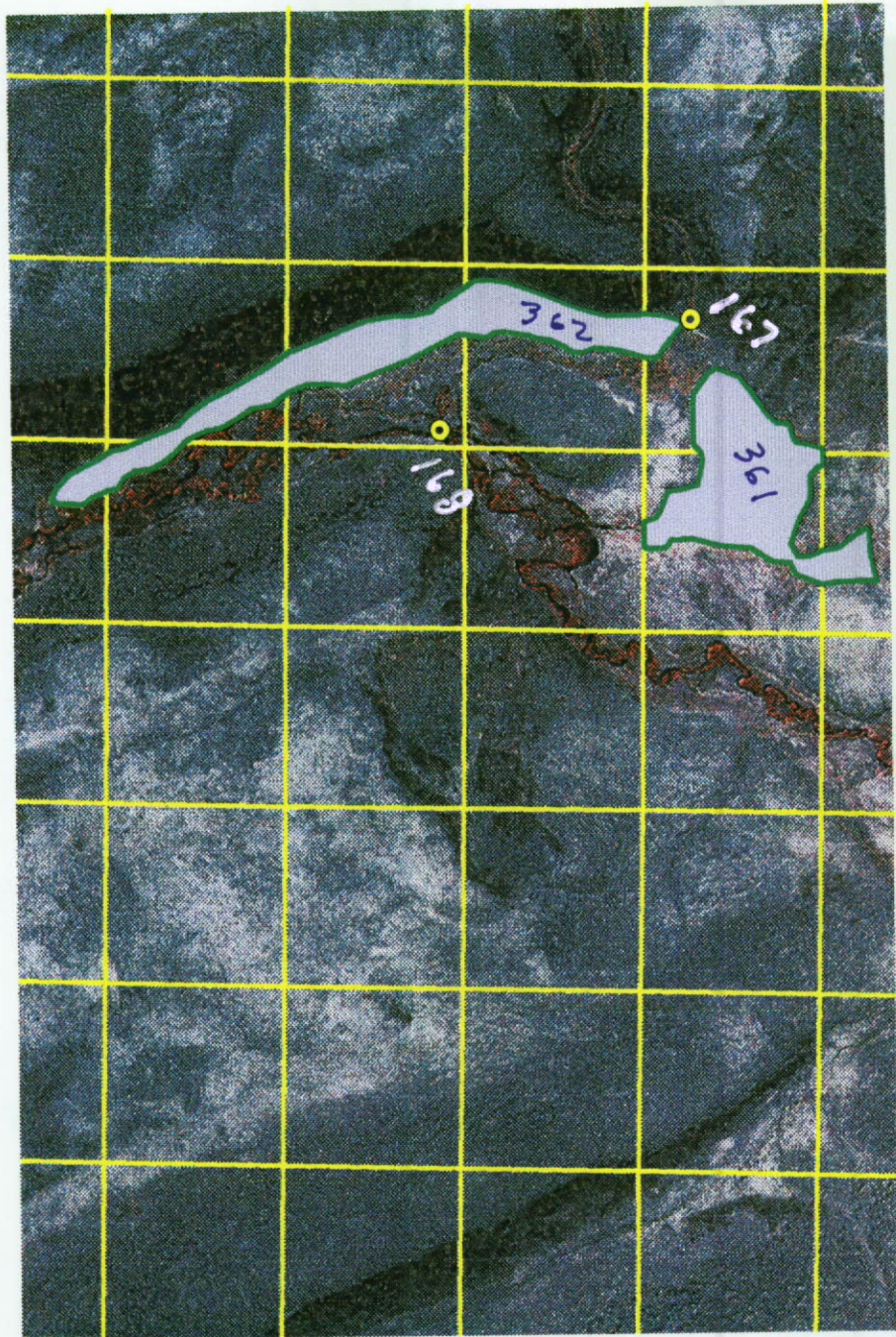


CLAIMS: 4009

OWNER: SIMPLOT 1 of 2



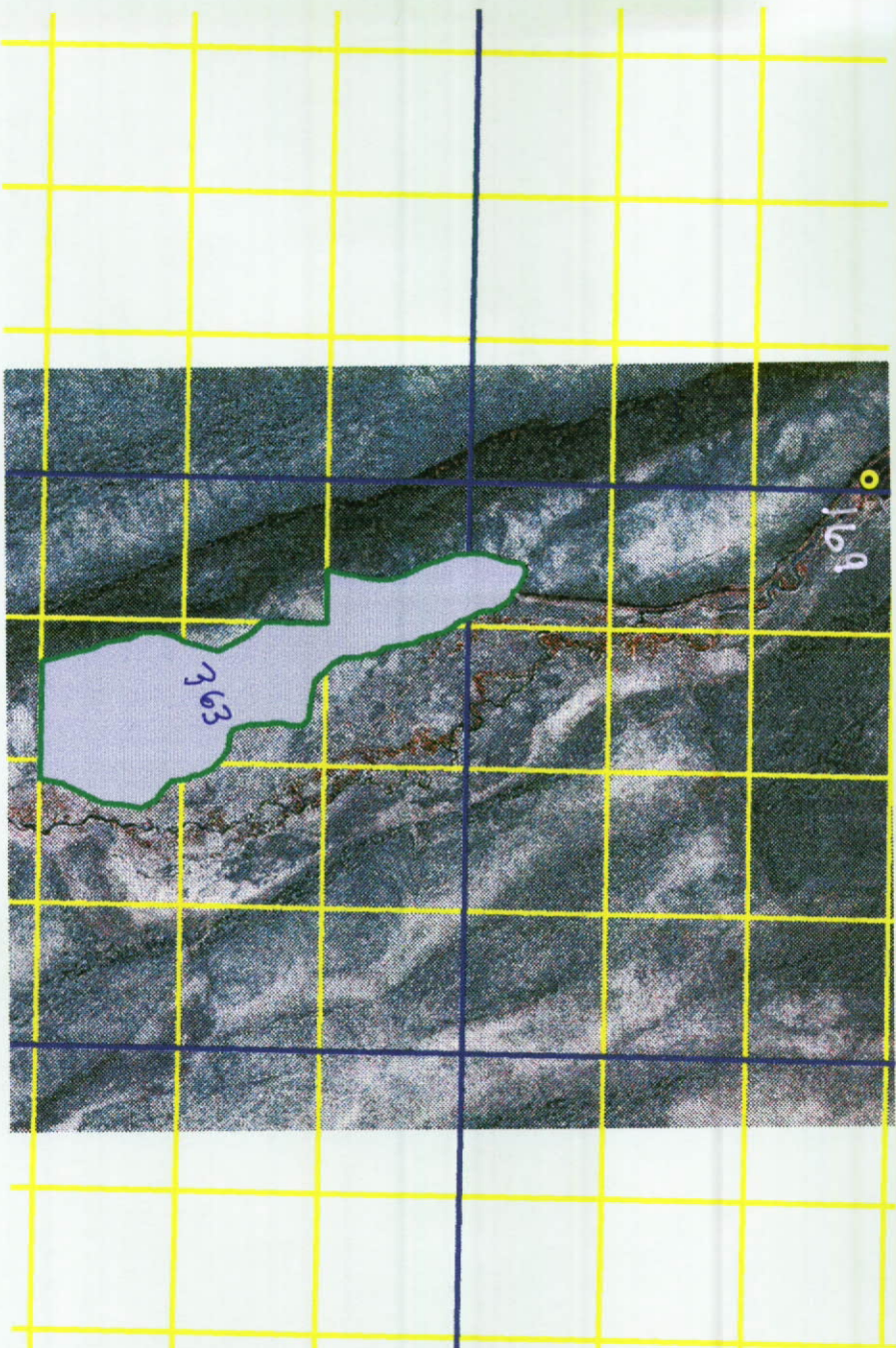
167, 168, 169

-  Ron2-pod.shp
-  Ron-pou.shp
-  10n01e.dxf
-  P10s01e.shp



CLAIMS: 4009

OWNER: SIMPLDT 20f2



-  Ron2-pod.shp
-  Ron-pou.shp
-  11s01e.dxf
-  P11s01e.shp

IDAHO DEPARTMENT OF WATER RESOURCES

T10S, R01E, S28, S33

6 ACRES

 Section Lines

 Place of use

 1/4 14 Lines

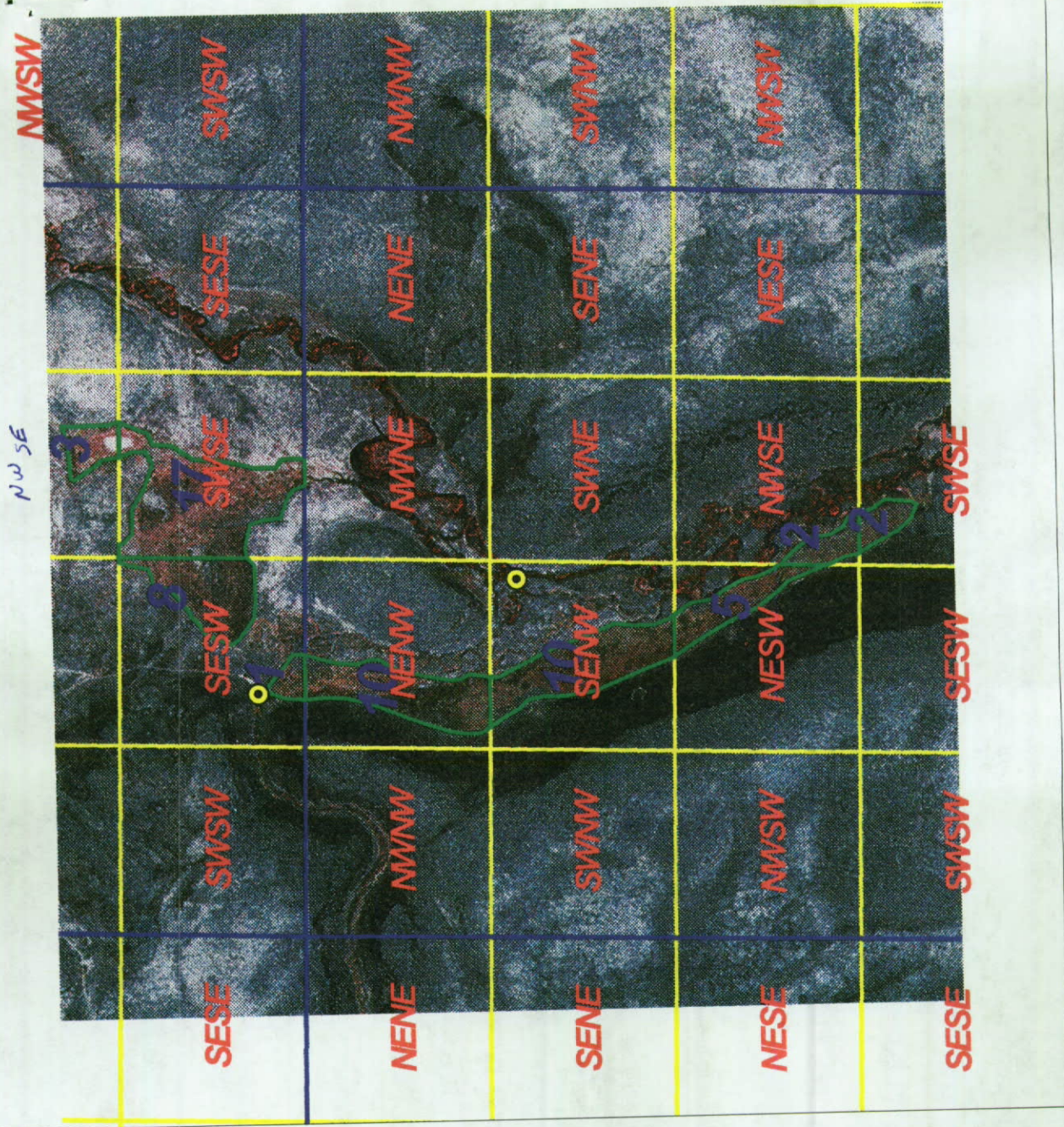
 POINT OF DIVERSION

Claim(s): 55-04009
Owner(s): SIMPLOT
Prepared by: Ron Howerton
Date: 2/10/1998
Total Acres: of page 1= 58



1987 NAPP

Page 1 of 2



0 0.5 1 Mile

IDAHO DEPARTMENT OF WATER RESOURCES

T11S, R01E, S03, S10

6 ACRES

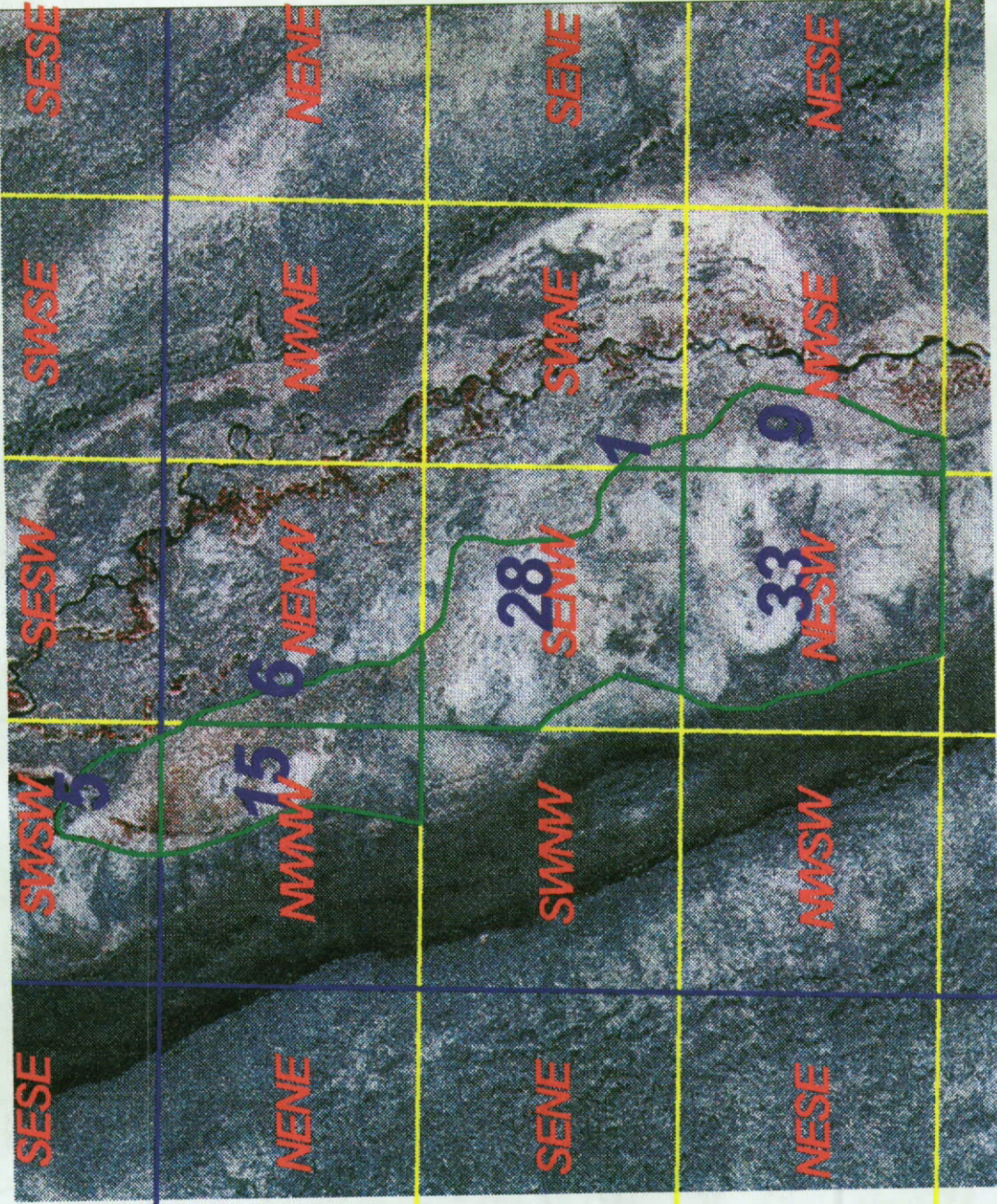
 Section Lines

 Place of use

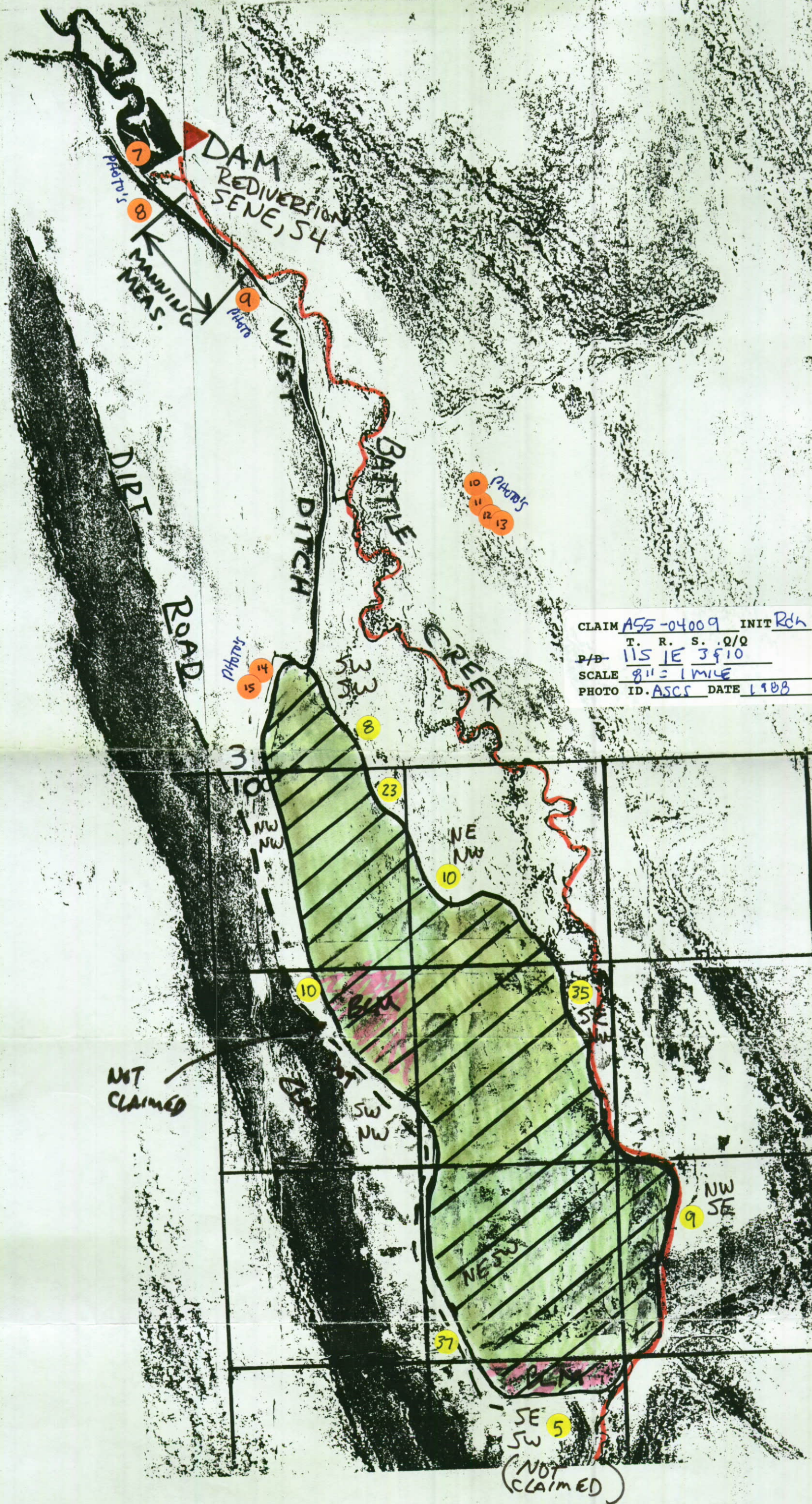
 1/4 14 Lines

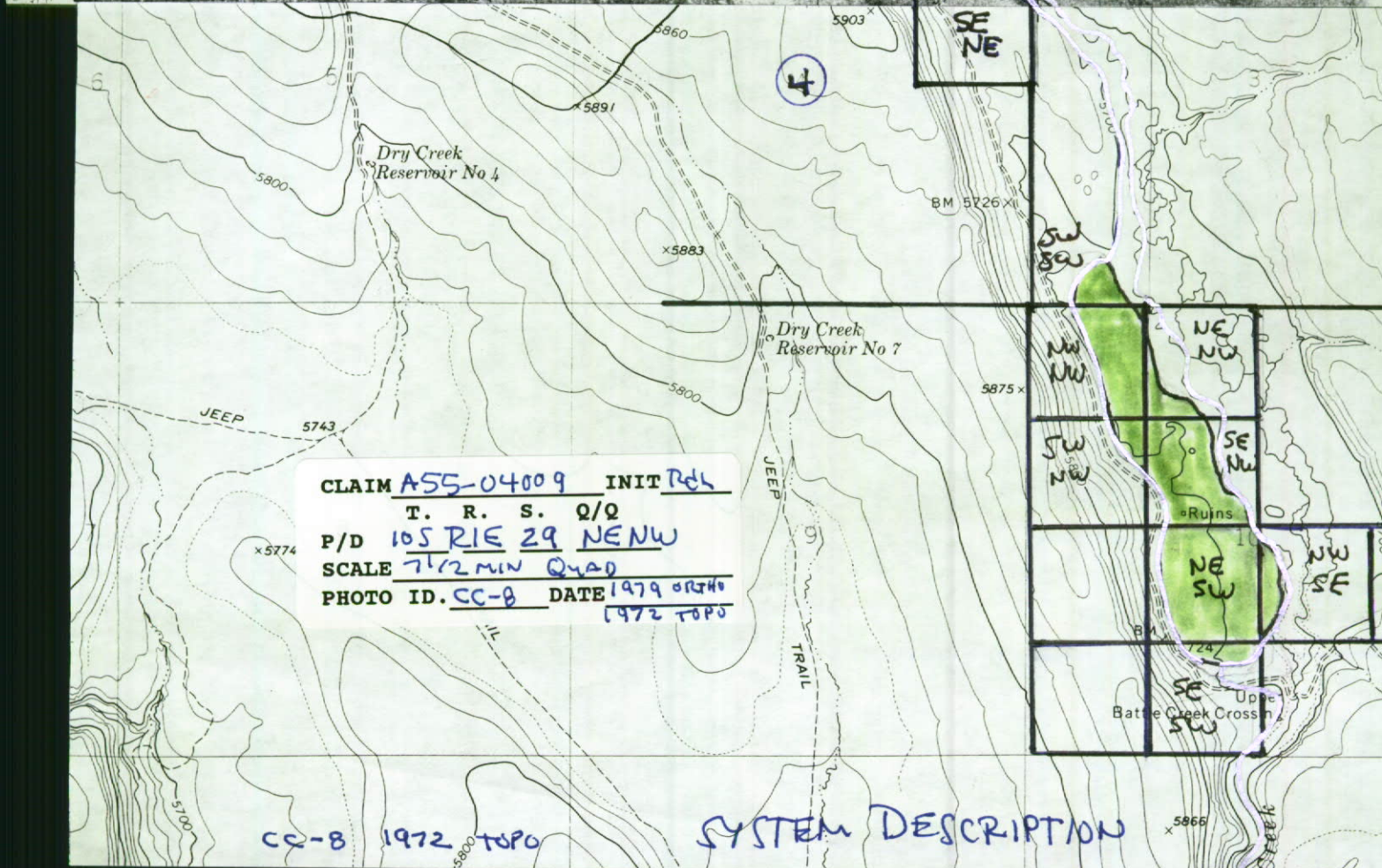
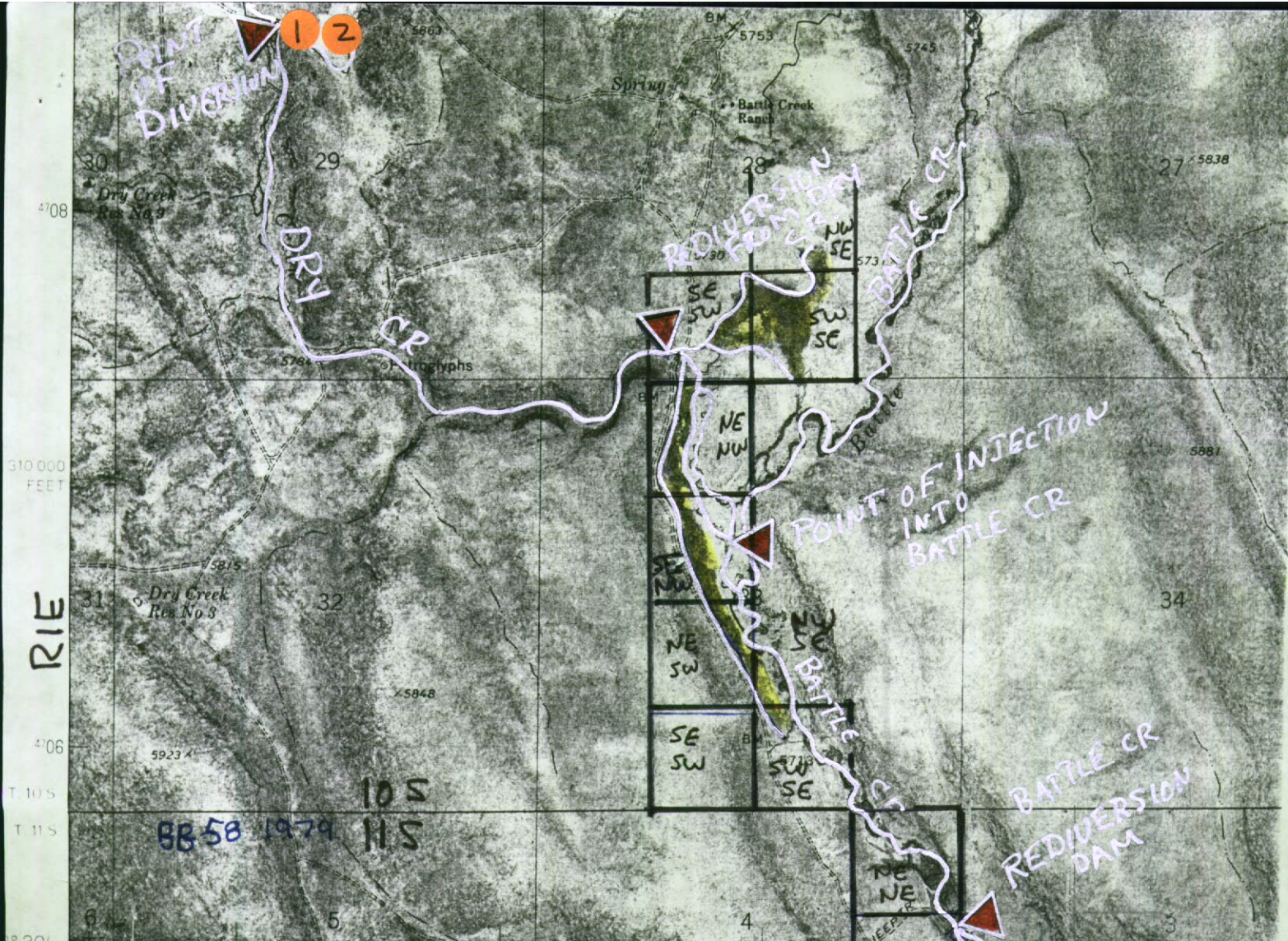
 POINT OF DIVERSION

