

IDAHO DEPARTMENT OF WATER RESOURCES

S15, S16, S21
T10S, R01E, S16&S21

6 ACRES

Section Lines

Place of use

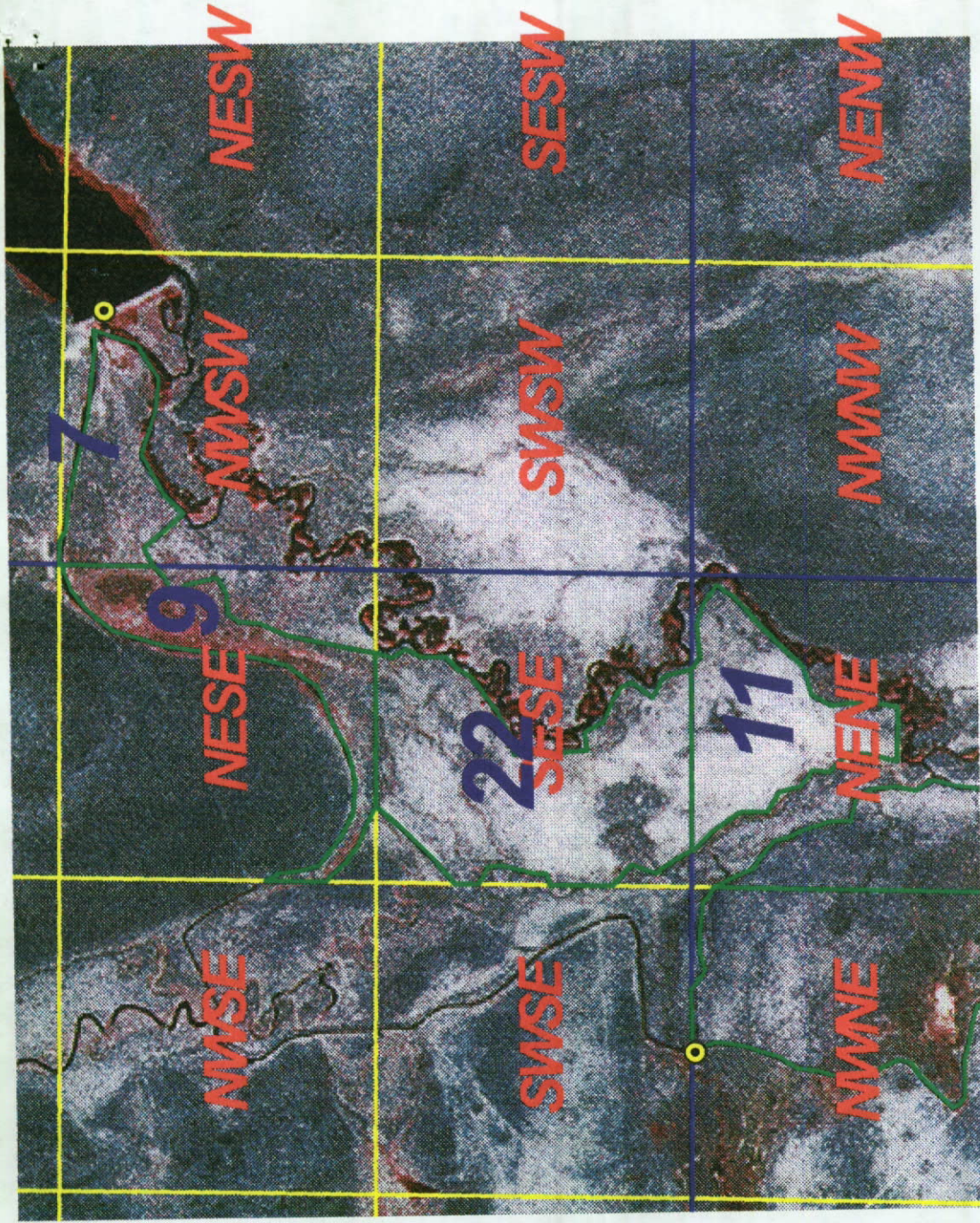
1/4 14 Lines

POINT OF DIVERSION

Claim(s): 55-02059
Owner(s): SIMPLOT
Prepared by: Ron Howerton
Date: 2/10/1998
Total Acres: 49



1987 NAPP



0 0.25 0.5 0.75 1

PICTURE # 1a

A55-02059

P/D at the dam, additional photo's of dam are in file A55-02020. This is the West ditch that is currently used. Most of the POU of this licence is not irrigated. Located in the NSW, S15, T10S, R1E.



Photo's By
RDH

11/5/93

PICTURE # 2a

This is part of the old POU, not irrigated anymore below dam.



PICTURE # 3a

A55-02059

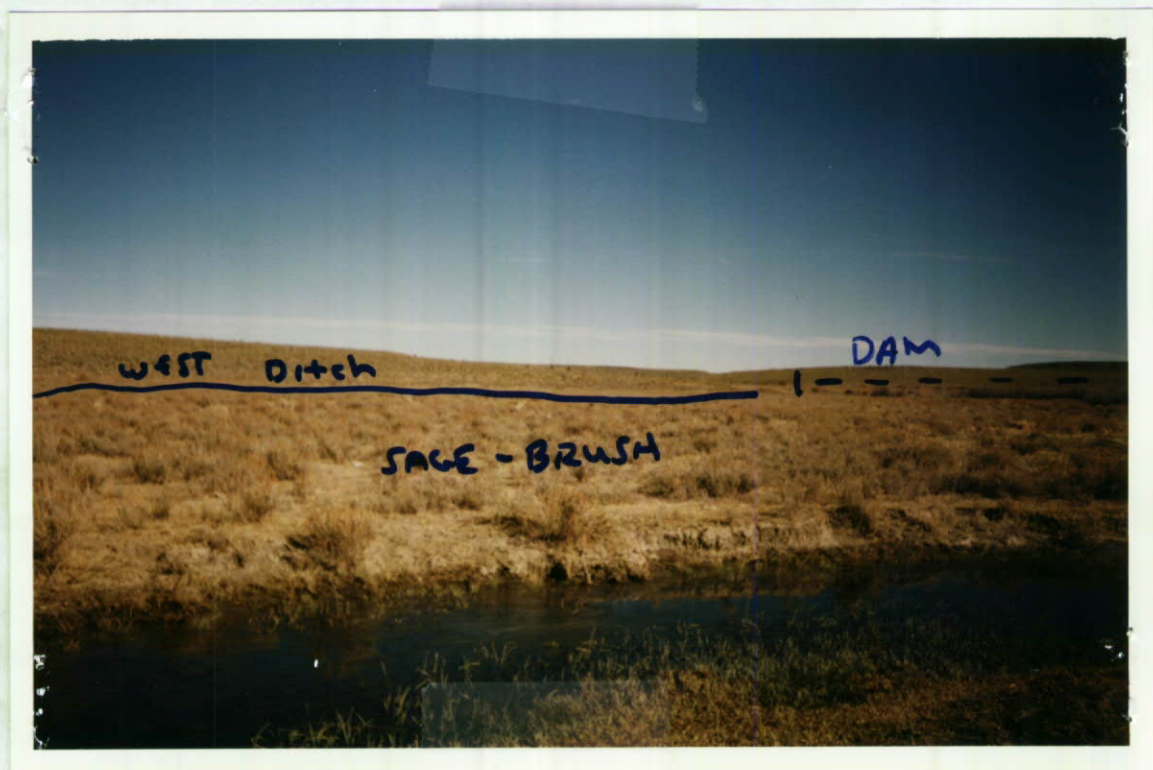
This view is back towards the dam and spillway. The flow goes back into the natural channel of Battle Creek. The East ditch begins on the right hand side of photo. No evidence of any diversion to it. See photo's in A55-02020 for more on this ditch.



Photo's By
RDH
11/5/93

PICTURE # 4a

This is part of the old POU that is on the West side of Dam and is also shown below photo 1a. View is towards the dam.



PICTURE # 5a

A55-02059

This view is of the only POU still considered for this licence. The location has changed from the original area. The 1979 ortho shows this area well. POU is just below photo 4a. View is at top of field starting at water cut out for cattle.



Photo's By
RDH

11/5/93

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: A55-02059
Date Received: 1/19/1989
Receipt No: W002025
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J R SIMPLOT SELF DECLARATION REVOC TRUST 208-336-2110
Address: J R SIMPLOT AS TRUSTEE
ATTN RONALD N GRAVES
PO BOX 27
BOISE ID 83707

2. Date of Priority: FEB 2, 1915

3. Source: BATTLE CREEK Trib. to: OWYHEE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	01E	15	NE	SW			OWYHEE

5. Description of diverting works:
EARTHEN DAM W/NATURAL LAVA ROCK SPILLWAY, 24" CMP W/GATE DIV.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/30	1.000		

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

8. Total consumptive use is 240.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	01E	15	NW	SW		IRR	40.0
			SW	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	80.0
					Total Acres	80.0

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:
NONE

14. Remarks:
OWNERSHIP CHANGED 9/19/94 RDH.

15. Basis of Claim: LICENSE

Water Right Number: 10782

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 _____

CORPORATE HEADQUARTERS

HAND DELIVERY

September 8, 1994

David R. Tuthill, Jr., P.E.
Manager, Western Regional Office
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

SEP 09 1994

WATER RESOURCES
WESTERN REGION

Re: Simplot Trust Purchase of Owen Owyhee County, Idaho Property.

Dear Mr. Tuthill:

Enclosed for filing are the following fully executed original documents connected with the August 31, 1994, sale of the Owen Family Revocable Trust A and Owen's Ranch Trust Owyhee County, Idaho farm and ranch properties to the J. R. Simplot Self-Declaration of Revocable Trust:

1. State of Idaho Department of Water Resources Assignment of Permits and Pending Application for Permit.
2. New Property Owner Notice of Change of Water Right Ownership.

As I mentioned to you in our telephone conversation yesterday, Owen retained ownership of one of the ranches known as "Pole Creek". The water rights associated with the Pole Creek Ranch are not included in any of the enclosed water right lists.

Please arrange for a photo-copy of the enclosed with your date stamp indicating receipt to be mailed to my attention at the letterhead address.

Sincerely,



Vic Conrad
Associate, Simplot
Land and Development

encl. Original Notice of Change of Water Right Ownership
Original Assignment of Permits and Pending Application for Permit

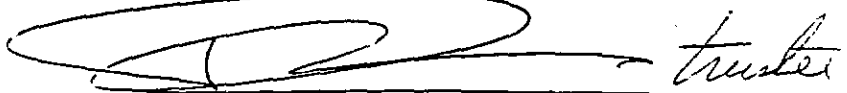
State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMITS AND PENDING APPLICATION FOR PERMIT

We, Richard L. Owen, Trustee of the Owen Family Revocable Trust A Established August 30, 1966, as Amended and Restated on October 12, 1988, and Velma Marie Owen, Successor Trustee of Owen's Ranch Trust Dated May 17, 1967, hereby assign to J. R. Simplot as Trustee, J. R. Simplot Self-Declaration of Revocable Trust, established by Written Instrument Dated December 1, 1989 of Post Office Box 27 Boise, ID, 83707:

All right, title, and interest in and to Permit No's 51-04104, 51-07082, 51-07107, 51-07119, 51-07183, 51-07281, 51-07293 and all right, title, and interest in and to pending Application for Permit No. 51-07346.

Made this 31st day of August, 1994.

Permit Holder and Applicant



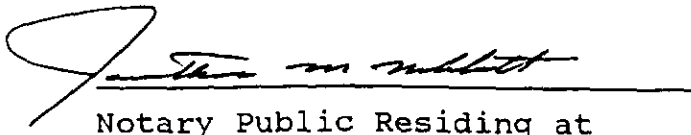
Richard L. Owen, Trustee of the
Owen Family Revocable Trust A



Velma Marie Owen, Successor Trustee
of Owen's Ranch Trust Dated May 17,
1967

State of Idaho)
County of Ada)
On this 31st day of August, 1994, personally appeared before
me Richard L. Owen, Trustee and Velma Marie Owen, Trustee known
to me to be the signer(s) of the above instrument and who
executed the same.

SS



Notary Public Residing at

Meridian, ID

Exp. Date: 4.25.2000

NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

DATE OF CLOSING: August 31, 1994

LEGAL DESCRIPTION OF PROPERTY: See Exhibit A

Water Right Numbers: See Exhibit B

Name and Address of Former Owner/Claimant(s) (Seller): Richard L. Owen, Trustee of the Owen Family Revocable Trust A, Post Office Box 590, Bruneau, Idaho, 83604-0590 and Velma Marie Owen, Successor Trustee of Owen's Ranch Trust Dated May 17, 1967, Post Office Box 590, Bruneau, Idaho 83604-0590.

New Owner/Claimant (Purchaser): J. R. Simplot as Trustee, J. R. Simplot Self-Declaration of Revocable Trust, Established by Written Instrument Dated December 1, 1989, Post Office Box 27, Boise, Idaho, 83707, ATTN: Ronald N. Graves.

Does the change in ownership result in a splitting of the water right owned/claimed? ___ yes X no

Attach proof of ownership, describe proof attached: See Exhibit A (Warranty Deed)

Signature of New Owner/Claimant(s) _____

J. R. Simplot as Trustee, J. R. Simplot
Self Declaration of Revocable Trust,
Established by Written Instrument
Dated December 1, 1989.

Signature of Former Owner/Claimant(s): _____

Richard L. Owen, Trustee of the
Owen Family Revocable Trust A

Velma Marie Owen - TRUSTEE
Velma Marie Owen, Successor
Trustee of Owen's Ranch Trust
Dated May 17, 1967.

WARRANTY DEED

FOR VALUE RECEIVED, Richard L. Owen, Trustee of the Owen Family Revocable Trust A established August 30, 1966, as amended and restated on October 12, 1988, and Velma Marie Owen, Trustee of the Owens Ranch Trust dated May 17, 1967, the Grantor, hereby GRANTS, BARGAINS, SELLS AND CONVEYS to J. R. Simplot, as Trustee of the J. R. Simplot Self-Declaration of Revocable Trust, established by written instrument dated December 21, 1989, and registered in the Fourth Judicial District of the State of Idaho, Ada County, as No. 3T-788 of H.C. 85, Box 275, Grandview, Idaho 83624, the following described real property situated in the County of Owyhee, State of Idaho, to-wit:

Legally described in Exhibit A attached hereto and made a part hereof,

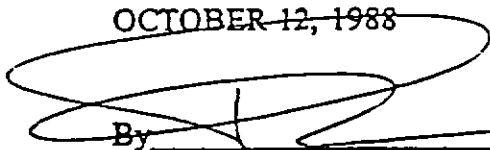
To have and to hold the said premises with their appurtenances unto the said Grantee, its successors and assigns forever. The said Grantor does hereby covenant to and with the said Grantee that it is the owner in fee simple of said premises; that said premises are free from all encumbrances save and except as hereinafter provided, and that Grantor will warrant and defend the same from all lawful claims whatsoever. The encumbrances to which the premises are subject are as follows:

- (1) Mortgage dated May 15, 1991, executed by Grantor for the benefit of Northwest Farm Credit Services, ACA, recorded in the records of Owyhee County, Idaho, as Instrument No. 205101 which said Mortgage the Grantee has assumed and agreed with the Grantor to timely repay.
- (2) Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey.
- (3) Taxes or special assessments for 1994 and thereafter.
- (4) Setbacks, zoning regulations, rules, regulations and laws affecting and governing the said premises.
- (5) Those certain matters contained in the public records of Owyhee County, Idaho and specifically identified on Schedule B, section 2, as special exception Nos. 1-26, inclusive, 28 and 32 on that certain Commitment for Title Insurance of Chicago Title Insurance Company dated August 29, 1994, bearing file No. PO781, SECOND AMENDED.

WARRANTY DEED - 1

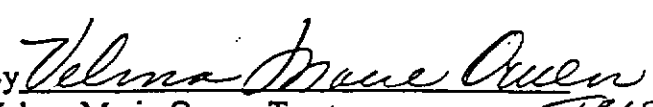
DATED this 31st day of August, 1994.

