	A55-02152A / 14.0	- /			
			SE	SW		STEINER, CHARLES W	A55-02208A / 14.0	- /			
			SE	SW		STEINER, CHARLES W	A55-04150 / 14.0	- /			
			SE	SW		STEINER, CHARLES W	A55-10353 / 14.0	- /			
			SE	SW		STEINER, CHARLES W	A55-10354 / 14.0	- /			
07S	03W	25	NE	SE		STEINER, CHARLES W	A55-10351 / 36.0	- /	26.0		26
			NE	SE		STEINER, CHARLES W	R55-02008 / 21.0	55-02008 / 5.0			
			NE	SE		STEINER, CHARLES W	R55-04150 / 5.0	- /			
			NE	SE		STEINER, CHARLES W	R55-10351 / 26.0	- /			
			NE	SE		STEINER, CHARLES W	R55-10353 / 5.0	- /			
			NE	SE		STEINER, CHARLES W	R55-10354 / 26.0	- /			
			NE	SE		STEINER, CHARLES W	A55-02008 / 7.0	- /			
			NE	SE		STEINER, CHARLES W	A55-02152A / 36.0	- /			
			NE	SE		STEINER, CHARLES W	A55-02208A / 36.0	- /			
			NE	SE		STEINER, CHARLES W	A55-04150 / 36.0	- /			
			NE	SE		STEINER, CHARLES W	A55-10353 / 29.0	- /			
			NE	SE		STEINER, CHARLES W	A55-10354 / 36.0	- /			
07S	03W	25	NW	SE		STEINER, CHARLES W	A55-10351 / 40.0	- /	7.0		
			NW	SE		STEINER, CHARLES W	A55-02152A / 40.0	- /			
			NW	SE		STEINER, CHARLES W	A55-02208A / 40.0	- /			
			NW	SE		STEINER, CHARLES W	A55-04150 / 40.0	- /			
			NW	SE		STEINER, CHARLES W	A55-10353 / 40.0	- /			
			NW	SE		STEINER, CHARLES W	A55-10354 / 40.0	- /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	03W	25	SW	SE		STEINER, CHARLES W	A55-10351 / 40.0	-	/		~~3~~
			SW	SE		STEINER, CHARLES W	A55-02152A / 40.0	-	/		
			SW	SE		STEINER, CHARLES W	A55-02208A / 40.0	-	/		
			SW	SE		STEINER, CHARLES W	A55-04150 / 40.0	-	/		
			SW	SE		STEINER, CHARLES W	A55-10353 / 40.0	-	/		
			SW	SE		STEINER, CHARLES W	A55-10354 / 40.0	-	/		
07S	03W	25	SE	SE		STEINER, CHARLES W	A55-10351 / 37.0	-	/	7.0	3
			SE	SE		STEINER, CHARLES W	R55-04150 / 3.0	-	/		
			SE	SE		STEINER, CHARLES W	R55-10351 / 3.0	-	/		
			SE	SE		STEINER, CHARLES W	R55-10353 / 3.0	-	/		
			SE	SE		STEINER, CHARLES W	R55-10354 / 3.0	-	/		
			SE	SE		STEINER, CHARLES W	A55-02152A / 37.0	-	/		
			SE	SE		STEINER, CHARLES W	A55-02208A / 37.0	-	/		
			SE	SE		STEINER, CHARLES W	A55-04150 / 37.0	-	/		
			SE	SE		STEINER, CHARLES W	A55-10353 / 37.0	-	/		
			SE	SE		STEINER, CHARLES W	A55-10354 / 37.0	-	/		
07S	03W	36	NE	NE		STEINER, CHARLES W	A55-10351 / 3.0	-	/		0
			NE	NE		STEINER, CHARLES W	A55-02152A / 3.0	-	/		
			NE	NE		STEINER, CHARLES W	A55-02208A / 3.0	-	/		
			NE	NE		STEINER, CHARLES W	A55-04150 / 3.0	-	/		
			NE	NE		STEINER, CHARLES W	A55-10353 / 3.0	-	/		
			NE	NE		STEINER, CHARLES W	A55-10354 / 3.0	-	/		
07S	03W	36	NW	NE		STEINER, CHARLES W	A55-10351 / 22.0	-	/		0
			NW	NE		STEINER, CHARLES W	A55-02152A / 22.0	-	/		
			NW	NE		STEINER, CHARLES W	A55-02208A / 22.0	-	/		
			NW	NE		STEINER, CHARLES W	A55-04150 / 22.0	-	/		
			NW	NE		STEINER, CHARLES W	A55-10353 / 22.0	-	/		
			NW	NE		STEINER, CHARLES W	A55-10354 / 22.0	-	/		
07S	03W	36	NE	NW		STEINER, CHARLES W	A55-10351 / 8.0	-	/		0
			NE	NW		STEINER, CHARLES W	A55-10353 / 8.0	-	/		
			NE	NW		STEINER, CHARLES W	A55-02152A / 8.0	-	/		
			NE	NW		STEINER, CHARLES W	A55-02208A / 8.0	-	/		
			NE	NW		STEINER, CHARLES W	A55-04150 / 8.0	-	/		
			NE	NW		STEINER, CHARLES W	A55-10354 / 8.0	-	/		

