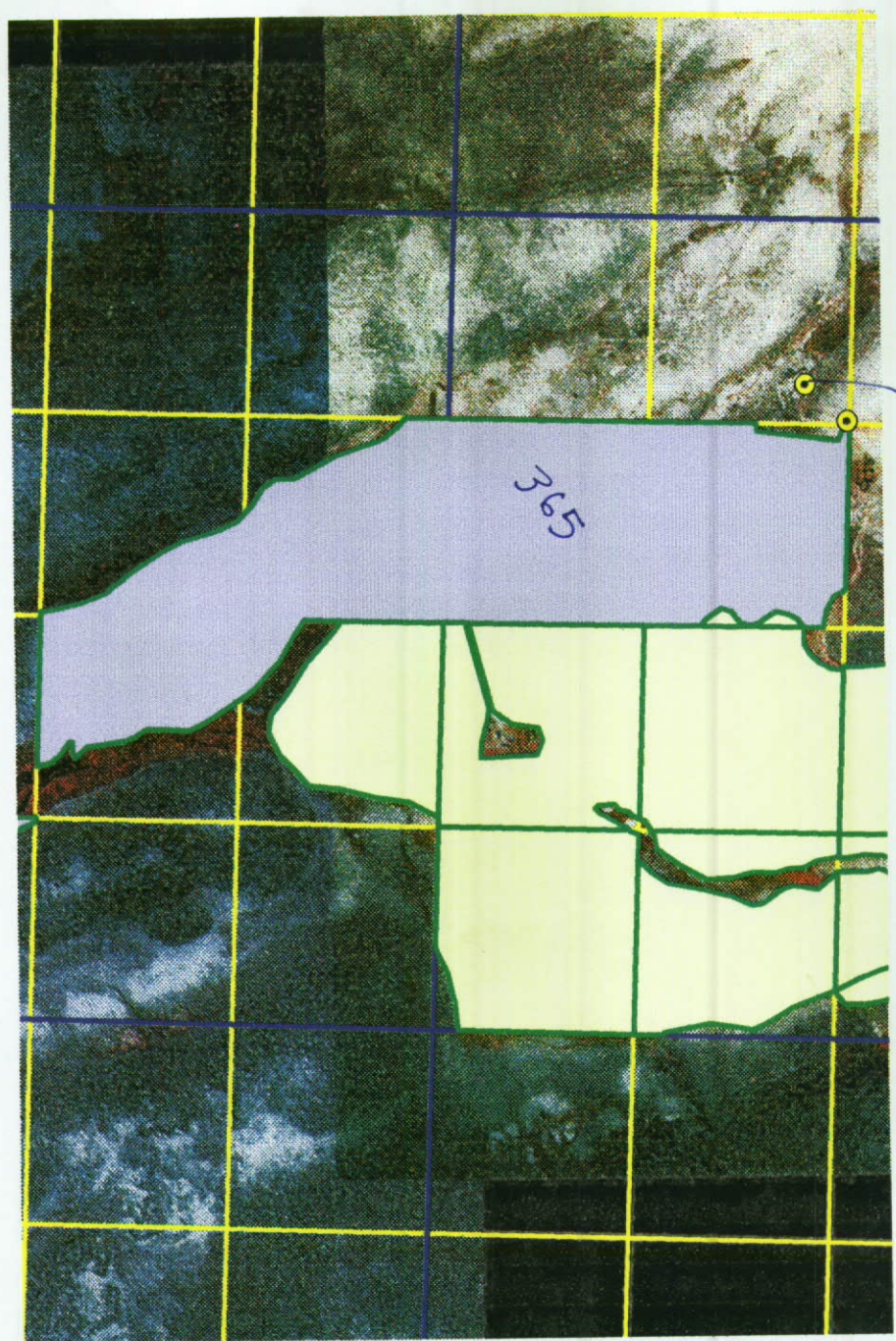


CLAIMS: 4610

OWNER: Simplot

173 - unnamed stream



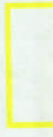
- Ron2-pod.shp
 - Ron-pou.shp
 - ▲ 10s01w.dxf
 - P10s01w.shp
- 172, 173, 174