OWEN FAMILY REVOCABLE
TRUST A ESTABLISHED AUGUST 30, 1966
AS AMENDED AND RESTATED ON
OCTOBER 12, 1988

By 
Richard L. Owen, Trustee

TRUSTEE

THE OWENS RANCH TRUST
DATED MAY 17, 1967

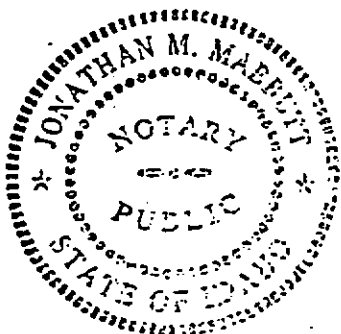
By 
Velma Marie Owen, Trustee

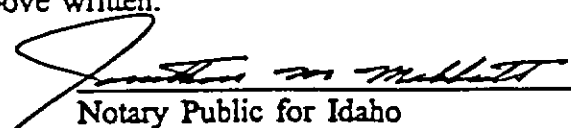
TRUSTEE

STATE OF IDAHO)
) ss.
County of Ada)

On this 31st day of August, 1994, before me, a notary public, personally appeared Richard L. Owen, known or identified to me to be the Trustee of THE OWEN FAMILY REVOCABLE TRUST A ESTABLISHED AUGUST 30, 1966 AS AMENDED AND RESTATED ON OCTOBER 12, 1988, and Velma Marie Owen, known or identified to me to be the Trustee of THE OWENS RANCH TRUST DATED MAY 17, 1967, the Trusts that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of said Trusts and acknowledged to me that such Trusts executed the same.

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




Notary Public for Idaho
Residing at Meridian, Id
Commission Expires: 4-25-2000

STATEMENT OF RICHARD L. OWEN - 2

PARCEL I:

IN TOWNSHIP 6 SOUTH, RANGE 5 EAST, B. M., OWYHEE COUNTY, IDAHO
Sections 22 and 23: Those portions of the SE¼NW¼, the SW¼NE¼,
the NW¼SE¼ and the NE¼SE¼ of Sec. 22; and the NW¼SW¼ of Sec.
23, lying South of the following described line, to-wit:
BEGINNING at the Section corner common to Sections 15, 16,
21 and 22; thence South 42°32' East 1915.0 feet to a point
on the West line of the SE¼NW¼, Sec. 22, which is the REAL
POINT OF BEGINNING: thence South 60°43' East 209.2 feet;
thence South 58°52' East 442.6 feet; thence South 69°05'
East 226.2 feet; thence South 57°42' East 340.3 feet; thence
South 29°44' East 293.4 feet; thence South 40°50' East 218.8
feet; thence South 63°58' East 598.3 feet; thence South
Continued

213665

FILED - RECORDED

'94 AUG 31 PM 1 06

BARBARA JAYO
OWYHEE COUNTY RECORDER
BY *E. S. S. S. S.*
DEPUTY

RECORDED
INDEXED
MICROFILMED

Barbara Jayo
AUG 31 1994

ma *@*

77°54' East 686.9 feet; thence South 21°50' East 258.2 feet; thence South 71°05' East 448.4 feet; thence South 57°39' East 117.6 feet; thence South 32°34' East 379.3 feet; thence North 87°32' East 670.6 feet; thence South 72°47' East 1392.6 feet to the SE corner of NW¼SW¼ of Section 23.

Section 22: NE¼SW¼, S¼SE¼ EXCEPTING from the SE¼SE¼ the following three (3) tracts of land more particularly described as follows:

COMMENCING at the Section corner common to Sections 22, 23, 26 and 27, T6S, R5E, B. M., and running thence North 37 feet to the Northwesternly line of the Bruneau to Grand View Highway, that point being marked by a right of way marker designated as POC-427+72.3; thence running South 89°55' West along said right of way line for a distance of 562.3 feet, said point being the REAL POINT OF BEGINNING; running thence South 89°55' West a distance of 428 feet; thence North a distance of 30 feet; thence North 89°55' East, a distance of 128 feet; thence North a distance of 270 feet; thence North 89°55' East a distance of 300 feet; thence South 300 feet to the POINT OF BEGINNING

and

COMMENCING at the section corner common to Sections 22, 23, 26 and 27, T6S, R5E, B. M., and running thence North 37 feet to the Northwesternly line of the Bruneau to Grand View Highway, that point being marked by a right of way marker designated as POC-427+72.3; thence running South 89°55' West along said right of way line for a distance of 562.3 feet; running thence South 89°55' West, a distance of 428 feet; thence North a distance of 30 feet, being the REAL POINT OF BEGINNING; thence North 89°55' East, a distance of 128 feet; thence North a distance of 270 feet; thence South 89°55' West, a distance of 128 feet; thence South 270 feet to the REAL POINT OF BEGINNING.

and

BEGINNING at the section corner common to Sections 22, 23, 26 and 27, T6S, R5E, B. M.; thence North 37.0 feet to the Northwesternly line of the Bruneau to Grand View Highway, the point being marked by a right of way marker, POC-427+72.3; thence North 89°20' West a distance of 989.95 feet, (formerly South 89°55' West a distance of 990.38 feet) to a point, which is the REAL POINT OF BEGINNING; thence North 89°20'00" West a distance of 300.00 feet; thence North 00°44'43" West a distance of 707.96 feet to a point on the South right of way of County Road; thence South 67°36'28" East along the South right of way of County Road a distance of 450.06 feet; thence South 00°44'43" East a distance of 241.32 feet; thence North 89°20'00" West (formerly south 89°55' West) a distance of 113.98 feet; thence South 00°44'43" East (formerly South) a distance of 300.00 feet to the REAL POINT OF BEGINNING.

Section 23: SW $\frac{1}{2}$ SW $\frac{1}{2}$
Section 25: W $\frac{1}{2}$ NE $\frac{1}{2}$, NW $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{2}$
Section 26: NE $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{2}$
Section 36: SW $\frac{1}{2}$ NE $\frac{1}{2}$, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{2}$

EXCEPTING FROM ALL THE ABOVE DESCRIBED PROPERTY various irregular strips of land as conveyed by Warranty Deed recorded August 17, 1954 as Instrument Number 89769 in Book 46 of Deeds page 117+ to the State of Idaho for the Grand View connection as surveyed and shown on the official plat of the Bruneau - Duck Valley St. 3806 (501) Highway Survey on file in the office of the Department of Highways of the State of Idaho, and lying over and across the portions SE $\frac{1}{2}$ SE $\frac{1}{2}$ of Section 22, S $\frac{1}{2}$ SW $\frac{1}{2}$ of Section 23, N $\frac{1}{2}$ NE $\frac{1}{2}$ of Section 26, NW $\frac{1}{2}$ NW $\frac{1}{2}$ of Section 25, SE $\frac{1}{2}$ SW $\frac{1}{2}$ of Section 24, NE $\frac{1}{2}$ NW $\frac{1}{2}$ of Section 25, NW $\frac{1}{2}$ NE $\frac{1}{2}$ of Section 25

ALSO EXCEPTING FROM ALL THE ABOVE DESCRIBED PROPERTY a strip of land as conveyed by Warranty Deed recorded May 27, 1955 as Instrument No. 91956 in Book 47 of Deeds page 129 to the State of Idaho as surveyed and shown on the official plat of Bruneau -Duck Valley - Project No. St. 3806(2) Highway Survey on file in the office of the Department of Highways of the State of Idaho.

IN TOWNSHIP 7 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 31: Lots 1 and 2, NE $\frac{1}{2}$ NW $\frac{1}{2}$

IN TOWNSHIP 8 SOUTH, RANGE 3 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 1: Lot 3, SW $\frac{1}{2}$ NW $\frac{1}{2}$
Section 2: NE $\frac{1}{2}$ SW $\frac{1}{2}$

IN TOWNSHIP 8 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 5: SW $\frac{1}{2}$ SE $\frac{1}{2}$, SE $\frac{1}{2}$ SW $\frac{1}{2}$
Section 8: NW $\frac{1}{2}$ NE $\frac{1}{2}$, NE $\frac{1}{2}$ NW $\frac{1}{2}$
Section 29: SE $\frac{1}{2}$ NE $\frac{1}{2}$

IN TOWNSHIP 8 SOUTH, RANGE 5 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 16: All

IN TOWNSHIP 10 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 15: NW $\frac{1}{2}$ NE $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{2}$, SE $\frac{1}{2}$ NW $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{2}$
Section 21: N $\frac{1}{2}$ NE $\frac{1}{2}$, SE $\frac{1}{2}$ NE $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{2}$
Section 22: W $\frac{1}{2}$ SW $\frac{1}{2}$
Section 28: E $\frac{1}{2}$, SE $\frac{1}{2}$ NW $\frac{1}{2}$, SE $\frac{1}{2}$ SW $\frac{1}{2}$
Section 33: NW $\frac{1}{2}$ NE $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{2}$, NE $\frac{1}{2}$ SW $\frac{1}{2}$

IN TOWNSHIP 11 South, RANGE 1 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 3: SW $\frac{1}{2}$ NW $\frac{1}{2}$, SW $\frac{1}{2}$
Section 10: W $\frac{1}{2}$ NE $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{2}$, NW $\frac{1}{2}$ NW $\frac{1}{2}$, NE $\frac{1}{2}$ SW $\frac{1}{2}$, NW $\frac{1}{2}$ SE $\frac{1}{2}$
Section 27: S $\frac{1}{2}$ S $\frac{1}{2}$
Continued

IN TOWNSHIP 11 SOUTH, RANGE 2 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 8: SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 17: E $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$

IN TOWNSHIP 12 SOUTH, RANGE 2 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 7: SW $\frac{1}{4}$ SE $\frac{1}{4}$

IN TOWNSHIP 9 SOUTH, RANGE 1 WEST, B. M., OWYHEE COUNTY, IDAHO

Section 33: SW $\frac{1}{4}$ SE $\frac{1}{4}$

IN TOWNSHIP 10 SOUTH, RANGE 1 WEST, B. M., OWYHEE COUNTY, IDAHO

Section 1: SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 3: SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$

Section 4: Lot 2, S $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 9: NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$, that portion of E $\frac{1}{4}$ NW $\frac{1}{4}$ lying
Easterly of the line described as follows:

BEGINNING at a point on the Section line between Sections 4
and 9, T10S, R1W, B. M., 23 feet East of the quarter corner
common to said Sections 4 and 9; thence running South 18°
West a distance of 2,750.0 feet, more or less, to the South
boundary line of the E $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9.

Section 10: N $\frac{1}{4}$, N $\frac{1}{4}$ S $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$,

EXCEPTING the one-half (1/2) acre of land in the NW
corner of NE $\frac{1}{4}$ SE $\frac{1}{4}$, as Reserved in Deed dated April 22, 1916
and recorded April 26, 1916 in Book 10 of Deeds, page 327,
Owyhee County Records.

Section 14: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 15: W $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$

Section 23: N $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 25: W $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$

Section 26: E $\frac{1}{4}$ NE $\frac{1}{4}$

Section 36: E $\frac{1}{4}$ W $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

IN TOWNSHIP 11 SOUTH, RANGE 1 WEST, B. M., OWYHEE COUNTY, IDAHO

Section 24: NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 35: SW $\frac{1}{4}$ SE $\frac{1}{4}$

IN TOWNSHIP 12 SOUTH, RANGE 1 WEST, B. M., OWYHEE COUNTY, IDAHO

Section 7: NE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 21: W $\frac{1}{4}$ E $\frac{1}{4}$, E $\frac{1}{4}$ W $\frac{1}{4}$

Section 35: W $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL II:

IN TOWNSHIP 10 SOUTH, RANGE 3 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 11: SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 13: NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 14: N $\frac{1}{4}$ NE $\frac{1}{4}$
Section 33: SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 34: NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ S $\frac{1}{4}$
Section 35: W $\frac{1}{4}$ W $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

IN TOWNSHIP 10 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 18: Lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 22: W $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$

IN TOWNSHIP 11 SOUTH, RANGE 2 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 11: SE $\frac{1}{4}$, W $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 12: S $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$
Section 13: N $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$
Section 14: NE $\frac{1}{4}$ NE $\frac{1}{4}$

IN TOWNSHIP 11 SOUTH, RANGE 3 East, B. M., OWYHEE COUNTY, IDAHO

Section 2: Lots 2 and 3
Section 18: Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 19: Lots 1 and 2, E $\frac{1}{4}$ NW $\frac{1}{4}$

PARCEL III:

IN TOWNSHIP 7 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 23: SE $\frac{1}{4}$ SAVING AND EXCEPTING the following described real property to-wit:

A tract of land located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$, bounded and described as follows: BEGINNING at the NW corner of NW $\frac{1}{4}$ SE $\frac{1}{4}$, the TRUE POINT OF BEGINNING; running thence North 89°57' East a distance of 2,056.8 feet to a point; thence South 54°57' West 905 feet to a point; thence South 59°39' West 860 feet to a point; thence North 33°42' West 79 feet to a point; thence South 67°04' West 598.8 feet to a point on the West boundary line of NW $\frac{1}{4}$ SE $\frac{1}{4}$; thence running North a distance of 1165 feet to the POINT OF BEGINNING.

Section 23: S $\frac{1}{4}$ SW $\frac{1}{4}$ and

A tract of land located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ bounded and described as follows:

BEGINNING at the East quarter corner of Section 23; the TRUE POINT OF BEGINNING: running thence South 89°57' West 583.2 feet to a point; thence North 54°57' East 273 feet to a point; thence North 73°32' East 380.2 feet, more or less, to the East Section line of said Section 23, running thence South a distance of 264.6 feet, more or less, to the POINT OF BEGINNING

Section 24: NW¼SW¼, W¼NW¼
Section 26: N¼NE¼, NE¼NW¼, W¼NW¼, SE¼NW¼

PARCEL IV:

IN TOWNSHIP 7 South, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 23: E¼SW¼ EXCEPT the following parcel:

BEGINNING at the south quarter corner, a brass cap properly identified as Sec. 23, T7S, R6E, B. M.; thence North 00°24' West a distance of 1152.6 feet along the north-south center line to an iron pin, the TRUE POINT OF BEGINNING; thence North 13° 31' West a distance of 1020.9 feet to an iron pin; thence North 89°56' West a distance of 405.8 feet to an iron pin; thence North 00°04' East a distance of 359.2 feet to an iron pin; thence North 89°50' West a distance of 677 feet, more or less, to the west boundary line of NE¼SW¼; thence North 00°04' East along the West boundary line of NE¼SW¼ a distance of 125 feet to a point; thence South 89°50' East along the north boundary line of NE¼SW¼ a distance of 1311 feet, more or less, to the north-east corner of NE¼SW¼; thence South 00°04' West a distance of 1479 feet, more or less, to the POINT OF BEGINNING

Section 23: NW¼SW¼ EXCEPT the following two (2) parcels of land:

BEGINNING at the west quarter corner of Sec. 23, thence South 89°50' East a distance of 181.5 feet along the north boundary line of NW¼SW¼ to an iron pin; thence South 02°50'55" West a distance of 1321.5 feet to an iron pin on the south boundary line of NW¼SW¼; thence North 89°50' West a distance of 115.5 feet to an iron pin on the West boundary line of NW¼SW¼; thence North 00°22' East a distance of 1320 feet, more or less, to the POINT OF BEGINNING.

Also

BEGINNING at the West quarter corner of Sec. 23, thence South 89°50' East along the North boundary line of NW¼SW¼ a distance of 320.1 feet to an iron pin, the TRUE POINT OF BEGINNING; thence South 89°50' East along the North boundary of NW¼SW¼ a distance of 987 feet, more or less, to the NE corner of NW¼SW¼; thence South 00°04' West a distance of 30 feet along the East boundary line of NW¼SW¼ to a point; thence North 89°50' West a distance of 987 feet to a point on the East right of way line of a county road; thence North 03°43'40" West a distance of 30.1 feet to the POINT OF BEGINNING.