ADDITIONAL POU FOUND

TOTAL ACRES	A55-10351	610.00	401.00
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192

POJ COUNTY: OMYHEE

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

Y(X) N()
Covered by other rights
See overlap sheet in 55-02152A

LIST OF ALL RIGHTS WITH A SAME POJ AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A55-10351	LOUISA CREEK	STEINER, CHARLES W			175.00	0.28
A55-02008	ROCK CREEK	STEINER, CHARLES W	3.140	0.020		
R55-02008	LOUISA CREEK					
R55-02008	ROCK CREEK	STEINER, CHARLES W	3.140	0.020		
R55-02152A	LOUISA CREEK					
R55-02152A	ROCK CREEK	STEINER, CHARLES W	1.960	0.020		
A55-02152A	LOUISA CREEK					
A55-02152A	ROCK CREEK	STEINER, CHARLES W	5.580	0.009		
R55-02208A	LOUISA CREEK					
R55-02208A	ROCK CREEK	STEINER, CHARLES W			207.40	2.16
A55-02208A	LOUISA CREEK				592.00	0.97
A55-02208A	ROCK CREEK	STEINER, CHARLES W				
A55-04150	LOUISA CREEK					
R55-04150	LOUISA CREEK	STEINER, CHARLES W	3.000	0.005		
R55-10351	LOUISA CREEK	STEINER, CHARLES W	0.780	0.020		
A55-10352	ROCK CREEK	STEINER, CHARLES W			175.00	1.01
R55-10352	LOUISA CREEK					
A55-10353	ROCK CREEK	STEINER, CHARLES W	2.000	0.020		
R55-10353	LOUISA CREEK		1.420	0.020		
R55-10354	ROCK CREEK	STEINER, CHARLES W	5.580	0.020		
A55-10354	LOUISA CREEK		2.780	0.020		
R55-10354	ROCK CREEK	STEINER, CHARLES W			425.20	1.43
A55-10354	LOUISA CREEK				592.00	0.97

NO RIGHTS WITH SAME POJ BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A55-04150 (LIVEFLOW), A55-02208A, A55-02152A & A55-02008.

Y() N()

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A(☐) Y(☒) N(☐)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(☒) N(☐)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y(☐) N(☒)

CHECK DOCUMENTS USED TO VERIFY POI: ☒ ORTHOPHOTOQUAD, IDWR NO. AAS 4546, () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. AAS 1054 ☒ ASCS PHOTO; () OTHER _____

NOTES:

The acres recommended under the right are just the acres that could be irrigated with Colorado Creek water south of Rock Creek by 1931. The other acres irrigated after 1931, esp. was put in which includes both Rock Creek & Abasco CR are irrigated under 55-02208A & 55-10354 for storage space. NOTE: Acres in Dec 31 not recommended here per Santa Fe Co's affidavit stating they did not go in until Triangle filled in 1967.