IDAHO DEPARTMENT OF WATER RESOURCES

● **Point of Diversion**

 **Place of Use**

 **Section Lines**

 **1/4 1/4 Lines**

Claim(s): 55-04010

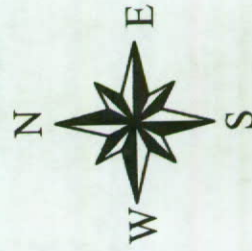
Owner(s): SIMPLOT

Prepared by: Ron Howerton

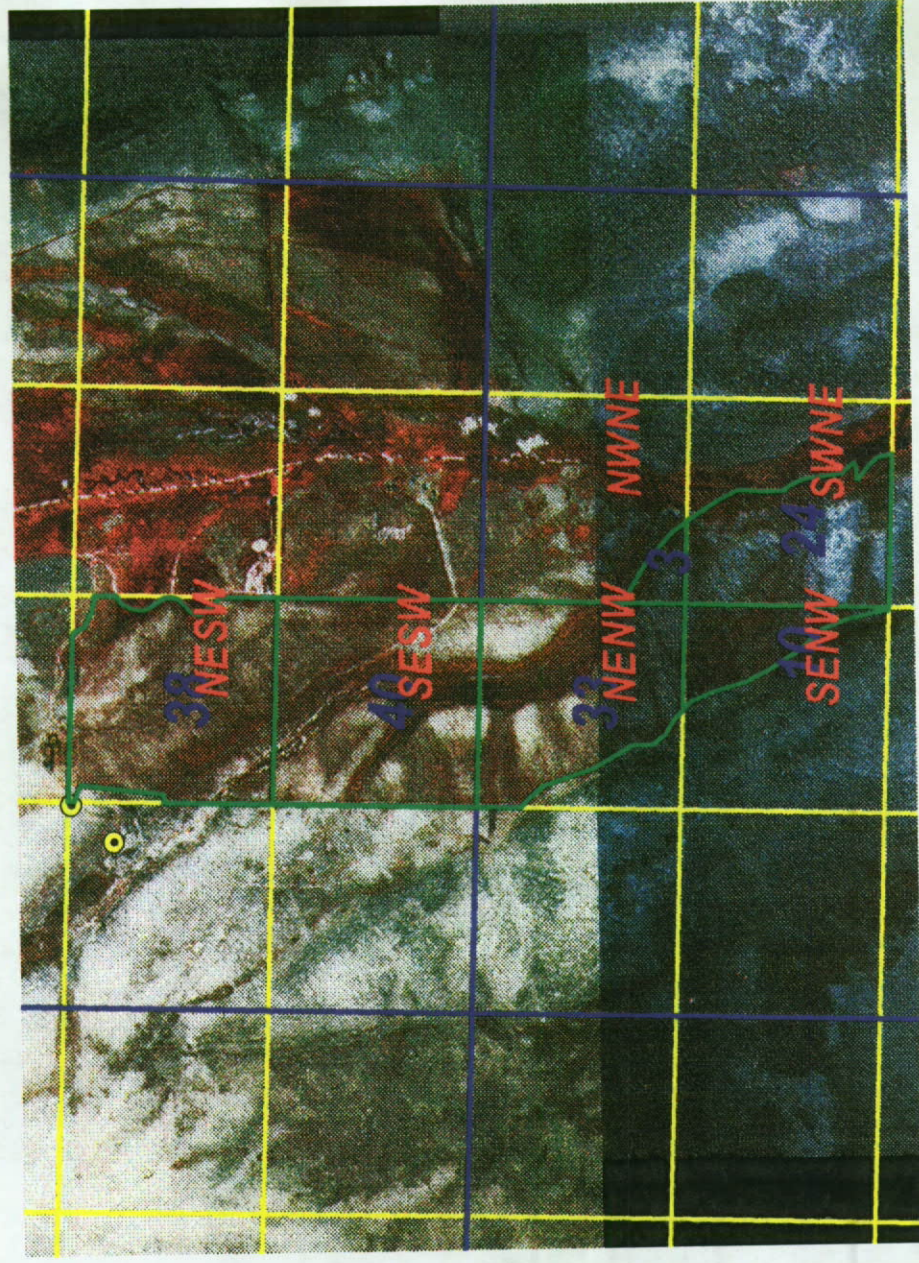
Date: 18 Feb 98