Continued

© m

PARCEL V:

IN TOWNSHIP 10 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 17: S½SW½
Section 18: S½SE½
Section 19: NE¼, N½SE¼
Section 20: NW¼, N½SW½

PARCEL VI:

IN TOWNSHIP 6 SOUTH, RANGE 6 EAST, B.M., OWYHEE COUNTY, IDAHO

Section 19: A portion of Government Lot 4 (SW¼, SW½) more particularly described as follows:

Beginning at an iron pin marking the Southwest corner of the said Section 19, also said point being the Southwest corner of the said Government Lot 4 of Section 19; thence North 0°54'09" West 46.47 feet along the Westerly boundary of the said Government Lot 4 of Section 19 to an iron pin on the Northwesternly right-of-way line of State Highway 51, Federal Aid Project No. S-97(1), also said point being the REAL POINT OF BEGINNING; thence continuing North 0°54'09" West 1,291.08 feet along the said Westerly boundary of Government Lot 4 of Section 19 to an iron pin marking the Northwest corner of the said Government Lot 4 of Section 19; thence North 89°37'53" East 1,203.18 feet along the Northerly boundary of the said Government Lot 4 of Section 19 to an iron pin on the said Northwesternly right-of-way line of State Highway 51 marking a point of beginning of curve; thence Southwesterly along the said Northwesternly right-of-way line of State Highway 51 along a curve to the right 32.15 feet, said curve having a central angle of 1°56'52", a radius of 945.92 feet, tangents of 16.08 feet, and a long chord of 32.15 feet bearing South 45°46'35" West to a highway monument stamped "P.C. Sta. 2615+80.0" marking the point of ending of curve; thence South 3°30'48" West 248.17 feet along the said Northwesternly right-of-way line of State Highway 51 to an iron pin; thence South 46°45'00" West 1,346.38 feet along the said Northwesternly right-of-way line of State Highway 51 to a highway monument stamped "P.T. Sta. 2600+52.1" marking a point of curve; thence Southwesterly along the said Northwesternly right-of-way line of State Highway 51 along a curve to the right 196.26 feet, said curve having a central angle of 20°42'38", a radius of 542.96 feet, tangents of 99.21 feet, and a long chord of 195.20 feet bearing South 57°06'19" West to a point of ending of curve, also said point being the point of beginning.

Continued

PARCEL VII:

IN TOWNSHIP 7 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 3: S½SW¼
Section 4: SE½SE¼
Section 9: NE½NE¼, SE½NE¼, NE½SE¼
Section 10: W½NW¼, NW½SW¼, NE½SW¼, S½SW¼
Section 15: N½NW¼

PARCEL VIII:

IN TOWNSHIP 7 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 14: SW½SW¼
Section 15: S½SE¼
Section 22: NE½NE¼
Section 23: NW½NW¼

PARCEL IX:

IN TOWNSHIP 7 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 22: SE¼, SE½NE¼, S½SW¼
Section 23: That portion of NW½SW¼ more particularly described as follows:

COMMENCING at the NW corner of NW½SW¼, Sec. 23, T7S, R6E, B.M., and running thence South 80 rods; thence East 7 rods; thence North along the West bank of the Buckaroo Ditch 80 rods; thence West 11 rods to the PLACE OF BEGINNING.

Section 27: That portion of NE½NE¼ described as follows:
BEGINNING at the Section corner common to Sections 22, 23, 26 and 27, T7S, R6E, B. M., being the REAL POINT OF BEGINNING; thence North 89°04' West on the Section line between said Sections. 22 and 27, a distance of 1320.66 feet to the NW corner of NE½NE¼, Sec. 27; thence South 0°14' West along the West sideline of NE½NE¼, Sec. 27, a distance of 788.5 feet; thence North 80°41' East a distance of 1291.2 feet; thence North 64°18' East a distance of 53.9 feet to a point on the section line between said Sections 26 and 27; thence North 0°17' East on the Section line between Sections 26 and 27, a distance of 535 feet to the POINT OF BEGINNING.

Continued

PARCEL X:

IN TOWNSHIP 7 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 23: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 26: W $\frac{1}{4}$ NW $\frac{1}{4}$ EXCEPTING that portion lying South and West of Center line of the Bruneau River.
NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$

PARCEL XI:

IN TOWNSHIP 7 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 24: E $\frac{1}{4}$ SE $\frac{1}{4}$

Section 25: E $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$

IN TOWNSHIP 7 SOUTH, RANGE 5 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 19: Lots 1, 2, 3, 4, NE $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPT THE FOLLOWING PARCEL OF LAND:

COMMENCING at the North quarter corner of Section 19, thence North 89°33' West 260.75 feet; thence South 52°06' West 40.29 feet to the REAL POINT OF BEGINNING; thence North 89°33' West 34.64 feet; thence South 0°27' West 10 feet; thence South 89°33' East 22 feet; thence North 52°06' East 16.12 feet to the REAL POINT OF BEGINNING

ALSO EXCEPTING THE RIGHT OF WAY as described in Warranty Deed recorded December 12, 1958, as Instrument No. 99240 in Book 51 of Deeds, page 61 as follows: A strip of land 80.0 feet wide, being 40.0 feet on each side of the following described center line of highway as surveyed and shown on the official plat of State Highway 51 Project No. S-3806 (5) Highway Survey on file in the office of the Department of Highways of the State of Idaho and lying over and across Government Lots 4, 3, 2 and 1 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ OF Section 19, T7S, R5E, B. M.

BEGINNING at a point in the South line of Section 19, T7S, R5E, B. M., coincident with Station 36+04.75 of the said Highway Survey, which station is a point on tangent approximately South 89°19'55" East - 666.79 feet from the Southwest corner of said Section 19, thence North 1°24'45" East - 1550.94 feet to Station 51+55.69 of said Survey, which station is a point of spiral curvature; thence 200.0 feet with a spiral curve right, said curve having a central angle of 1°00' to Station 53+55.69, which station is a point of circular curvature; thence 1522.50 feet with a 1°00' curve right, said curve having a central angle of 15°13'30", to Station 68+78.19, which station is a point of spiral curvature; thence 200.0 feet with a spiral curve right, said curve having a central angle of 1°00' to Station 70+78.19, which station is a point of tangent; thence North 18°38'15"

Continued

East on tangent 1921.23 feet to a point in the North line of said Section 19, coincident with Station 89+99.42, which station is a point on tangent approximately North 89°32'25" West - 883.14 feet from the North Quarter corner of said Section 19.

AND ALSO,

Additional irregular strips of land adjacent and contiguous to and on both sides of the above described right of way being as follows: On the Westerly Side, a strip of land widening from 0.0 feet at Station 70+78.19 to 10.0 feet wide at Station 72+00, continuing 10.0 feet wide to Station 74+00 and tapering to 0.0 feet at Station 75+00; on the Easterly Side, a strip of land widening from 0.0 feet at Station 57+00 to 15.0 feet wide at Station 57+50, continuing 15.0 feet wide to Station 59+00, and tapering to 0.0 feet wide at Station 59+50, a strip of land widening from 0.0 feet at Station 68+50 to 10.0 feet at Station 69+50, continuing 10.0 feet wide to Station 79+00, and tapering to 0.0 feet at Station 80+00.

Section 30: Lots 1 and 2, SE½NW½

PARCEL XII:

IN TOWNSHIP 7 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO

Section 10: SW½SE½

Section 14: SW½NW½, NW½SW½

Section 15: SE½NE½, W½NE½, S½NW½, N½SE½

Section 16: S½NE½, SE½NW½, W½W½, E½SW½, SE½

EXCEPTING FROM Section 15, Township 7 South, Range 6 East, B.M., the following described property:

A parcel of land being a portion of the NW½SE½ of Section 15, T7S, R6E, B.M., Owyhee County, Idaho and more particularly described as follows: BEGINNING at a brass cap marking the South Quarter corner of the said Section 15; thence along the westerly boundary of the said Southeast Quarter of Section 15, North 00°11'24" East 1532.90 Feet to a point, also said point being the REAL POINT OF BEGINNING; thence continuing North 00°11'24" East 170.00 feet to an iron pin; thence along a line northerly of and parallel with the southerly boundary of the said NE½SW½ of Section 15; South 89°34'00" East 93.85 feet to a point on the centerline of Hot Springs Road; thence along the said centerline of Hot Springs Road; South 30°28'57" East 198.15 feet to a point; thence along a line northerly of and parallel with the said southerly boundary of the NE½SW½ of Section 15; North 89°34'00" West 194.93 feet to the POINT OF BEGINNING.

Continued

PARCEL XIII:

IN TOWNSHIP 14 SOUTH, RANGE 2 WEST, B.M. OWYHEE COUTNY, IDAHO
Section 2: SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$

PARCEL XIV:

IN TOWNSHIP 8 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 2: NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 3: NE $\frac{1}{4}$ SE $\frac{1}{4}$ and Lots 1 and 2

PARCEL XV:

IN TOWNSHIP 7 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 26: W $\frac{1}{4}$ NW $\frac{1}{4}$ South and West of Centerline of Bruneau
River

PARCEL XVI:

IN TOWNSHIP 7 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 26: W $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 34: E $\frac{1}{4}$ SE $\frac{1}{4}$
Section 35: W $\frac{1}{4}$ W $\frac{1}{4}$

IN TOWNSHIP 8 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 2: Lots 2 and 3

* * *

EXHIBIT B
NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

IDWR Water Right Numbers :

A51-00012	A51-02238	A51-10289	A55-10222
A51-00013	A51-04023	A51-10379	A55-10223
A51-00014	A51-04103	A51-10380	A55-10224
A51-00031	A51-04104	A51-12741	A55-10225
A51-00032	A51-04105	A51-12748	A55-10226
A51-00033	A51-07047	A51-12749	A55-10227
A51-00034A	A51-07058	A51-12750	A55-10228
A51-00035A	A51-07082	A51-12751	A55-13460
A51-00036A	A51-07092	A51-12752	A55-13461
A51-00068A	A51-07093	A51-12753	A55-13462
A51-00069	A51-07107	A51-12754	A55-13463
A51-00071	A51-07119	A55-02020	A55-13464
A51-00072	A51-07281	A55-02053	A55-13465
A51-00073	A51-10170	A55-02059	A55-13466
A51-00074	A51-10171	A55-02061	A55-13467
A51-02044A	A51-10211	A55-02062B	A55-13469
A51-02044B	A51-10212	A55-02079B	A55-13470
A51-02089B	A51-10213	A55-02173	A55-13471
A51-02091	A51-10272	A55-04008	A55-13472
A51-02108	A51-10273	A55-04009	A55-13474
A51-02120	A51-10274	A55-04010	A55-13478
A51-02123	A51-10275	A55-04011	51-02088
A51-02126	A51-10276	A55-10136	51-02074
A51-02127	A51-10277	A55-10137	51-07183
A51-02133	A51-10278	A55-10138	51-07293
A51-02138	A51-10279	A55-10139	51-07346 <i>changed at Western</i>
A51-02150	A51-10280	A55-10140	
A51-02152	A51-10281	A55-10141	
A51-02165	A51-10282	A55-10142	
A51-02167	A51-10283	A55-10143	
A51-02169	A51-10284	A55-10144	
A51-02170	A51-10285	A55-10145	
A51-02178	A51-10286	A55-10146	
A51-02196	A51-10287	A55-10147	
A51-02213B	A51-10288	A55-10221	

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: A55-02059
Date Received: 1/19/1989
Receipt No: W002025
Received By: _____

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

1. Name: OWEN FAMILY REVOCABLE TRUST A 208-845-2001
Address: RICHARD L OWEN TRUSTEE
PO BOX 590
BRUNEAU ID 83604

2. Date of Priority: FEB 2, 1915

3. Source: BATTLE CREEK Trib. to: OWYHEE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	01E	15		NE	SW		OWYHEE

5. Description of diverting works:
EARTHEN DAM W/NATURAL LAVA ROCK SPILLWAY, 24" CMP W/GATE DIV.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/30	1.000		

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

8. Total consumptive use is 240.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	01E	15	NW	SW		IRR	40.0
			SW	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	80.0
					Total Acres	80.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 10782

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)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

APR 15 1993

Department of Water Resources
Western Regional Office

CHANGE IN OWNERSHIP

This form is used for purposes of notifying IDWR of a change in ownership of an Adjudication Claim.

- [] Water Right Number(s): See Schedule A
- [] Name and Address of Former Claimant(s): Richard L. Owen
P.O. Box 590
Bruneau, ID 83604
- [] New Claimant(s): Owen Family Revocable Trust A Estab-
lished August 30, 1966, as Amended
and Restated October 12, 1988
- [] New Mailing Address: P.O. Box 590
Bruneau, ID 83604
- [] New Telephone Number: (208) 845 - 2001
- [] Does the change in ownership result in a spitting of the water right(s) claimed? Yes X No
If yes, then describe the portion of the water right that is now claimed by the new owner(s):

- [] Attach proof of ownership:
Describe proof attached: _____
(Proof of ownership must describe either the property conveyed or include the claim number.)
(Proof of ownership is not required if this form is signed by the former claimant.)

- [] Signature of New Claimant(s): 
Richard L. Owen, Trustee
Owen Family Revocable Trust A Established August 30, 1966. as Amended
and Restated October 12, 1988
Date 24 Sept 91

Revised 01/91

(Over Please)

CHANGE IN OWNERSHIP

[] Signature of Former Claimant(s):


Richard L. Owen

Date: 24 Sept. 91

[Signature of former claimant(s) is not required if proof of ownership is attached.]

For IDWR use only:

Initial Review and Data-Entry: Date _____ By _____
Further Action Needed / Taken: Date _____ By _____
Final Review and Data-Entry: Date _____ By _____

Claim Numbers of Split, if any: _____

After form has been completed, please return to the nearest IDWR office below:

Western Regional Office
2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

Eastern Regional Office
150 Shoup Suite # 15
Idaho Falls, Idaho 83402
(208) 525-7161

Southern Regional Office
222 Shoshone Street East
Twin Falls, Id 83301
(208) 734-3578

Northern Regional Office
1910 Northwest Blvd. Suite 210
Coeur D'Alene Idaho 83814
(208) 765-4639

IDWR State Office
1301 N. Orchard St.
Statehouse Mail
Boise, Idaho 83720
(208) 327-7906

SCHEDULE A

51-00033	51-02213B	A55-10143	A55-04011
51-00032	51-02167	A55-10222	A55-04008
51-00031	51-02123	A55-10227	A55-04010
51-00069	51-02127	A51-10281	A51-04105
51-00014	51-02169	A55-10145	A55-10144
51-00068	51-02165	A55-10146	A51-10277
51-00034	51-02089B	A51-10283	A51-10279
51-00036	51-02091	A51-10284	55-02173
51-00035	55-02062	A51-10285	A55-10138
51-00012	55-2079	A51-10286	A55-10140
51-00013	55-02020	A51-10289	A55-10147
51-00035A	55-02059	A51-10288	A55-10221
51-02108	55-02061	A51-10287	A55-10228
51-02178	55-02053	A55-10224	51-07107
51-02044B	51-04104	A55-10226	51-7094
51-02044A	51-07092	A55-10223	51-07093
51-02238	51-07281	A51-10276	51-02126
51-02133	51-07082	A55-10225	51-00074
51-02150	51-04103	A55-10139	51-00073
51-07047	51-07293	A55-10137	51-00072
51-07058	A51-10272	A55-10136	A51-00071
51-02170	A51-10278	A51-10275	55-02113
51-02120	A51-10280	A51-10274	55-02090
51-02152	A51-10282	A51-10273	A55-10142
51-02196	A55-10141	A55-04009	51-00034A

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: A55-02059
Date Received: 1/19/1989
Receipt No: W002025
Received By: DE JOL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD L. OWEN 208-845-2001
Address: P.O. BOX 590
BRUNEAU, ID 83604

2. Date of Priority: FEB 2, 1915

3. Source: BATTLE CREEK Trib. to: OWYHEE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	01E	15	NE	SW			OWYHEE

5. Description of diverting works:
EARTHEN DAM W/NATURAL LAVA ROCK SPILLWAY, 24" CMP W/GATE DIV.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/30	1.000		

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

8. Total consumptive use is 240.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	01E	15	NW	SW		IRR	40.0
			SW	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	80.0
					Total Acres	80.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 10782

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)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 ASS-02059
Date Received 1-19-89
Receipt Number W 002025

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JAN 19 1989

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Richard L. Owen Phone (208) 845-2001
Mailing Address P. O. Box 590, Bruneau, ID Zip 83604

2. Date of Priority (Only one (1) per claim) February 2, 1915

3. Source of water supply (a) Battle Creek
which is tributary to (b) Owyhee River

4. a. Location of existing point of diversion is: Township 10S. Range 01E. Section 15,
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Owyhee

Additional points of diversion if any: none

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Earthen dam w/natural lava rock
spillway, 24" CMP w/gate diversion.