RECOMMENDATIONS:

TOTAL ACRES: 172 N/A ()
REVIEWED BY: [Signature] DATE: 3-2-98

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A55-10351 IRRIGATION STORAGE	FROM 01-01 TO 12-31		175.00 AF/A
A55-10351 IRRIGATION FROM STORAGE	FROM 04-15 TO 10-15		175.00 AF/A
A55-10351 STOCKWATER STORAGE	FROM 01-01 TO 12-31		175.00 AF/A
A55-10351 STOCKWATER FROM STORAGE	FROM 01-01 TO 12-31		175.00 AF/A
TOTAL DIVERSION RATE/VOLUME			175.00 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
----------------	---------------------------	------------------------	------------------------

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☒) N(☐)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☒) N(☒)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

Y(☒) N(☐)

Capacity of reservoir

NOTES:

The capacity of the reservoir was determined using the claim diversity file notes - see attached diversity sheet.

AJ CLAIM TOTAL DIVERSION RATE:

CFS

WR ROOT RIGHT TOTAL DIVERSION RATE:

CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A (~~X~~) Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A (~~X~~) Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE?

Y() N(~~X~~)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? N/A

Y() N()

FLOW MEASUREMENT

MEASUREMENT METHOD

Flow safety file

, SEE ATTACHED CALCULATIONS.

F.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES x 0.02 CFS/ACRE = CFS N/A
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 175.00 AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA = N/A

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA = N/A

TOTAL CONSUMPTIVE USE AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. CONS. USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION STORAGE	01-01 12-31		175.00		0.0	
IRRIGATION FROM STORAGE	04-15 10-15		175.00		0.0	
STOCKWATER STORAGE	01-01 12-31		175.00		0.0	
STOCKWATER FROM STORAGE	01-01 12-31		175.00		0.0	
<u>IRRIG. STORAGE</u>	<u>1-1 12-31</u>			<u>175</u>		
<u>IRRIG FROM STOR</u>	<u>4-15 10-15</u>			<u>175</u>		
<u>STOCK STOR</u>	<u>1-1 12-31</u>			<u>8.1</u>		
<u>STOCK FROM STOR</u>	<u>1-1 12-31</u>			<u>8.1</u>		
TOTAL FOR THIS RIGHT				<u>175 AF</u>		

NON-IRRIGATION USES CLAIMED: STOCKWATER, 600 RANGE

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (X)

REVIEWED BY: [Signature] DATE: 3-2-98

FLAG: _____
STANDARD CONDITIONS (CODE): _____

NOS & NOS - Stock limited to 13,000 gpd

STANDARD REMARKS (CODE):

Pos - Acc limited when all rts are combined

EXPLANATORY CONDITIONS (CODE):

Stockwater, 600 range cattle

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-10351

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-10351		R55-10351		-	

DATABASE EXAMINER CFS
A/A

TOTAL CFS

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 DESCRIBED BELOW () OR SEE ATTACHMENT ()? Y

FIELD EXAMINER
Y () N ()

NOTES:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

Jan S. Hunter 3-2-98
Jan S. Hunter Water Rights Supervisor

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED) IF ATTACHED, SUPPLY APPROPRIATE INFORMATION PAGES NOTES

() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____
() OTHER _____	DATE _____	_____
() OTHER _____	DATE _____	_____

NOTE: See all maps & attachments in 55-02152A Also see map in 55-04150

DESCRIPTION OF DIVERTING WORKS - TRIANGLE RANCH - CHUCK STEINER
55-02008, 55-02152A, 55-02208A, 55-04150, 55-10351, 55-10352,
55-10353 & 55-10354

TRIANGLE RESERVOIR

Triangle reservoir is located on Rock Creek with a 29' high dam and 1184 af of storage. Louisa Creek flows into Triangle reservoir in the NENE, S31, T7S, R2W, therefore, Triangle reservoir collects both Rock Creek and Louisa Creek water. The reservoir water is diverted via two headgates - the North headgate and the South headgate.