Total Acres: 148

T10S, R01W, S10 & S15



1987 NAPP



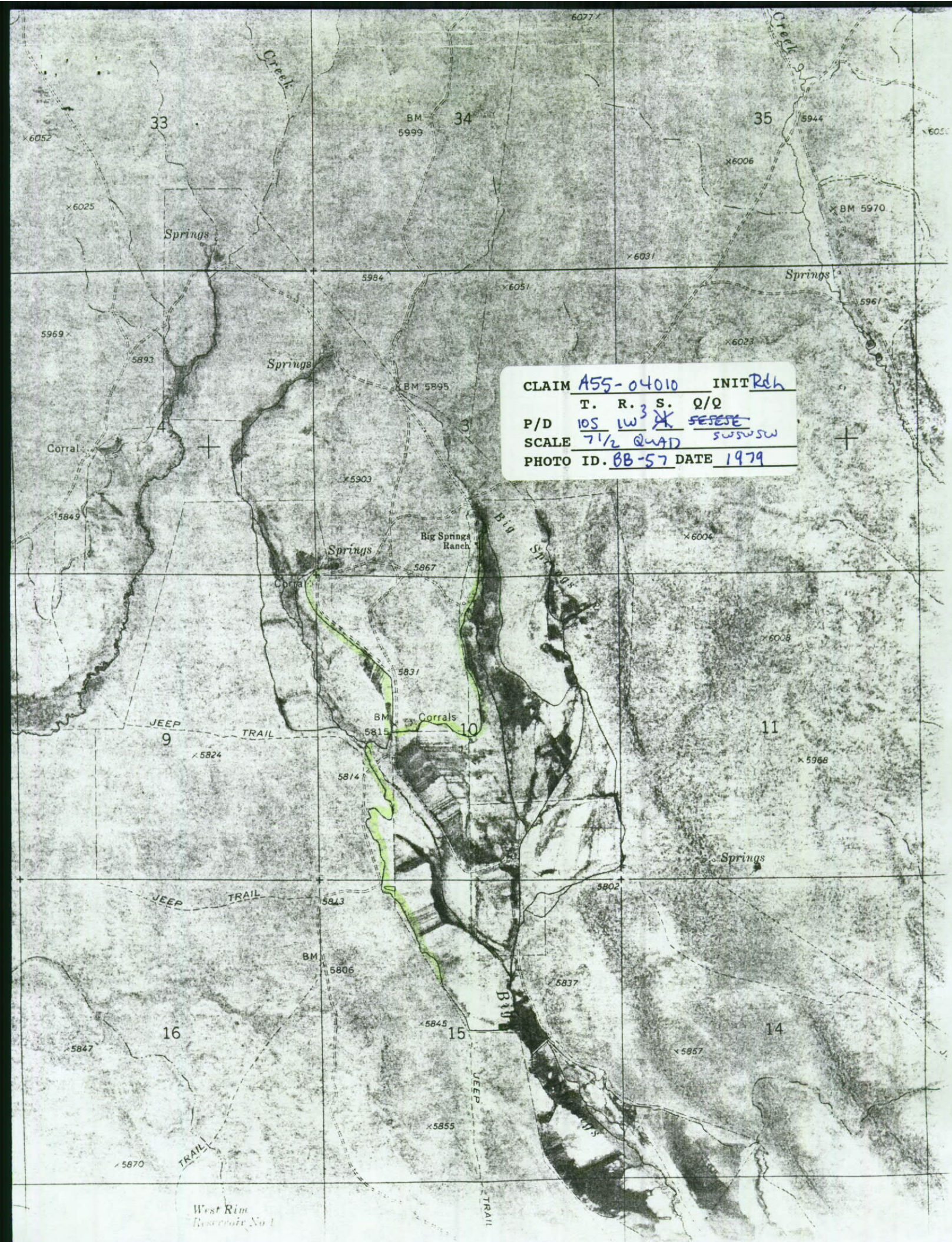
A55- 04010

SYSTEM DIAGRAM

1979
ORTHO

BB-57







ASS-04008,
CLAIM 4010 & 4011 INIT Rdh
T. R. S. Q/Q
P/D SEE FILES
SCALE 1/100,000 ENLARGED 300%
PHOTO ID. BLM DATE TRIANGLE
1978