MICROFILMED

SEP 29 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

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

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

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

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

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/1 to 11/30 amount 1.000 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.000 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 240.00 acre feet per annum.

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
LOS.	01E.	15										40.0	40.0						80.0

Total number of acres irrigated 80.0

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

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

14. Remarks:
None

Last Name Owen Ident No. _____

MICROFILMED
 Copies: White - State, Yellow - Claimant

SEP 29 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

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

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

Scale: 2 inches equals 1 mile



Ident No.

SEP 29 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____

Decree _____

If applicable provide IDWR Water Right Number 55-2059

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 0

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

Signature of Claimant (s) _____ Date 1/17/89

Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

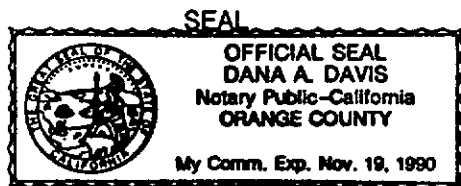
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or California)
County of Orange) SS.

Subscribed and sworn (or affirmed) before me this 17th day of January 19 89



Notary Public Dana A. Davis

Residing at 28871 Greenacres Mission Viejo CA. 92692

My Commission Expires 11/19/90

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name Owen Ident. Number _____

Copies: White: State, Yellow: Claimant
MICROFILMED

SEP 29 1992

	Remarks
	No Remarks found.

SEP 29 1992

[illegible]

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME OWEN CLAIM IDENT. NO. A55-02059DATE RECEIVED 1-19-89 CK # 658 AMOUNT \$ 50 + 80 = 130.00 Required

- | | YES | NO | Info? |
|--|-------------------------------------|-------------------------------------|-------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☐ | ☒ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) N/A | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? N/A | ☒ | ☐ | |
| Is the consumptive use correct? N/A | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? (see Item No. 17 for checking other water rights) | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the basis of claim is shown as license, permit or decree is the existing water right number listed? (If yes, compare claim with the existing water right and either attach a proof report or state in comments that existing right was compared to claim) N/A | ☒ | ☐ | |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. on the claim? (If yes, describe these rights in "Comments") NOTE: If the claim is for domestic/stockwater this check is not as necessary unless it is indicated there is an existing right N/A | ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A | ☐ | ☒ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 22. Is the fee enclosed correct? Exempt | ☐ | ☐ | * |

\$130.00
MICROFILMED

SEP 29 1992

YES

NO

23. Should this claim be receipted and data entered?

☒

Claim checked by: Rch

Date: 2/8/91

Claim must be returned to claimant: _____

(Yes) ☐ (No) ☒

Claimant must be notified of modifications: _____

(Yes) ☐ (No) ☒

Receipt Prepared by: JS

Date: _____

Claim data entered by: JS

Date: 2-27-91

Checked by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Comments: _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

April 24, 1998

PHILIP E. BATT
GOVERNOR

VIC CONRAD
SIMPLOT COMPANY
PO BOX 27
BOISE ID 83707

KARL J. DREHER
DIRECTOR

REF: NOTICES OF ERROR BASIN 55

Dear Vic:

Enclosed are 3 NAPP maps and profile reports that were either changed or taken a second look at for the recommendations of the BASIN 55 Notice of Error reports process:

55-02015: Second look, no changes to irrigated acres , enclosed new map, N/C to irrigation season.

55-02037: Second look, added acres, added CFS, enclosed 2 new maps with a new profile report, N/C to irrigation season.

55-02020: Added remark AKA Randall Spring, with new profile report, N/C to irrigation season.

55-02059: N/C to irrigation season.

55-04008 : N/C to irrigation season.

55-04009: Added year round stock season, with new profile report, N/C to irrigation season.

55-04010: Added domestic use, with new profile report, N/C to irrigation season.

55-04011: N/C to irrigation season.

55-10225: N/C to irrigation season.

55-10226: N/C to irrigation season.

55-10227: N/C to irrigation season.

If you have questions related to the above, please contact me.

Sincerely,

Ron Howerton
SRBA Western Region
334-2190

CORPORATE HEADQUARTERS

March 26, 1998

Jan Shurte
Water Rights Supervisor
Adjudication Section
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

RECEIVED

MAR 27 1998

WATER RESOURCES
WESTERN REGION

Re: Extension of Time to Respond to Preliminary Recommendation.

Dear Jan:

I am sending this letter to confirm that during our conversation today you granted our request to extend the amount of time to respond to the IDWR's preliminary recommendations for the following claims until April 15, 1998:

55-02020	55-04011
55-02053	55-10221
55-02059	55-10222
55-02061	55-10223
55-02173	55-10224
55-04008	55-10225
55-04009	55-10226
55-04010	55-10227
	55-10228

We appreciate you granting our request to extend the response deadline and I look forward to working with you through any issues that arise during our review of these recommendations.

Sincerely,



Vic Conrad
Simplot Land and Development

c: F. Bachman
S. Ysursa

AJ0749NP
No. R55-02059

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

DATE: 02/27/98
PAGE: 1

OWNER CODE C
NAME & ADDRESS J R SIMPLOT SELF DECLARATION REVOC TRUST
ATTN RONALD N GRAVES
PO BOX 27
BOISE ID 83707
(208) 336-2110
PRIORITY DATE 02/02/1915
WATER USE IRRIGATION
USE PERIOD FROM 04-15 TO 10-15
DIVERSION RATE 0.98 CFS
DIVERSION VOLUME 0.98 CFS

TOTAL DIVERSION:

0.98 CFS

Water Source: BATTLE CREEK
Point(s) of Diversion: T10S R01E S15
Place of use Legal Description for: IRRIGATION
Tributary to: ONYHEE RIVER
Stage: LICENSE
ONYHEE County

NE		NW		SW		SE		SUM													
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
10S	01E	15	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
10S	01E	16	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
10S	01E	21	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
TOTAL ACRES																			49.0		

POU County: ONYHEE

Conditions of Approval:
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: GEN THE REMAINDER OF THIS RIGHT HAS BEEN FORFEITED FOR NON-USE
FROM 1979 TO FIELD EXAM 11/5/1993.
Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: Field Inspection Flag:
Audit: 02/27/98 LHARRIS

CLAIM NO. 55 - 62059

**IDWR SUPPLEMENTAL CLAIM VERIFICATION REPORT
FOR DOCUMENTING CHANGES TO CVR**

1. ☒ NAME - No change

☐ NEW OWNER: _____

(SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)

☒ ADDRESS - No change

☐ NEW ADDRESS: _____

2. ☒ SOURCE - No change

☐ CHANGE - New source and/or tributary is: _____

3. ☒ QUANTITY - No change

☐ CHANGE - New amounts: _____ CFS and/or _____ AFY

4. ☒ PRIORITY DATE - No change

☐ CHANGE - Priority date to: _____

(EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)

5. ☒ POINT OF DIVERSION - No Change

☐ CHANGE - New point of diversion is: T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4

T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
(LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)

6. ☒ PURPOSE AND PERIOD OF USE - No change

☐ CHANGE New purpose of use

New period of use

New amount(s)

_____ from _____ to _____ cfs _____ af

_____ from _____ to _____ cfs _____ af

_____ from _____ to _____ cfs _____ af

7. ☒ PLACE OF USE - No change

☐ CHANGE New place(s) of use: (LOCATION(S) AND ACRES SHOULD ALSO BE SHOWN ON MAP)

T	R	S	N E				N W				S W				S E				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

REMARKS WINTER SEASON NO CHG.

CONDITIONS _____

Reviewer

Ron Howerton

Date

4/21/98

March 6, 1998

RECEIVED
APR 15 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: April 15, 1998

Water Right Number: **55-02059**

J. R. SIMPLOT SELF-DECLARATION OF REVOCABLE TRUST
J. R. SIMPLOT AS TRUSTEE
ATTN: RONALD N. GRAVES
BOISE, ID 83707

Daytime Telephone Number: **208-336-2110**
Evening Telephone Number:

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

Period of Use: "Irrigation Season" for Irrigation Period of Use or in the alternative April 15 through October 15.

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

Period of Use: "Irrigation Season" for Irrigation Period of Use or in the alternative March 1 through November 30 (see explanation in no. 3 below).

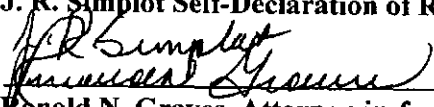
3. Give a brief explanation as to why you disagree with these portions:

The basis for this claim, IDWR license no. 55-02059 was issued without specifying calendar dates for the irrigation season. The Idaho Supreme Court recently addressed the "irrigation season" use in *In re SRBA Nos. 39576, 91-00005 Ex Rel. General Provisions Re. Basin-Wide Issue 5*, 1997 Opinion 122 (Idaho Oct. 3, 1997). In this decision the Court held "that due to year to year changes in climatic conditions and variability in each area's soil type, the period of use for irrigation water rights should not be defined as a fixed period of use." *Id.* at 7. The Idaho Supreme Court's ruling on this issue is being challenged. A Petition for Rehearing was filed by the State of Idaho but rehearing has not yet been granted. In light of the pending petition, Claimant requests that irrigation season be described only as "irrigation season" in accord with present Idaho law.

In the event that the Idaho Supreme Court reverses its earlier decision on using "irrigation season", the period beginning March 1 and ending November 30 should be used to identify a specific calendar description. The actual calendar dates for the beginning and ending of an irrigation season fluctuate from year-to-year. An irrigation season described "from March 1 through November 30" will allow Claimant to divert and beneficially utilize water during those years when the irrigation season begins early or ends late.

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

J. R. Simplot Self-Declaration of Revocable Trust

DATE: 4-14-1998 SIGNATURE: by: 
Ronald N. Graves, Attorney-in-fact

IDWR Western Regional Office, 2735 Airport Way, Boise, ID 83705-5082, (208) 334-2190



J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

April 15, 1998

HAND DELIVERY

Jan Shurte, Water Rights Supervisor
Adjudication Section
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RECEIVED
APR 15 1998
WATER RESOURCES
WESTERN REGION

Re: Notices of Error and Instream Stockwater Beneficial Use claims.

Dear Jan:

On behalf of the J. R. Simplot Self-Declaration of Revocable Trust enclosed are the Notices of Error for the following Basin 55 SRBA claims:

55-02020	55-04011
55-02059	55-10225
55-04008	55-10226
55-04009	55-10227
55-04010	

Also enclosed on behalf of the J. R. Simplot Self-Declaration of Revocable Trust are the following SRBA in-stream stock water claims and a \$50.00 check to cover the filing fee for both claims:

A55-13688 A55-13686

Should you have any questions about the enclosed documents please contact me. My phone number is 389-7359.

Sincerely,

Vic Conrad
Simplot Land and Development

Enclosures

c: F. Bachman
 S. Ysursa

OK
[Handwritten initials]

J.R. SIMPLOT COMPANY ONE CAPITAL CENTER 999 MAIN STREET SUITE 1300
P.O. BOX 27 BOISE, IDAHO 83707-0027 (208) 336-2110 FAX (208) 389-7515

CORPORATE HEADQUARTERS

March 26, 1998

Jan Shurte
Water Rights Supervisor
Adjudication Section
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

RECEIVED

MAR 27 1998

**WATER RESOURCES
WESTERN REGION**

Re: Extension of Time to Respond to Preliminary Recommendation.

Dear Jan:

I am sending this letter to confirm that during our conversation today you granted our request to extend the amount of time to respond to the IDWR's preliminary recommendations for the following claims until April 15, 1998:

55-02020	55-04011
55-02053	55-10221
55-02059	55-10222
55-02061	55-10223
55-02173	55-10224
55-04008	55-10225
55-04009	55-10226
55-04010	55-10227
	55-10228

We appreciate you granting our request to extend the response deadline and I look forward to working with you through any issues that arise during our review of these recommendations.

Sincerely,

[Handwritten signature of Vic Conrad]

Vic Conrad
Simplot Land and Development

c: F. Bachman
S. Ysursa

IDAHO DEPARTMENT OF WATER RESOURCES

T10S, R01E, S16^{S15, S16, S17}

6 ACRES

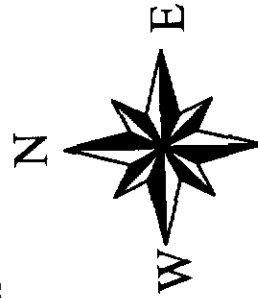
 Section Lines

 Place of use

1/4 14 Lines

 POINT OF DIVERSION

Claim(s): 55-02059
Owner(s): SIMPLOT
Prepared by: Ron Howerton
Date: 2/10/1998
Total Acres: 49



1987 NAPP



DATE: 02/21/98
PAGE: 1

0.98 cfs

T OF DIVERSION
 E OF USE PURSUANT TO
 2/12/1998 Objection Filed Date:
 :
 FOREST
 comment
 80-49-31 ACRES
 80-49-31 ACRES
 PER AP 10 FEB '98
 ACRES W/ AP 10 FEB '98
 CUS DATED

RIGHT NO	TNS RNG SEC			NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
A55-10225	10S	1E	28	4	3	14	12				5					7	8			53
A55-02020 * OVER- LAP			28	4	3	10	12									7	8			44
TOTAL ACRES				4	3	14	12				5					7	8			53
																				0
																				0
																				0

RIGHT NO	TNS RNG SEC			NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
A55-02020	10S	1E	21	9	21	12	16									23			23	104
* SEE OVER- LAP			28	4	3	10	12									7	8			44
TOTAL																				148
A55-10225	10S	1E	28	4	3	14	12				5					7	8			53
A55-02059	10S	1E	15										7							7
			16													9			22	31
			21	11																11

ACRES CALC. BY RDH:

1. Found BLM irrigated tracts in T10s, R01e, S21, SWNE & NWSE. (A55-02020)
2. Found State irrigated tracts in T10S, R01E, S16. (A55-02059) no longer state per Vic Conrad & Frank Bockman January 14, 1998
3. Checked our BLM 1978 Triangle 1/100,000 map, to confirm original BLM tracts and State land.
4. New owners do not want to claim BLM.

COMMUNICATION DOCUMENTATION

Claim No. See below:

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Ron Howerton

DATE

January 14, 1998

CUSTOMER

Vic Conrad & Frank Bockman

SUBJECT: B55 Claim Problems

Claims: A55-02020, A55-02059, A55-04009, A55-10225, A55-10227

1. Met with Vic & Frank, amended claims per ownership of land problems, Vic took amended claims back to his office to get official signatures.

From: DWR06::"vconrad@simplot.com" 7-JAN-1998 17:33:07.67
To: "'rhowerto@dwr06.idwr.state.id.us'" <dwr06::rhowerto>
CC:
Subj: RE: RESPONSE DUE

Ron,
Thank you for the heads up. I can be available on Friday Jan. 9 but if it can wait until next week I can be available most anytime. Please let me know what time suits you. If we can defer until next week I can do some work on this end. Thanks again Ron - I appreciate the final heads-up.