North headgate - this headgate diverts water to irrigate lands in the SW1/4SE1/4 & SW1/4, Sec. 30, north of Rock Creek, before entering the Hatton diversion reservoir and dam in the NWSW and SNNW, S30. A diversion from the northside of Hatton Reservoir in the NENE, Sec. 25, carries the water to the lands in the N1/2NE1/4 and the N1/2NW1/4, S. 25, aka the Corlett homestead. This ditch continues west to irrigate lands owned by the Wintercamp Ranch Trust under 55-02006, 55-02152B and 55-02208B. There was evidence of a ditch that diverted on the southside of Hatton Reservoir to the lands south of Rock Creek in Sec. 25, T7S, R3W, however, it was not in use at the time of the field exam due to a rockslide covering the ditch.

At the time of this exam there was a ditch which crossed over from the North headgate ditch and diverted water in a westerly direction to irrigate the remaining lands in the SWSE & SW1/4, Sec. 30, south of Rock Creek aka the Bachman homestead.

South headgate - this headgate diverts water south from Triangle reservoir. It divides into two ditches with both heading south to catch ponds and joining in the NENW, Sec. 31(along with the Louisa Creek ditch described below) and continue as one in a westerly direction irrigating lands in the NW1/4, Sec. 31 and the E1/2SE1/4, Sec. 25. The ditch continues west to a small diversion pond located in the center of the SE1/4, Sec. 25. Water is then dispersed north to irrigate lands in the N1/2SE1/4, S1/2NE1/4, Sec 25, south of Rock Creek, and west to another small diversion pond in the SENW, Sec. 25. The water continues from this pond in a northwesterly direction to irrigate lands in the SENW, NENW, Sec. 25, south of Rock Creek. These lands in the N1/2SE1/4, S1/2NE1/4, E1/2 NW1/4, Sec. 25 were aka the Bachman homestead.

LOUISA CREEK RESERVOIR

Louisa Creek reservoir is located on Louisa Creek with a 41' high dam and 175 af of storage. The Louisa Creek ditch diverts out of Louisa Creek below the reservoir in the NESE, Sec. 31. It heads north towards Triangle Reservoir, then turns and heads west to where it joins the ditch from the South headgate in the NENW, Sec. 31. See the description of where this ditch then heads and which lands it irrigates as described above under the South headgate.

(Faint, illegible handwritten text)

(b) ... 1200 ...
(c) ...
(d) Conduit 24" ... 24" ...
... 7" ...
...
Eighth ... water appropriated under said permit is available for ... acre
and described as follows: ...
...
...

[Signature]

10-17-74

Application for extension of time for completion of work under Permit No. 10-17-74 has been received. The application was only advertised in the Cyprus Herald and no other newspaper.

The application was referred to the Planning Committee for consideration. The Committee has decided to grant the extension of time for completion of work under Permit No. 10-17-74.

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November 25, 1934

Re: Permit No. B-454.

Mr. Earl Beckman
Triangle, Idaho

Dear Sir:

We are herewith enclosing Certificate of Completion of Reservoir and Right to Store Water issued under the above numbered permit to store and appropriate 1978 acre feet of water per annum for irrigation and domestic purposes. This certificate is issued for 1000 acre feet per annum, the amount stated in your affidavit in connection with your proof of completion of works as being the capacity of the reservoir.

The Department's Receipt No. 16767 for the \$5.00 fee you paid in connection with your completion of works project is also enclosed.

Very truly yours,

L. H. PARIS
Commissioner of Reclamation

By

Chief Clerk

cc
Enc.

Re: Permit No.