PICTURE # 1

Photo's By
RDH

11/61/93

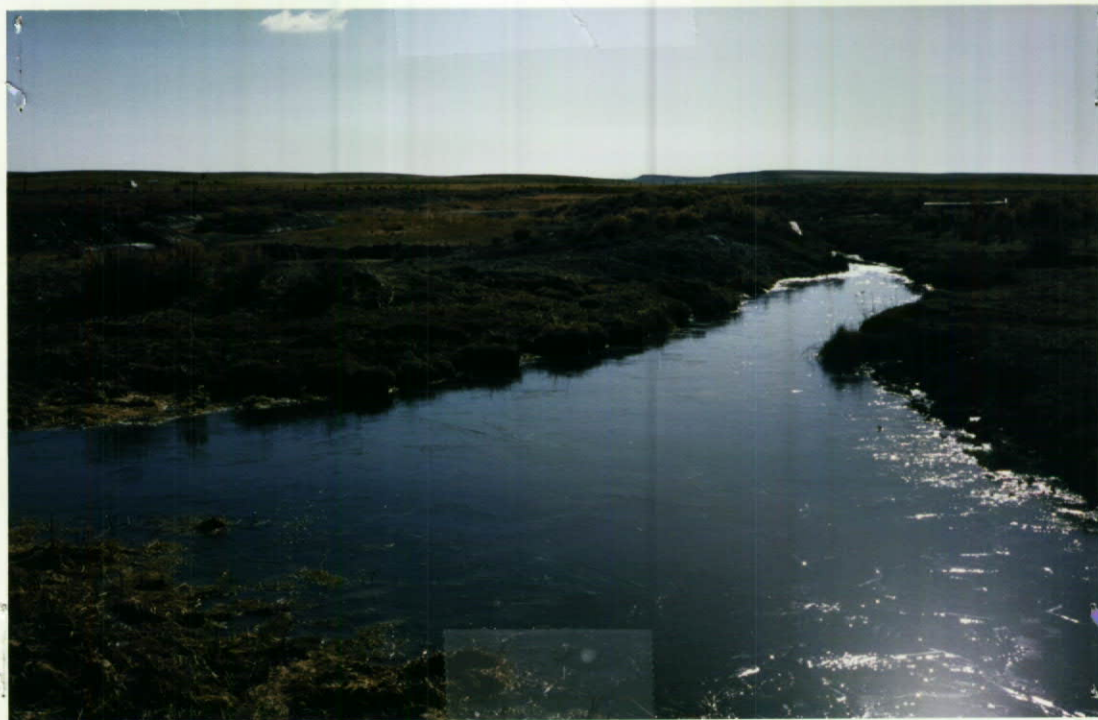
A55-04010

P/D # 1 The photo shows the source locally known as West Springs, the ditch is diverted from the natural channel locally known as West Springs Creek. The natural channel is to the left of photo and the ditch is flowing to the right, located in the SESE, S4, T10S, R1W. This P/D was not claimed, 1979 photo shows this diversion. See photo 3 for additional information.



PICTURE # 2

This is P/D #2 from West Springs Creek located in the NWSW S10, T10S, R1W.

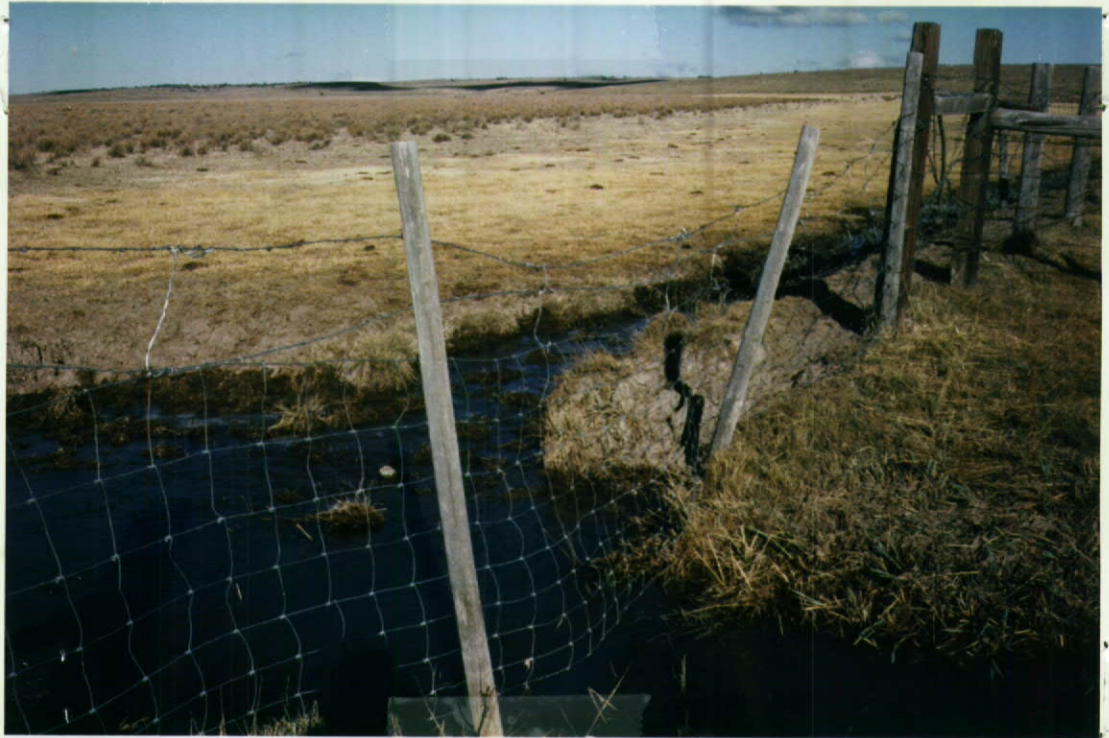


PICTURE # 3

A55-04010

RDH
Photos By
11/01/03

This photo shows where the ditch from P/D #1 from photo #1 flows into and co-mingles with the ditch from P/D #3 from Big Springs West ditch the photo of that P/D is in it's file A55-04011. The water co-mingled here flows down to West Springs Creek, P/D #2. This photo pictured is located near the corrals in the NWSW, S10, T10S, R1W.