> -----
> From:
> rhowerto@dwr06.idwr.state.id.us[SMTP:rhowerto@dwr06.idwr.state.id.us]
> Sent: Wednesday, January 07, 1998 3:24 PM
> To: mvic@dwr06.idwr.state.id.us
> Cc: RHOWERTO@dwr06.idwr.state.id.us; "RON
> HOWERTON"@dwr06.idwr.state.id.us
> Subject: RESPONSE DUE
>
> VIC,
>
> HI, IT'S TIME NOW!!!
>
> * I'M PUTTING THE FINAL RECOMMENDATIONS FOR BASIN 55.
>
> * I HAVE 5 SIMPLOT CLAIMS THAT I DO NEED YOUR INPUT ON:
>
> * LETTERS WERE SENT OUT IN AUGUST 1996 FOR RESPONSE NEEDED WITHIN
> 30 DAYS...
>
> NOTHING HAS BEEN RECEIVED,
>
> THESE ARE THE #'S:
> A55-02020
> A55-02059
> A55-04009
> A55-10225
> A55-10227
>
> PLEASE CALL ME ASAP FOR AN APPOINTMENT,
>
> RON HOWERTON
>
> 334-2190
>
>



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

September 12, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

VIC CONRAD
SIMPLOT COMPANY
PO BOX 27
BOISE ID 83707

REF: MORE CLAIMS WITH COMBINED BLM & STATE & PRIVATE IRRIGATED
LANDS

CLAIMS: A55-02059 & A55-02020

Dear Vic,

I want to re-state our current procedure on BLM and State lands as stated on resent letter mailed August 29, 1996.

1. Our **CURRENT** procedure for recommending acres in BLM tracts or State lands is:
 - a. If a claimant has claimed irrigated acres on BLM or State land;
 - * We will recommend the acres if directed by the claimant.
 - b. If we find BLM or State Land irrigated, that was not claimed;
 - * We will recommend the acres if directed by the claimant, however the claim(s) must be amended to include those tracts.
2. I have enclosed 3-maps that show private irrigated acres, to include BLM and State. Also 1-land list is included. Please look at the 3-maps and the land lists where I have highlighted irrigated BLM or State lands in yellow.

DETAILS:

3. **CLAIM A55-02059:**

- * This claim is particularly unusual in that I found no acres irrigated in the tracts that were licensed. But I found 14 acres irrigated in section 16, in the NESE, T10S, R01E on State ground. I believe these acres can be recommended as an accomplished transfer (1979 ortho map shows irrigation) from lands no longer irrigated in section 15. This tract was not claimed and will require an amended claim in order for me to recommend these 14 acres. You need to **DIRECT** us whether to recommend those acres or not. If not it appears then that this right has no other acres to recommend.

4. CLAIM A55-02020:

- * This claim is similar to above, except it has some BLM acres. It also appears to have an accomplished place of use transfer that overlap claim A55-10225 in section 28. Neither the BLM irrigated tracts or tracts in Section 28 were claimed by the prior owner, Richard Owen. So normally we would probably just go ahead and recommend the accomplished place of use tracts in section 28 by evidence shown on the 1979 ortho. However, since the BLM tracts were not claimed you may choose to not include those acres.
- * You need to DIRECT us whether to recommend those acres for both claims. This will require amending of both claims.
- * Amending these claims should not be a problem, no new fees are applicable.
- * The table below shows a summary of what irrigated acres may be recommended, depending on what DIRECTION YOU WANT TO TAKE for each of these claims.

CLAIM ID	TOTAL ACRES CLAIMED BY OWEN	<u>TOTAL ACRES I FOUND:</u> INCLUDING BLM &/or STATE LAND	VS TOTAL ACRES WITHOUT BLM &/or STATE LAND INCLUDED
A55-02059	80	~~14~~ 49	~~0~~
A55-02020	200	~~171~~	~~157~~

Please let me know ASAP (PLEASE RESPOND within 30 days) on what DIRECTION YOU WANT TO TAKE for each of these claims. I am going over the claims I have in basin 55 for SIMPLOT and my goal is to finish my preliminary recommendations at the earliest date possible.

Sincerely,



Ron Howerton
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

ENCLOSURES: 3-MAPS & 1-LAND LIST & profile reports for each claim.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

RECEIVED

FEB 04 1994

February 4, 1994

WATER RESOURCES
WESTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Scott Campbell
Elam & Burke
P.O. Box 1539
Boise, ID 83701

ASS-02059

RE: Snake River Basin Adjudication (SRBA)
Change in Notice of Appearance of Counsel on the Snake River
Basin Adjudication Claims for Owen Ranches, Pioneer
Irrigation District and Settlers' Irrigation District

Dear Scott:

Following your letter request to David Shaw of December 10, 1993, attached is an adjudication report denoting the claims filed by your clients referenced above that have been changed. We have also updated water right 57-00040 for Pioneer Irrigation as you requested.

Please note water rights claims showing Richard L. Owen as claimant were not changed in our database. You may wish to file another Notice to the court if you are representing Richard L. Owen as well as Owen Ranches, each of whom have filed claims as if they were unrelated parties.

Call me if you have questions.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:regions

Enclosures:

Adjudication Report

AJ5514NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION ATTORNEY NAME ADD/UPDATE

DATE: 02/02/94
TIME: 23:49:41.6
PAGE: 1

INPUT: AJ_SELECTION:SHAFF-CAMPBELL-CAN-SEL

TYPE OF ACTION: MODIFY

MODIFY ALL FIELDS FLAG: N

LAST NAME:

ADDRESS LINE 1: ELAM & BURKE

ADDRESS LINE 3: PO BOX 1539

CITY: BOISE

FIRST NAME:

ADDRESS LINE 2:702 W IDAHO FL 10

PHONE NUMBER: (208) 343-5454

STATE: ID ZIP: 837011539

A51-00012 SUCCESSFULLY CHANGED ON HOST
A51-00013 SUCCESSFULLY CHANGED ON HOST
A51-00014 SUCCESSFULLY CHANGED ON HOST
A51-00031 SUCCESSFULLY CHANGED ON HOST
A51-00032 SUCCESSFULLY CHANGED ON HOST
A51-00033 SUCCESSFULLY CHANGED ON HOST
A51-00034A SUCCESSFULLY CHANGED ON HOST
A51-00035A SUCCESSFULLY CHANGED ON HOST
A51-00036A SUCCESSFULLY CHANGED ON HOST
A51-00068A SUCCESSFULLY CHANGED ON HOST
A51-00069 SUCCESSFULLY CHANGED ON HOST
A51-00071 SUCCESSFULLY CHANGED ON HOST
A51-00072 SUCCESSFULLY CHANGED ON HOST
A51-00073 SUCCESSFULLY CHANGED ON HOST
A51-00074 SUCCESSFULLY CHANGED ON HOST
A51-02044A SUCCESSFULLY CHANGED ON HOST
A51-02044B SUCCESSFULLY CHANGED ON HOST
A51-02089B SUCCESSFULLY CHANGED ON HOST
A51-02091 SUCCESSFULLY CHANGED ON HOST
A51-02108 SUCCESSFULLY CHANGED ON HOST
A51-02120 SUCCESSFULLY CHANGED ON HOST
A51-02123 SUCCESSFULLY CHANGED ON HOST
A51-02126 SUCCESSFULLY CHANGED ON HOST
A51-02127 SUCCESSFULLY CHANGED ON HOST
A51-02133 SUCCESSFULLY CHANGED ON HOST
A51-02138 SUCCESSFULLY CHANGED ON HOST
A51-02150 SUCCESSFULLY CHANGED ON HOST
A51-02152 SUCCESSFULLY CHANGED ON HOST
A51-02165 SUCCESSFULLY CHANGED ON HOST
A51-02167 SUCCESSFULLY CHANGED ON HOST
A51-02169 SUCCESSFULLY CHANGED ON HOST
A51-02170 SUCCESSFULLY CHANGED ON HOST
A51-02178 SUCCESSFULLY CHANGED ON HOST
A51-02196 SUCCESSFULLY CHANGED ON HOST
A51-02213B SUCCESSFULLY CHANGED ON HOST
A51-02238 SUCCESSFULLY CHANGED ON HOST
A51-04023 SUCCESSFULLY CHANGED ON HOST
A51-04103 SUCCESSFULLY CHANGED ON HOST
A51-04104 SUCCESSFULLY CHANGED ON HOST
A51-04105 SUCCESSFULLY CHANGED ON HOST
A51-07047 SUCCESSFULLY CHANGED ON HOST
A51-07058 SUCCESSFULLY CHANGED ON HOST
A51-07082 SUCCESSFULLY CHANGED ON HOST
A51-07092 SUCCESSFULLY CHANGED ON HOST
A51-07093 SUCCESSFULLY CHANGED ON HOST
A51-07107 SUCCESSFULLY CHANGED ON HOST
A51-07119 SUCCESSFULLY CHANGED ON HOST
A51-07281 SUCCESSFULLY CHANGED ON HOST
A51-10170 SUCCESSFULLY CHANGED ON HOST

AJ5514NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION ATTORNEY NAME ADD/UPDATE

DATE: 02/02/94
TIME: 23:49:53.7
PAGE: 2

INPUT: AJ_SELECTION:SHAFF-CAMPBELL-CAN-SEL

TYPE OF ACTION: MODIFY

MODIFY ALL FIELDS FLAG: N LAST NAME:

ADDRESS LINE 1: ELAM & BURKE

ADDRESS LINE 3: PO BOX 1539

CITY: BOISE

FIRST NAME:

ADDRESS LINE 2:702 W IDAHO FL 10

PHONE NUMBER: (208) 343-5454

STATE: ID ZIP: 837011539

Previously conveyed to Idaho Fish & Game

OWNER CODE - NOT UPDATED

A51-10171 SUCCESSFULLY CHANGED ON HOST
A51-10210 SUCCESSFULLY CHANGED ON HOST
A51-10211 SUCCESSFULLY CHANGED ON HOST
A51-10212 SUCCESSFULLY CHANGED ON HOST
A51-10213 SUCCESSFULLY CHANGED ON HOST
A51-10272 SUCCESSFULLY CHANGED ON HOST
A51-10273 SUCCESSFULLY CHANGED ON HOST
A51-10274 SUCCESSFULLY CHANGED ON HOST
A51-10275 SUCCESSFULLY CHANGED ON HOST
A51-10276 SUCCESSFULLY CHANGED ON HOST
A51-10277 SUCCESSFULLY CHANGED ON HOST
A51-10278 SUCCESSFULLY CHANGED ON HOST
A51-10279 WATER RIGHT HAS NO ATTORNEY
A51-10280 SUCCESSFULLY CHANGED ON HOST
A51-10281 SUCCESSFULLY CHANGED ON HOST
A51-10282 SUCCESSFULLY CHANGED ON HOST
A51-10283 SUCCESSFULLY CHANGED ON HOST
A51-10284 SUCCESSFULLY CHANGED ON HOST
A51-10285 SUCCESSFULLY CHANGED ON HOST
A51-10286 SUCCESSFULLY CHANGED ON HOST
A51-10287 SUCCESSFULLY CHANGED ON HOST
A51-10288 SUCCESSFULLY CHANGED ON HOST
A51-10289 SUCCESSFULLY CHANGED ON HOST
A51-10290 SUCCESSFULLY CHANGED ON HOST
A55-02053 SUCCESSFULLY CHANGED ON HOST
A55-02059 SUCCESSFULLY CHANGED ON HOST
A55-02061 SUCCESSFULLY CHANGED ON HOST
A55-02062B SUCCESSFULLY CHANGED ON HOST
A55-02079B SUCCESSFULLY CHANGED ON HOST
A55-02090 SUCCESSFULLY CHANGED ON HOST
A55-02113 SUCCESSFULLY CHANGED ON HOST
A55-02173 SUCCESSFULLY CHANGED ON HOST
A55-04008 SUCCESSFULLY CHANGED ON HOST
A55-04009 SUCCESSFULLY CHANGED ON HOST
A55-04010 SUCCESSFULLY CHANGED ON HOST
A55-04011 SUCCESSFULLY CHANGED ON HOST
A55-10136 SUCCESSFULLY CHANGED ON HOST
A55-10137 SUCCESSFULLY CHANGED ON HOST
A55-10138 SUCCESSFULLY CHANGED ON HOST
A55-10139 SUCCESSFULLY CHANGED ON HOST
A55-10140 SUCCESSFULLY CHANGED ON HOST
A55-10141 SUCCESSFULLY CHANGED ON HOST
A55-10142 SUCCESSFULLY CHANGED ON HOST
A55-10143 SUCCESSFULLY CHANGED ON HOST
A55-10144 SUCCESSFULLY CHANGED ON HOST
A55-10145 SUCCESSFULLY CHANGED ON HOST
A55-10146 SUCCESSFULLY CHANGED ON HOST
A55-10147 SUCCESSFULLY CHANGED ON HOST
A55-10221 SUCCESSFULLY CHANGED ON HOST

AJ5514NP

INPUT: AJ_SELECTION:SHAFF-CAMPBELL-CAN.SEL

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION ATTORNEY NAME ADD/UPDATE

DATE: 02/02/94
TIME: 23:50:04.4
PAGE: 3

TYPE OF ACTION: MODIFY

MODIFY ALL FIELDS FLAG: N LAST NAME:
ADDRESS LINE 1: ELAM & BURKE
ADDRESS LINE 3: PO BOX 1539
CITY: BOISE

FIRST NAME:
ADDRESS LINE 2: 702 W IDAHO FL 10
PHONE NUMBER: (208) 343-5454

STATE: ID ZIP: 837011539

A55-10222 SUCCESSFULLY CHANGED ON HOST
A55-10223 SUCCESSFULLY CHANGED ON HOST
A55-10224 SUCCESSFULLY CHANGED ON HOST
A55-10225 SUCCESSFULLY CHANGED ON HOST
A55-10226 SUCCESSFULLY CHANGED ON HOST
A55-10227 SUCCESSFULLY CHANGED ON HOST
A55-10228 SUCCESSFULLY CHANGED ON HOST
A55-10229 SUCCESSFULLY CHANGED ON HOST
A63-00166A SUCCESSFULLY CHANGED ON HOST
A63-00167A SUCCESSFULLY CHANGED ON HOST
A63-00179A SUCCESSFULLY CHANGED ON HOST
A63-00224 SUCCESSFULLY CHANGED ON HOST
A63-00225 SUCCESSFULLY CHANGED ON HOST
A63-00230 SUCCESSFULLY CHANGED ON HOST
A63-00231 SUCCESSFULLY CHANGED ON HOST
A63-00294 SUCCESSFULLY CHANGED ON HOST
A63-00295 SUCCESSFULLY CHANGED ON HOST
A63-00371 SUCCESSFULLY CHANGED ON HOST
A63-02114 SUCCESSFULLY CHANGED ON HOST
A63-02275 SUCCESSFULLY CHANGED ON HOST
A63-02276 SUCCESSFULLY CHANGED ON HOST
A63-02294 SUCCESSFULLY CHANGED ON HOST
A63-02529 SUCCESSFULLY CHANGED ON HOST
A63-02891 SUCCESSFULLY CHANGED ON HOST
A63-02891A SUCCESSFULLY CHANGED ON HOST
A63-03060 SUCCESSFULLY CHANGED ON HOST
A63-05199 SUCCESSFULLY CHANGED ON HOST
A63-05200 SUCCESSFULLY CHANGED ON HOST
A63-05219 SUCCESSFULLY CHANGED ON HOST
A63-05237 SUCCESSFULLY CHANGED ON HOST
A63-05255 SUCCESSFULLY CHANGED ON HOST
A63-09109 SUCCESSFULLY CHANGED ON HOST
A63-10169 SUCCESSFULLY CHANGED ON HOST
A63-21706 SUCCESSFULLY CHANGED ON HOST
A63-21713 SUCCESSFULLY CHANGED ON HOST
A63-21714 SUCCESSFULLY CHANGED ON HOST
A63-21731 SUCCESSFULLY CHANGED ON HOST
A63-21739 SUCCESSFULLY CHANGED ON HOST
R51-04103 SUCCESSFULLY CHANGED ON HOST
R51-04104 SUCCESSFULLY CHANGED ON HOST
R51-04105 SUCCESSFULLY CHANGED ON HOST
R51-07092 SUCCESSFULLY CHANGED ON HOST
R51-07093 SUCCESSFULLY CHANGED ON HOST
R51-10276 SUCCESSFULLY CHANGED ON HOST
R51-10277 SUCCESSFULLY CHANGED ON HOST
R51-10279 SUCCESSFULLY CHANGED ON HOST
R55-10136 SUCCESSFULLY CHANGED ON HOST
R55-10137 SUCCESSFULLY CHANGED ON HOST
R55-10138 SUCCESSFULLY CHANGED ON HOST
R55-10139 SUCCESSFULLY CHANGED ON HOST