Claim(s): 55-04009
Owner(s): SIMPLOT
Prepared by: Ron Howerton
Date: 2/10/1998
Total Acres: of page 2 = 97



1988 ASCS





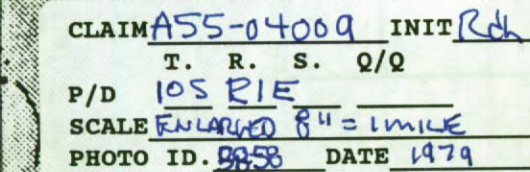
CLAIM A55-04009 INIT REL
 T. R. S. Q/Q
 P/D 10S RIE 29 NENW
 SCALE 7 1/2 MIN QUAD
 PHOTO ID. CC-8 DATE 1979 ORTHO
1972 TOPO

CC-8 1972 TOPO

SYSTEM DESCRIPTION

A55-04009

28



T10S
T11S

CLAIM A55-04009 INIT Rdh

T. R. S. Q/Q

P/D SEE 1988 ASCS MAP

SCALE 1/100,000 ENLARGED 300% B.M.

PHOTO ID. RIDDLE DATE 1978

R 1 E

350

56

3

1

6

Wildhorse
Spring

Jeep

10 B.M.

Trail

Creek

1743

Creek

Lost Valley
Springs

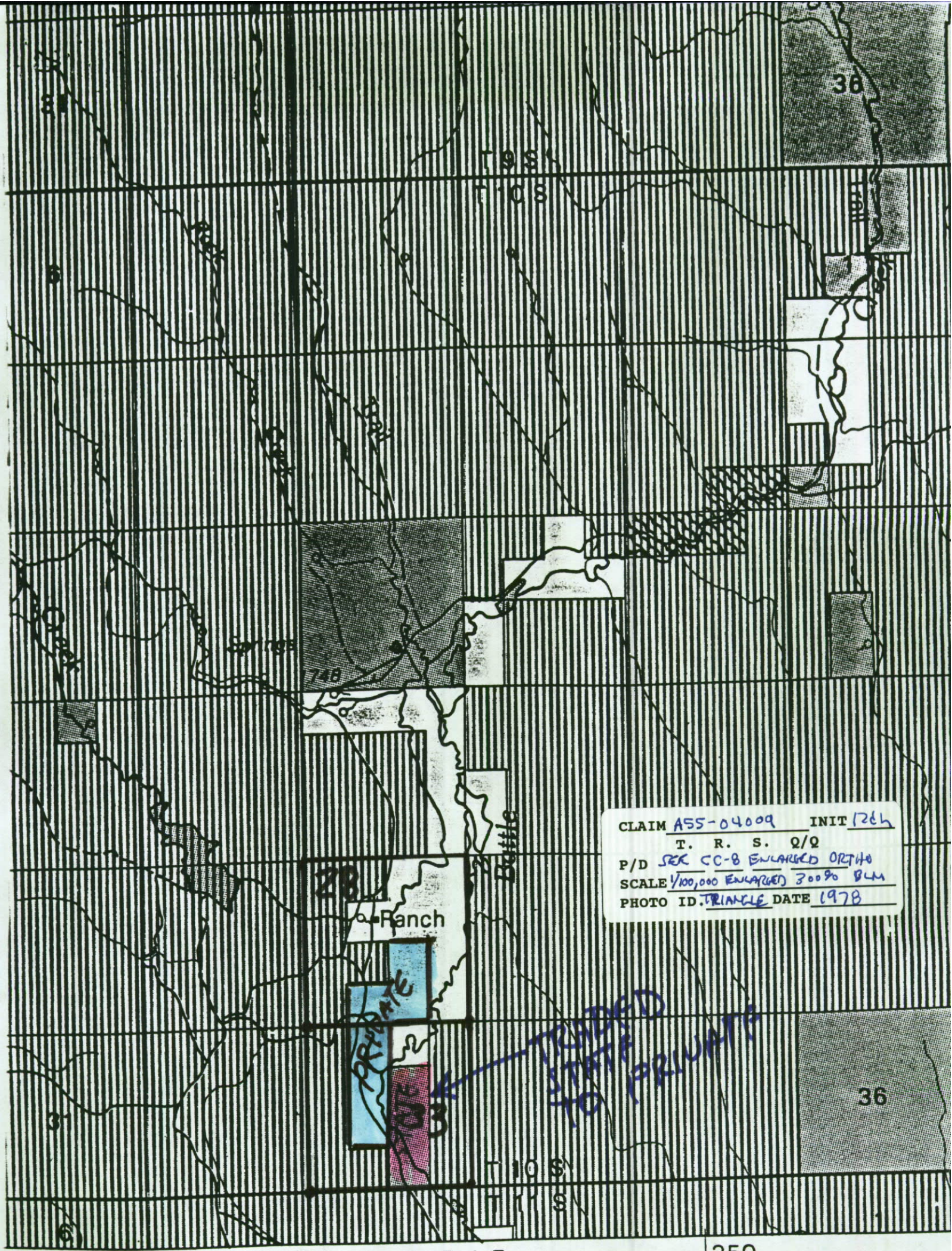
35

31

Spring

T 11 S

T 12 S



CLAIM A55-04009 INIT 12ch
T. R. S. Q/Q
P/D SEC CC-8 ENLARGED ORTHO
SCALE 1/100,000 ENLARGED 300% BLM
PHOTO ID. TRIANGLE DATE 1978

TRADED
STATE
TO
PRIVATE

R 1 E

1350

11/3/93

PICTURE # 1

A55-04009

This is a new inlet just put in at Scrappy Dam. Located in Section 29.



PICTURE # 2

These are the new controls all installed this year, 1993. P/D location.



11/3/93

PICTURE # 3

A55-04009

This is the re-diversion point from Dry Creek. Located in the SESW S28. Here you can see two culverts diverting water to a field to the North and to the South by the culvert on the right. Plastic dam is the re-diversion point from Dry Creek.



PICTURE # 4

POU of the field to the North in Section 28.



Photo's By
RDH

11/3/93

PICTURE # 5

A55-04009

This is the POU at the top of the field to the South in Section 33.



PICTURE # 6

This is at the bottom of the field in Section 28, looking North from the SWSE 1/4, 1/4.



PICTURE # 7

A55-04009

Photo's By

RDH

4/3/93

This is the Re-Diversion located at the lower Battle Creek Dam. The ditch on the East side has not been used, silted in. The ditch to the West is being used and a live flow measurement was made from Battle Creek due to small amount of storage in this reservoir and is not considered storage from Battle Creek.



PICTURE # 8

Upper X-Section in West Ditch. See map for location.



PICTURE # 9

A55-04009

Photo's By

RDH

11/3/93

This is the lower X-Section, looking up-stream.



PICTURE # 10,11,12 & 13

A55-04009

The top adjoined photo's show the reservoir to the right, Battle Creek flows to the left. These photo's continue below with the right side being continuous from the top photo's left side. No irrigation at all on this side of Battle Creek, ditch was plugged at the culvert at the dam and sage brush has since grown on the East side as shown with these photo's.



Photo's By

RDH

4/3/97

PICTURE # 14 & 15

A55-04009

This is the POU where irrigation is still occurring. Located at the SWSW of Section 3 and continuing into section 10, see map for location.



Photo's By

RDH

11/3/93



DAM SAFETY PHOTOGRAPHS

DAM NAME: SCRAPPY CREEK
55-4009

DATE: 7/27/93

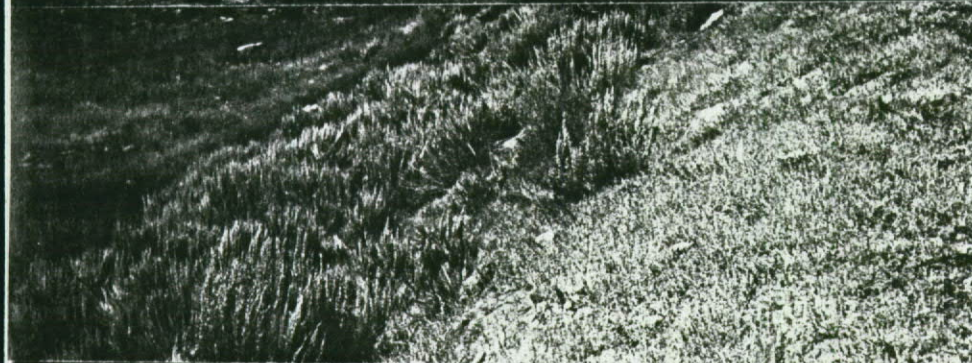
BY: J. WESTRA
WESTERN REGION



1. Upstream slope of the dam, taken from the right abutment. Some willow growth needing to be removed.



2. Downstream slope of the embankment showing several scattered rodent burrows.



3. Spillway channel looking downstream from the crest.



4. Outlet conduit and gate. Ice damage to gate and stem.



5. Outlet pipe, bottom rusted through the last 3 ft.



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: A55-04009
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: MAR 2, 1927

3. Source: SCRAPPY CREEK Trib. to: BATTLE CREEK
SCRAPPY RESERVOIR BATTLE CREEK
LOWER BUTTE CREEK RESERVOIR BATTLE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	01E	29	NE	NW			OWYHEE
11S	01E	4	NE	NE	1		OWYHEE

Beginning Point of Instream Flow							
11S	01E	3	NW	NW			OWYHEE

Ending Point of Instream Flow							
11S	01E	10	NW	SE			OWYHEE

5. Description of diverting works:
EARTHEN DAMS, GATE DIVERSION, IRRIGATION DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			437.00
IRRIGATION FROM STORAGE	04/15	10/01	6.400		
STOCKWATER	01/01	12/31	0.230		
IRRIGATION STORAGE	04/01	11/01			6.00

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

A.F.A.

8. Total consumptive use is 1350.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER 1,000 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	01E	3	SW		NW		IRR	40.0
			SW		NW		STOCK	
			NE		SW		IRR	40.0
			NE		SW		STOCK	
			NW		SW		IRR	40.0
			NW		SW		STOCK	
			SW		SW		IRR	40.0
			SW		SW		STOCK	
			SE		SW		IRR	40.0
			SE		SW		STOCK	
							Section Acres	200.0
		10	NW		NE		STOCK	
			NW		NE		IRR	40.0
			SW		NE		IRR	30.0
			SW		NE		STOCK	
			NE		NW		IRR	40.0
			NE		NW		STOCK	
			NW		NW		IRR	40.0
			NW		NW		STOCK	
			SE		NW		IRR	30.0
			SE		NW		STOCK	
			NE		SW		IRR	30.0
			NE		SW		STOCK	
			NW		SE		IRR	40.0
			NW		SE		STOCK	
							Section Acres	250.0
							Total Acres	450.0

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:
55-2130, 55-2170.

14. Remarks:

SOURCE KNOWN LOCALLY AS DRY CK. & DRY CK. RES.
SOURCES ARE SCRAPPY CK. & SCRAPPY CK. RES.
SHOULD INCLUDE STORAGE FOR IRR. 1/1 TO 12/31.
OWNERSHIP CHANGED 9/20/94 RDH.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ 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 _____

A55-04009

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

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

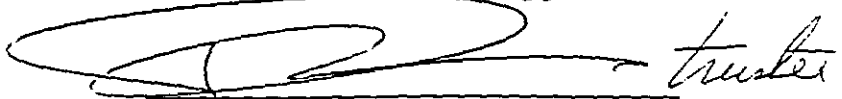
State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMITS AND PENDING APPLICATION FOR PERMIT

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

 trustee

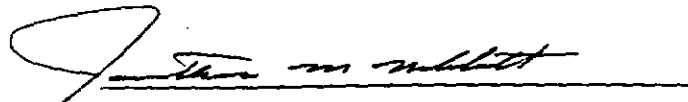
Richard L. Owen, Trustee of the
Owen Family Revocable Trust A

 - TRUSTEE

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

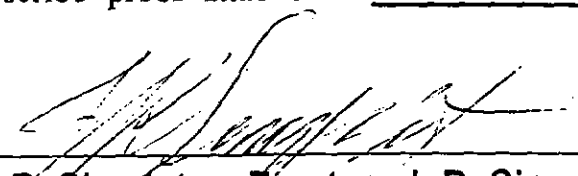
Name and Address of Former Owner/Claimant(s) (Seller): Richard L. Owen, Trustee of the Owen Family Revocable Trust A, Post Office Box 590, Bruneau, Idaho, 83604-0590 and Velma Marie Owen, Successor Trustee of Owen's Ranch Trust Dated May 17, 1967, Post Office Box 590, Bruneau, Idaho 83604-0590.

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.

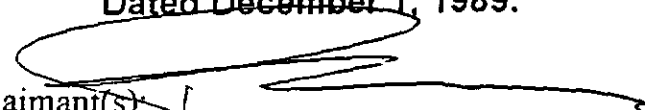
Does the change in ownership result in a splitting of the water right owned/claimed? ___ yes X no

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

 - 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

THE OWENS RANCH TRUST
DATED MAY 17, 1967

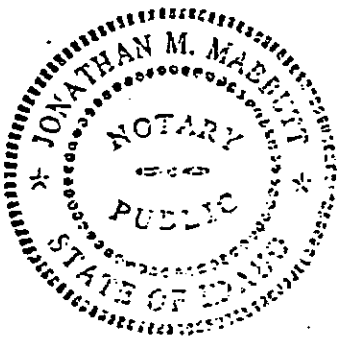
By Velma Marie Owen
Velma Marie Owen, Trustee TRUSTEE

STATE OF IDAHO)
County of Ada) ss.

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 SE1NW1, the SW1NE1,
the NW1SE1 and the NE1SE1 of Sec. 22; and the NW1SW1 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 SE1NW1, 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 *P. Schuchman*
DEPUTY

RECORDED
INDEXED
MICROFILMED

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: SE½SW¼
Section 17: E½NW¼, NE½SW¼

IN TOWNSHIP 12 SOUTH, RANGE 2 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 7: SW½SE¼

IN TOWNSHIP 9 SOUTH, RANGE 1 WEST, B. M., OWYHEE COUNTY, IDAHO
Section 33: SW½SE¼

IN TOWNSHIP 10 SOUTH, RANGE 1 WEST, B. M., OWYHEE COUNTY, IDAHO
Section 1: SW½SE¼
Section 3: SW¼, S½SE¼
Section 4: Lot 2, S½NE¼, E½SE¼, SW½SE¼
Section 9: NE¼, SE¼, E½SW¼, that portion of E½NW¼ 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 E½NW¼ of Section 9.

Section 10: N¼, N½S¼, SW½SW¼, SE½SW¼, S½SE¼,
EXCEPTING the one-half (½) acre of land in the NW
corner of NE½SE¼, 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: SW½SW¼
Section 15: W½NE¼, E½NW¼, E½SE¼
Section 23: N½NW¼, SE½NW¼, SW½NE¼, W½SE¼, SE½SE¼
Section 25: W½NW¼, NW½SW¼, E½SW¼
Section 26: E½NE¼
Section 36: E½W¼, SW½NW¼, NW½SW¼

IN TOWNSHIP 11 SOUTH, RANGE 1 WEST, B. M., OWYHEE COUNTY, IDAHO
Section 24: NW½SW¼
Section 35: SW½SE¼

IN TOWNSHIP 12 SOUTH, RANGE 1 WEST, B. M., OWYHEE COUNTY, IDAHO
Section 7: NE½SW¼
Section 21: W½E¼, E½W¼
Section 35: W½SE¼

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

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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.

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PARCEL V:

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

Section 17: S½SW¼
Section 18: S½SE¼
Section 19: NE¼, N½SE¼
Section 20: NW¼, N½SW¼

PARCEL VI:

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

Section 19: A portion of Government Lot 4 (SW¼, SW¼) 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: S₁SW₁
Section 4: SE₁SE₁
Section 9: NE₁NE₁, SE₁NE₁, NE₁SE₁
Section 10: W₁NW₁, NW₁SW₁, NE₁SW₁, S₁SW₁
Section 15: N₁NW₁

PARCEL VIII:

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

Section 14: SW₁SW₁
Section 15: S₁SE₁
Section 22: NE₁NE₁
Section 23: NW₁NW₁

PARCEL IX:

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

Section 22: SE₁, SE₁NE₁, S₁SW₁
Section 23: That portion of NW₁SW₁ more particularly described
as follows:

COMMENCING at the NW corner of NW₁SW₁, 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 NE₁NE₁ 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 NE₁NE₁, Sec. 27; thence South 0°14' West
along the West sideline of NE₁NE₁, 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"

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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, SE¼NW¼

PARCEL XII:

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

Section 10: SW¼SE¼
Section 14: SW¼NW¼, NW¼SW¼
Section 15: SE¼NE¼, W¼NE¼, S¼NW¼, N¼SE¼
Section 16: S¼NE¼, SE¼NW¼, W¼W¼, E¼SW¼, SE¼

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 NW¼SE¼ 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 NE¼SW¼ 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 NE¼SW¼ 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	

Eno CW

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: A55-04009
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: MAR 2, 1927

3. Source: SCRAPPY CREEK Trib. to: BATTLE CREEK
SCRAPPY RESERVOIR BATTLE CREEK
LOWER BUTTE CREEK RESERVOIR BATTLE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	01E	29	NE	NW			OWYHEE
11S	01E	4	NE	NE	1		OWYHEE

Beginning Point of Minimum Instream Flow						
11S	01E	3	NW	NW		OWYHEE

Ending Point of Minimum Instream Flow						
11S	01E	10	NW	SE		OWYHEE

5. Description of diverting works:
EARTHEN DAMS, GATE DIVERSION, IRRIGATION DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			437.00
IRRIGATION FROM STORAGE	04/15	10/01	6.400		
STOCKWATER	01/01	12/31	0.230		
IRRIGATION STORAGE	04/01	11/01			6.00

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

MICROFILMED
SEP 29 1992

8. Total consumptive use is 1350.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER 1,000 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	01E	3	SW	NW		IRR	40.0
			SW	NW		STOCK	
			NE	SW		IRR	40.0
			NE	SW		STOCK	
			NW	SW		IRR	40.0
			NW	SW		STOCK	
			SW	SW		IRR	40.0
			SW	SW		STOCK	
			SE	SW		IRR	40.0
			SE	SW		STOCK	
						Section Acres	200.0
		10	NW	NE		STOCK	
			NW	NE		IRR	40.0
			SW	NE		IRR	30.0
			SW	NE		STOCK	
			NE	NW		IRR	40.0
			NE	NW		STOCK	
			NW	NW		IRR	40.0
			NW	NW		STOCK	
			SE	NW		IRR	30.0
			SE	NW		STOCK	
			NE	SW		IRR	30.0
			NE	SW		STOCK	
			NW	SE		IRR	40.0
			NW	SE		STOCK	
						Section Acres	250.0
						Total Acres	450.0

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:
55-2130, 55-2170.

14. Remarks:
SOURCE KNOWN LOCALLY AS DRY CK. & DRY CK. RES.
SOURCES ARE SCRAPPY CK. & SCRAPPY CK. RES.

MICROFILMED
SEP 29 1992

14. Remarks: Continued

SHOULD INCLUDE STORAGE FOR IRR. 1/1 TO 12/31.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ 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 _____

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SEP 29 1992

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 Established August 30, 1966, as Amended and Restated October 12, 1988

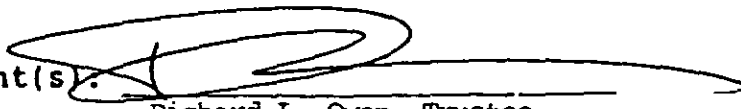
[] New Mailing Address: P.O. Box 590

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

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: A55-04009
Date Received: 1/19/1989
Receipt No: W002025
Received By: DE JNU

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: MAR 2, 1927

3. Source: SCRAPPY CREEK Trib. to: BATTLE CREEK
SCRAPPY RESERVOIR BATTLE CREEK
LOWER BUTTE CREEK RESERVOIR BATTLE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	01E	29	NE	NW			OWYHEE
11S	01E	4	NE	NE		1	OWYHEE

Beginning Point of Minimum Instream Flow							
11S	01E	3	NW	NW			OWYHEE

Ending Point of Minimum Instream Flow							
11S	01E	10	NW	SE			OWYHEE

5. Description of diverting works:
EARTHEN DAMS, GATE DIVERSION, IRRIGATION DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			437.00
IRRIGATION FROM STORAGE	04/15	10/01	6.400		
STOCKWATER	01/01	12/31	0.230		
IRRIGATION STORAGE	04/01	11/01			6.00

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

14. Remarks: Continued

SHOULD INCLUDE STORAGE FOR IRR. 1/1 TO 12/31.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

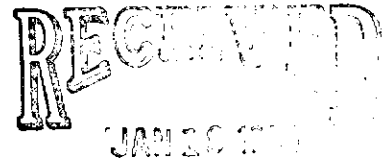
My Commission Expires _____

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 A55-04009
Date Received 1-19-89
Receipt Number W002025

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



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) March 2, 1927

3. Source of water supply (a) Scrappy Ck/Scrappy Reservoir/Battle Ck/Lower Butte Ck Reservoir
which is tributary to (b) Battle Creek

4. a. Location of existing point of diversion is: Township 10S. Range 01E. Section 29,
1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of Owyhee

Additional points of diversion if any: T.11S., R.01E., Sec. 4, NE1/4, NE1/4, Lot 1

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

Township 11S. Range 01E. Section 3, 1/4 of NW 1/4 of NW 1/4,
Govt. Lot B.M., County of Owyhee

ending point is: Township 11S. Range 1E. Section 10, 1/4 of NW 1/4 of
SE 1/4, Govt. Lot B.M., County of Owyhee

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 dams with overflow spillways,
CMP w/gate diversion, ditch irrigation system. Water from Scrappy Reservoir can be
routed to Lower Battle Creek Reservoir, where it is rediverted to irrigation ditch
system.