PICTURE # 4

This is the POU looking from the NESW, S10, T10S, R1W looking South East.

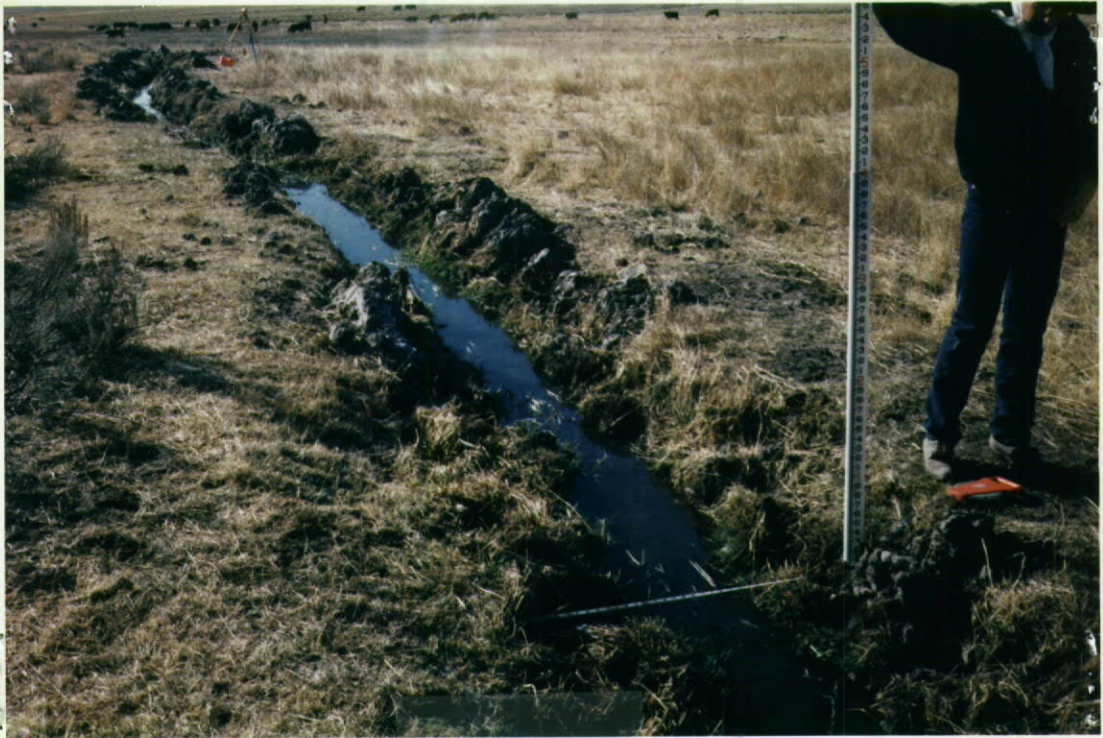


PICTURE # 5

Photo's By
RDH 11/01/93

A55-04010

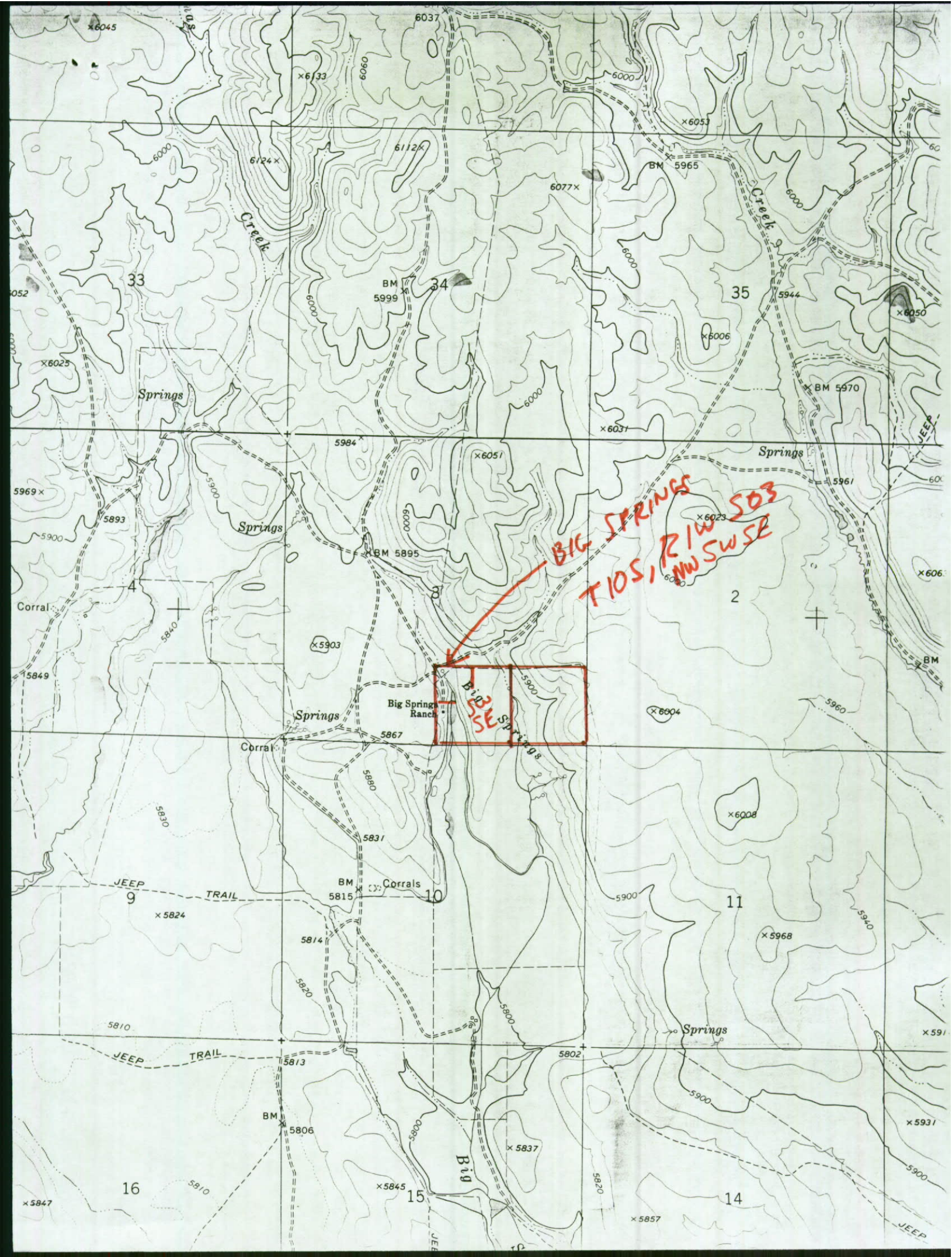
Up-Stream X-Section located about 400 feet down from where the water is diverted from the spring West Springs Creek.



PICTURE # 6

Down-Stream X-Section located 219 feet down from the Up-Stream X-Section.





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: A55-04010
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
BOSIE ID 83707

2. Date of Priority: SEP 21, 1910

3. Source: BIG SPRINGS CREEK Trib. to: BATTLE CREEK
WEST SPRINGS CREEK BATTLE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	01W	3	SW	SE			OWYHEE
		10	NW	SW			OWYHEE

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/01	4.000		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 645.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	01W	3	SE	SW		DOMEST	
		10	NE	SW		IRR	40.0
			NW	SW		IRR	15.0
			SE	SW		IRR	40.0
						Section Acres	95.0
		15	NW	NE		IRR	35.0
			SW	NE		IRR	35.0
			NE	NW		IRR	35.0
			SE	NW		IRR	15.0
						Section Acres	120.0
						Total Acres	215.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:

SOURCES ARE BIG SPRINGS CK. & WEST SPRINGS CK.
DOMESTIC PERIOD OF USE LISTED AS 4/15 TO 10/1.
CLAIM BASED ON LAPSED PERMIT 55-2024.
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: _____

ASS-04010

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.