Record will be corrected to Idaho Fish & Game

AJ5514NP

INPUT: AJ_SELECTION: SHAFF-CAMPBELL-CAN-SEL

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION ATTORNEY NAME ADD/UPDATE

DATE: 02/02/94
TIME: 23:50:17.4
PAGE: 4

TYPE OF ACTION: MODIFY

MODIFY ALL FIELDS FLAG: N

LAST NAME:

ADDRESS LINE 1: ELAM & BURKE
ADDRESS LINE 3: PO BOX 1539
CITY: BOISE

FIRST NAME:

ADDRESS LINE 2: 702 W IDAHO FL 10

PHONE NUMBER: (208) 343-5454

STATE: ID ZIP: 837011539

R55-10141 SUCCESSFULLY CHANGED ON HOST
R55-10142 SUCCESSFULLY CHANGED ON HOST
R55-10143 SUCCESSFULLY CHANGED ON HOST
R55-10144 SUCCESSFULLY CHANGED ON HOST
R55-10145 SUCCESSFULLY CHANGED ON HOST
R55-10146 SUCCESSFULLY CHANGED ON HOST

RECEIVED

FEB 04 1994

WATER RESOURCES
WESTERN REGION

SCOTT L. CAMPBELL

ELAM & BURKE

A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

RECEIVED

DEC 14 1993

Department of Water Resources

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

December 10, 1993

Mr. David B. Shaw
Bureau Chief
Adjudications Bureau
State of Idaho
Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Re: Change in Notice of Appearance of Counsel on the Snake River Basin
Adjudication Claims for Owen Ranches, Pioneer Irrigation District and
Settlers' Irrigation District

Dear David:

This correspondence is to notify the Department of my change of address and affiliation. I am presently a shareholder with the law firm Elam & Burke at the following address:

Scott L. Campbell
Elam & Burke
P.O. Box 1539
702 West Idaho, Floor 10
Boise, Idaho 83701

Attached please find the computer records the Department of Water Resources provided me with as confirmation of the change in firm affiliation I made prior to this move. In addition to these, Pioneer Irrigation District has filed an

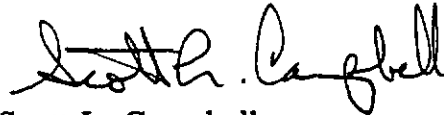
David B. Shaw, Esq.
December 10, 1993
Page 2

objection to Water Right No. 57-00040. This, too, will need to be updated with my new firm information.

I apologize for the inconvenience this will cause you. If there is anything I can do to expedite this process, please call.

Very truly yours,

ELAM & BURKE
A Professional Association

A handwritten signature in black ink, appearing to read "Scott L. Campbell". The signature is fluid and cursive, with the first name "Scott" and last name "Campbell" clearly distinguishable.

Scott L. Campbell

SLC:ma
Enclosure

RECEIVED

FEB 04 1994

WATER RESOURCES
WESTERN REGION

Scott L. Campbell
ELAM & BURKE, A Professional Association
Key Financial Center
702 West Idaho Street
P.O. Box 1539
Boise, ID 83701
(208) 343-5454

RECEIVED

DEC 09 1993

Department of Water Resources
Adjudication Bureau

Attorneys for Pioneer Irrigation District,
Settlers Irrigation District and Owen Ranches

**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. 39576

R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)
Petitioner,)

NOTICE OF CHANGE OF FIRM AND
ADDRESS

vs.)

*changes made by
Don Shaff.*

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

Respondents.)

- of 2-4-94

DESCRIPTIVE SUMMARY

This document is a Notice of Change of Address and Firm for Scott L. Campbell, Counsel
for Settlers' Irrigation District, Pioneer Irrigation District, and Owen Ranches.

1 - NOTICE OF CHANGE OF FIRM AND ADDRESS
C:\WPDATA\SLC\00001.PLD

Please be notified that effective immediately, the firm and address for Scott L. Campbell, Counsel for Settlers' Irrigation District, Pioneer Irrigation District, and Owen Ranches has been changed to:

Scott L. Campbell
ELAM & BURKE,
A Professional Association
Key Financial Center
702 West Idaho Street
P.O. Box 1539
Boise, ID 83701
(208) 343-5454

This Notice is applicable to Case No. 39576; Basin-Wide Issue No. 1, Case No. 91-00001; Basin-Wide Issue No. 2, Case No. 91-00002; and Objection to Water Right 57-00040, Reporting Area 57.

DATED this 6th Day of December, 1993.

ELAM & BURKE

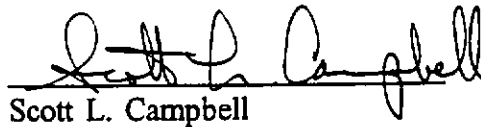
By 
Scott L. Campbell

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the ~~6th~~ ^{11th} day of December, 1993, I served a true and correct copy of the foregoing NOTICE OF CHANGE OF FIRM AND ADDRESS by depositing a copy thereof in the United States mail, postage prepaid, to the following:

All Parties of Record

Case No. 39576
Basin-Wide Issue No. 1
Basin-Wide Issue No. 2
Water Right 57-00040


Scott L. Campbell

CERTIFICATE OF MAILING

*Roger D. Ling, Esq.
Ling Nielsen & Robinson
P. O. Box 396
Rupert, ID 83350

Robert T. Anderson, Esq.
Native American Rights Fund
310 "K" Street, Suite 708
Anchorage, AK 99501

David W. Harder, Esq.
Indian Resources Section
U.S. Department of Justice
P. O. Box 44378
Washington, D.C. 20026-4378

Larry Echohawk, Esq.
Attorney General
Attn: Clive Strong
Deputy Attorney General
Statehouse Mail, Room 210
Boise, ID 83720

David B. Shaw, Chief
Adjudication Bureau
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

*Bruce M. Smith, Esq.
James C. Tucker
Rosholt, Robertson &
Tucker, Chartered
P. O. Box 2139
Boise, ID 83701-2139

*Craig R. Zaiss, Esq.
P. O. Box 628
Parma, ID 83660-0628

*David B. Lincoln, Esq.
Elam, Burke & Boyd
P. O. Box 1539
Boise, ID 83701

Patrick D. Costello, Esq.
Park Costello & Burkett
P.O. Box 547
Boise, Idaho 83701

*Brad A. Flinders, Esq.
Stunz, Fonda, Nichols et al.
P.O. Box 1565
Nyssa, Oregon 97913

Laird Lucas
Staff Attorney
Land & Water Fund of the Rockies
P.O. Box 1612
Boise, Idaho 83701

William R. Hollifield
Hollifield, Tolman & Bevan
249 Third Avenue East
P.O. Box 1846
Twin Falls, ID 83303

Rebecca Ransom, Esq.
Deputy Division Counsel
U.S. Army Corps of Engineers
P.O. Box 2870
Portland, OR 97208

K. Jack Haugrud, Esq.
Geoffrey A. Garver, Esq.
U.S. Department of Justice
P.O. Box 663
Washington, D.C. 20044-0663

J.R. Simplot Company
Wayne B. Slaughter, Jr.
Terry T. Uhling
P.O. Box 912
Pocatello, ID 83204

Carolyn Minder, Esq.
7283 Obsidian
Boise, Idaho 83709

*Jeanette Wolfley
Candy L. Jackson
Tribal Attorneys Office
Shoshone-Bannock Tribes
P. O. Box 306
Fort Hall, ID 83203

*Dana Hofstetter, Esq.
Holland and Hart
P.O. Box 2527
Boise, Idaho 83701

*Albert P. Barker, Esq.
Don A. Olowinski, Esq.
Steven R. Ormiston, Esq.
Hawley Troxell Ennis & Hawley
P. O. Box 1617
Boise, ID 83701

*Raymond D. Givens, Esq.
Jeffrey C. Fereday, Esq.
Michael C. Creamer, Esq.
Christopher H. Meyre, Esq.
Givens Pursley Webb & Huntley
P. O. Box 2720
Boise, ID 83701

*Randall C. Budge, Esq.
201 East Center
P.O. Box 1391
Pocatello, ID 83204-1391

*William F. Ringert, Esq.
David Hammerquist, Esq.
Ringert Clark Harrington Reid
Christenson & Kaufman, Chartered
P. O. Box 2773
Boise, ID 83702

*Rebecca Craven
Elliott L. Moffett
Douglas R. Nash
Nez Perce Tribe
P. O. Box 365
Lapwai, ID 83540

*Kent W. Foster
Holden Kidwell Hahn * Crapo
P.O. Box 50130
Idaho Falls, Idaho 83405

John A. Rosholt, Esq.
Rosholt, Robertson et al.
P.O. Box 1906
Twin Falls, Idaho 83303-1906

Lynn R. Collins
U.S. Department of Interior
Suite 6201, Federal Building
Salt Lake City, UT 84138-1180

Jack Hockberger, Jr.
Office of Field Solicitor
U.S. Department of Interior
550 West Fort Street
Boise, Idaho 83724

James P. Speck
120 East Avenue
P.O. Box 987
Ketchum, Idaho 83340

Carl F. Bianchi
Administrative Director
Administrator of the Courts
451 West State Street
Boise, Idaho 83720

Randy Stapilus
P.O. Box 1855
Boise, Idaho 83701

Mitchell Sorensen
Route 1, Box 63 C-1
Moore, Idaho 83225

Brian Collins, Esq.
N.W. Band of Shoshoni
North 2222 Monroe
Spokane, Washington 99205

*John D. Hansen, Esq.
Hansen, Beard et al.
P.O. Box 51718
Idaho Falls, Idaho 83402-1718

*Cecil D. Hobdey, Esq.
Hobdey & Hobdey
P.O. 176
Gooding, Idaho 83330

*James Annest, Esq.
1742 Overland Avenue
Burley, Idaho 83318

*Bert L. Osborn, Esq.
P.O. Box 158
Payette, Idaho 83661

*J. Dee May, Esq.
May & May Law Offices
516 Second Street East
P.O. Box 1846
Twin Falls, ID 83303

*Larry Sullivan, Esq.
Schroeder, Hutchens & Sullivan
P.O. Box 220
Vale, Oregon 97918

*Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4499

Richard Smith, Esq.
P.O. Box 70
Rigby, Idaho 83440

Blair Grover, Esq.
Grover Law Office
102 North Clark
P.O. Box 36
Rigby, Idaho 83442-0036

Peter C. Monson
Attorney, Indian Resource Section
Environment and Natural Resources
Division
999 18th Street, Suite 945
Denver, Colorado 80202

Jim Hansen
Conflict Management Services
Boise State University
1910 University Drive
Boise, Idaho 83725

*Hepworth, Nungester & Lezamiz
133 Shoshone Street North
P.O. Box 389
Twin Falls, ID 83303-0389

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303

*Jerry R. Rigby
Ray W. Rigby
P.O. Box 250
Rexburg, Idaho 83440

*Douglas R. Whipple, Esq.
111 West 15th Street
P.O. Box 249
Burley, Idaho 83318

*Cliff S. Bentz, Esq.
Yturri, Rose et al.
P.O. Box 450
Fruitland, Idaho 83619

*William A. Parsons, Esq.
Kent Fletcher, Esq.
Parsons, Smith, Stone & Fletcher
137 West 13th Street
P.O. Box 910
Burley, Idaho 83318

Randall Bramer, Esq.
U.S. Department of Agriculture
Office of the General Counsel
380 Parkcenter, Suite 230
Boise, Idaho 83706

Barbara Scott-Brier, Esq.
Department of the Interior
Regional Solicitor's Office
500 N.E. Multnomah, Suite 67
Portland, Oregon 97232

U.S. Department of Justice
Environment & Natural Resources Div.
550 West Fort Street, Box 33
Boise, Idaho 83724

Juel Aikele
Rt. 1, Box 63D
Moore, ID 83255

Ralph S. Parkinson
P.O. Box 228
Arco, ID 83213

P.U. Ranch
4500 Imperial Avenue
San Diego, CA 92113

*Randall C. Fredricks, Esq.
Cosh, Humphrey, Greener & Welsh
815 West Washington
Boise, Idaho 83702

*Richard L. Cummings, Esq.
960 Broadway, Suite 400
P.O. Box 955
Boise, Idaho 83701

*Gray Young, Esq.
J.R. Simplot Company
999 Main Street, Suite 1300
Boise, Idaho 83707

Steven L. Herndon
Assistant General Counsel
Idaho Power Company
P.O. Box 70
Boise, Idaho 83707

Jay Doyle Jensen
Route 1, Box 43
Moore, ID 83255

Young Harvey Walker
Route 1, Box 200
Arco, ID 83213

Mitchell D. Sorenson
Route 1, box 63-A
Moore, ID 83255

Herman Aikele
Route 1, Box 61
Moore, Idaho 83255

Kirby A. Jensen
Route 1, Box 50
Moore, Idaho 83255

: Don Aikele
Rt. 1, Box 60
Moore, ID 83255

Sunset Trust Organization
c/o Arthur W. Quist, Mgr.
Rt. 1, Box 203
Arco, ID 83213

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

ASS-02059

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	YES	RY 11/5/93	NA	N	N *		
PT. OF DIV.			5	Y			
SOURCE			5	N			
PL. OF USE			5	Y			
DIV. AMOUNT CFS/AF			SAME	Y			
CONSUMPTIVE USE			NA	NA			
NATURE OF USE			SAME	SAME NA			
PERIOD OF USE			5	Y			
BASIS OF CLAIM			SAME	N			
REMARKS							

DATA ENTRY COMPLETED
BY DATE

FINAL RECOMMENDATION

BY DATE

VERIFICATION CODES
 TOPO MAP/ORTHO PHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE COMMENTS) = 6

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
 SUBMITTED - YES NO

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
 CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: MAPS IN FILE ASS-02020

* AMENDED CLAIMS 1/14/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:08:14
03/05/92

CLAIM NUMBER: A55-02059

PAGE: 1
GENERAL INFORMATION

~~LAST: OWEN FAMILY REVOCABLE TRUST A
ADDRESS: RICHARD L OWEN TRUSTEE
PO BOX 590
CITY: BRUNEAU
PHONE NUMBER: 208-845-2001
OWNER CODE: C~~

FIRST:
STATE: ID ZIP: 83604

LAST: OCOMICA
ADDRESS:
CITY: RIDDLE
PHONE NUMBER: 208-000-0000
OWNER CODE: O

FIRST: EUSTAQUIE
STATE: ID ZIP: 00000

LAST: OWEN
ADDRESS: P.O. BOX 590
CITY: BRUNEAU
PHONE NUMBER: 208-845-2001
OWNER CODE: O

FIRST: RICHARD L.
STATE: ID ZIP: 83604

LAST: CAMPBELL
ADDRESS: ELAM, BURKE & BOYD
P.O. BOX 1539
CITY: BOISE
PHONE NUMBER: 208-000-0000
OWNER CODE: A

FIRST: SCOTT L.
STATE: ID ZIP: 837011539

LAST: TOTORICA
ADDRESS:
CITY: XXX
PHONE NUMBER: 208-000-0000
OWNER CODE: O

FIRST: JOE
STATE: ID ZIP: 000000

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
N
FIELD
EXAMINER

TR
SIM PUT

CONTACT PERSON: CHARLES LYONS
DATE OF FIELD EXAM: 11/5/93 APPOINTMENT MADE: Y(X) N()
ACCOMPANIED BY: CHARLES LYONS
RELATIONSHIP TO CLAIMANT: EMPLOYEE