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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 Stockwater purposes from 1/1 to 12/31 amount 0.23 or 437 Scrappy Ck. Reservoir

For Irr. Storage purposes from 1/1 to 12/31 amount or

For Irr. from Storage purposes from 4/15 to 10/1 amount 6.4 or

For Irr. Storage purposes from 4/1 to 11/1 amount or 6 Lower Battle Ck. Reservoir

7. Total quantity claimed (a) 6.400 (cfs) and/or (b) (acre feet)

8. Total consumptive use claimed is 1,350.00 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater - 1,000 head of r-range cattle

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	
11S.	01E.	3							40.0		40.0	40.0	40.0	40.0					200.0
		10		40.0	30.0		40.0	40.0		30.0	30.0					40.0			250.0

Total number of acres irrigated 450.0

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: Source known locally as Dry Ck. & Dry Ck. Reservoir

Last Name Owen Ident No.

MICROFILMED
Copies: White-State, Yellow-Claimant
SEP 29 1992

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Stockwater purposes from 1/1 to 12/31 amount 0.23 or _____

For Irr. Storage purposes from 1/1 to 12/31 amount _____ or 437 - Scrappy Ck. Reservoir

For Irr. from Storage purposes from 4/15 to 10/1 amount 6.4 or _____

For Irr. Storage purposes from 4/1 to 11/1 amount _____ or 6 - Lower Battle Ck. Reservoir

7. Total quantity claimed (a) 6.400 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1,350.00 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater - 1,000 head of r-range cattle

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
11S.	01E.	3							40 ^S .0		40 ^S .0	40 ^S .0	40 ^S .0	40 ^S .0					200.0
		10		40 ^S .0	30 ^S .0		40 ^S .0	40 ^S .0		30 ^S .0	30 ^S .0					40 ^S .0			250.0

Total number of acres irrigated 450.0

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:
Source known locally as Dry Ck. & Dry Ck. Reservoir

Last Name Owen Ident No. _____

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Copies: White, Stigler, Yellow, Claimant

SEP 29 1992

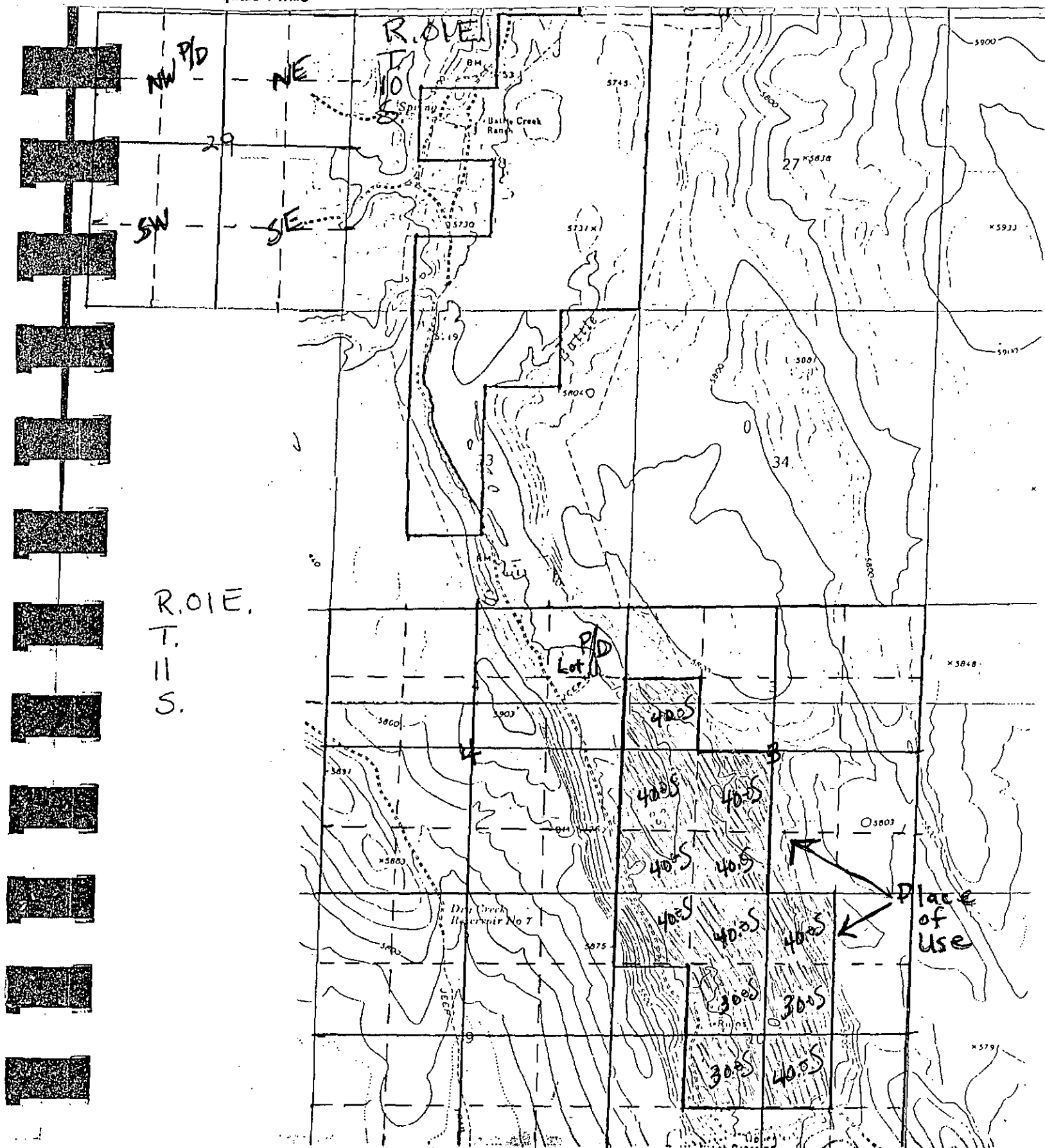
It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

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



Owen

Ident No.

Copies: White-State, Yellow-Claimant

Inter-State, Yellow-Claimant
MICROFILMED

SEP 29 1992

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

Decree _____

If applicable provide IDWR Water Right Number 55-4009

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 ☒ 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

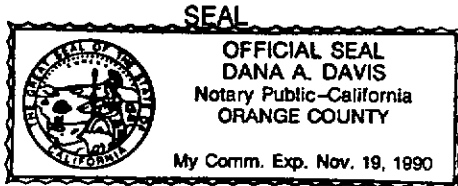
and that the statements contained in the foregoing document are true and correct.

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 _____

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Copies: White State, Yellow Claimant
SEP 29 1992

Water Right Number - 55-04009

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***
GUTHRIE

JOHN LESTER

1 - 20210 AVE. 176

2 -

3 -

City- PORTERVILLE

Phone -

State- CA Zip- 93257

+ - - - - Priority Date - - - + + - - - - Region - - - + + - - - - Stage - - - + + - - - - Status - - - - +
03/02/1927 14 S - STATUTORY CLAIM+ - - - - Source - - - - + + - - - - Tributary - - - - + + - - - -
SCRAPPY CREEK BATTLE CREEK
SCRAPPY RESERVOIR BATTLE CREEK

+ - - - - TwN Rng Sec Tract Lot RPlg County Point of Diversion - - - - - Stream Index (blank if no Index Code) - - - - - +

10S 01E 29 NE NW (73) OWYHEE 272.0 313.0 249.0 6.0 2.4
11S 01E 4 NE NE 1 (73) OWYHEE 272.0 313.0 249.0 34.7+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/01 6.400 437.00+ - - - - Total Div. Rate - + + - - - - Total Div. Volume - + + - - - - Total Div. Capacity - + + - - - - Total Consumptive Use - + + - - - - KW Usage - +
6.400 437.00+ - - - - TwN Rng Sec Tract Lot Acres Place of Use Code Description County
11S 01E 3 SW NW 40.0 01 IRRIGATION (73) OWYHEE
11S 01E 3 NE SW 40.0 01 IRRIGATION (73) OWYHEE
11S 01E 3 NW SW 40.0 01 IRRIGATION (73) OWYHEE
11S 01E 3 SW SW 40.0 01 IRRIGATION (73) OWYHEE
11S 01E 3 SE SW 40.0 01 IRRIGATION (73) OWYHEE
11S 01E 10 NW NE 40.0 01 IRRIGATION (73) OWYHEE
11S 01E 10 NE NW 40.0 01 IRRIGATION (73) OWYHEE
11S 01E 10 NW NW 40.0 01 IRRIGATION (73) OWYHEE

Total Acres: 320.0

+ - - - - Diversion Means -

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use - 55-2130, 55-2170.

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SEP 20 1997

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

04/02/90 16:11:06
Page 2

Water right number - 55-04009 Adj. flag translation: Standard Water Right Number

REMARKS
SOURCE KNOWN LOCALLY AS DRY CK. & DRY CK. RES.
SOURCES ARE SCRAPPY CK. & SCRAPPY CK. RES.
SHOULD INCLUDE STORAGE FOR IRR. 1/1 TO 12/31.

Old Water Right Numbers found.
No Old Water Right Numbers found.

Conditions of Approval
No Conditions of Approval found.

Decree Defendant
Decree Date

04/30/88 CONVERT

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 02/05/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		

Microfilm Roll Number -

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SEP 29 1992

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

OWEN

CLAIM IDENT. NO.

A55-04009

DATE RECEIVED

1-19-89

CK #

658

AMOUNT \$

50+450=500.00

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) | ☒ | ☐ | |
| 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? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 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. | ☒ | ☐ | * |
| 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.) | ☒ | ☐ | |
| 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) | ☒ | ☐ | |
| 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 | ☐ | ☒ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☐ | ☒ | |
| 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? | ☐ | ☐ | |

MICROFILMED

SEP 29 1992

\$500.00

23. Should this claim be receipted and data entered?

YES

NO

Claim checked by: Rdh

Date: 2-27-91

Claim must be returned to claimant: (Yes) ☒ (No)

Claimant must be notified of modifications: (Yes) ☒ (No)

Receipt Prepared by: _____ Date: _____

Claim data entered by: _____ Date: _____ Checked by: _____ Date: _____

Sent to claimant by: _____ Date: _____

Comments: EXPASION - NEEDS at least 2-CLAIMS "P" FLAG "Z".

STOCK WAS ADDED -

STORAGE WAS ADDED -

USES WERE CHANGED -

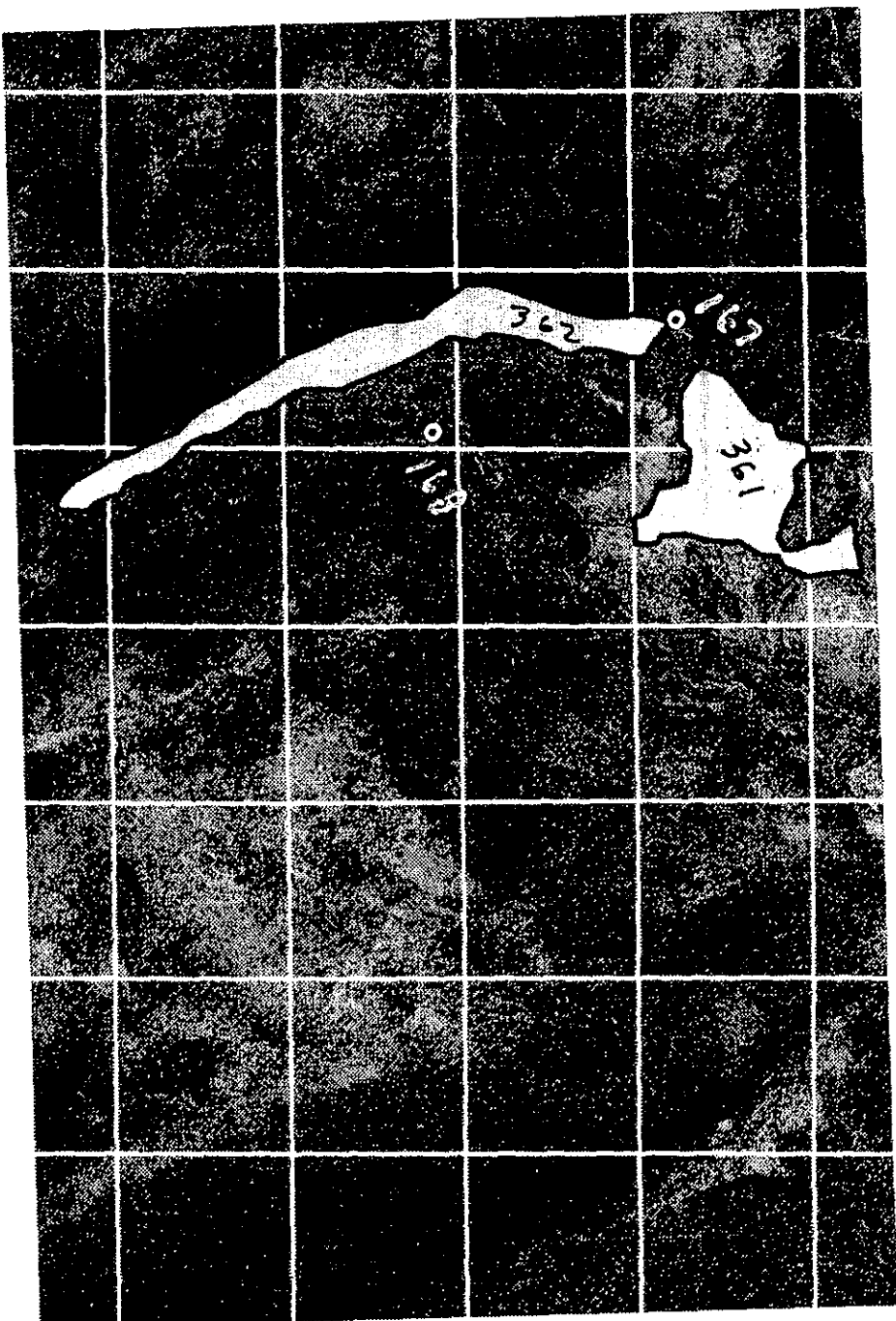
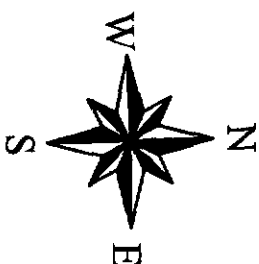
SOURCES ARE ADDED -

ACRES WERE EXPANDED -

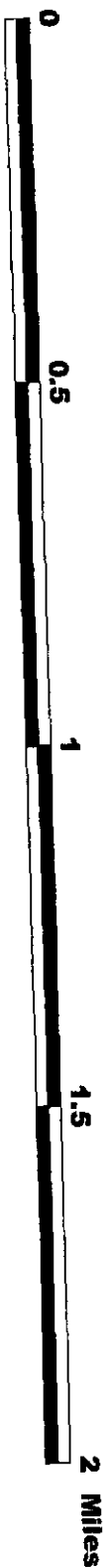
Additional claims are needed: DATA ENTER

AS CLAIMED.

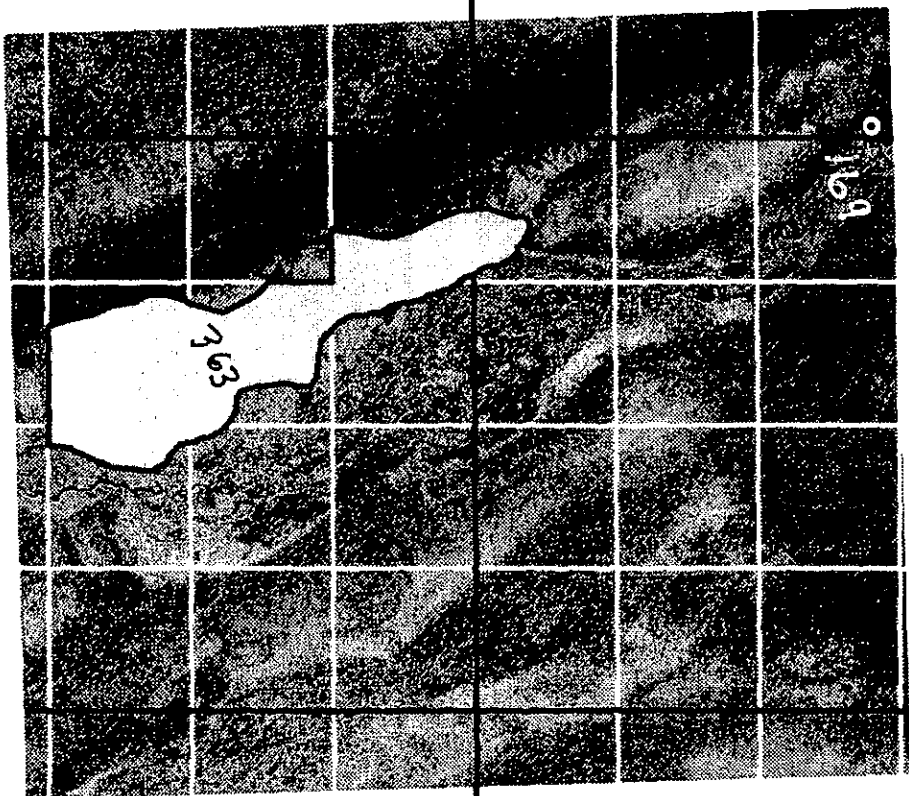
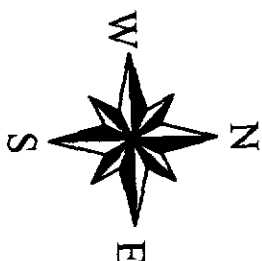
CLAIMS: 4009
OWNER: SIMPLOT 1 of 2



167, 168, 169
Ron2-pod.shp
Ron-pou.shp
10n01e.dxf
P10s01e.shp



CLAIMS: 4009
OWNER: Simplot 2 of 2



⊙ Ron2-pod.shp
□ Ron-pou.shp
△ 11s01e.dxf
P11s01e.shp



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.

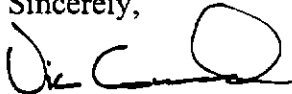
Dear Jan:

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J R SIMPLOT SELF DECLARATION REVOC TRUST J R SIMPLOT AS TRUSTEE ATTN RONALD N GRAVES PO BOX 27 BOISE ID 83707 (208) 336-2110	03/02/1927	IRRIGATION IRRIGATION STORAGE IRRIGATION FROM STORAGE STOCKWATER STOCKWATER STORAGE STOCKWATER FROM STORAGE	04-15 10-15 01-01 12-31 04-15 10-15 01-01 12-31 01-01 12-31 01-01 12-31	3.10 CFS 0.23 CFS 3.10 CFS	437.00 AFA 437.00 AFA 14.00 AFA 14.00 AFA 437.00 AFA
TOTAL DIVERSION:						

Water Source: DRY CREEK
BATTLE CREEK
Tributary to: BATTLE CREEK
OWYHEE RIVER
Stage: BENEFICIAL USE

Point(s) of Diversion:	T10S R01E S29 T11S R01E S04 T10S R01E S33 T10S R01E S28 T11S R01E S04	NENW SENE SENE SWSESW SENE	OWYHEE County OWYHEE County OWYHEE County OWYHEE County OWYHEE County
Point(s) of Injection:			
Point(s) of Re-diversion:			

Place of use Legal Description for: IRRIGATION									
NE					SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	SUM
10S 01E 28 :							03	17	29.0
10S 01E 33 :							02	02	29.0
11S 01E 3 :									5.0
11S 01E 10 :	01		06	15	28		09		92.0
TOTAL ACRES									155.0

Place of use location for IRRIGATION FROM STORAGE is the same location as described for: IRRIGATION

Place of use Legal Description for: STOCKWATER									
NE					SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	SUM
10S 01E 28 :									
10S 01E 33 :									
11S 01E 3 :									
11S 01E 10 :									

Place of use location for STOCKWATER FROM STORAGE is the same location as described for: STOCKWATER

POU County: OWYHEE

Conditions of Approval:
N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Conditions of Approval:

- H08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- H03 - IRRIGATION PERIOD OF USE IS CURRENTLY ON APPEAL TO THE IDAHO SUPREME COURT. THE SRBA COURT RULED "IRRIGATION SEASON" IS ADEQUATE AND APPROPRIATE TO DESCRIBE THE PERIOD OF USE. APPELLANTS ARGUE A SPECIFIC CALENDAR DESCRIPTION IS NECESSARY TO DESCRIBE THE PERIOD OF USE FOR A WATER RIGHT. IF THE IDAHO SUPREME COURT OVERTURNS THE DECISION OF THE SRBA COURT ON USING "IRRIGATION SEASON" THE SPECIFIC CALENDAR DESCRIPTION SHOWN MAY BE USED.
- H04 - POSSIBLE ALTERNATIVE PERIOD OF USE 04/15 10/15
SEE EXPLANATORY MATERIAL BELOW.

Remarks: SRC

POINT OF INJECTION INTO BATTLE CREEK.
POINT OF REDIVERSION FROM DRY CREEK.
POINT OF REDIVERSION FROM BATTLE CREEK.

EXP

DRY CREEK SOURCE IS ALSO KNOWN AS SCRAPPY CREEK
STORAGE SOURCE IS ALSO KNOWN AS SCRAPPY CREEK RESERVOIR
STOCKWATER; 1,000 RANGE CATTLE

Dates:

Exam Made Date: 11/03/1993 Verified Date: 04/14/1998 Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:
Presumption Flag:

CLAIM NO. 55 - 04009

**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)

Stocking from 6/1/01 to 12/31 _____ cfs _____ af
From Stor from 01/01 to 12/31 _____ 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 CHWD STOCK SEASON, NO CHG TO IRR. SEASON

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: **55-04009**

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; Stockwater Period of Use April 15 through October 15; Stockwater from Storage Period of Use April 15 through October 15.

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

Period of Use: Irrigation Period of use should be "Irrigation Season" or in the alternative March 1 through November 30 (see explanation in no. 3 below); Stockwater Period of Use should be January 1 through December 31; Stockwater from Storage Period of Use should be January 1 through December 31.

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

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.

Stockwater Period of Use and Stockwater from Storage Period of Use should be corrected to provide year-round stock water use.

_____ 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



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

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.