Beckman & Sons
c/o Earl Beckman
Triangle, Idaho

Dear Sir:

I enc

to beneficial

out and return

you wish to be

or other office

as set out in

submitted sube

length of the

have been made

Form 100-2
100-2

The dam was built June 22, 1935, after having been
built for several years and completed by the end of 1935.
The dam is a gravity dam, built of concrete, and is
about 100 feet long. It is built on a foundation of
granite, and is built on a foundation of granite.
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built on a foundation of granite. The dam is built on
a foundation of granite, and is built on a foundation
of granite. The dam is built on a foundation of
granite, and is built on a foundation of granite.

This structure is from 8 to 10 feet in maximum width and forms
a grotto or cave separating the abutment rock from a similar
balanced rock immediately down stream therefrom.

1. The first of these is the fact that the majority of the population of the United States is now living in urban areas. This is a result of the process of urbanization, which has been going on since the beginning of the 20th century. The population of the United States has increased from about 100 million in 1900 to over 200 million in 1960. At the same time, the population of rural areas has decreased from about 100 million in 1900 to about 50 million in 1960. This has led to a concentration of the population in urban areas, which has had a profound effect on the economy and society.

[illegible]

The information should be traced as possible and plugged in the report when conditions permit.

Topographic conditions were noted below the reservoir with a view to estimating possible damage in the event of a failure and observations were made on the lower slope distance of about 1/2 mile from the dam to the shore of the reservoir, and on the shore of the reservoir, and on the shore of the reservoir, and on the shore of the reservoir.

THE UNITED STATES OF AMERICA
DO hereby certify that
[illegible]
[illegible]
[illegible]
[illegible]

[Handwritten signature]
[illegible]

SUBJECT: 33-02171
CANCER PERMIT - 33-02171

PERMIT TO CONDUCT RESEARCH ON CANCER

RESEARCHER'S NAME

DATE OF PERMIT

PERMIT NO.

RESEARCHER'S ADDRESS

RESEARCHER'S PHONE

RESEARCHER'S SIGNATURE

DATE OF SIGNATURE

RESEARCHER'S INSTITUTION

RESEARCHER'S TITLE

RESEARCHER'S DEGREE

RESEARCHER'S EMPLOYMENT

RESEARCHER'S EDUCATION

RESEARCHER'S EXPERIENCE

RESEARCHER'S ACHIEVEMENTS

RESEARCHER'S REFERENCES

RESEARCHER'S RECOMMENDATIONS

RESEARCHER'S CONCLUSIONS

RESEARCHER'S FUTURE PLANS

RESEARCHER'S CONTACT INFORMATION

RESEARCHER'S SIGNATURE

DATE OF SIGNATURE

RESEARCHER'S INSTITUTION

RESEARCHER'S TITLE

RESEARCHER'S DEGREE

RESEARCHER'S EMPLOYMENT

RESEARCHER'S EDUCATION

RESEARCHER'S EXPERIENCE

RESEARCHER'S ACHIEVEMENTS

RESEARCHER'S REFERENCES

[The page contains extremely faint, illegible text and markings.]

Office of the
Commissioner of
Conservation

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Department of Conservation, at Albany, New York, this _____ day of _____, 19____.

Commissioner of Conservation

NOTED
JAN 10 19____

FILE

RECEIVED

APPROVED BY COMMISSIONER OF RECLAMATION

The undersigned, Commissioner of Reclamation of the State of Idaho, do hereby approve the application of the State of Idaho, No. 2-454, and request that the list of land to be irrigated be changed to read as follows:

That an additional amount of water is not asked for and that the rights of others will not be adversely affected by such change.

Dated at Boise, Idaho, this 2nd day of September, 1931.

W. W. PARIS

Commissioner of Reclamation

Office of Reclamation, Office of the Commissioner of Reclamation, Boise, Idaho, Sept. 2, 1931.