PHONE NUMBER: () -
TIME: : A () P ()
PHONE NUMBER: () -

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A55-02059 PRIORITY DATE: 02-02-1915 STAGE: L

B. WR RECORD: # 55-02059 PRIORITY DATE: 02-02-1915 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE N
FIELD EXAMINER

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

REMARKS:

RECOMMENDED PRIORITY DATE:
02-02-1915

REVIEWED BY

DATE 1/15/98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-02059	10S	01E	15		NE	SW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
A55-02020
A55-10225

WR RECORDS IN SAME 40 ACRE TRACT
55-02020

SOURCE: BATTLE CREEK

TRIB: OWYHEE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
55-02059	10S	01E	15		NE	SW		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX
R PREFIX

55-02020

A55-02020
A55-10225

NONE

SOURCE: BATTLE CREEK

TRIB: OWYHEE RIVER

C. FIELD EXAM REQUIRED?

FIELD EXAMINER	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE
RAH	Y	N	

REMARKS:

Combined CFS From Both Rights 2020 & 2059 = 6.8 AF 24 HRS
IS MORE THAN CAPACITY 5.5 AF Thus, No-Storage.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	LOT	COUNTY
10S	E	15		NW	SW	SWAY

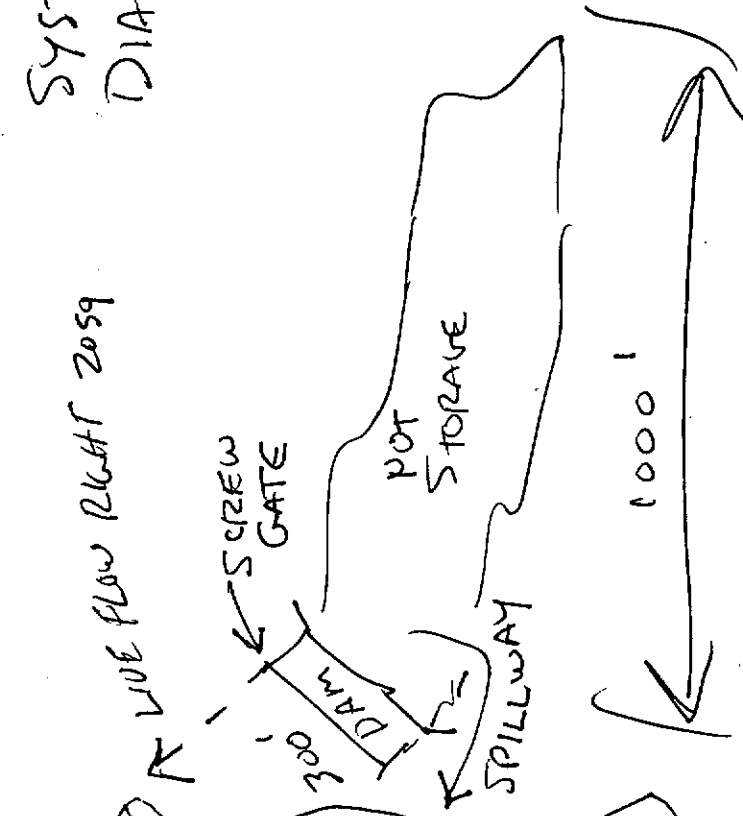
SOURCE: BATTLE CREEK ✓

TRIB: ONYHEE RIVER ✓

REVIEWED BY: RLH

DATE: 1/15/98

SYSTEM DIAGRAM



NOTE:

COMBINED CFS

* NEW ACRES
2.96 CAC
.98 CFS
3.94 MAP

3.14 CFS
+ 1.28 CFS

(3.42 CFS)(19835) = 6.8 AF

MORE CFS
THUS STILL
NOT STORAGE

CAPACITY

$\frac{1}{2}(300)(1000) = 3,44 \text{ ACRES}$
43560

$(3.44)(4')(1.4) = 5.5 \text{ AFA}$

COMBINED CFS 6.8 AF > 5.5 STORAGE CAP
THUS NOT STORAGE

A. ROOT WATER RIGHT NUMBERS: A55-02059

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	NR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	01E	15	NW	SW		OWEN FAMILY REVOCABLE TRUST A A55-02059	140.0	55-02059	140.0	NESE	
10S	01E	15	SW	SW		OWEN FAMILY REVOCABLE TRUST A A55-02059	140.0	55-02059	140.0		

TOTAL ACRES A55-02059

80.00

80.00

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, YES (X) NO ()

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? FIELD EXAMINER POU COUNTY: ONYHEE

DATABASE Y

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG:

REMARKS:

31
 FORFEIT ~~26~~ ACRES, FROM 1979 (B3-50) ORIGIN
 PHOTO TO EX 11/5/93

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE: 1/5/98

State of Idaho
License and Certificate of Water Right

Water License No. 10782
Water District No. 55

Amount 1,000 ft.
Priority February 2, 1915.

THIS IS TO CERTIFY that JOE TOTORIGA,
of Brunoau, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 5, 1914; that Permit No. 10782
was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1
second feet, was issued thereunder on December 6, 1915, showing that said works
were completed on the 17th day of November, 1915; and that on the 1st
day of March, 1918,

EUSTACIUS OCKENGA,
of Riddle, State of Idaho, made proof to the satisfaction of the
State Engineer of Idaho, of a right to the use of the waters of Battle Creek
a tributary of —, for the purpose of irrigation use
under Use Permit No. 10782 of the State Engineer, and that said right to the use of said
waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State
Commissioner of Reclamation
Engineer of Idaho and entered of record in Volume 5 of Licenses, at page 2667, on the 17th
day of September, 1920;

The right hereby confirmed dates from February 2, 1915;

The Point of Diversion is located
in the NE ¼ SW ¼, Sec. 15, Tp. 10 S., R. 1 E., B. M.
County of Owyhee.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
exceed 1 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S	1 E	15	NE ¼ SW ¼	50	40
			SW ¼ SW ¼		40

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

WITNESS the seal and signature of the Commissioner of Reclamation
State Engineer, affixed at Boise, Idaho, this 17th
day of September, 1920.

H. G. SWANBERG,
Commissioner of Reclamation State Engineer.
By G. T. BAER,
Deputy.

(SEAL)

55 2059

REPORT OF ENGINEER

This proof is for Beneficial Use

In Water District No. 57

1. State name of applicant and number of permit: Estevan Irrigation - 10782
2. State source of water supply: Battle Creek
3. Location of point of diversion: NE 1/4 Sec. 15, T. 10 N., R. 1 E., S. 12.
4. Describe works as they exist, giving dimensions and capacities of same:
Earth dam, 4' H. 20' L.
East H.G. 2' x 2' Ditch, 3' B. 1' D. Cap. 1 S.F.
West H.G. 6' B. 2' D. Ditch, 6' B. 1' D. Cap. 2 S.F.
5. State whether or not water has been turned into works of diversion: Yes.
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NE 1/4 Sec. 15, T. 10 N., R. 1 E., S. 12.
All in cultivation.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? One.
9. Give names and amount of each right:
10. What large stream would the water here appropriated finally reach? Snake River.
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: from land to Battle Creek, to Owyhee River, to Snake River.

Remarks:

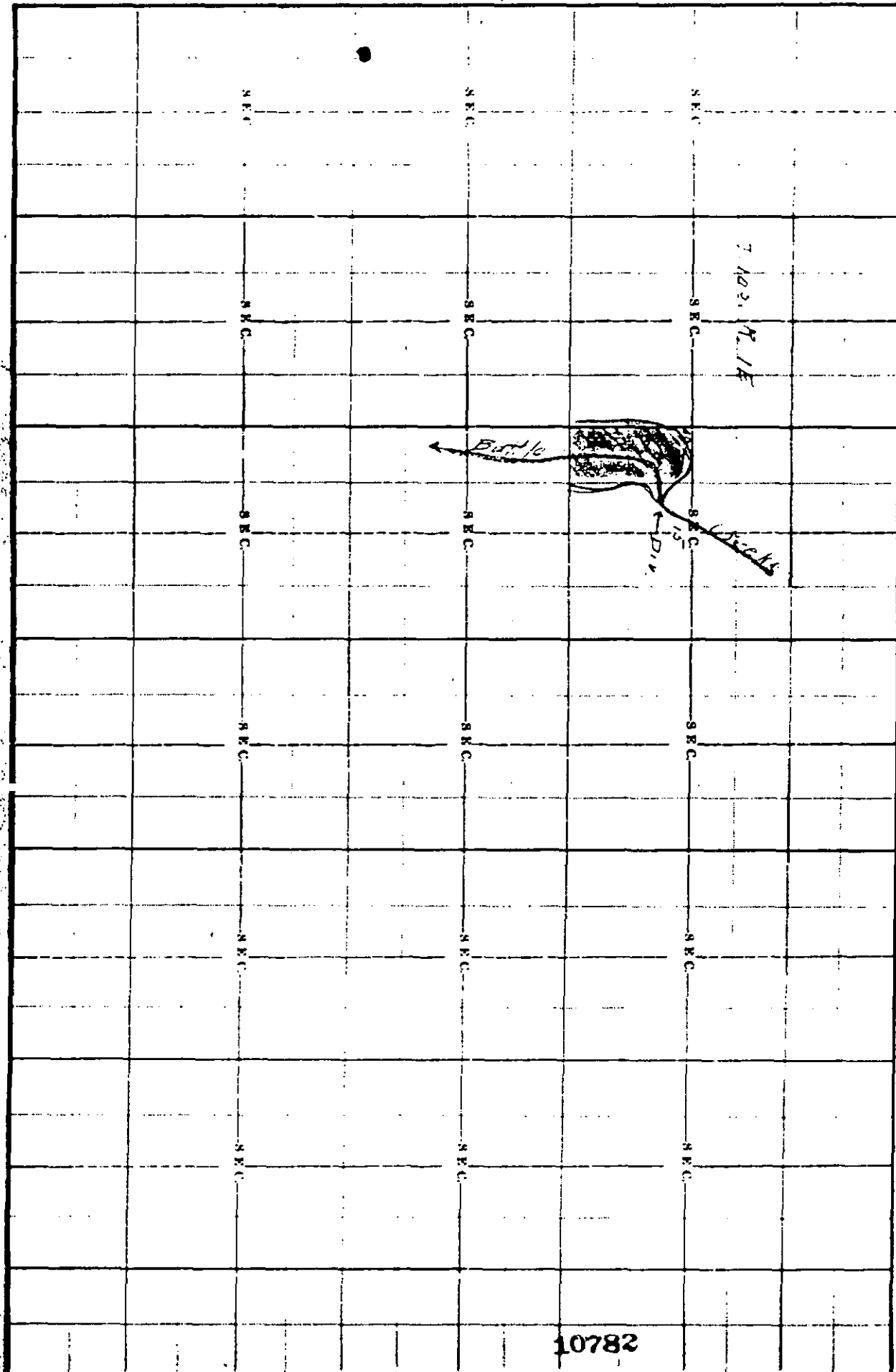
This examination was made on the 7th day of August, 1920

(Signed) L. R. Annett.
L. R. Annett.

Examiner.

10782

NAME OF APPLICANT *Estadio Quimica #16782*



10782

SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK

REPORT OF ENGINEER

This proof is for Beneficial Use

In Water District No. 55

1. State name of applicant and number of permit: Eustaquio Cervantes - 10782
2. State source of water supply: Battle Creek
3. Location of point of diversion: NE 1/4 Sec. 15, T. 10 N., R. 1 E., S. 1 N.
4. Describe works as they exist, giving dimensions and capacities of same:
Earth dam, 4' H., 20' L.
East H.G. 2' x 2' Ditch, 3' B. 1' D. Cap. 1 S.F.
West H.G. 6' B. 2' D. Ditch, 6' B. 1' D. Cap. 2 S.F.
5. State whether or not water has been turned into works of diversion: Yes.
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): West 1/4 Sec. 15, T. 10 N., R. 1 E., S. 1 N.
All in cultivation.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? One.
9. Give names and amount of each right:
10. What large stream would the water here appropriated finally reach? Snake River.
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: from land to Battle Creek, to Owyhee River, to Snake River.

Remarks:

This examination was made on the 7th day of August

19 20

(Signed) L. R. Annett
L. R. Annett.

Examiner.

10782

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A55-02059 IRRIGATION	FROM 03-01 TO 11-30	1,000 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED	1,000 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
55-02059 IRRIGATION	FROM TO	1,000 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED	1,000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()

Y() N()

Explain in remarks, below.

REMARKS:

DEPT STANDARDS 04/15 - 10/15

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 1.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.000 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. **

Y(☒) N(☐)

FLOW MEASUREMENT REQUIRED?

FIELD

DATABASE EXAMINER

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

pdh

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

N/A

, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES ~~49~~ x 0.02 CFS/ACRE = ~~0.98~~ CFS
(taken from p/u review) 98
DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

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

2. IRRIGATION CONSUMPTIVE USE
~~CLAIMED CONSUMPTIVE USE = 240.0 AF/A~~
~~ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =~~
~~TOTAL CONSUMPTIVE USE AF/A~~

3. IRRIGATION DIVERSION VOLUME
~~CLAIMED DIVERSION VOLUME = AF/A~~
~~ACRES x DIVERSION VOL. AF/A FOR AREA =~~
~~TOTAL DIVERSION VOLUME AF/A~~

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:
~~SEE ATTACHED SHEET? Y() N()~~

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

C03 PID CHANGE (PROOF OF DATE CHANGE)
C05 POU CHANGE 1979 ORTHO
- Ditch well defined
- Parkers area's show 1816.

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	4/15 - 10/15 03-01 11-30	DATABASE EXAMINER 1,000	DATABASE EXAMINER 240.8	DATABASE EXAMINER 240.8

TOTAL FOR THIS RIGHT

REVIEWED BY: RLH

DATE: 1/15/98

1,000 240.8

240.8

240.8

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: 55-02059

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 1.000 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-02059	1.000	-	55-02059	1.000
TOTAL CFS		1.000			1.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE Y
FIELD EXAMINER RJB

REMARKS:

AUTHENTICATION:

SIGNATURE: Ron Howerton DATE: 4/15/98
NAME OF FIELD EXAMINER: Ron Howerton TITLE: SR wa AGENT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:08:14
03/05/92

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A55-02059

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								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS								

"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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:27:04
03/05/92

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A55-02059

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	OWEN FAMILY REVOCABLE TRUST A RICHARD L OWEN TRUSTEE PO BOX 590 BRUNEAU ID 83604 (208) 845-2001	02/02/1915	IRRIGATION	03-01 11-30	1.00 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					1.00 CFS	240.0 AFA

Water Source: BATTLE CREEK
Point(s) of Diversion: T10S R01E S15
Place of use Legal Description for: IRRIGATION
Tributary to: OWYHEE RIVER
Stage: LICENSE
OWYHEE County

Place of use Legal Description for:										IRRIGATION									
NE										SE									
NW										SW									
NESE										NWSE									
SENW										SWSE									
Lt Ac										Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac										: Lt Ac									
: Lt Ac																			

CLAIM NUMBER:

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	1979	IDWR ID NO.	BB 50	Y() N(X)	IN 2020
☐ TOPOGRAPHIC	DATE FIELD CHECKED		IDWR ID NO.		Y() N()	
☒ NAAPP	DATE OF PHOTO	1987	IDWR ID NO.		Y() N(X)	IN FILE CAB.
☒ ASCS AERIAL PHOTO	DATE OF PHOTO	1988			Y() N(X)	IN 2020
☐ ASCS COLOR SLIDE	DATE OF PHOTO				Y() N()	
☒ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO	1978			Y() N(X)	IN 2020
☐ 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	11/5/93
☐ 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	

PICTURE # 1a

A55-02059

P/D at the dam, additional photo's of dam are in file A55-02020. This is the West ditch that is currently used. Most of the POU of this licence is not irrigated. Located in the NSW, S15, T10S, R1E.