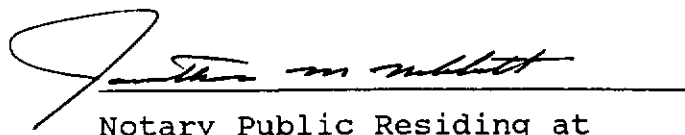
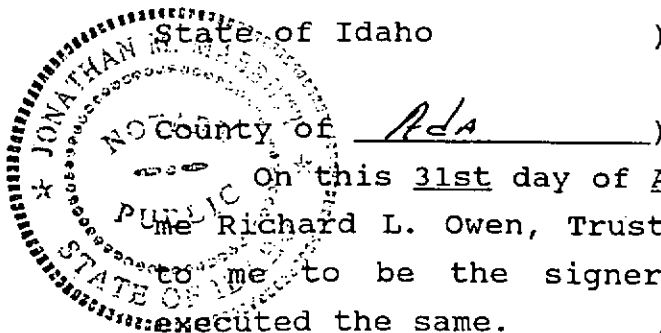
Permit Holder and Applicant



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



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



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

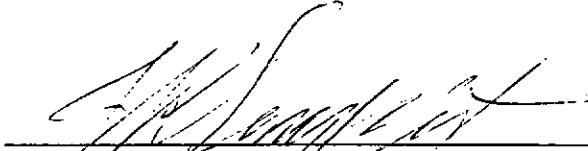
Name and Address of Former Owner/Claimant(s) (Seller): Richard L. Owen, Trustee of the Owen Family Revocable Trust A, Post Office Box 590, Bruneau, Idaho, 83604-0590 and Velma Marie Owen, Successor Trustee of Owen's Ranch Trust Dated May 17, 1967, Post Office Box 590, Bruneau, Idaho 83604-0590.

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.

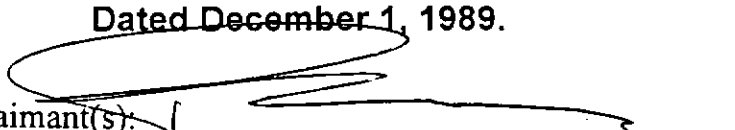
Does the change in ownership result in a splitting of the water right owned/claimed? ____ yes X no

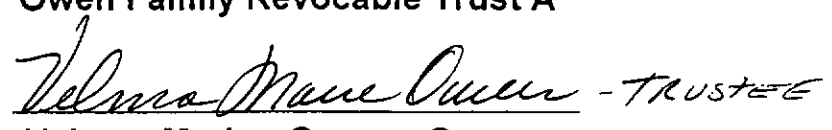
Attach proof of ownership, describe proof attached: See Exhibit A (Warranty Deed)

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

TRUSTEE

THE OWENS RANCH TRUST
DATED MAY 17, 1967

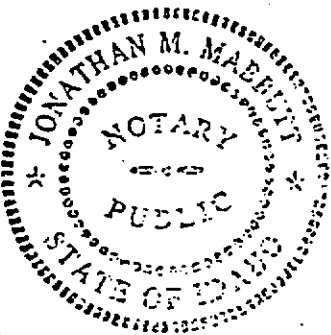
By Velma Marie Owen
Velma Marie Owen, Trustee TROSEE

TRUSEE

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 SE $\frac{1}{4}$ NW $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 22; and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ 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 SE $\frac{1}{4}$ NW $\frac{1}{4}$, 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 *C. J. Shickman*

DEPUTY

RECORDED BY

Dunham Title Co.
RE *639.00*

INDEXED

MICROFILMED

mu *@*

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 990.30 feet) to a point, which is the REAL POINT OF BEGINNING; thence North 89°20'00" West a distance of 300.00 feet; thence North 00°44'43" West a distance of 707.96 feet to a point on the South right of way of County Road; thence South 67°36'28" East along the South right of way of County Road a distance of 450.06 feet; thence South 00°44'43" East a distance of 241.32 feet; thence North 89°20'00" West (formerly south 89°55' West) a distance of 113.98 feet; thence South 00°44'43" East (formerly South) a distance of 300.00 feet to the REAL POINT OF BEGINNING.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PARCEL II:

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

Section 11: SE½SE½
Section 13: NE½NE½
Section 14: N½NE½
Section 33: SE½SE½
Section 34: NW½SE½, NE½SW½, S½S½
Section 35: W½W½, NE½SW½, SE½SW½

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

Section 18: Lot 1, NE½NW½
Section 22: W½NW½, N½SW½

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

Section 11: SE½, W½NE½, SE½NE½
Section 12: S½SW½, S½SE½
Section 13: N½NW½, SE½NW½, E½
Section 14: NE½NE½

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

Section 2: Lots 2 and 3
Section 18: Lot 4, SE½SW½
Section 19: Lots 1 and 2, E½NW½

PARCEL III:

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

Section 23: SE½ SAVING AND EXCEPTING the following described real property to-wit:

A tract of land located in the NW½SE½ and NE½SE½, bounded and described as follows: BEGINNING at the NW corner of NW½SE½, 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 NW½SE½; thence running North a distance of 1165 feet to the POINT OF BEGINNING.