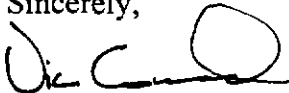
Dear Jan:

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

IDAHO DEPARTMENT OF WATER RESOURCES

T10S, R01E, S28, S33

6 ACRES

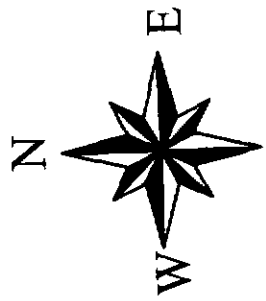
 Section Lines

 Place of use

1/4 14 Lines

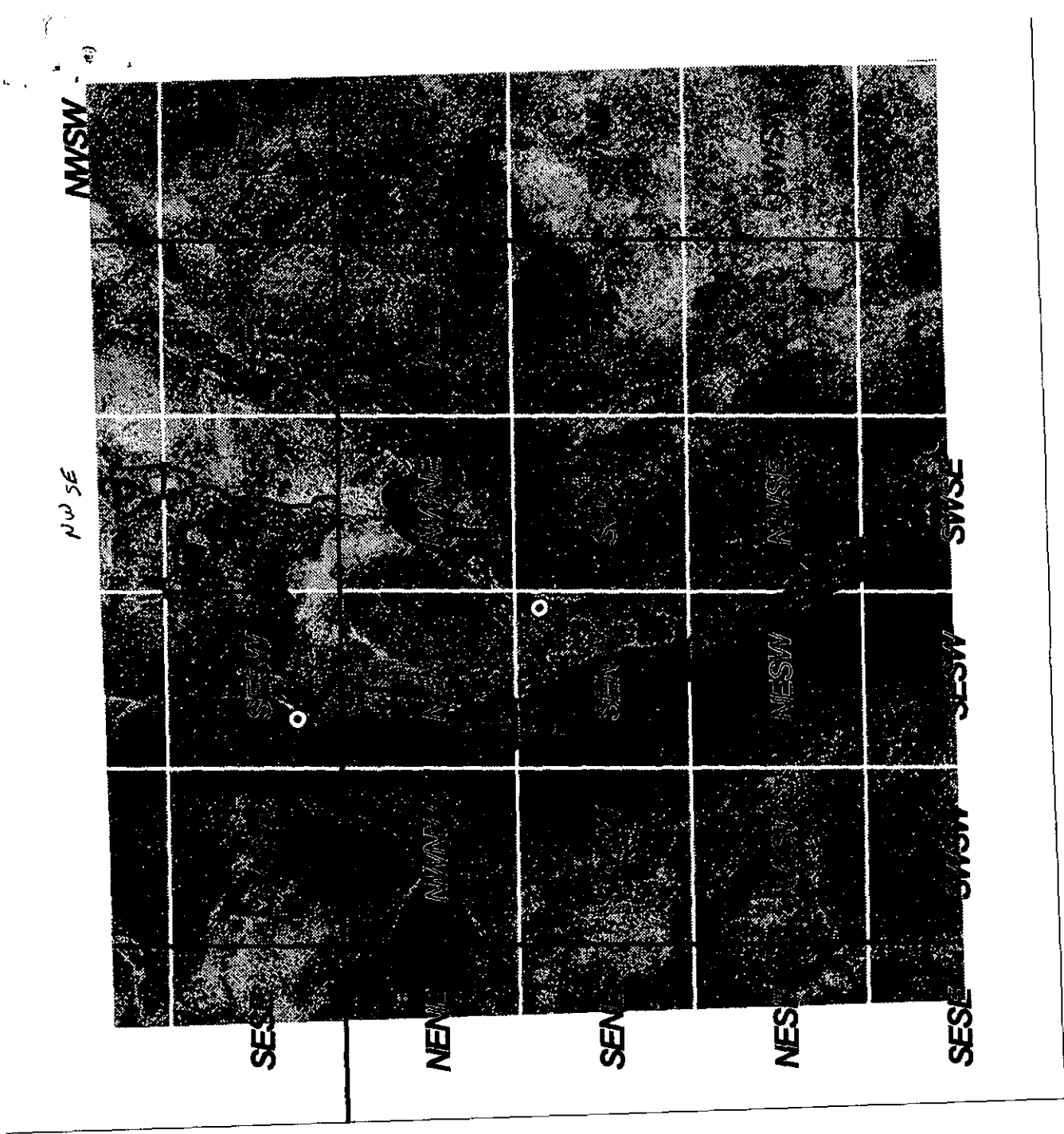
 POINT OF DIVERSION

Claim(s): 55-04009
Owner(s): SIMPLOT
Prepared by: Ron Howerton
Date: 2/10/1998
Total Acres: of page 1= 58



S 1987 NAPP

Page 1 of 2



IDAHO DEPARTMENT OF WATER RESOURCES

T11S, R01E, S03, S10

6 ACRES

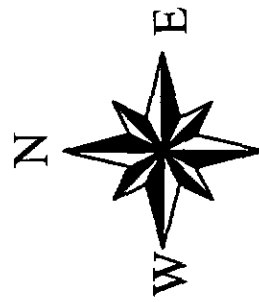
 Section Lines

 Place of use

1/4 14 Lines

 POINT OF DIVERSION

Claim(s): 55-04009
Owner(s): SIMPLOT
Prepared by: Ron Howerton
Date: 2/10/1998
Total Acres: of page 2 = 97



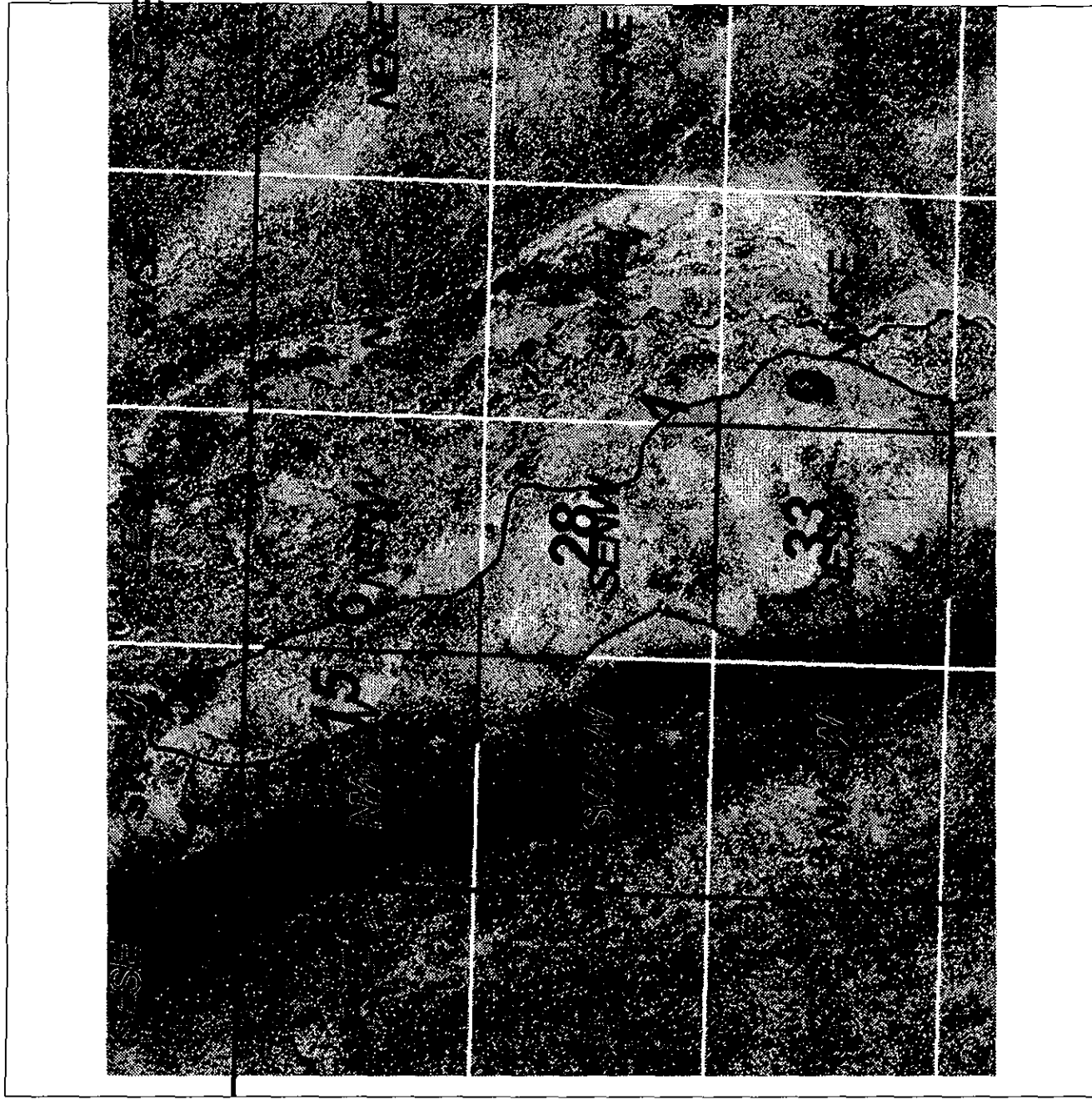
Page 2 of 2

S 1987 NAPP

0.5

0

1 M



OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J R SIMPLOT SELF DECLARATION REVOC TRUST J R SIMPLOT AS TRUSTEE ATTN RONALD N GRAVES PO BOX 27 801SE ID 83707 (208) 336-2110	03/02/1927	IRRIGATION IRRIGATION FROM STORAGE STOCKWATER STOCKWATER FROM STORAGE	04-15 10-15 01-01 12-31 04-15 10-15 01-01 12-31	3.50 CFS 0.23 CFS 3.50 CFS	437.00 AFA 437.00 AFA 14.00 AFA 14.00 AFA 437.00 AFA
Water Source: DRY CREEK BATTLE CREEK				TOTAL DIVERSION: 3.1 cfs		
Tributary to: BATTLE CREEK OMYHEE RIVER				Stage: BENEFICIAL USE		

OMYHEE County
OMYHEE County
OMYHEE County
OMYHEE County

Point(s) of Diversion:
T10S R01E S29
T11S R01E S04
Point(s) of Injection:
T10S R01E S33
Point(s) of Re-diversion:
T10S R01E S28
T11S R01E S04

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE	
NENE	NNNE	NNNW	NNNW	NNSW	NNSW	NNSE	NNSE
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10S 01E 28 :		10S 01E 28 :		10S 01E 28 :		10S 01E 28 :	
10S 01E 33 :		10S 01E 33 :		10S 01E 33 :		10S 01E 33 :	
11S 01E 3 :		11S 01E 3 :		11S 01E 3 :		11S 01E 3 :	
11S 01E 10 :		11S 01E 10 :		11S 01E 10 :		11S 01E 10 :	
SUM		SUM		SUM		SUM	
27.0		27.0		27.0		27.0	
8.0		8.0		8.0		8.0	
114.0		114.0		114.0		114.0	
175.0		175.0		175.0		175.0	
TOTAL ACRES		TOTAL ACRES		TOTAL ACRES		TOTAL ACRES	
155		155		155		155	

Place of use location for IRRIGATION FROM STORAGE is the same location as described for: IRRIGATION

Place of use Legal Description for: STOCKWATER

NE		NW		SW		SE	
NENE	NNNE	NNNW	NNNW	NNSW	NNSW	NNSE	NNSE
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10S 01E 28 :		10S 01E 28 :		10S 01E 28 :		10S 01E 28 :	
10S 01E 33 :		10S 01E 33 :		10S 01E 33 :		10S 01E 33 :	
11S 01E 3 :		11S 01E 3 :		11S 01E 3 :		11S 01E 3 :	
11S 01E 10 :		11S 01E 10 :		11S 01E 10 :		11S 01E 10 :	
SUM		SUM		SUM		SUM	
27.0		27.0		27.0		27.0	
8.0		8.0		8.0		8.0	
114.0		114.0		114.0		114.0	
175.0		175.0		175.0		175.0	
TOTAL ACRES		TOTAL ACRES		TOTAL ACRES		TOTAL ACRES	
155		155		155		155	

Place of use location for STOCKWATER FROM STORAGE is the same location as described for: STOCKWATER

POU County: OMYHEE

Conditions of Approval:

N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.

APR 15 1998
APR 15 1998
APR 15 1998

AJ0749NP
No. R55-04009

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

DATE: 01/16/98
PAGE: 2

Conditions of Approval:

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

Remarks: SRC

POINT OF INJECTION INTO BATTLE CREEK.
POINT OF REDIVERSION FROM DRY CREEK.
POINT OF REDIVERSION FROM BATTLE CREEK.

EXP

DRY CREEK SOURCE IS ALSO KNOWN AS SCRAPPY CREEK
STORAGE SOURCE IS ALSO KNOWN AS SCRAPPY CREEK RESERVOIR
STOCKWATER; 1,000 RANGE CATTLE

Dates:

Exam Made Date: 11/03/1993 Verified Date: 01/16/1998 Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit:

01/16/98 RHOMERTO

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J R SIMPLOT SELF DECLARATION REVOC TRUST	03/02/1927	IRRIGATION	03-15 10-15	3.50 CFS	
	J R SIMPLOT AS TRUSTEE		IRRIGATION STORAGE	01-01 12-31		437.00 AFA
	ATTN RONALD N GRAVES		IRRIGATION FROM STORAGE	03-15 10-15		437.00 AFA
	PO BOX 27		STOCKWATER	03-15 10-15	0.23 CFS	
	BOISE ID 83707		STOCKWATER STORAGE	01-01 12-31		14.00 AFA
	(208) 336-2110		STOCKWATER FROM STORAGE	03-15 10-15		14.00 AFA
				TOTAL DIVERSION:	3.50 CFS	437.00 AFA

Water Source:	Tributary to:	Stage:
DRY CREEK	BATTLE CREEK	BENEFICIAL USE
BATTLE CREEK	OWYHEE RIVER	

Point(s) of Diversion:	Point(s) of Injection:	Point(s) of Re-diversion:	County
T10S R01E S29			OKMHEE County
T11S R01E S04			OKMHEE County
T10S R01E S33			OKMHEE County
T10S R01E S28			OKMHEE County
T11S R01E S04			OKMHEE County

Place of use Legal Description for: IRRIGATION																																			
		NE				NW				SW				SE																					
		NENE		NUNE		SUNE		SENE		NENW		NUNW		SUNW		SENW		NESW		NUSW		SUSW		SESW		NESE		NWSE		SWSE		SESE			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
10S	01E	28																																	27.0
10S	01E	33								09							04																		26.0
11S	01E	3																																	8.0
11S	01E	10								10	23						37																		114.0
																																		TOTAL ACRES	175.0

Place of use location for IRRIGATION FROM STORAGE is the same location as described for: IRRIGATION

[illegible]

Place of use location for STOCKWATER FROM STORAGE is the same location as described for: STOCKWATER

POJ County: OUYHEE

Non-Irrigation Uses: STOCKWATER 1,000 RANGE CATTLE

Remarks: SRC POINT OF INJECTION INTO BATTLE CREEK.

AJ0749NP
No. A55-04009

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

DATE: 01/16/98
PAGE: 2

Remarks:

POINT OF REDIVERSION FROM DRY CREEK.
POINT OF REDIVERSION FROM BATTLE CREEK.

EXP

DRY CREEK SOURCE IS ALSO KNOWN AS SCRAPPY CREEK
STORAGE SOURCE IS ALSO KNOWN AS SCRAPPY CREEK RESERVOIR

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:
Presumption Flag:

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

August 29, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

VIC CONRAD
SIMPLOT COMPANY
PO BOX 27
BOISE ID 83707

REF: BLM & STATE VS PRIVATE IRRIGATED LANDS (Our last conversation 8/29/96)

CLAIMS: A55-04009 & A55-10227

Dear Vic,

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 2-land lists are included. Please look at the 3-maps and 2-land lists where I have highlighted irrigated BLM or State lands in yellow.

DETAILS:

3. CLAIM A55-04009:
 - * This claim is particularly unusual in that I found acres irrigated in sections 28 and 33 not claimed on private ground. I believe these acres can be recommended as an accomplished transfer from lands no longer irrigated in section 10. I did find 3 acres irrigated on State land in the NWSE S33. I also found 5 irrigated acres in the SESW on BLM land. Neither of these tracts were claimed and will require an amended claim in order for me to recommend these 8 acres. I'm not requiring an amended claim for the private irrigated ground in sections 28 & 33, however, if you decide to include the BLM and State tracts, it will make the acknowledgement of the accomplished place of use change clearer.

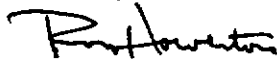
4. CLAIM A55-10227:

- * This claim as the one above was claimed by the prior owner, Richard Owen. In his claim he acknowledged claiming BLM acres, so normally we would probably just go ahead and recommend them. However, since you are a new owner, you may choose to not include those acres. You need to DIRECT us whether to recommend those acres or not. I did find one BLM tract not claimed that has 1 acre in the SESW of section 23. If you choose to want us to recommend this acre, the claim will need to be amended in order to be recommended.
- * 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	TOTAL ACRES I FOUND: INCLUDING BLM & STATE LAND	VS TOTAL ACRES WITHOUT BLM & STATE LAND INCLUDED
A55-04009	450	~~188~~	180
A55-10227	600	590	494

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 & 2-LAND LISTS & claim copies.

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. 455-04009

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*	<u>Y</u>	<u>24h 11/12/93</u>	<u>5,6</u>	<u>N</u>	<u>N</u>		
PT. OF DIV.			<u>1,2,5</u>	<u>N</u>	<u>CLARIFIED</u>		
SOURCE			<u>5</u>	<u>N</u>	<u>CLARIFIED</u>		
PL. OF USE			<u>1,2,5</u>	<u>Y</u>			
DIV. AMOUNT CFS/AF			<u>5</u>	<u>Y</u>			
CONSUMPTIVE USE			<u>5</u>	<u>Y</u>			
NATURE OF USE			<u>5</u>	<u>Y</u>			
PERIOD OF USE			<u>5</u>	<u>Y</u>			
BASIS OF CLAIM			<u>6</u>	<u>N</u>			
REMARKS							

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

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

COMMENTS: 6 = SAME AS CLAIM

VERIFICATION CODES

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

ACCOMPLISHED CHANGE OF POW DATA OF CHANGE VERIFIED BY 1979 ORTHO.

Amended Claim

12:01:55
08/13/96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

LAST: GUTHRIE
ADDRESS: 20210 AVE 176
CITY: PORTERVILLE
PHONE NUMBER: 208-000-0000

FIRST: JOHN LESTER
STATE: CA ZIP: 93257

OWNER CODE: 0

LAST: SIMPLOT SELF DECLARATION REVOC TRUST
ADDRESS: J R SIMPLOT AS TRUSTEE
ATTN RONALD N GRAVES
PO BOX 27
CITY: BOISE
PHONE NUMBER: 208-336-2110

FIRST: J R
STATE: ID ZIP: 83707

OWNER CODE: C

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

FIRST:
STATE: ID ZIP: 83604

OWNER CODE: 0

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y
FIELD EXAMINER
Y(X) N()

CLAIM REMARKS: GEN SOURCE KNOWN LOCALLY AS ~~ORT-CK.~~ & ~~DAY-CK.~~ RES.
SOURCES ARE ~~SCRAPPY-CK.~~ & ~~SCRAPPY-CK-RES.~~ ~~DRY CR.~~
SHOULD INCLUDE STORAGE FOR IRR. 1/1 TO 12/31. ✓
OWNERSHIP CHANGED 9/20/94 RDH. ✓

CONTACT PERSON: RICHARD OWEN

PHONE NUMBER: () 845-2001

DATE OF FIELD EXAM: 11/3/93

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: LYNN NESS

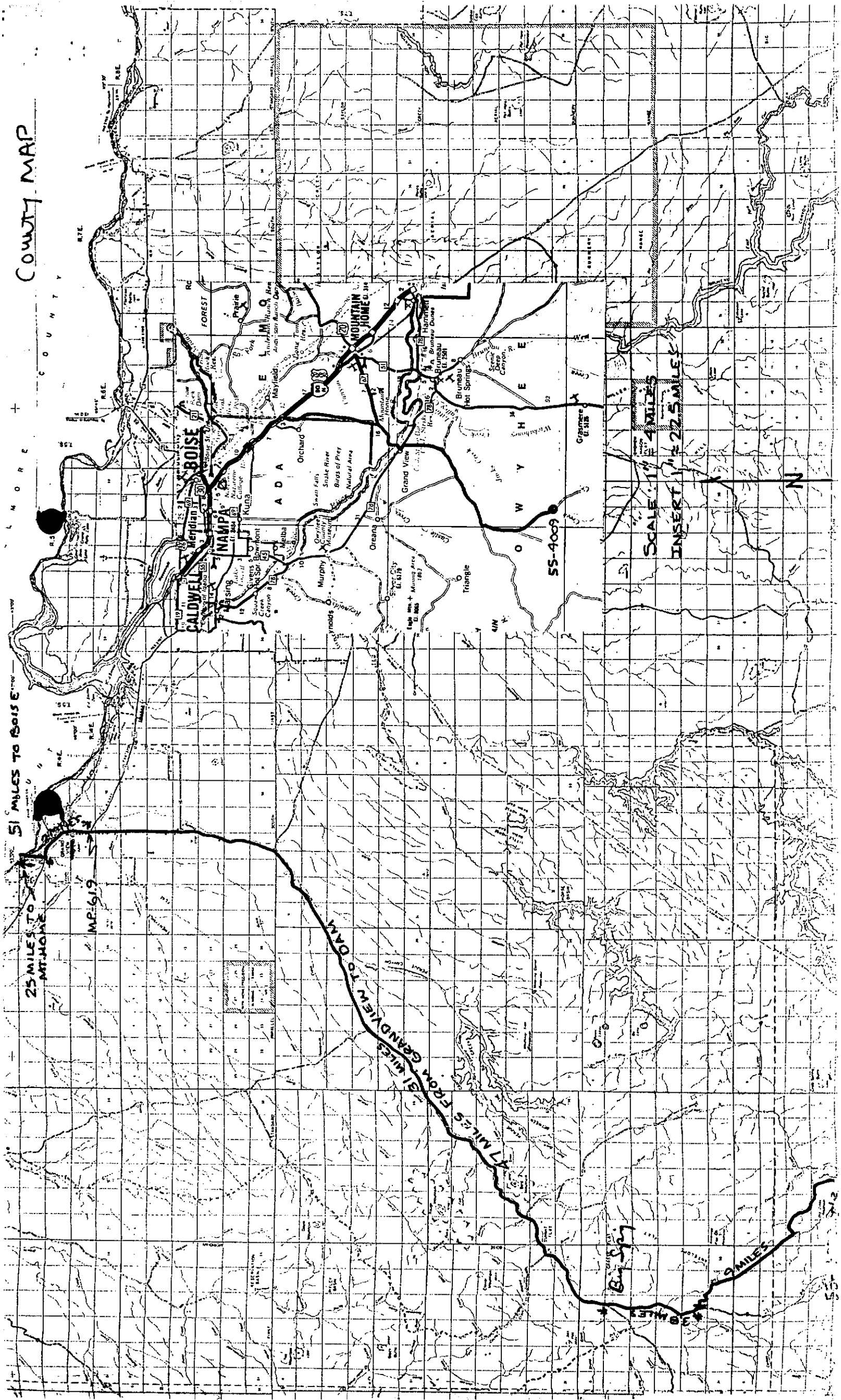
PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: RANCH MANAGER

DIRECTIONS TO PROPERTY / NOTES:

SEE ATTACHED MAPS - COUNTY

COUNTY MAP



A. AJ CLAIM: # A55-04009 PRIORITY DATE: 03-02-1927 STAGE: J
 B. WR RECORD: # 55-04009 PRIORITY DATE: 03-02-1927 STAGE: S
 C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N(X)
 D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N(X)
 E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? Y(X) N()
 F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?
 PROOF OF BENEFICIAL USE SUBMITTED N/A(X) Y() N()
 FIELD EXAM COMPLETED N/A(X) Y() N()
 FIELD EXAM SENT TO STATE OFFICE N/A(X) Y() N()
 LICENSE ISSUED N/A(X) Y() N()

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

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

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? ALBERT Y(X) N()

NOTES: AFFIDAVIT SHOWS BY ALBERT BLACK SHOWS USE BACK TO 1913 or 1914.
SEE PAGE 5 OF AFFIDAVIT ALBERT BLACK INCLUDED IN FILE -

ATTACHED AFFIDAVIT

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

RECOMMENDED PRIORITY DATE: CLAIMED

03-02-1927 DATE

REVIEWED BY RRB

DATE 0-13-96

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A55-04009	10S 01E	29		NE	NW				OWYHEE		
A55-04009	11S 01E	3		NW	NW		1	B	OWYHEE		
A55-04009	11S 01E	4		NE	NE				OWYHEE		
A55-04009	11S 01E	10		NW	SE			E	OWYHEE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A55-13140

NONE

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SAKA SOURCE
 SOURCE: SCRAPPY CREEK (DRY CREEK)
~~SCRAPPY RESERVOIR~~
 LOWER BUTTE CREEK RESERVOIR (BATTLE CR)
 AKA

TRIB: BATTLE CREEK OK

~~BATTLE CREEK~~

BATTLE CREEK OWYHEE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
55-04009	11S 01E	4		NE	NE		1		OWYHEE		
55-04009	10S 01E	29		NE	NE				OWYHEE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

NONE

A55-13140

NONE

SOURCE: SCRAPPY CREEK

SCRAPPY RESERVOIR

TRIB: BATTLE CREEK

BATTLE CREEK

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

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

NO CHANGE IN SOURCE!
 CLAIMED: INCORRECT NAMES

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A () Y (X) N (X)

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y (X) N ()

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

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

HOWEVER, SOURCE
 WAS GIVEN LOCAL
 NAME IN CLAIM.