APPROVAL OF COMMISSIONER OF RECLAMATION

I, W. W. Paris, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the public waters of the State of Idaho, No. 2-454. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

W. W. PARIS

Commissioner of Reclamation

Volney D. Coffin

Assistant

The undersigned, Commissioner of Reclamation of the State of Idaho, do hereby approve the application for extension of time for completion of works under Permit No. 2-454, and request that the list of land to be irrigated be changed to read as follows:

That an additional amount of water is not asked for and that the rights of others will not be adversely affected by such change.

Dated at Boise, Idaho, this 2nd day of September, 1931.

W. W. PARIS, Commissioner of Reclamation of the State of Idaho, by virtue of the authority vested in me under House Bill No. 23, Session Laws of 1931, hereby extend the time for completion of works under Permit to appropriate the public waters of the State of Idaho, No. 2-454, to November 1, 1932.

W. W. PARIS

Commissioner of Reclamation

[Faint, mostly illegible handwritten text, possibly a letter or document, with some visible words like "Dear", "Yours", and "Sincerely"]

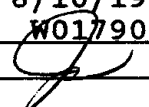
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A55-10351
Date Received: 8/10/1994
Receipt No: W017904
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES W STEINER
Address: STAR RT
OREANA ID 83650

2. Date of Priority: JUN 1, 1931

3. Source: LOUISA CREEK Trib. to: ROCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	02W	30	SE	SE		R	OWYHEE
		31	NE	NE		I	OWYHEE
08S	02W	6	SW	NE			OWYHEE

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			175.00
IRRIGATION FROM STORAGE	04/15	10/15			175.00
STOCKWATER STORAGE	01/01	12/31			175.00
STOCKWATER FROM STORAGE	01/01	12/31			175.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 175.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 600 RANGE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	02W	30	NE		SW		IRR	19.0
			NW		SW	3	IRR	10.0
			SW		SW	4	IRR	21.0
			SE		SW		IRR	30.0
			SW		SE		IRR	11.0
			SE		SE		IRR	1.0
							Section Acres	92.0
		31	NW		NE		IRR	2.0
			NE		NW		IRR	34.0
			NW		NW	1	IRR	34.0
			SW		NW	2	IRR	12.0
			SE		NW		IRR	28.0
			NE		SW		IRR	1.0
							Section Acres	111.0
	03W	25	NE		NE		IRR	11.0
			NW		NE		IRR	28.0
			SW		NE		IRR	32.0
			SE		NE		IRR	18.0
			NE		NW		IRR	32.0
			NW		NW		IRR	29.0
			SW		NW		IRR	1.0
			SE		NW		IRR	29.0
			NE		SW		IRR	27.0
			SE		SW		IRR	14.0
			NE		SE		IRR	36.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	37.0
							Section Acres	374.0
		36	NE		NE		IRR	3.0
			NW		NE		IRR	22.0
			NE		NW		IRR	8.0
							Section Acres	33.0
							Total Acres	610.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

A55-04150 (LIVEFLOW), A55-02208A, A55-02152A & A55-02008.

14. Remarks:

DESCRIPTION OF DIVERSION WORKS: 35' CONCRETE DAM IN CREEK.
DIVERSION FROM LOUISA CREEK VIA GRAVITY FLOW THROUGH DITCH AND/OR
WATER IS ALLOWED TO FLOW INTO TRIANGLE RESERVOIR AND RE-DIVERTED
VIA 2 OUTLETS AND GRAVITY FLOW. FLOOD IRRIGATION.

15. Basis of Claim: BENEFICIAL USE

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): Charles W. Steiner Date: Aug 10/94

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of August 19 94
Seal
Notary Public

Residing at Meridian ID
My Commission Expires 9-14-94

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

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Date Received: 8/10/1994
Receipt No: W017904
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CHARLES W STEINER
Address: STAR RT
OREANA ID

83650

2. Date of Priority: JUN 1, 1931

3. Source: LOUISA CREEK

Trib. to: ROCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	02W	30	SE	SE		R	OWYHEE
		31	NE	NE		I	OWYHEE
08S	02W	6	SW	NE			OWYHEE