Photo's By
RDH

11/5/93

PICTURE # 2a

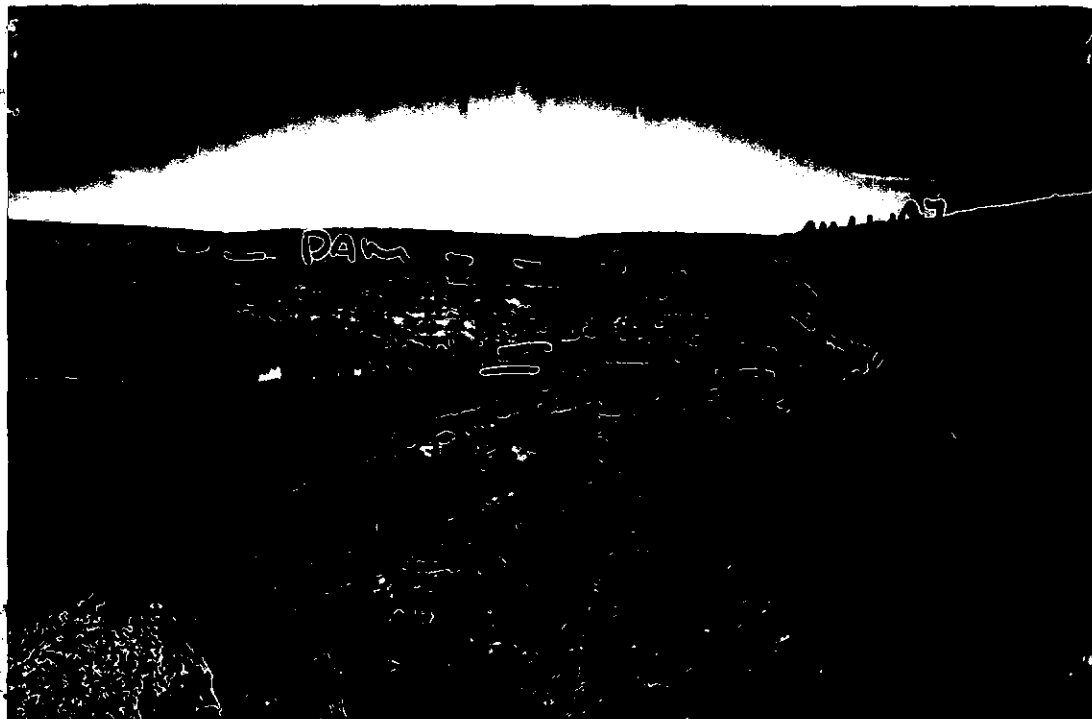
This is part of the old POU, not irrigated anymore below dam.



PICTURE # 3a

A55-02059

This view is back towards the dam and spillway. The flow goes back into the natural channel of Battle Creek. The East ditch begins on the right hand side of photo. No evidence of any diversion to it. See photo's in A55-02020 for more on this ditch.



Photo's By

RDH

11/5/93

PICTURE # 4a

This is part of the old POU that is on the West side of Dam and is also shown below photo 1a. View is towards the dam.



PICTURE # 5a

A55-02059

This view is of the only POU still considered for this licence. The location has changed from the original area. The 1979 ortho shows this area well. POU is just below photo 4a. View is at top of field starting at water cut out for cattle.



Photo's By

RDH

11/5/93



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

May 22, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MAY 23 1992

Department of Water Resources
Western Regional Office

Scott L. Campbell
Davis, Wright, Tremaine
702 W. Idaho St., #700
Boise, ID 83702

RE: Change in Notice of Appearance of Counsel on the Snake River
Basin Adjudication Claims for Owen Ranches, Pioneer Irrigation
District, Cyprus Thompson Creek Mining Company, Conversion
Industries U.S.A., Inc. and Settlers Irrigation District

Dear Scott:

The five computer reports enclosed confirm the change in firm
and address you requested in your letter dated February 13, 1992.
By comparing these reports to the list you supplied with your
letter, you will see not all of the water right claims listed in
your attachments were changed. Those claim records not changed are
filed by persons other than your client(s).

The possibility of questions I raised in our telephone
conversation last week were resolved for my part. If you have any
questions or need some points clarified, please feel free to
contact me.

Thank you for supplying the claim lists in an orderly fashion.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:region(s)

Enclosures:

Five Computer Reports

DAVIS WRIGHT TREMAINE

LAW OFFICES

702 WEST IDAHO STREET • SUITE 700 • BOISE, IDAHO 83702
(208) 338-8200

RECEIVED
FEB 25 1992

Department of Water Resources

SCOTT L. CAMPBELL
(208) 338-8219

February 24, 1992

Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

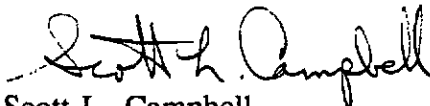
Re: Notice of Change in Address and Firm Affiliation

To Whom it May Concern:

Please note that I have changed my law firm affiliation, effective January 1, 1992. I am now a partner with the Boise office of Davis Wright Tremaine with the above new address. Please make sure that all documents sent to me from Water Resources, including the Weekly Water Right Print Out sheets, are revised to reflect this change. Thank you for your assistance.

Very truly yours,

DAVIS WRIGHT TREMAINE


Scott L. Campbell

SLC:md

FAX: (208) 338-8299

ANCHORAGE, ALASKA • BELLEVUE, WASHINGTON • HONOLULU, HAWAII • LOS ANGELES, CALIFORNIA
PORTLAND, OREGON • PORTLAND, WASHINGTON • SAN FRANCISCO, CALIFORNIA • SEATTLE, WASHINGTON • WASHINGTON, D.C.

DAVIS WRIGHT TREMAINE

LAW OFFICES

702 WEST IDAHO STREET • SUITE 700 • BOISE, IDAHO 83702
(208) 338-8200

SCOTT L. CAMPBELL
(208) 338-8219

February 13, 1992

RECEIVED
FEB 14 1992

Mr. David B. Shaw
Bureau Chief
Adjudications Bureau
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Department of Water Resources

**Re: Change in Notice of Appearance of Counsel on the Snake River Basin
Adjudication Claims for Owen Ranches, Pioneer Irrigation District,
Cyprus Thompson Creek Mining Company, Conversion Industries U.S.A.,
Inc. and Settlers Irrigation District**

Dear David:

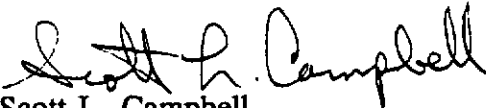
Pursuant to a prior telephone conversation with Ms. Lynne Krogh-Hampe, I am providing this correspondence to notify the Idaho Department of Water Resources of my change of address and affiliation. I am presently a partner with the law firm of Davis Wright Tremaine at the above-referenced address.

Because of this change, I request that the Idaho Department of Water Resources make the necessary modifications to its records pertaining to the Snake River Basin Adjudication regarding the water rights and notices of claim identified for the above-referenced clients, as indicated on the attached lists, marked Exhibit A. Based upon my prior conversations with Lynne, she indicated that one letter with identification of the individual water right numbers would be sufficient. Please notify me in writing if this is not the case. Additionally, I would appreciate receiving written confirmation that the requested changes in your records have been made, so that I may include copies of your confirmation in the individual claim files for each client and each water right.

Thank you very much for your cooperation.

Very truly yours,

DAVIS WRIGHT TREMAINE


Scott L. Campbell

SLC:md
Enclosures

FAX: (208) 338-8299

ANCHORAGE, ALASKA • BELLEVUE, WASHINGTON • HONOLULU, HAWAII • LOS ANGELES, CALIFORNIA
PORTLAND, OREGON • RICHLAND, WASHINGTON • SAN FRANCISCO, CALIFORNIA • SEATTLE, WASHINGTON • WASHINGTON, D.C.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

February 15, 1991

CECIL D. ANDRUS

Richard L. Owen
P.O. Box 590
Bruneau, Idaho 83604

GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Ref: Adjudication Claims

Dear Mr. Owen:

The adjudication claims that you filed on for basins 51 and 55 have been reviewed. An overlap review was made for the irrigated acres. An individual fee is assigned to each claim.

It appears that you may have overpaid on the over all total. However, some additional claims may be needed, or may need some modifications. You may apply your overage to any of the new claims that require additional claiming. (I will contact you later for this.) The remainder, if any remains, I will request a refund accordingly.

Claims A51-00034, A51-00035, A51-00036 and A51-00068 have been split because of partial ownership change. Each right has been prorated according to the land transferred or retained.

Attachment "A" shows modifications to your claims, by either making them more clear or to meet our adjudication and appropriation water right standards. These modifications require us to notify you.

S U M M A R Y

I would be happy to discuss any questions you may have before I contact you prior to the field season.

Truly yours,

Ron Howerton
Sr. Water Resource Agent

Attachments: A

A T T A C H M E N T " A "

CLAIM NO.

MODIFICATION

A51-00014-----Claimed stock water, no amount claimed, added maximum standard amount.

A51-00034-----These claims are split into A & B
A51-00035 "A" Claims for Richard L. Owen
A51-00036 "B" Claims for State of Idaho
A51-00068 (Department of Fish and Game)

A51-00069-----Claimed stock water, no amount claimed, added maximum standard amount.

A51-00071-----Added section that was left off in P/U.

A51-00072-----Claimed Stock water, no amount claimed; added maximum standard amount.

A51-00073-----No CFS amount for irrigation, claim lists all. Replaced all with maximum amount 0.02 CFS/Acre. Put note in remarks; That Decree lists total diversion as "all".

A51-00074-----Same as above.

A51-02126-----Claimed Domestic, no amount claimed; added standard amount.

A51-02238-----Storage claim, deleted CFS amount, added acre feet storage amounts.

A51-07094-----Permit was canceled, no home built, can not claim, sent back.

A51-07293-----Application, can not claim in adjudication unless it is a permit, sent back.

A55-02173-----Storage claim, deleted CFS amount, added acre feet storage amounts.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 14, 1990

Mr. Scott L. Campbell
Elam, Burke & Boyd
P. O. Box 1539
Boise, ID 83701-1539

RE: SRBA Claims Filed by Richard L. Owen and/or Marie Owen, or
Owen Ranches

Dear Mr. ^{Scott} ~~Campbell~~:

This letter is to confirm the request to list you, and the name of your firm, as the attorney of record for the Owen claims as listed in your letter of January 8, 1991 has been completed.

Please note that claim A65-08324 shows Louise Owen as the original owner of the water right and Richard L. Owen as both the original owner and the current owner. That record has been corrected to show Richard L. Owen as the current and only owner.

If you have any questions, please feel free to contact this office.

Yours truly,

David B. Shaw
Adjudication Bureau Chief

DBS;dms

OWEN RANCHES
Snake River Basin Adjudication

Notice of Claim to Water Right:

Number

Priority Date

A51-00002
A51-00003
A51-00004 - A51-10350
A51-00005
A51-00006
A51-00007
A51-00008
A51-00012
A51-00013
A51-00014
A51-00015
A51-00031
A51-00032
A51-00033
A51-00034
A51-00034A
A51-00035
A51-00035A
A51-00036
A51-00036A
A51-00039
A51-00068
A51-00068A
A51-00069
A51-00071
A51-00072
A51-00073
A51-00074
A51-02044A
A51-02044B
A51-02089B
A51-02091
A51-02108
A51-02120
A51-02123
A51-02126
A51-02127
A51-02133
A51-02138
A51-02150
A51-02152
A51-02165
A51-02167

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

January 10, 1991

Mr. David Shaw
Bureau Chief
SNAKE RIVER BASIN ADJUDICATION BUREAU
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706

RECEIVED
JAN 11 1991

Department of Water Resources

Re: Snake River Basin Adjudication Claims Filed
by Richard L. Owen and/or Marie Owen, or Owen
Ranches

Dear Mr. Shaw:

I would be most appreciative if your office could arrange to copy and have sent to Elam, Burke & Boyd all copies of claims above referenced which have been signed by our client. We need these copies in order to determine specific water rights filings by claim number and other pertinent information. We would, of course, be happy to pay all copying charges incurred if you would enclose a statement reflecting same.

Scott Campbell and I thank you for your assistance with this matter.

Very truly yours,

Teresa E. Teevan

Teresa E. Teevan
Legal Assistant

ELAM, BURKE AND BOYD

ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER

702 WEST IDAHO

POST OFFICE BOX 1539

BOISE, IDAHO 83701

TELEPHONE
208-343-5454

TELECOPIER
208-384-5844

SCOTT L. CAMPBELL

January 8, 1991

RECEIVED
JAN 09 1991

Mr. David Shaw
Bureau Chief
SNAKE RIVER BASIN ADJUDICATION BUREAU
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706

Department of Water Resources

RE: Snake River Basin Adjudication Claims Filed
by Richard L. Owen and/or Marie Owen, or
Owen Ranches

Dear David:

Our firm has been retained by Mr. and Mrs. Richard L. Owen regarding the Notices of Claim to Water Right filed in the Snake River Basin Adjudication in their name, or in the name of Owen Ranches, or in the name of The Owen Family Revocable Trust A Established August 30, 1966, As Amended and Restated on October 12, 1988. I have enclosed a listing of the claim numbers which we have been able to obtain by conducting a search of certain records on file with the Department, as well as other information available to us.

On behalf of Mr. and Mrs. Richard L. Owen and the Owen Family Revocable Trust, as well as Owen Ranches, I would like the Department to enter my name, and the name of our firm, as attorneys of record with regard to all adjudication claims filed on behalf of any of those entities. Specifically, I request that my name, and the name of our firm, be entered with regard to the adjudication claim reference numbers provided on the enclosed list. However, I would also request that my name, as well as the name of our firm, be included as attorneys of record with regard to any other claims filed in the name of those entities, but not appearing on the list which I have enclosed.

Please notify me in writing if there is any additional documentation or authorization which you require. I also request

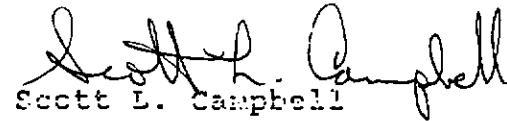
Mr. David Shaw
January 8, 1991
Page 2

that you confirm, in writing, that the entry of appearance by me
and our firm has been completed with regard to those claims.

Thank you for your assistance in this matter.

Very truly yours,

ELAM, BURKE AND BOYD


Scott L. Campbell

SLC:jm
Enclosure

cc: Mr. and Mrs. Richard L. Owen

Richard L. Owens, Client #4447-9001
Water Rights Claims

Basin 51:

✓ A51-00034
✓ A51-00035
✓ A51-00036
✓ A51-10281
✓ A51-10282
✓ A51-10287
✓ A51-10272
✓ A51-10273
✓ A51-10274
✓ A51-10275
✓ A51-10276
✓ A51-10277
✓ A51-10278
✓ A51-10279
✓ A51-10280
✓ A51-10283
✓ A51-10284
✓ A51-10285
✓ A51-10286
✓ A51-10288
✓ A51-10289
✓ A51-02138
✓ A51-04023
✓ A51-10171
✓ A51-10170

Basin 55:

✓ A55-10136
✓ A55-10137
✓ A55-10138
✓ A55-10139
✓ A55-10140
✓ A55-10141
✓ A55-10142
✓ A55-10143
✓ A55-10144
✓ A55-10145
✓ A55-10146
✓ A55-10147

Basin 65:

- ✓ A65-08324 (also filed under Louise Owen with same
water right number) (o)
- ✓ A65-10366 (two claims are filed under the same *ouc (o)* *fixed*
water right number) *ouc (c)*
- ✓ A65-10367