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

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

SCRAPPY CREEK
 AKA

* SEE ATTACHED AFFIDAVIT BY
 ALBERT BLACK PAGES, NAMES
 CORRECT SOURCE: BATTLE CREEK
 11S 01E NW 1/4

THE STATUTORY CLAIM WAS
 NOT EXPLANATORY TO REAL
 SOURCES PER USGS NAMES.
 NOT CHANGED JUST NOW
 CLAIMING NAMES & A CREDIT

1. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) _____, Y() N()
 AJ FIELD EXAM (DATE OF FIELD EXAM) 11/3/93 NAME OF EXAMINER Row Howerton, Y(X) N()
 OTHER (DESCRIBE IN NOTES BELOW)

NOTES: SOURCE POD'S:

DRY CREEK - AKA SCRAPPY CREEK

REDIVERSIONS:

DRY CREEK

BATTLE CREEK - AKA LOWER BUTTE RES. BATTLE CREEK - AKA LOWER BUTTE RES.

POINT OF INJECTION: BATTLE CREEK

NOTE: BATTLE CREEK SOURCE RECOMMENDED PER ALBERT BLACK AFFIDAVIT FOR USE OF SOURCE.
PAGE 5.

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD	COUNTY	DIVERSION NAME	DIVERSION NBR
10S	01E	29	NE	NW				OWYHEE		
11S	01E	3	NW	NW			B	OWYHEE		
11S	01E	4	NE	NE	1			OWYHEE		
11S	01E	10	NW	SE			E	OWYHEE		
10S	1E	28	SW	SE	SW		R	OWY	<u>DRY CREEK</u>	
10S	1E	29		NE	NW			OWY	<u>DRY CREEK AKA SCRAPPY CR.</u>	
10S	1E	33		SE	NW		I	OWY	<u>BATTLE CREEK</u>	
11S	1E	04		SE	NE		R	OWY	<u>BATTLE CREEK AKA LOWER BUTTE CR. RES</u>	
11S	1E	04		SE	NE			OWY	<u>BATTLE CREEK "</u>	<u>" "</u>

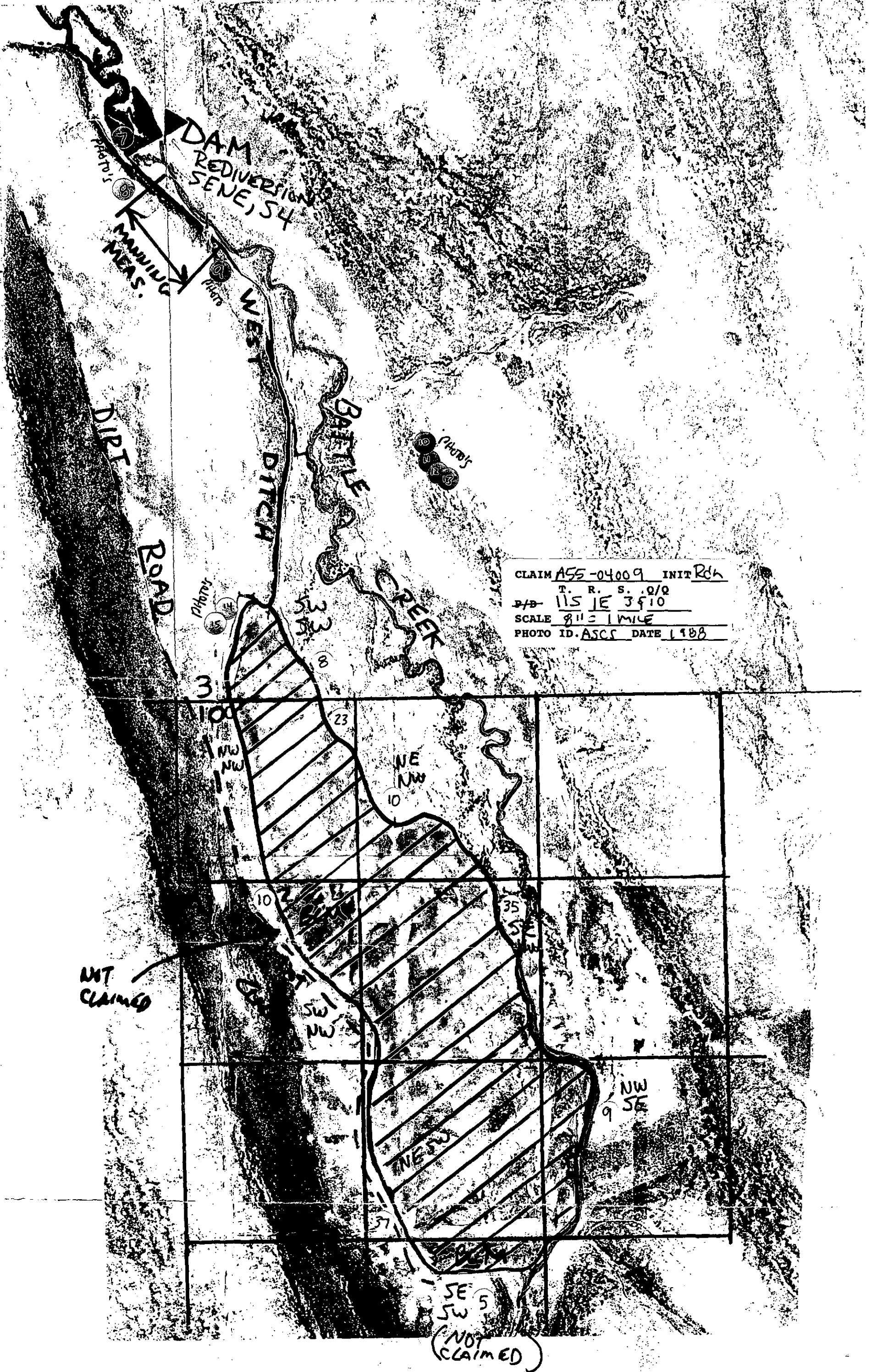
SOURCE: DRY CREEK TRIB: BATTLE CREEK
BATTLE CREEK OWYHEE RIVER

REVIEWED BY: Rdh DATE: 8-13-96

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

A55-04009

1988 ASCS



4708

31000
FEET

RIE

4706

T 10S

T 11S

4704

CLAIM A55-04009 INIT R64
T. R. S. Q/Q
P/D 10S RIE 29 NENW
SCALE 7 1/2 MIN Q40
PHOTO ID. CC-B DATE 1979 08240
1972 TOPO

CC-B 1972 TOPO

SYSTEM DESCRIPTION

28

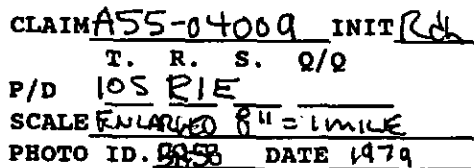
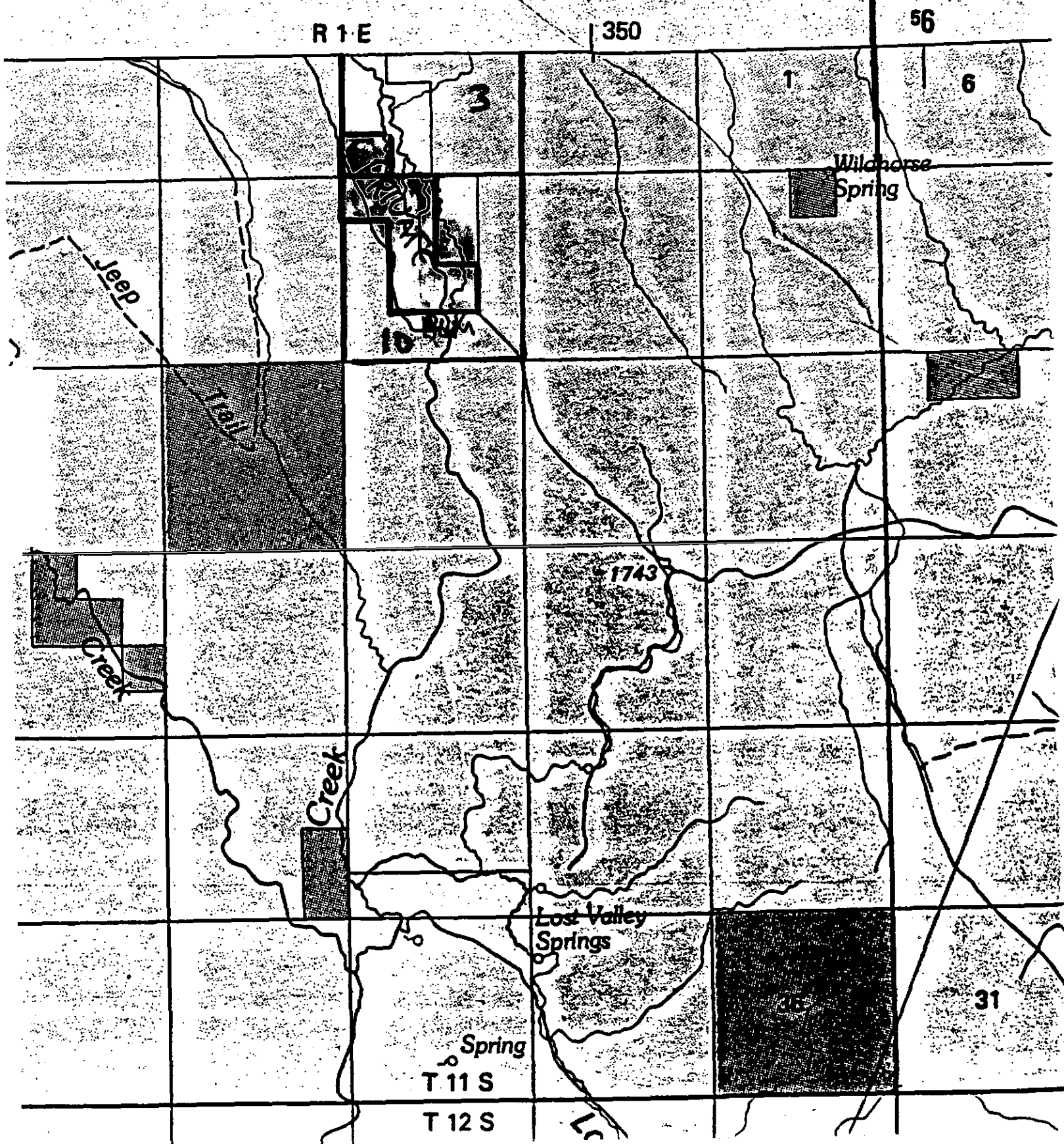
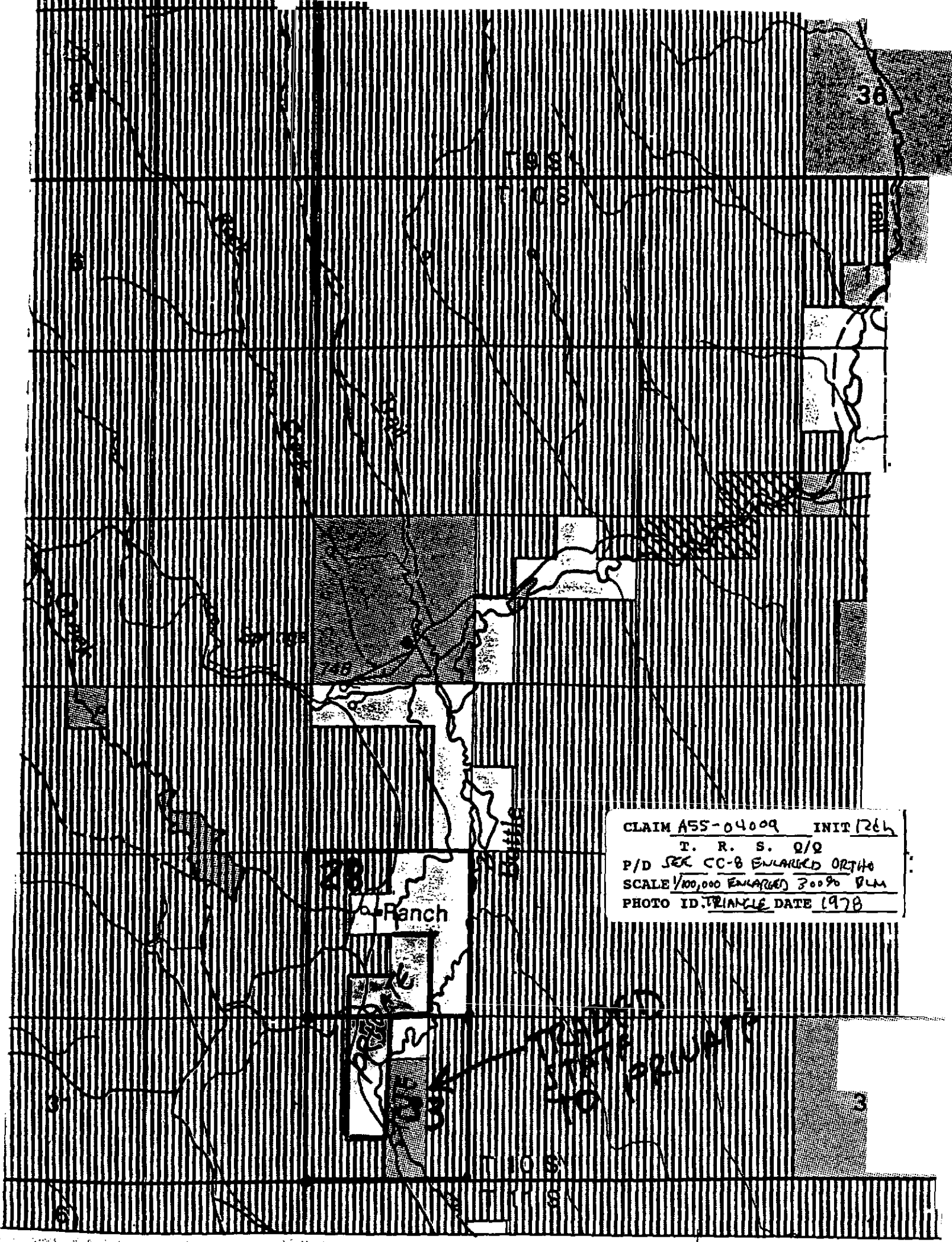


PHOTO ID. RIDDLE DATE 1978





CLAIM A55-04009 INIT 1264
T. R. S. Q/Q
P/D SER CC-8 ENLARGED ORTHO
SCALE 1/100,000 ENLARGED 300% PLM
PHOTO ID. TRIANGLE DATE 1978

R 1 E

350

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SW	NE		SIMPLOT SELF DECLARATION REVOCR55-04009	/ 30.0	-	/		
11S	01E	10	NE	NW		SIMPLOT SELF DECLARATION REVOCAS5-04009	/	55-04009	/ 40.0		
			NE	NW		SIMPLOT SELF DECLARATION REVOCR55-04009	/ 40.0	-	/		
11S	01E	10	NE	NW		SIMPLOT SELF DECLARATION REVOCAS5-04009	/ 40.0	55-04009	/ 40.0		
			NE	NW		SIMPLOT SELF DECLARATION REVOCR55-04009	/ 40.0	-	/		
11S	01E	10	NW	NW		SIMPLOT SELF DECLARATION REVOCAS5-04009	/	55-04009	/ 40.0		
			NW	NW		SIMPLOT SELF DECLARATION REVOCR55-04009	/ 40.0	-	/		
11S	01E	10	NW	NW		SIMPLOT SELF DECLARATION REVOCAS5-04009	/ 40.0	55-04009	/ 40.0		
			NW	NW		SIMPLOT SELF DECLARATION REVOCR55-04009	/ 40.0	-	/		
11S	01E	10	SE	NW		SIMPLOT SELF DECLARATION REVOCAS5-04009	/ 30.0	-	/		
			SE	NW		SIMPLOT SELF DECLARATION REVOCR55-04009	/ 30.0	-	/		
11S	01E	10	SE	NW		SIMPLOT SELF DECLARATION REVOCAS5-04009	/	-	/		
			SE	NW		SIMPLOT SELF DECLARATION REVOCR55-04009	/ 30.0	-	/		
11S	01E	10	NE	SW		SIMPLOT SELF DECLARATION REVOCAS5-04009	/ 30.0	-	/		
			NE	SW		SIMPLOT SELF DECLARATION REVOCR55-04009	/ 30.0	-	/		
11S	01E	10	NE	SW		SIMPLOT SELF DECLARATION REVOCAS5-04009	/	-	/		
			NE	SW		SIMPLOT SELF DECLARATION REVOCR55-04009	/ 30.0	-	/		
11S	01E	10	NW	SE		SIMPLOT SELF DECLARATION REVOCAS5-04009	/ 40.0	-	/		
			NW	SE		SIMPLOT SELF DECLARATION REVOCR55-04009	/ 40.0	-	/		
11S	01E	10	NW	SE		SIMPLOT SELF DECLARATION REVOCAS5-04009	/	-	/		
			NW	SE		SIMPLOT SELF DECLARATION REVOCR55-04009	/ 40.0	-	/		
ADDITIONAL POU FOUND											

TOTAL ACRES A55-04009 450.00 640.00

POU COUNTY: ONYHEE

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

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

Y(X) N()

SEE ATTACHED STATEMENT RECOMMENDED
AGRES"

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A55-04009	SCRAPPY CREEK SCRAPPY RESERVOIR	SIMPLOT SELF DECLARATION REVOC	6.400	0.014		
R55-04009	LOWER BUTTE CREEK RESERVOIR SCRAPPY CREEK SCRAPPY RESERVOIR LOWER BUTTE CREEK RESERVOIR	SIMPLOT SELF DECLARATION REVOC	6.400	0.014		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A55-04009	STOCKWATER	SIMPLOT SELF DECLARATION REVOC	FROM 01-01 TO 12-31	0.230 CFS	0.00 AF/A
A55-04009	IRRIGATION STORAGE	SIMPLOT SELF DECLARATION REVOC	FROM 04-01 TO 11-01		6.00 AF/A
R55-04009	STOCKWATER	SIMPLOT SELF DECLARATION REVOC	FROM 01-01 TO 12-31	0.230 CFS	

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

* IF YES, COMPLETE OVERLAP REVIEW:

NO-OVERLAP

OTHER RIGHTS LISTED IN CLAIM: 55-2130, 55-2170.

Y() N(X)

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

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

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

C:FLAG

ACCOMPLISHED POU CHANGE
VERIFIED BY 1979 ORTHO -NO INJURY

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

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

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

Y(X) N()

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

Y(X) N()

ACCOMPLISHED CHANGE IN
POU TO NEW LOCATION
NOT CLAIMED.

RECOMMENDED ACRES

CLAIM NUMBER:

A55-04009

ADJ/WR AGENT:

Rm Lavelon
SIGNATURE

DATE:

FX 11-3-93

T	R	S	N E				N W				S W				S E			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
105	01E	28											7		3	17		

SECTION ACRES 27

T	R	S	N E				N W				S W				S E			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
105	1E	33					9			08	4					3	2	

SECTION ACRES 26

T	R	S	N E				N W				S W				S E			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
115	1E	3											8					

SECTION ACRES 8

T	R	S	N E				N W				S W				S E			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
115	1E	10					10	23	35	37					9			

SECTION ACRES 114

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

SECTION ACRES _____

ACRES TOTAL:

175

SEE
C/S
MAP
DATED
18 Feb 98

CHECK DOCUMENTS USED TO VERIFY POB: ☒ ORTHOPHOTOQUAD, IDWR NO. BB-58; ☒ TOPOGRAPHIC QUAD, IDWR NO. CC-8;

☒ NAPP, IDWR NO. CC-8 NW; ☐ ASCS PHOTO; ☒ OTHER BLM (RIDDLE) (TRIANGLE)

NOTES: MAP USED FOR VERIFICATION:

BB-58, 1979 ORTHO SMALL & ENLARGED VERSION TO 8"=1 MILE.

CC-8 TOPO

CC-8 NW 1987 NAPP PHOTO

BLM MAPS- (RIDDLE & TRIANGLE 1978) BOTH ENLARGED 300% TO

SHOW PRIVATE GRONWID.

RECOMMENDATIONS:

TOTAL ACRES: 186 155 N/A()

REVIEWED BY: Rdh DATE: 8-13-96

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

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A55-04009 IRRIGATION STORAGE	FROM 01-01 TO 12-31	6.400 CFS	437.00 AF/A
A55-04009 IRRIGATION FROM STORAGE	FROM 04-15 TO 10-01	0.230 CFS	
A55-04009 STOCKWATER	FROM 01-01 TO 12-31		
A55-04009 IRRIGATION STORAGE	FROM 04-01 TO 11-01	6.400 CFS	6.00 AF/A
TOTAL DIVERSION RATE/VOLUME		6.400 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
55-04009 IRRIGATION	FROM 04-15 TO 10-01	6.400 CFS	437.00 AF/A
TOTAL DIVERSION RATE/VOLUME		6.400 CFS	437.00 AF/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N(☒)D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☒) N()F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N(☒)G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N()

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

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y() N() *STAT CLAIM*

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y(☒) N()J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y() N() *STAT CLAIM*

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

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y(☒) N()

SEE MANNING
EQUATION
OK UP
TO
3.67

NOTES: IRRIGATION = LIVE FLOW 5/15 - 10/15 3.6 cfs (180 Acres) 437 AF
 IRR STOR. = 01/01 - 12/31 437 AF
 FROM STOR = 5/15 - 10/15 437 AF
 STK = LIVE FLOW 5/15 - 10/15 0.23 cfs
 STK STOR = 01/01 - 12/31 14 AF
 FROM STOR = 5/15 - 10/15 14 AF

ALL RECOMMENDED TO STANDARDS.

AJ CLAIM TOTAL DIVERSION RATE: 6.400 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 6.400 CFS

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

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

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

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

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

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

E. MEASUREMENT METHOD

MANNING

FLOW MEASUREMENT

Shows 3.67 ; 3.6 REQUIRED OK FOR RECOMMENDATION
SEE ATTACHED CALCULATIONS.

F.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 180 x 0.02 CFS/ACRE = 3.6 CFS

155175 (Taken from pou review)

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME =

AF/A

ACRES 180 x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE =

1350.0 AF/A

ACRES 180 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE AF/A

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

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

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

Y(X) N()

STAT CLAIM HADNT EVER
BEEN VERIFIED.

Y(X) N()

1b. CALCULATIONS

STORAGE = 437 AF PER DAM SAFETY REPORT
INCLUDED.

MANNING EQUATION CHANNEL CAPACITY RESULTS

11-04-1993

File Number: A55-04009

Claimant: OWEN RANCHES ACCOMPANIED BY LYNN KNESS/MANAGER

Channel measured: BATTLE CREEK AKA LOWER BUTTE CR RES

Date of measurement: 11/3/93 AT 15:30

Measurement location:

SENE S4 T11S R1E

Calculation prepared by: RON HOWERTON

Comments about the measurement:

ONLY WEST DITCH MEASURED

The results of the calculation are:

The length of the channel measured is 215 feet.

The upstream and downstream rod readings are 6.11 and 6.67 feet.

The channel cross section is 1.95 ft-sq.

The wetted perimeter is 4.03 feet.

The hydraulic radius is 0.48 feet.

The slope is 0.0026

The roughness coefficient is 0.0250

The flow velocity is 1.877 ft/sec.

The rate of flow is 3.67 cfs.

CROSS SECTION NUMBER 1

For File Number A55-04009 for the BATTLE CREEK AKA LOWER BUTTE CR RES

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.95	0.95	0.50
3	1.00	1.00	1.00
4	0.90	0.90	1.50
5	0.80	0.80	2.00
6	0.00	0.00	2.30

The area for this cross section is 1.75 square feet
and the wetted perimeter is 3.45 feet.

CROSS SECTION NUMBER 2

For File Number A55-04009 for the BATTLE CREEK AKA LOWER BUTTE CR RES

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.20	0.20	0.50
3	0.55	0.55	1.00
4	0.70	0.70	1.50
5	0.80	0.80	2.00
6	0.75	0.75	2.50
7	0.70	0.70	3.00
8	0.55	0.55	3.50
9	0.10	0.10	4.00
10	0.00	0.00	4.20

The area for this cross section is 2.16 square feet
and the wetted perimeter is 4.60 feet.