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			175.00
IRRIGATION FROM STORAGE	04/15	10/15			175.00
STOCKWATER STORAGE	01/01	12/31			175.00
STOCKWATER FROM STORAGE	01/01	12/31			175.00

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

175.00 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 600 RANGE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	02W	30	NE		SW		IRR	19.0
			NW		SW	3	IRR	10.0
			SW		SW	4	IRR	21.0
			SE		SW		IRR	30.0
			SW		SE		IRR	11.0
			SE		SE		IRR	1.0
							Section Acres	92.0
		31	NW		NE		IRR	2.0
			NE		NW		IRR	34.0
			NW		NW	1	IRR	34.0
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			NE		NW		IRR	32.0
			NW		NW		IRR	29.0
			SW		NW		IRR	1.0
			SE		NW		IRR	29.0
			NE		SW		IRR	27.0
			SE		SW		IRR	14.0
			NE		SE		IRR	36.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	37.0
							Section Acres	374.0
		36	NE		NE		IRR	3.0
			NW		NE		IRR	22.0
			NE		NW		IRR	8.0
							Section Acres	33.0
							Total Acres	610.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

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14. Remarks:

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DIVERSION FROM LOUISA CREEK VIA GRAVITY FLOW THROUGH DITCH AND/OR
WATER IS ALLOWED TO FLOW INTO TRIANGLE RESERVOIR AND RE-DIVERTED
VIA 2 OUTLETS AND GRAVITY FLOW. FLOOD IRRIGATION.

NOTICE OF APPEARANCE FROM PAT MADIGAN FOR CHARLES W STEINER.

15. Basis of Claim: BENEFICIAL USE

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
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**COPY FOR
YOUR FILES**

1. Name: CHARLES W STEINER
Address: STAR RT
OREANA ID

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2. Date of Priority: JUN 1, 1931

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07S	02W	31	SE	NE		R	OWYHEE
08S	02W	6	SW	NE			OWYHEE

5. Description of diverting works:
SEE REMARKS

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IRRIGATION STORAGE	01/01	12/31			175.00
IRRIGATION FROM STORAGE	04/15	10/15			175.00
STOCKWATER STORAGE	01/01	12/31			8.10
STOCKWATER FROM STORAGE	01/01	12/31			8.10

7. Total Quantity Appropriated is:
C.F.S. (and/or) 175.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 600 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
07S	02W	30	NE	SW		IRR FS	1.0	
			NW	SW	3	IRR FS	11.0	
			SW	SW	4	IRR FS	30.0	
			SE	SW		IRR FS	24.0	
			SW	SE		IRR FS	6.0	
					Section Acres	72.0		
		03W	25	NW	NE		IRR FS	3.0
				SW	NE		IRR FS	33.0
				SE	NE		IRR FS	14.0
				NE	NW		IRR FS	10.0
NW	NW				IRR FS	1.0		
SE	NW				IRR FS	10.0		
NE	SE				IRR FS	26.0		
SE	SE				IRR FS	3.0		
			Section Acres	100.0				
			Total Acres	172.0				

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

A55-04150 (LIVEFLOW), A55-02208A, A55-02152A & A55-02008.

14. Remarks:

DESCRIPTION OF DIVERSION WORKS: 35' CONCRETE DAM IN CREEK.
DIVERSION FROM LOUISA CREEK VIA GRAVITY FLOW THROUGH DITCH AND/OR
WATER IS ALLOWED TO FLOW INTO TRIANGLE RESERVOIR AND RE-DIVERTED
VIA 2 OUTLETS AND GRAVITY FLOW. FLOOD IRRIGATION.

|
NOTICE OF APPEARANCE FROM PAT MADIGAN FOR CHARLES W STEINER.

|
COPIED 'R' TO 'A' THIS DATE TO CORRECT USE/POU MISMATCH PER
INSTRUCTIONS FROM JAN SHURTE.

15. Basis of Claim: BENEFICIAL USE