Claim No(s): A55-04009

Name of Claimant: OWEN RANCHES accompanied by LYNN KNESS

Name of Ditch, Canal, or Stream Name: LOWER BUTTE CR RESERVOIR (BATTLE CR LIVESTOCK)

Date of Measurement: 11/3/93 15:30 Data Collected By: RON HOWERTON

Measurement Location: SE 1/4 NE 1/4 Section 4 T 11S R 1E

General Description and Comments

WEST DITCH IS ONLY MEASURED AS EAST DITCH OUTLET IS PLUGGED
AND LANDS ARE NOT IRRIGATED. THIS DAM IS ON BATTLE CR.

Cross-section Data

Basis: High water mark (☒) Maximum capacity ()

Note: A minimum of five readings is necessary; first and last rod reading must be equal or zero.

Depth or Rod Reading	Dist. from Initial Point	Depth or Rod Reading	Dist. from Initial Point
1. <u>0</u>	<u>0</u>	11. <u>0</u>	<u>0</u>
2. <u>.95</u>	<u>.5</u>	12. <u>.2</u>	<u>.5</u>
3. <u>1.0</u>	<u>1.0</u>	13. <u>.55</u>	<u>1.0</u>
4. <u>.9</u>	<u>1.5</u>	14. <u>.7</u>	<u>1.5</u>
<u>.8</u>	<u>2.0</u>	15. <u>.8</u>	<u>2.0</u>
6. <u>0</u>	<u>2.3</u>	16. <u>.75</u>	<u>2.5</u>
7. _____	_____	17. <u>.7</u>	<u>3.0</u>
8. _____	_____	18. <u>.55</u>	<u>3.5</u>
9. _____	_____	19. <u>.1</u>	<u>4.0</u>
10. _____	_____	20. <u>0</u>	<u>4.2</u>

Slope Data

Basis: High water mark (☒) Channel bottom () Land surface ()

Channel length from cross section: Upstream 110 Downstream 105

Total channel length used for slope measurement: 215

Rod reading at engineers level: _____

Upstream rod reading 6.11 - High Water Mark(if taken from channel bottom) _____ = _____

Downstream rod reading 6.67 - High Water Mark(if taken from channel bottom) _____ = _____

N : The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes ()

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	X	(1)	negligible	.000	X	(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
				SURFACE IRREGULARITY			
smooth	.000	X	(1)	low	.005	X	(1)
minor	.005		(2)		.010		(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000	X	(1)	minor	1.00	X	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

NOTES: Stock water STANDARD RECOMMENDED: 0.23 cfs/1000 HD; 14AF VOL

MANNING EQUATION SHOWED 3.67 cfs; [3.6] REQUIRED FOR 180 ACRES
[OK] TO RECOMMEND FULL RATE. THIS MEAS. WAS MADE AT THE
BATTLE CREEK DIVERSION. ACTUAL 182 ACRES FROM THIS PID IS
132, REMAINDER IS FROM DRY CREEK 180-132 = 48. THE
DRY CREEK CHANNEL IS MUCH LARGER THAN MEASURED DITCH
OF 3.67 cfs - THUS, NO. MEAS NEEDED TO PROVIDE ADDITIONAL
. 96 cfs. SEE PHOTO #3 FROM DRY CREEK VS PHOTO #8
OF BATTLE CREEK.

HR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	DATABASE EXAMINER	REC. DIV VOL. AF/A	DATABASE EXAMINER	REC. CONS. USE
IRRIGATION STORAGE	01-01 12-31					
IRRIGATION FROM STORAGE	04-15 10-01	6.400			437.00	1350.0
STOCKWATER	01-01 12-31	0.230				1350.0
IRRIGATION STORAGE	04-01 11-01				6.00	1350.0
IRR	03/15 10/15		3.1			450
FROM STOR					437	
STK			0.23		437	
FROM STOR					14	
STK					14	
FROM STOR			3.1		437	450
TOTAL FOR THIS RIGHT						

NON-IRRIGATION USES CLAIMED: STOCKWATER 1,000 HEAD RANGE CATTLE

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

REVIEWED BY: Reh DATE: 8-13-96

FLAG: NA

STANDARD CONDITIONS (CODE): ~~COB~~ ACCOMPLISHED POW CHANGE (1971 ORTHO SHOWS IRRIG FOR DATE OF CHANGE.)

STANDARD REMARKS (CODE):
SRC 601 OR 602 N05
POINT OF INJECTION/REDIVERSIONS N08

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE): B01 DRY CREEK SOURCE AKA SCRAPPY CREEK
BATTLE CREEK P/D & REDIVERSION AKA LOWER BUTTE CR RES.

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-04009

DATABASE 6.400 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-04009	6.400	R55-04009	6.400	55-04009	6.400

TOTAL CFS 6.400

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N) Y
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()? NA

FIELD EXAMINER Y () N ()

NOTES:

ACCOUNTS FOR OK, NO IN JURY, 1979 ORTHO SHOWS PERTINENT
AS DATE OF CHANGE.

AUTHENTICATION:

SIGNATURE: Ran Howerton DATE: 8-13-96

NAME OF FIELD EXAMINER: RAN HOWERTON TITLE: SR. WATER AGENT

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 <u>1979 (ENLARGED 11)</u> IDWR ID NO. <u>BB-58</u>	☒ N()
☒ TOPOGRAPHIC	DATE FIELD CHECKED <u>1972</u> IDWR ID NO. <u>CC-8</u>	☒ N()
☒ MAP	DATE OF PHOTO <u>8-1-87</u> IDWR ID NO. <u>CC-8 NW</u>	☒ N()
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>1988</u> <u>Below REDIVERSION DAM</u>	☒ N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO <u>1978 TRIANGLE & RIDDLE 1/10000</u>	☒ N()
☒ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO <u>ENLARGED 300%</u>	☒ N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	☒ N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	☒ N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	☒ N()
☒ OTHER <u>COUNTRY</u>	DATE <u>UNK</u> <u>SHOWS LOCATION OF DAM</u>	☒ N()
☒ OTHER <u>ORIGINAL COUNTRY MAP</u>	DATE <u>1974</u> <u>SHOWS SYSTEM 2 PAGES</u>	☒ N()
☐ OTHER _____	DATE _____	☒ N()

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

	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	_____	_____
☐ WATER RIGHT LICENSE	_____	_____
☐ IDWR APPROVED TRANSFER	_____	_____
☒ SYSTEM DESCRIPTION	<u>11/3/93</u>	<u>1 ON 7 1/2 ORTHO/TOPO MAP</u>
☒ PHOTOGRAPHS	<u>11/3/93</u>	<u>6 15 PHOTO'S</u>
☐ SPLIT RIGHT REVIEW	_____	_____
☐ HUBBLE ANALYSIS	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	_____	_____
☒ FLOW MEASUREMENT CALCULATIONS	<u>11/3/93</u>	<u>4 MANNING 3.67 CFS</u>
☒ OTHER <u>DAM SAFETY WKST</u>	_____	<u>1 SHOWS STORAGE CAPACITY 437AF</u>
☒ OTHER <u>RECORD OF INSPECTION</u>	_____	<u>4 SHOW RECENT RECORD - DAM INSPEL</u>

DATE 7/27/93

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:01:55
08/13/96

PAGE: 17
QUICKLOOK INFORMATION

17
CLAIM NUMBER: A55-04009

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:08:07
08/13/96
18

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A55-04009

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J R SIMPLOT SELF DECLARATION REVOC TRUST	03/02/1927	IRRIGATION STORAGE	01-01 12-31		437.00 AFA
			IRRIGATION STORAGE	04-01 11-01		6.00 AFA
			IRRIGATION FROM STORAGE	04-15 10-01	6.40 CFS	
			STOCKWATER	01-01 12-31	0.23 CFS	
				TOTAL DIVERSION:	6.40 CFS	1350.00 AFA
				CONSUMPTIVE USE:		

Water Source: SCRAPPY CREEK
SCRAPPY RESERVOIR
LOWER BUTTE CREEK RESERVOIR

Tributary to: BATTLE CREEK
BATTLE CREEK
BATTLE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T10S R01E S29 NENW
T11S R01E S04 Lot01(NENE)
Point(s) of Beginning Stream Reach: T11S R01E S03 NWNW
Point(s) of Ending Stream Reach: T11S R01E S10 NWSE

OWYHEE County
OWYHEE County
OWYHEE County
OWYHEE County

Place of use Legal Description for: STOCKWATER

NE		NW		SW		SE	
T	R	S	Ac	Lt	Ac	Lt	Ac
11S 01E 3	:	S	S	:	S	S	:
11S 01E 10	:	S	S	:	S	S	:

Place of use location for IRRIGATION FROM STORAGE is the same location as described for: STOCKWATER

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER 1,000 HEAD RANGE CATTLE

Other Rights: 55-2130, 55-2170.

Remarks: GEN SOURCE KNOWN LOCALLY AS DRY CK. & DRY CK. RES.
SOURCES ARE SCRAPPY CK. & SCRAPPY CK. RES.
SHOULD INCLUDE STORAGE FOR IRR. 1/1 TO 12/31.
OWNERSHIP CHANGED 9/20/94 RDH.

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

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

IDAHO DEPARTMENT OF WATER RESOURCES
INVENTORY WORKSHEET - DAMS

FORM NO. 1

Identification No. D 55 - 4009

Name of Dam SCRAPPY CREEK (DRY CK)

County ØWYHEE

River or Stream DRY CREEK

Purpose I (Specify if other)

Location Sec 29 Township 10S Range 01E NE¼NW¼ - MAP BB 58 - CRAB SPRING BUTT

FORM NO. 2

Name of Owner OWEN RANCHES

Owner's Phone No. 845 - 2627 OFFICE HOME 845-2742 (Alternate phone no.)

Address Line 1 C/O PAUL L OWEN

FORM NO. 3

Address Line 2 HC B5 BOX 110C

Address Line 3 BRUNEAU ID 83604

FORM NO. 4

Type of Dam EARTH (Other dam types)

Storage Capacity (ac-ft) , 437

Height of Dam (ft) 13.0

Drain. Area (sq. mi.) 17.0

Res. Surface Area (ac) , 84

Year Completed 1927 (Date enlarged, reconstructed, etc.)

Crest Elev. (M.S.L.) 5, 820 APPROXIMATE

Crest Length (ft) , 600 (Dike lengths)

Spillway Type RKCHAN (Auxiliary spillways)

Spillway Depth (ft) , 6.5 (Aux. spillway depths)

Spillway Capacity (cfs) , 864 W/ 3' FREE BOARD

Hazard Classification 3

Region 2

FORM NO. 5

Last Inspection Month 7 Year 91

Approval Expiration Month 11 Year 91

General Condition GD

Q 100 (cfs) ,

Outlet Type CMP 12" DIA. PIPE

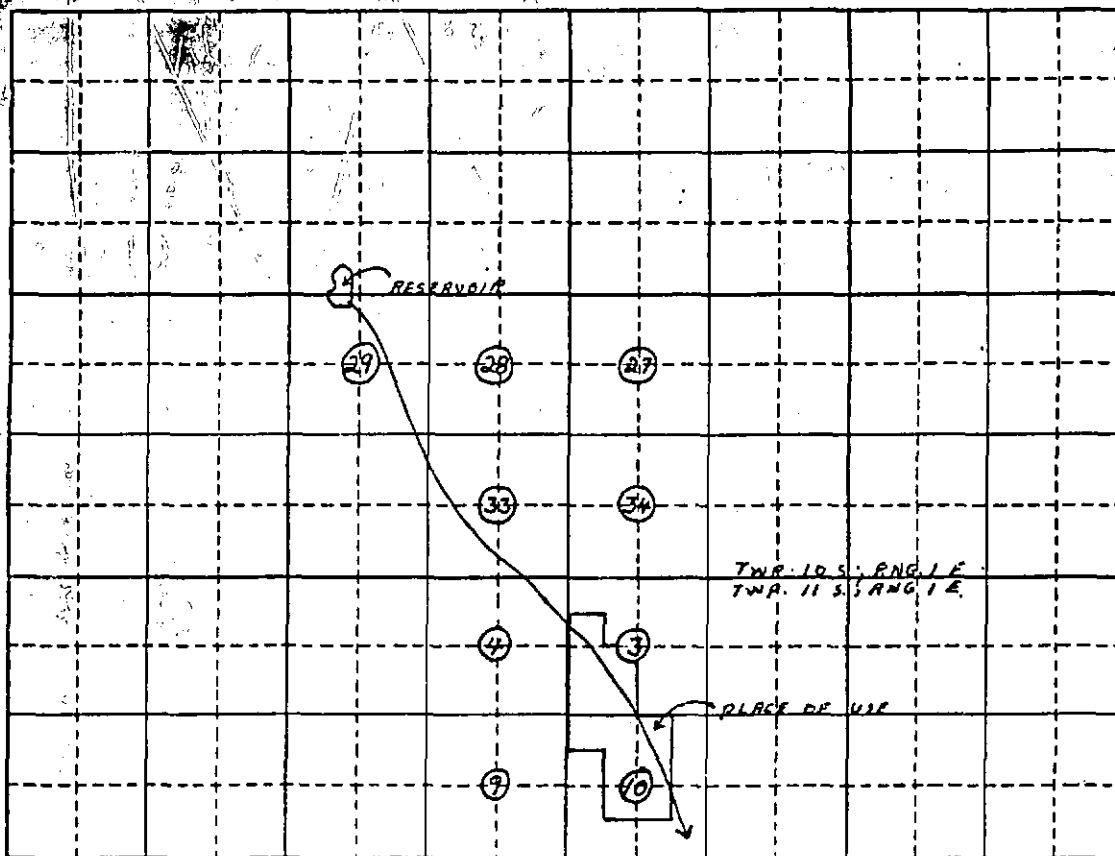
Outlet Capacity (cfs) , 6 ESTIMATE

Problems/Remarks CHANGED FROM 55-2170 WHICH WAS CANCELLED

WATER RIGHTS 55-4009 - CLAIM FOR 437 AF (6.4 CFS)

55 4009

Remarks: The 437 A.F. is a storage right. The 6.4 cfs is a natural flow right.
The permits referred to have never been licensed.



Scale: 2 inches equal 1 mile

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

ss.

County of Ada

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 15th day of March

John Peter Gentry
(Claimant)

1974

Notary Public

Residing at Boise

My commission expires February 7, 1977

Rel # 17204 For Department Use Only

Received by *ECB*

Date 3-17-74

Exception filed by:

Forwarded to

Date

Prelim. check by *ECB*

Date 15 MAR 74

claimant by:

\$10.00 fee received by *47*

Date 3-15-74

Approved for publication by

Published in *Boysie Register*

Dates 3-28-74-4-74

Photo's By

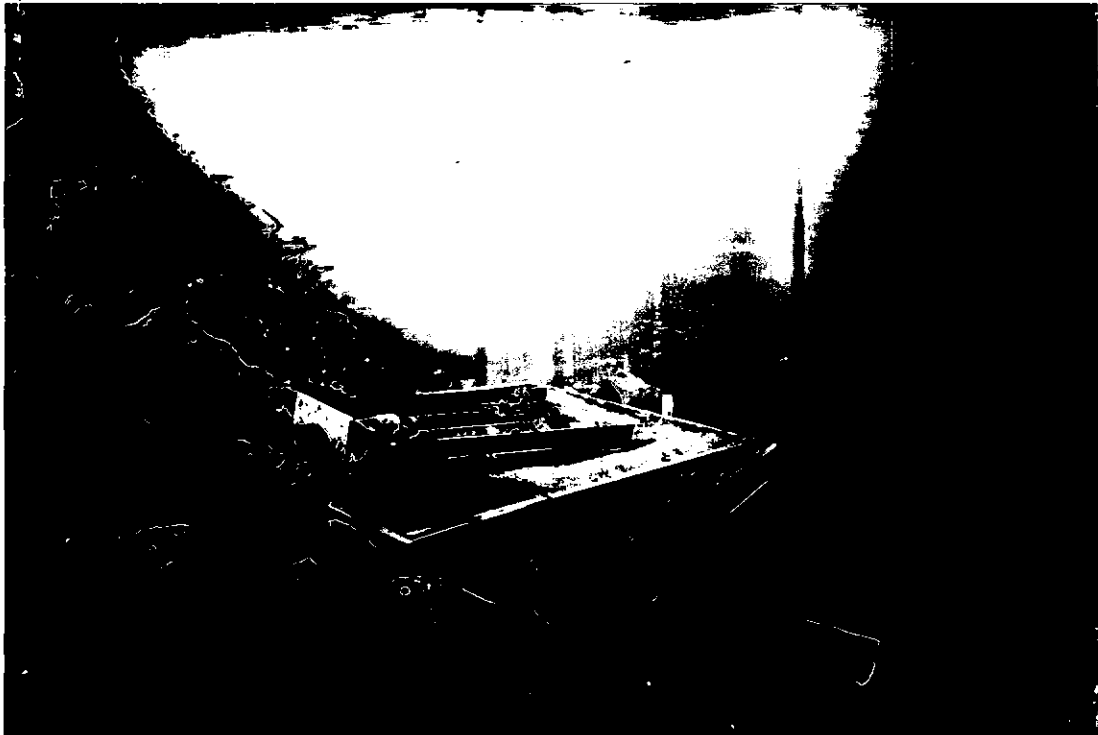
RDH

11/3/93

PICTURE # 1

A55-04009

This is a new inlet just put in at Scrappy Dam. Located in Section 29.



PICTURE # 2

These are the new controls all installed this year, 1993. P/D location.



PICTURE # 3

A55-04009

This is the re-diversion point from Dry Creek. Located in the SESW S28. Here you can see two culverts diverting water to a field to the North and to the South by the culvert on the right. Plastic dam is the re-diversion point from Dry Creek.



PICTURE # 4

POU of the field to the North in Section 28.



Photo's By
RDH

11/3/93

PICTURE # 5

A55-04009

This is the POU at the top of the field to the South in Section 33.



PICTURE # 6

This is at the bottom of the field in Section 28, looking North from the SWSE 1/4, 1/4.



PICTURE # 7

Photo's By

RDH

4/3/93

A55-04009

This is the Re-Diversion located at the lower Battle Creek Dam. The ditch on the East side has not been used, silted in. The ditch to the West is being used and a live flow measurement was made from Battle Creek due to small amount of storage in this reservoir and is not considered storage from Battle Creek.



PICTURE # 8

Upper X-Section in West Ditch. See map for location.



PICTURE # 9

A55-04009

Photo's By

RDH

11/3/93

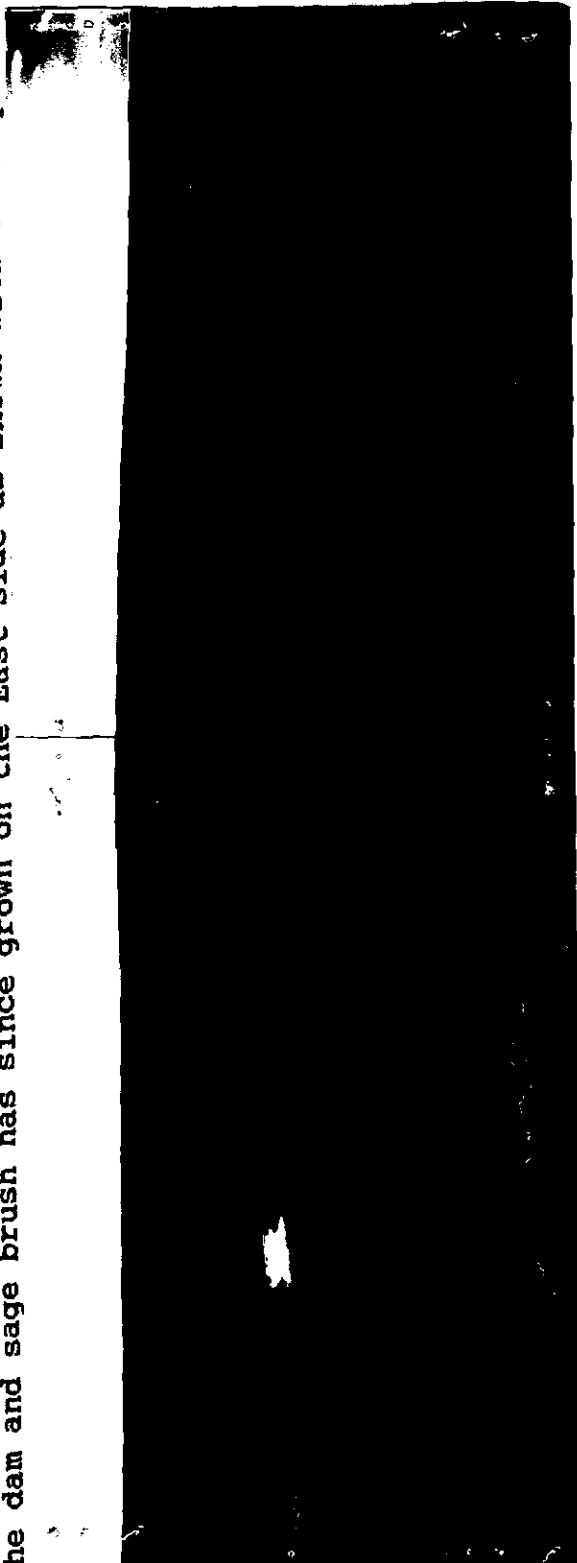
This is the lower X-Section, looking up-stream.



PICTURE # 10,11,12 & 13

A55-04009

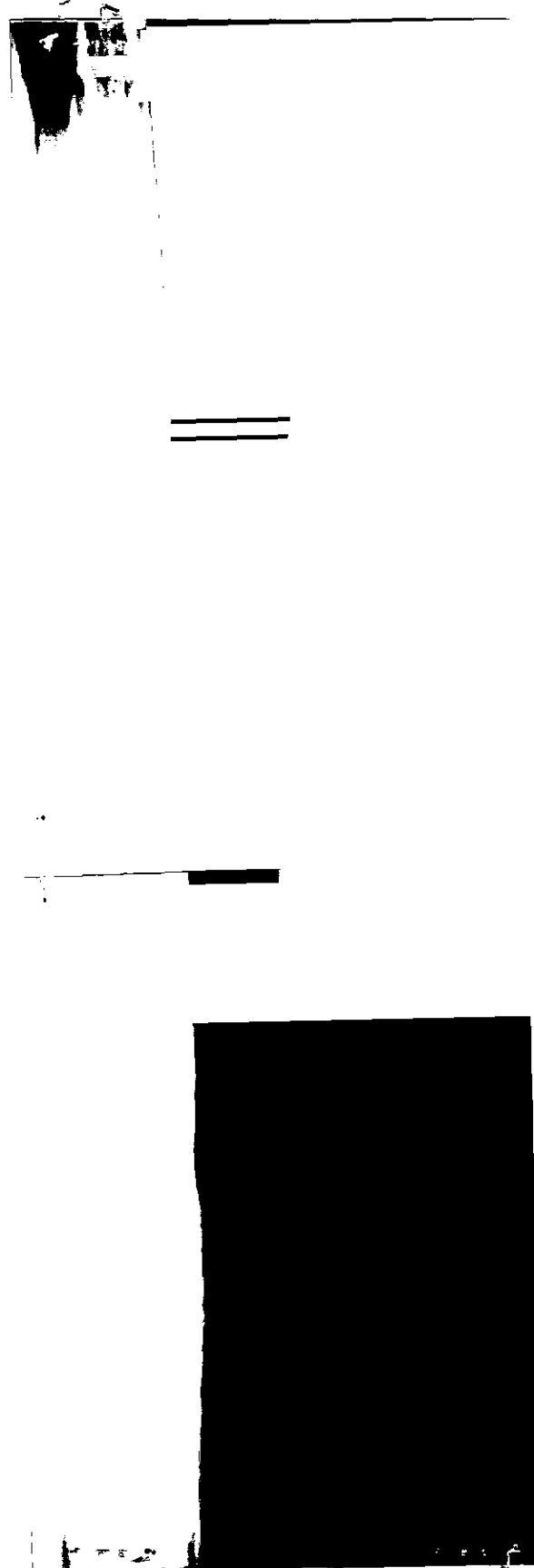
The top adjoined photo's show the reservoir to the right, Battle Creek flows to the left. These photo's continue below with the right side being continuous from the top photo's left side. No irrigation at all on this side of Battle Creek, ditch was plugged at the culvert at the dam and sage brush has since grown on the East side as shown with these photo's.



Photo's By

RDH

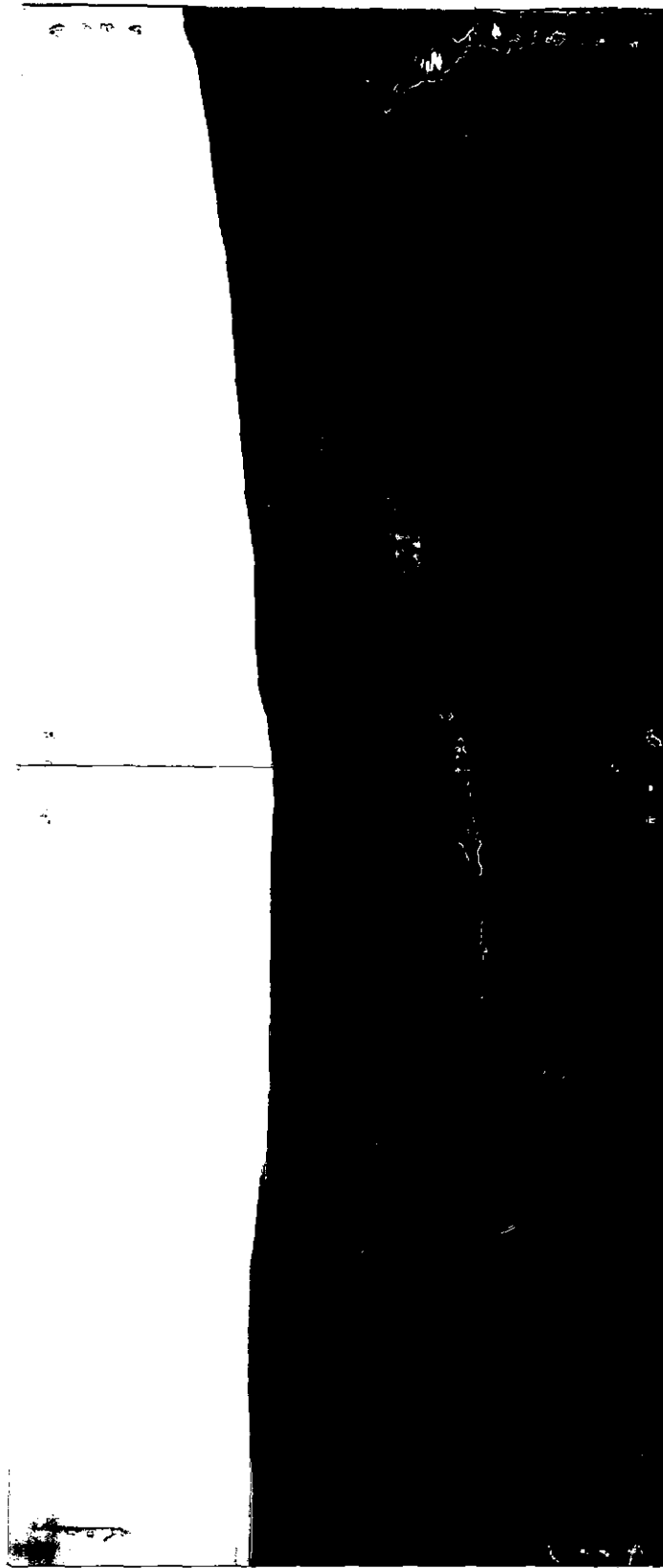
4/3/97



PICTURE # 14 & 15

A55-04009

This is the POU where irrigation is still occurring. Located at the SWSW of Section 3 and continuing into section 10, see map for location.



Photo's By
RDH
11/3/93



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

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

A55-04009

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
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A51-02178 SUCCESSFULLY CHANGED ON HOST
A51-02196 SUCCESSFULLY CHANGED ON HOST
A51-022138 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
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A51-07119 SUCCESSFULLY CHANGED ON HOST
A51-07281 SUCCESSFULLY CHANGED ON HOST
A51-10170 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: 23:49:53.7
PAGE: 2

TYPE OF ACTION: MODIFY

MODIFY ALL FIELDS FLAG: M

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

STATE: ID ZIP: 837011539 PHONE NUMBER: (208) 343-5454

A51-10171	SUCCESSFULLY CHANGED ON HOST	Previously conveyed to Idaho Fish & Game
A51-10210	SUCCESSFULLY CHANGED ON HOST	
A51-10211	SUCCESSFULLY CHANGED ON HOST	
A51-10212	SUCCESSFULLY CHANGED ON HOST	
A51-10213	SUCCESSFULLY CHANGED ON HOST	
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A51-10277	SUCCESSFULLY CHANGED ON HOST	
A51-10278	SUCCESSFULLY CHANGED ON HOST	
A51-10279	WATER RIGHT HAS NO ATTORNEY OWNER CODE - NOT UPDATED	
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A55-10221	SUCCESSFULLY CHANGED ON HOST	

AJ5514NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION ATTORNEY NAME ADD/UPDATE

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

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

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
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A55-10228 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
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R31-10279 SUCCESSFULLY CHANGED ON HOST
R35-10136 SUCCESSFULLY CHANGED ON HOST
R35-10137 SUCCESSFULLY CHANGED ON HOST
R35-10138 SUCCESSFULLY CHANGED ON HOST
R35-10139 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

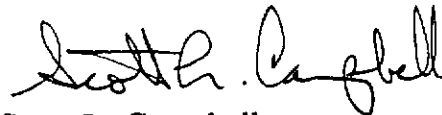
David B. Shaw, Esq.
December 10, 1993
Page 2

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 cursive script, reading "Scott L. Campbell".

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\SLC00001.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

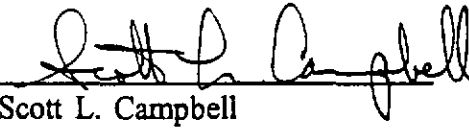
By Scott L. Campbell
Scott L. Campbell

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 6th 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

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310 "K" Street, Suite 708
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Indian Resources Section
U.S. Department of Justice
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Washington, D.C. 20026-4378

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Attorney General
Attn: Clive Strong
Deputy Attorney General
Statehouse Mail, Room 210
Boise, ID 83720

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Idaho Department of Water Resources
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Wayne B. Slaughter, Jr.
Terry T. Uhling
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Michael C. Creamer, Esq.
Christopher H. Meyre, Esq.
Givens Pursley Webb & Huntley
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David Hammerquist, Esq.
Ringert Clark Harrington Reid
Christenson & Kaufman, Chartered
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Boise, ID 83702

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Administrative Director
Administrator of the Courts
451 West State Street
Boise, Idaho 83720

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Elliott L. Moffett
Douglas R. Nash
Nez Perce Tribe
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Mitchell Sorensen
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Hansen, Beard et al.
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Idaho Falls, Idaho 83402-1718

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Hobdey & Hobdey
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Schroeder, Hutchens & Sullivan
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*Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
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Boise, Idaho 83711-4499

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Rigby, Idaho 83440

Blair Grover, Esq.
Grover Law Office
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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
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Burley, Idaho 83318

*Cliff S. Bentz, Esq.
Yturri, Rose et al.
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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
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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.
Cosho, Humphrey, Greener & Welsh
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Boise, Idaho 83702

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P.O. Box 955
Boise, Idaho 83701

*Gray Young, Esq.
J.R. Simplot Company
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Boise, Idaho 83707

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

Jay Doyle Jenson
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



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

September 28, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Paul L. Owen
Owen Ranches
HC 85, Box 110C
Bruneau, ID 83604

RE: Scrappy (Dry) Creek Dam

D55-4009

Dear Mr. Owen:

The Department appreciated your participation during the inspection of Dry Creek Dam. To assure continued safe operation, the following routine maintenance and repair needs to be performed:

- Spray/cut (or burn) all large growth (willows, brush) and remove debris from the embankment and downstream toe. Mature willow growth on the upstream slope needs to be removed, this fall.
- Eradicate rodents and burrowing animals by poisoning or trapping them and eliminating their cover. All large burrows must be filled with suitable soil material, compacted in place.

As discussed during the on-site meeting, please contact the Department once the repair work on the outlet gate is complete, so an inspection can be performed, this fall.

The downstream toe and repaired slip area should be observed periodically, particularly as the reservoir fills or is full. If there is any fill movement, significant increase in seepage flow, murky discharge or silt accumulation in the seepage area, you must notify the Department immediately.

In accordance with Title 42, Chapter 17 of the Idaho Code, the Department has issued the enclosed certificate authorizing storage. Prior to expiration of the certificate the dam will be re-examined to evaluate its condition and the performance of maintenance.

Should you have any questions, please contact me at our Western Regional Office, phone 334-2190, or Mike Stubblefield at our State Office Dam Safety Section, phone 327-7952.

Sincerely,

John Westra
Western Region

Enclosure cc: IDWR-State Office

Memorandum

To File: 55-4009

Name: Scrappy Creek

From: John Westra

Date: 7/27/93

On July 27th I met with Coy, Ranch Manager; John Christol, Contractor at the dam site. Ice the previous winter had damaged the outlet gate and control to the point the gate could not be closed. No storage had occurred this season, and there was only dead storage in the reservoir. In assessing the damage, it was decided a new gate and control stem would be needed. The outlet pipe would be cut off with a new gate and stem positioned on the upstream slope incline. A new concrete gate inlet structure would be constructed, and the upstream slope regraded with new gate stem pedestals. The stem would be covered with rock. A full section of cmp pipe would replace the outer rusted through portion of the conduit at the toe. The outlet pipe appeared OK above the outer exposed rusted through 3 ft., by flashlight inspection. I indicated the work was considered repair and straight forward in nature, therefore the Department would not require or review plans. The ranch manager will notify the Department, and also provide as built sketches of the repair once completed.

Further inspection of the dam revealed several scattered large rodent burrows on the downstream slope of the embankment. There appeared to be no new fresh burrows, and several looked unused. The Manager indicated, the cowboys had been shooting the rodents when possible. There are several willow bushes that need removal on the upstream slope, photo #1. The toe drain area was dry, as there had been no storage in the reservoir all season.

Photos Attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
RECORD OF INSPECTION OF DAMName of dam: Scrappy Creek Stream: Dry Creek ☐ OffstreamName of owner: Owen Ranch Location: 29-105-01EIndividuals accompanying inspector: Coy - Ranch Manager; John Cristobal, Contractor
Agri-Lines RepresentativeReservoir characteristics: Dam height 15 ft. Surface area 84 ac. Storage capacity 437 Ac-Ft.Hazard class: Low Photographs: yesCONDITION OF EMBANKMENT OR STRUCTURE: ☐ Poor ☐ Fair ☒ Good ☐ ExcellentType: ☒ Earth ☐ Rockfill ☐ Conc. arch ☐ Conc. gravity ☐ Timber crib ☐ Other _____

	UPSTREAM SLOPE	CREST	DOWNSTREAM SLOPE	TOE AREA
Surface cover material	Rock Riprap Earth	Earth	Rock - Earth	▶
Growth	Willow bushes	Grass - weeds - scattered small	sage brush	▶
Settlement or cracks	None			▶
Surface erosion	Minor wave erosion	None		▶
Debris	None			▶
Animal burrows	None	None	Some scattered large burrows	
Crest width and slope measurements	3:1	12 Ft.	2:1	

CONDITION OF OUTLET WORKS: ☒ Poor ☐ Fair ☐ Good ☐ ExcellentLocation: ☐ Left side ☐ Center ☐ Right side ☐ Other _____Description and condition: 12" CMP thru the dam, gate damaged by iceGate hoist: ☒ Manual ☐ Electric ☐ Other _____Stem: ☒ Inclined from entrance to crest ☐ Vertical on tower at entrance☐ Vertical through dam from crest ☐ Downstream valveEntrance: Gate Not operable Outlet: bottom rusted thru the last 3 ft.CONDITION OF SPILLWAY: ☐ Poor ☐ Fair ☒ Good ☐ ExcellentLocation: ☒ Left abutment ☐ Right abutment ☐ Away from dam ☐ Other _____Base width 28 Ft Freeboard at crest 5.2 Ft Sideslope 16.3:1 Channel slope Mild Fetch ± 1/2 miOverflow channel: ☒ Well defined ☒ Flow directed away from toe ☐ Flow could reach toeErosion control present: bed rock Erosion present: NoneMaintenance condition: Debris None Growth None

SEEPAGE:

Reservoir level during inspection: dead storage, only gate was closed due to ice damage

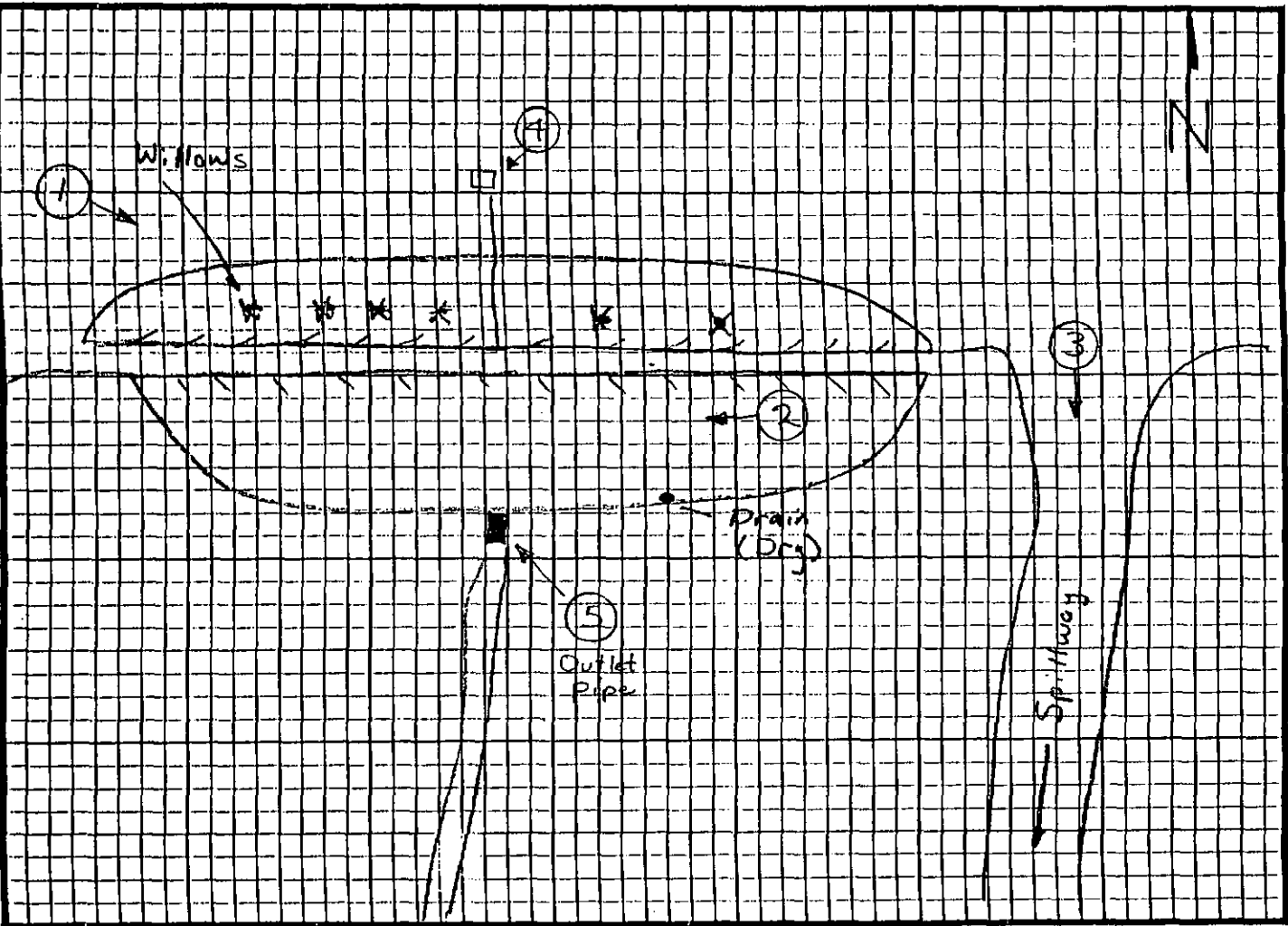
	TOE AREA	DOWNSTREAM SLOPE	ABUTMENTS	OTHER
Piping of material evident (Est. G.P.M.)	None			▶
Flowing water (Est. G.P.M.)	Drain dry	None		▶
Marshy or standing water	None			▶
Damp	None			▶
Evident from growth present	Lush grasses	None		▶

GENERAL CONDITION AND DESCRIPTION OF DAM: See attached sheet.-

INSTRUMENTATION READINGS (Piezometer, Seepage measurement, Alignment, Elevation, etc.)

None

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY AND OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS: Issue a storage certificate for a 2 year period.

Maintenance:

1. Control large growth, remove willows from the downstream slope.
2. Control rodent activity on the embankment, fill in all large burrows.
3. Repair the outlet gate and control as discussed.
4. Continue to monitor seepage along the toe.

Date: 7/27 19 93

Inspected by: J. Wester, Western Region

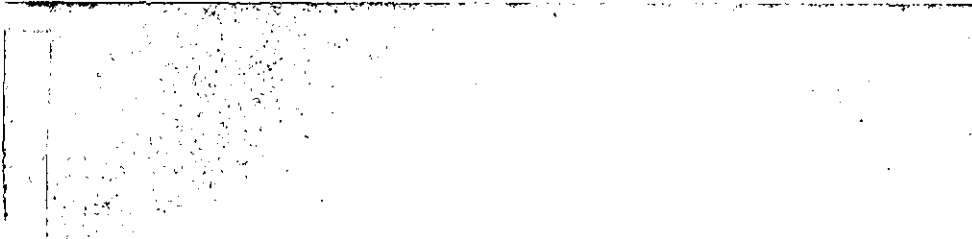
DAM SAFETY PHOTOGRAPHS



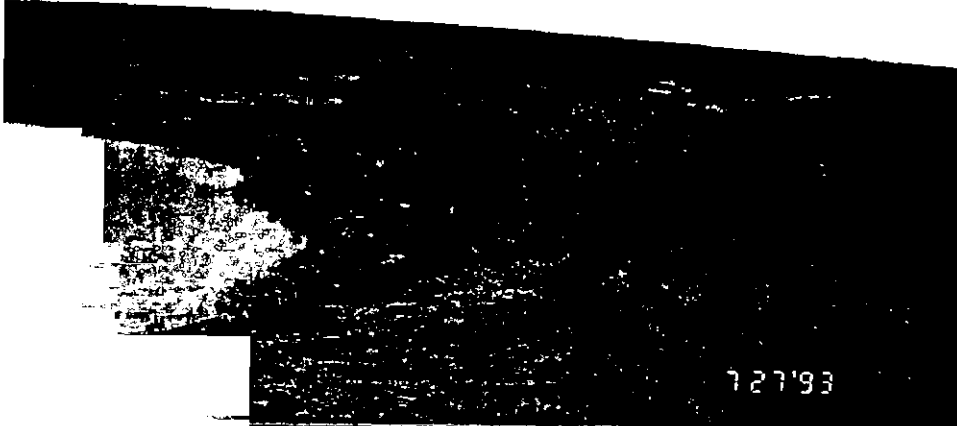
DAM NAME: SCRAPPY CREEK
55-4009

DATE: 7/27/93

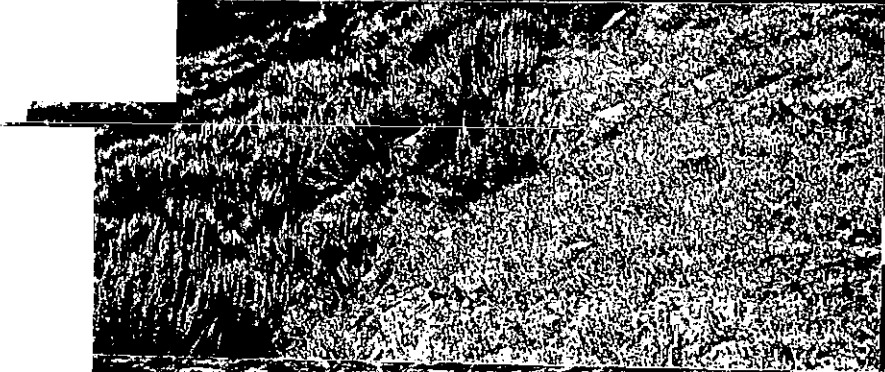
BY: J. WESTRA
WESTERN REC



1. Upstream slope of the dam, taken from the right abutment. Some willow growth needing to be removed.



2. Downstream slope of the embankment showing several scattered rodent burrows.



3. Spillway channel looking downstream from the crest.



4. Outlet conduit and gate. Ice damage to gate and stem.



5. Outlet pipe, bottom rusted through the last 3 ft.



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

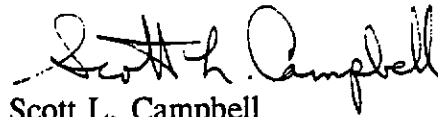
Re: Notice of Change in Address and Firm Affiliation

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) 338-8200

ANCHORAGE, ALASKA • BELLEVUE, WASHINGTON • HONOLULU, HAWAII • LOS ANGELES, CALIFORNIA

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:

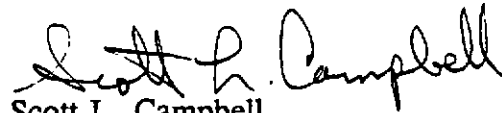
Pursuant to a prior telephone conversation with Ms. Lynne Krogh-Hampe, I am providing this correspondence to notify the Idaho Department of Water Resources of my change of address and affiliation. I am presently a partner with the law firm of Davis Wright Tremaine at the above-referenced address.

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

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FEB 11 1992

DAVIS WRIGHT TREMAINE

LAW OFFICES

Department of Water Resources
Western Regional Office

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

SCOTT L. CAMPBELL
(208) 338-8219

February 7, 1992

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

Re: Your Correspondence of July 1, 1991, Concerning Adjudication Claim Nos.
A55-04008, 04009, 04010, 04011, 10221, 10222, 10223, 10224, 10225,
10226, 10227 and 10228

Dear Jan:

I am replying to your correspondence of July 1, 1991, to me and your correspondence of June 28, 1991, to Mr. Richard L. Owen, regarding the above-referenced claim numbers in the Snake River Basin Adjudication. Your correspondence requested additional evidence to support the "statutory claim" or "beneficial use" status of the water right claim.

In response to this request for additional evidence, I have enclosed copies of the Affidavit of Albert Black and the Affidavit of Joe Black. These two affidavits provide eye witness testimony which should satisfy your request for additional evidence.

Please be advised that we may submit additional evidence to support a priority date earlier than the ones described in the affidavits. Consequently, please still provide the second notice to be sent out at least sixty (60) days prior to completion of the Director's Sub-basin Report which affects these water right claims. This time period was referred in my correspondence of July 16, 1991.

RECEIVED

FEB 11 1992

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.

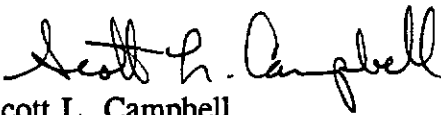
Davis Wright Tremaine

Jan Shurte
February 7, 1992
Page 2

Thank you for your cooperation. Please advise me if you have any questions.

Very truly yours,

DAVIS WRIGHT TREMAINE


Scott L. Campbell

SLC:md
Enclosures

cc: Richard L. Owen (w/o encls.)

Scott L. Campbell
ELAM, BURKE & BOYD
Key Financial Center, 10th Floor
P. O. Box 1539
Boise, Idaho 83701
(208)343-5454

Attorneys for Claimant
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

AFFIDAVIT OF JOE BLACK
RE: ADJUDICATION CLAIM
NOS. A55-04008, 04009,
04010, 04011, 04012,
100221, 10222, 10223,
10224, 10225, 10226, 10227
AND 10228

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as
director of the Idaho Depart-
ment of Water Resources,

Petitioner,

v.

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

Defendants.

I, Joe Black, being first duly sworn, hereby depose and say
as follows:

1. The statements contained in this document are based upon my personal knowledge.

2. I am 63 years old. I was born and raised in the Owyhee County. I have resided in and around the Owyhee County area throughout my lifetime. I've been involved in ranching in and around the Owyhee County area throughout my life. I currently live in Hammett, Idaho.

3. Throughout my lifetime, I have personally observed the irrigation practices on the below described properties.

BIG SPRINGS RANCH

4. Since I was a small boy, I have personally observed the irrigation practices on the property known as the Big Springs Ranch. This property has been continuously irrigated with waters diverted from the Big Springs Creek. This included the time period when the property was owned and operated by Big Springs Land and Livestock Company.

5. There are four water rights to the Big Springs Ranch. These rights are numbered A55-04008, A55-04010, A55-04011 and A55-10227.

6. Under Water Right No. A55-04008, the points of diversion -- for the water diverted from Springs tributary to Battle Creek for use as irrigation water -- have been in Township 10 South, Range 1 West, Section 3, the Southeast Quarter of the Southeast Quarter and Section 10, the Northeast Quarter of the Northeast Quarter in Owyhee County since at least 1933.

7. The property whose irrigation practices I have described above is that property owned by Owen Ranches which is located in Township 10 South, Range 1 West, Sections 3 and 10.

8. The water diverted to the above property provides irrigation water to approximately 50.0 acres of land.

9. Under Water Right No. A55-04010, the points of diversion -- for the water diverted from Big Springs Creek and West Springs Creek which are tributary to Battle Creek for use as irrigation and domestic water -- have been in Township 10 South, Range 1 West, Section 3, Southwest Quarter of the Southeast Quarter and Section 10, Northwest Quarter of the Southwest Quarter in Owyhee County since at least 1933.

10. The property whose water uses that I have described above is that property owned by Owen Ranches which is located in Township 10 South, Range 1 West, Sections 10, 15 and 3.

11. The water diverted to the above property provides irrigation water to approximately 215.00 acres of land and domestic water to 1 home.

12. Under Water Right No. A55-04011, the point of diversion -- for the water diverted from Big Springs which is tributary to Big Springs Creek for use as irrigation and domestic water -- has been in Township 10 South, Range 1 West, Section 3, Southwest Quarter of the Southeast Quarter in Owyhee County since at least 1933.

13. The property whose water uses that I have described above is that property owned by Owen Ranches which is located in Township 10 South, Range 1 West, Sections 3, 10 and 15.

14. The water diverted to the above property provides irrigation water to approximately 440.0 acres of land and domestic water to 1 home.

15. Under Water Right No. A55-10227, the point of diversion -- for the water diverted from Big Springs Creek for use as irrigation, stock and domestic water -- has been located in Township 10 South, Range 1 West, Section 15, Northeast Quarter of the Southeast Quarter in Owyhee County since at least 1933.

16. The property whose water uses that I have described above is that property owned by Owen Ranches which is located in Township 10 South, Range 1 West, Sections 14, 15, 22, 23, 25 and 26.

17. The water diverted to the above property provides irrigation water to approximately 600.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

BATTLE CREEK RANCH

18. Since I was a small boy, I can recall reservoirs, cross-ditches and dams in the Battle Creek area. This includes the areas along Battle Creek which were once owned by Battle Creek Sheep Company.

19. Since I was a small boy, I have personally observed that these areas along Battle Creek have been continuously irrigated with waters diverted from Battle Creek.

20. The waters diverted from Battle Creek are identified by Water Right Nos. A55-04009 and A55-10225.

21. Under Water Right No. A55-04009, the points of diversion -- for the water diverted from Scrappy Creek, Scrappy Reservoir and Lower Butte Reservoir for use as irrigation, stock and domestic water -- have been located in Township 10 South, Range 1 East, Section 29, Northeast Quarter of the Northwest Quarter, Township 11 South, Range 1 East, Section 3, Northwest Quarter of the Northwest Quarter, Section 4, Northeast Quarter of the Northeast Quarter, and Section 10, Northwest Quarter of the Southeast Quarter in Owyhee County since at least 1933.

22. The property whose water uses I have described above is that property owned by Owen Ranches which is located in Township 11 South, Range 1 East, Sections 3 and 10.

23. The water diverted to the above property provides irrigation water to approximately 450.0 acres of land and stock water to roughly 1,000 head of range cattle.

24. Under Water Right No. A55-10225, the points of diversion -- for the water diverted from springs for use as irrigation, domestic and stock water -- have been Township 10 South, Range 1 East, Section 15, Northeast Quarter of the Southwest Quarter, Section 28 Southeast Quarter of the Northwest Quarter, and Section 28, Southeast Quarter of the Southwest Quarter in Owyhee County since at least 1933.

25. The property whose water uses I have described above is that property owned by Owen Ranches which is located in Township 10 South, Range 1 East, Sections 28 and 33.

26. The water diverted to the above property provides irrigation water to approximately 395.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

WYLIE RANCH

27. On the property known as the Wylie Ranch which was formerly owned by Clyde Wylie, I personally observed that the ditches on the Wylie Ranch were in place when Clyde Wylie sold the property in 1950.

28. The Wylie Ranch has been continuously irrigated since I first went there in 1950.

29. The Wylie Ranch has one water right which is identified as Water Right No. A55-10228.

30. Under Water Right No. A55-10228, the point of diversion -- for water diverted from the North Fork of the Owyhee River for use as irrigation, stock and domestic water -- has been Township 14 South, Range 2 West, Section 2, Northwest Quarter of the Southwest Quarter in Owyhee County since at least 1950.

31. The property whose water uses I have described above is that property owned by Owen Ranches which is located in Township 14 South, Range 2 West, Section 2.

32. The water diverted to the above property provides irrigation water to approximately 100.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

SCATTERED WATER RIGHTS

33. I have personally observed that the water diverted on those properties which can be described as "scattered forties with springs" has been used continuously as stock water and that the springs which have been developed are accompanied by small meadows which have been irrigated for use as saddlehorse and cattle pastures.

34. The scattered water rights are identified as Water Right Nos. A55-10221, A55-10222, A55-10223, A55-10224 and A55-10226.

35. Under Water Right No. A55-10221, the point of diversion -- for the water diverted from Battle Creek for use as irrigation, stock and domestic water -- has been Township 13 South, Range 1 West, Section 16, Southwest Quarter of the Southwest Quarter in Owyhee County since at least the 1933.

36. The property whose water uses I have described above is that property owned by Owen Ranches which is located in Township 13 South, Range 1 West, Section 16.

37. The water diverted to the above property provides irrigation water to approximately 40.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

38. Under Water Right No. A55-10222, the point of diversion -- for the water diverted from springs for use as irrigation, domestic and stock water -- has been Township 11 South, Range 1 East, Section 27, Southwest Quarter of the Southwest Quarter in Owyhee County since at least 1933.

39. The property (commonly known as Lost Valley Springs) whose water uses I have described above is that property owned by Owen Ranches which is located in Township 11 South, Range 1 East, Section 27.

40. The water diverted to the above property provides irrigation water to approximately 10.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

41. Under Water Right No. A55-10223, the point of diversion -- for water diverted from a spring for use as irrigation, stock and domestic water -- have been Township 12 South, Range 1 West, Section 35, Northwest Quarter of the Southeast Quarter and Section 35 Southwest Quarter of the Southeast Quarter in Owyhee County since at least 1933.

42. The property (commonly known as Cottonwood Draw) whose water uses I have described above is that property owned by Owen Ranches which is located in Township 12 South, Range 1 West, Section 35.

43. The water diverted to the above property provides irrigation water to approximately 80.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

44. Under Water Right No. A55-10224, the point of diversion -- for water diverted from a spring for use as irrigation, stock, storage and domestic water -- has been Township 12 South, Range 1 West, Section 7, Northeast Quarter of the Southwest Quarter in Owyhee County since at least 1933.

45. The property whose water uses I have described above is that property owned by Owen Ranches which is located in Township 12 South, Range 1 West, Section 7.

46. The water diverted to the above property provides irrigation water to approximately 5.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

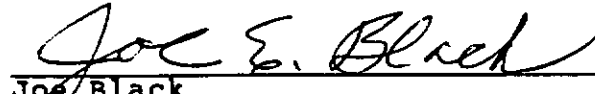
47. Under Water Right No. A55-10226, the point of diversion -- for water diverted from a spring for use as irrigation, stock, storage and domestic water -- has been Township 12 South, Range 1 West, Section 21, Southeast Quarter of the Northwest Quarter in Owyhee County since at least 1933.

48. The property (commonly known as Squaw Meadows) whose water uses I have described above is that property owned by Owen Ranches which is located in Township 12 South, Range 1 West, Section 21.

49. The water diverted to the above property provides irrigation water to approximately 25.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

DATED this 22 day of ~~December~~, ~~1991~~.

January 1992



Joe Black

SUBSCRIBED AND SWORN TO before me this 22 day of

January, 1991.
1992

Morris J. Black
Notary Public for Idaho
Residing at Shannon, Idaho
My Commission Expires: 4/10/97

Scott L. Campbell
ELAM, BURKE & BOYD
Key Financial Center, 10th Floor
P. O. Box 1539
Boise, Idaho 83701
(208)343-5454

Attorneys for Claimant
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

AFFIDAVIT OF ALBERT BLACK
RE: ADJUDICATION CLAIM
NOS. A55-04008, 04009,
04010, 04011, 04012,
100221, 10222, 10223,
10224, 10225, 10226, 10227
AND 10228

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as)
director of the Idaho Depart-)
ment of Water Resources,)

Petitioner,)

v.)

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

Defendants.)

Albert Black, being first duly sworn upon oath, deposes and
states as follows:

1. The statements contained in this document are based upon my personal knowledge.

2. I was born in Bruneau, Idaho on October 28, 1906. I was raised near the headwaters of Battle Creek in Owyhee County. I have lived in and around the Owyhee County area all of my life. I've been involved in ranching in and around the Owyhee County area the Bruneau area throughout my life. I currently reside in Mountain Home.

BIG SPRINGS RANCH

3. The earliest operators of the lower portion of the Big Springs Ranch that I can recall were the Spencer Brothers.

4. I remember the Spencer Brothers irrigating the lower end of the Big Springs Ranch since about 1907.

5. Since 1907, the lower end of the Big Springs Ranch has been irrigated continuously by it's operators including Big Springs Land and Livestock (also known as Big Springs Sheep Company) which bought out the Spencer Brothers.

6. The earliest operators of the upper portion of the Big Springs Ranch that I can recall were the Owens Family (heirs of Elizabeth Owens not relatives of Richard L. Owens) in approximately 1907.

7. Big Springs Land and Livestock bought out the Owens Family and began irrigating the upper portion of the Big Springs Ranch.

8. The upper portion of the Big Springs Ranch has been irrigated continuously since being purchased by the Big Springs Land and Livestock Company.

9. There are four water rights to the Big Springs Ranch. These rights are numbered A55-04008, A55-04010, A55-04011 and A55-10227.

10. Under Water Right No. A55-04008, the points of diversion -- for the water diverted from Springs tributary to Battle Creek for use as irrigation water -- have been in Township 10 South, Range 1 West, Section 3, the Southeast Quarter of the Southeast Quarter and Section 10, the Northeast Quarter of the Northeast Quarter in Owyhee County since about 1907.

11. The property whose irrigation practices I have described above is that property owned by Owen Ranches which is located in Township 10 South, Range 1 West, Sections 3 and 10.

12. The water diverted to the above property provides irrigation water to approximately 50.0 acres of land.

13. Under Water Right No. A55-04010, the points of diversion -- for water diverted from Big Springs Creek and West Springs Creek which are tributary to Battle Creek for use as irrigation and domestic water -- have been in Township 10 South, Range 1 West, Section 3, Southwest Quarter of the Southeast Quarter and Section 10, Northwest Quarter of the Southwest Quarter in Owyhee County since about 1907.

14. The property whose water uses that I have described above is that property owned by Owen Ranches which is located in Township 10 South, Range 1 West, Sections 10, 15 and 3.

15. The water diverted to the above property provides irrigation water to approximately 215.0 acres of land and domestic water to 1 home.

16. Under Water Right No. A55-04011, the point of diversion -- for the water diverted from Big Springs which is tributary to Big Springs Creek for use as irrigation and domestic water -- has been in Township 10 South, Range 1 West, Section 3, Southwest Quarter of the Southeast Quarter in Owyhee County since about 1907.

17. The property whose water uses that I have described above is that property owned by Owen Ranches which is located in Township 10 South, Range 1 West, Sections 3, 10 and 15.

18. The water diverted to the above property provides irrigation water to approximately 440.0 acres of land and domestic water to 1 home.

19. Under Water Right No. A55-10227, the point of diversion -- for the water diverted from Big Springs Creek for use as irrigation, stock and domestic water -- has been located in Township 10 South, Range 1 West, Section 15, Northeast Quarter of the Southeast Quarter in Owyhee County since about 1907.

20. The property whose water uses that I have described above is that property owned by Owen Ranches which is located in Township 10 South, Range 1 West, Section 14, 15, 23, 25 and 26.

21. The water diverted to the above property provides irrigation water to approximately 600.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

BATTLE CREEK RANCH

22. When I was seven years old in 1913 or 1914, I remember reservoirs being built in the Battle Creek area by Battle Creek Sheep Company.

23. Since that time, the Battle Creek area has been irrigated continuously by waters diverted from Battle Creek.

24. The waters diverted from Battle Creek are identified by Water Right Nos. A55-04009 and A55-10225.

25. Under Water Right No. A55-04009, the points of diversion -- for the water diverted from Scrappy Creek, Scrappy Reservoir and Lower Butte Reservoir for use as irrigation, stock and domestic water -- have been located in Township 10 South, Range 1 East, Section 29, Northeast Quarter of the Northwest Quarter, Township 11 South, Range 1 East, Section 3, Northwest Quarter of the Northwest Quarter, Section 4, Northeast Quarter of the Northeast Quarter, and Section 10, Northwest Quarter of the Southeast Quarter in Owyhee County since at least 1913.

26. The property whose water uses I have described above is that property owned by Owen Ranches which is located in Township 11 South, Range 1 East, Sections 3 and 10.

27. The water diverted to the above property provides irrigation water to approximately 450.0 acres of land and stock water to roughly 1,000 head of range cattle.

28. Under Water Right No. A55-10225, the points of diversion -- for the water diverted from springs for use as irrigation,

domestic and stock water -- have been Township 10 South, Range 1 East, Section 15, Northeast Quarter of the Southwest Quarter, Section 28, Southeast Quarter of the Northwest Quarter, and Section 28, Southeast Quarter of the Southwest Quarter in Owyhee County since at least 1913.

29. The property whose water uses I have described above is that property owned by Owen Ranches which is located in Township 10 South, Range 1 East, Sections 28 and 33.

30. The water diverted to the above property provides irrigation water to approximately 395.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

WYLIE RANCH

31. The area known as the Wylie Ranch which is named after its early owner, Clyde Wylie, is located down the canyon near the mouth of Battle Creek.

32. I had never been to the Wylie place until 1950.

33. The Wylie Ranch was being irrigated when I first went there in 1950 and has been continuously irrigated since that time.

34. The Wylie Ranch diverts water under one water right which is identified as Water Right No. A55-10228.

35. Under Water Right No. A55-10228, the point of diversion -- for water diverted from the North Fork of the Owyhee River for

use as irrigation, stock and domestic water -- has been Township 14 South, Range 2 West, Section 2, Northwest Quarter of the Southwest Quarter in Owyhee County since at least 1950.

36. The property whose water uses I have described above is that property owned by Owen Ranches which is located in Township 14 South, Range 2 West, Section 2.

37. The water diverted to the above property provides irrigation water to approximately 100.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

SCATTERED WATER RIGHTS

38. I have personally observed that the water diverted on those properties which can be described as "scattered forties with springs" has been used continuously as stock water and that the springs which have been developed are accompanied by small meadows which have been irrigated for use as saddlehorse and cattle pasture.

39. The scattered water rights are identified as Water Right Nos. A55-10221, A55-10222, A55-10223, A55-10224 and A55-10226.

40. Under Water Right No. A55-10221, the point of diversion -- for the water diverted from Battle Creek for use as irrigation, stock and domestic water -- has been Township 13 South, Range 1 West, Section 16, Southwest Quarter of the Southwest Quarter in Owyhee County since at least 1920.

41. The property whose water uses I have described above is that property owned by Owen Ranches which is located in Township 13 South, Range 1 West, Section 16.

42. The water diverted to the above property provides irrigation water to approximately 40.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

43. Under Water Right No. A55-10222, the point of diversion -- for the water diverted from springs for use as irrigation, domestic and stock water -- has been Township 11 South, Range 1 East, Section 27, Southwest Quarter of the Southwest Quarter in Owyhee County since at least 1920.

44. The property (commonly known as Lost Valley Springs) whose water uses I have described above is that property owned by Owen Ranches which is located in Township 11 South, Range 1 East, Section 27.

45. The water diverted to the above property provides irrigation water to approximately 10.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

46. Under Water Right No. A55-10223, the points of diversion -- for water diverted from a spring for use as irrigation, stock and domestic water -- have been Township 12 South, Range 1 West, Section 35, Northwest Quarter of the Southeast Quarter and Section 35 Southwest Quarter of the Southeast Quarter in Owyhee County since at least 1920.

47. The property (commonly known as Cottonwood Draw) whose water uses I have described above is that property owned by Owen Ranches which is located in Township 12 South, Range 1 West, Section 35.

48. The water diverted to the above property provides irrigation water to approximately 80.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

49. Under Water Right No. A55-10224, the point of diversion -- for water diverted from a spring for use as irrigation, stock, storage and domestic water -- has been Township 12 South, Range 1 West, Section 7, Northeast Quarter of the Southwest Quarter in Owyhee County since at least 1920.

50. The property whose water uses I have described above is that property owned by Owen Ranches which is located in Township 12 South, Range 1 West, Section 7.

51. The water diverted to the above property provides irrigation water to approximately 5.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

52. Under Water Right No. A55-10226, the point of diversion -- for water diverted from a spring for use as irrigation, stock, storage and domestic water -- has been Township 12 South, Range 1 West, Section 21, Southeast Quarter of the Northwest Quarter in Owyhee County since at least 1920.

NOTED
JUN 10 1964

53. The property (commonly known as Squaw Meadows) whose water uses I have described above is that property owned by Owen Ranches which is located in Township 12 South, Range 1 West, Section 21.

54. The water diverted to the above property provides irrigation water to approximately 25.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

DATED this 22 day of ^{January, 1992} ~~December, 1991~~.

Albert Black
Albert Black

SUBSCRIBED AND SWORN TO before me this 22 day of ~~December, 1991~~.
January 1992

Morris A. Beck
Notary Public for Idaho
Residing at Brainerd, Idaho
My Commission Expires: 4/10/97



State of Idaho

DEPARTMENT OF WATER RESOURCES

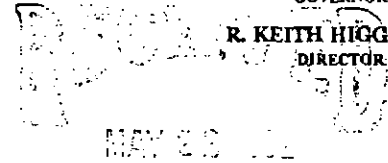
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 22, 1992



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

Department of Water Resources
Western Regional Office

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

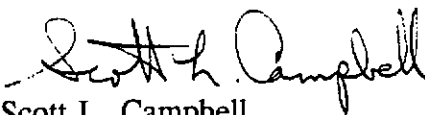
Re: Notice of Change in Address and Firm Affiliation

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 • RICHLAND, 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:

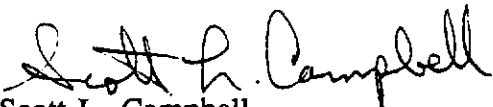
Pursuant to a prior telephone conversation with Ms. Lynne Krogh-Hampe, I am providing this correspondence to notify the Idaho Department of Water Resources of my change of address and affiliation. I am presently a partner with the law firm of Davis Wright Tremaine at the above-referenced address.

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.

JUL 13 1991

Department of Water Resources
Western Regional Office

SCOTT L. CAMPBELL

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

July 16, 1991

Ms. Jan Shurte
Water Rights Supervisor
Adjudication Section
Western Region
IDAHO DEPARTMENT OF WATER RESOURCES
2735 Airport Way
Boise, Idaho 83705

RE: Claim Numbers A55-04008, 04009, 04010, 04011,
04012, 10221, 10222, 10223, 10224, 10225, 10226,
10227, and 10228

Dear Jan:

This is to document the content of our telephone conversation of July 16, 1991, concerning the above referenced notices of claim in the Snake River Basin Adjudication, as well as your correspondence dated July 1, 1991.

As I indicated to you during our conversation, due to vacation conflicts and other delays, it was impossible to meet with Mr. and Mrs. Richard Owen and Mr. Scott Benowitz of James Montgomery Engineers concerning your July 1, 1991 correspondence until today. While we are working to gather the additional information which you have requested in your correspondence, it will not be possible to submit this data to you by the August 1, 1991 date set forth in your correspondence.

This is to confirm your response to my request for an extension of the August 1, 1991 date. You indicated that this deadline was very preliminary in nature and can be exceeded without formal approval. Additionally, you informed me that an additional notification would be delivered by the Department of Water Resources prior to the completion of the Director's sub-basin report. This second notification will request the same information concerning documentation. You indicated that this second notice will not be sent out for at least 60-days and

MICROFILMED

SEP 29 1992

Ms. Jan Shurte
July 16, 1991
Page 2

perhaps longer. Consequently, you indicated that in reality a 60 to 90-day extension of time from the August 1, 1991 date existed.

I indicated to you during our conversation that I would confirm this information in a letter to you so that the files would properly reflect my response on behalf of Richard Owen to your correspondence of July 1, 1991. This letter also indicates our intent to provide you with the information requested in your correspondence prior to issuance of the second notice letter referred to by you.

Please contact me if you have any questions, or if you disagree with my description of the content of our conversation.

Very truly yours,

ELAM, BURKE AND BOYD


Scott L. Campbell

SLC:jm

cc: Richard L. Owen
Scott Benowitz

MICROFILMED

SEP 29 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

July 1, 1991

CECIL D. ANDRUS

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

RE: Claim No(s): A55-04008, 04009, 04010,

GOVERNOR

04011, 10221, 10222, R. KEITH HIGGINSON

10223, 10224, 10225,

DIRECTOR

Dear Claimant(s):

10226, 10227, 10228

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no license, decree or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of first use, or "Priority Date", for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes the types of evidence required and explains what kind of documents will fulfill this requirement. While we encourage you to read the entire pamphlet, we would like to direct your attention to the right-hand half of this pamphlet once you open it. There you will find information concerning the evidence requirements mentioned above. The other sections describe to you why this evidence is necessary.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, cannot be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the above claim(s) have been or soon will be conducted by Department personnel.

Please submit the required evidence supporting the priority date(s) by August 1, 1991, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact a water resource agent in this office.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

MICROFILMED

SEP 29 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

A55-04008 June 28, 1991
RICHARD L. OWEN
P.O. BOX 590

RE: Claim No(s): 55-4008, 4009, 4010,

CECIL D. ANDRUS

GOVERNOR

4011, 10221, 10222, R. KEITH HIGGINSON

10223, 10224, 10225, DIRECTOR

10226, 10227, 10228

BRUNEAU

ID 83604

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no license, decree or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of first use, or "Priority Date", for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes the types of evidence required and explains what kind of documents will fulfill this requirement. While we encourage you to read the entire pamphlet, we would like to direct your attention to the right-hand half of this pamphlet once you open it. There you will find information concerning the evidence requirements mentioned above. The other sections describe to you why this evidence is necessary.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, cannot be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the above claim(s) have been or soon will be conducted by Department personnel.

Please submit the required evidence supporting the priority date(s) by August 1, 1991, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact a water resource agent in this office.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures



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

Scott
Dear Mr. 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:

<u>Number</u>	<u>Priority Date</u>
A51-00002	
A51-00003	
A51-00004 - A51-103521	
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

SCOTT L. CAMPBELL

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

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

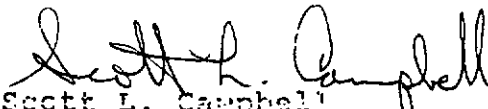
Mr. David Shaw
January 8, 1991
Page 2

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)}
water right number) ^{ouc (c)} fixed
- ✓ A65-10367