Section 23: S½SW½ and

A tract of land located in the SE½NE½ 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

@ m

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

PARCEL IV:

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

Section 23: E¼SW¼ EXCEPT the following parcel:

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

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

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

Also

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

Continued

PARCEL V:

IN TOWNSHIP 10 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 17: S½SW½
Section 18: S½SE½
Section 19: NE¼, N½SE½
Section 20: NW¼, N½SW½

PARCEL VI:

IN TOWNSHIP 6 SOUTH, RANGE 6 EAST, B.M., OWYHEE COUNTY, IDAHO
Section 19: A portion of Government Lot 4 (SW¼, SW½) more particularly described as follows:

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

Continued

PARCEL VII:

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

Section 3: S½SW½
Section 4: SE½SE½
Section 9: NE½NE½, SE½NE½, NE½SE½
Section 10: W½NW½, NW½SW½, NE½SW½, S½SW½
Section 15: N½NW½

PARCEL VIII:

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

Section 14: SW½SW½
Section 15: S½SE½
Section 22: NE½NE½
Section 23: NW½NW½

PARCEL IX:

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

Section 22: SE½, SE½NE½, S½SW½
Section 23: That portion of NW½SW½ more particularly described as follows:

COMMENCING at the NW corner of NW½SW½, 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 NE½NE½ 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 NE½NE½, Sec. 27; thence South 0°14' West along the West sideline of NE½NE½, Sec. 27, a distance of 788.5 feet; thence North 80°41' East a distance of 1291.2 feet; thence North 64°18' East a distance of 53.9 feet to a point on the section line between said Sections 26 and 27; thence North 0°17' East on the Section line between Sections 26 and 27, a distance of 535 feet to the POINT OF BEGINNING.

Continued

PARCEL X:

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

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

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

PARCEL XI:

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

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

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

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

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

EXCEPT THE FOLLOWING PARCEL OF LAND:

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

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

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

Continued

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

AND ALSO,

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

Section 30: Lots 1 and 2, SE½NW½

PARCEL XII:

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

Section 10: SW½SE½

Section 14: SW½NW½, NW½SW½

Section 15: SE½NE½, W½NE½, S½NW½, N½SE½

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

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

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

Continued

PARCEL XIII:

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

PARCEL XIV:

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

PARCEL XV:

IN TOWNSHIP 7 SOUTH, RANGE 6 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 26: W $\frac{1}{2}$ NW $\frac{1}{2}$ 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 $\frac{1}{2}$ SW $\frac{1}{2}$ and NE $\frac{1}{2}$ SW $\frac{1}{2}$
Section 34: E $\frac{1}{2}$ SE $\frac{1}{2}$
Section 35: W $\frac{1}{2}$ W $\frac{1}{2}$

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	

no 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: A55-04010
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: SEP 21, 1910

3. Source: BIG SPRINGS CREEK Trib. to: BATTLE CREEK
WEST SPRINGS CREEK BATTLE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	01W	3	SW	SE			OWYHEE
		10	NW	SW			OWYHEE

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/01	4.000		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 645.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME

MICROFILMED
SEP 29 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10S	01W	3	SE		SW		DOMEST	
		10	NE		SW		IRR	40.0
			NW		SW		IRR	15.0
			SE		SW		IRR	40.0
							Section Acres	95.0
		15	NW		NE		IRR	35.0
			SW		NE		IRR	35.0
			NE		NW		IRR	35.0
			SE		NW		IRR	15.0
							Section Acres	120.0
							Total Acres	215.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:
SOURCES ARE BIG SPRINGS CK. & WEST SPRINGS CK.
DOMESTIC PERIOD OF USE LISTED AS 4/15 TO 10/1.
CLAIM BASED ON LAPSED PERMIT 55-2024.

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: _____

MICROFILMED
SEP 29 1992

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 _____

MICROFILMED

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

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

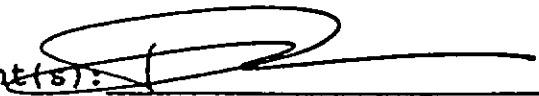
- [] Signature of New Claimant(s): 
Richard L. Owen, Trustee
Owen Family Revocable Trust A Established August 30, 1966. as Amended
and Restated October 12, 1988
Date 24 Sept 91

Revised 01/91

(Over Please)

CHANGE IN OWNERSHIP

[] Signature of Former Claimant(s):


Richard L. Owen

Date:

24 Sept. 91

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

For IDWR use only:

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

Claim Numbers of Split, if any: _____

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

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

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

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

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

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

SCHEDULE A

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

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A55-04010
Date Received: 1/19/1989
Receipt No: W002025
Received By: Dr. J. H.

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: SEP 21, 1910

3. Source: BIG SPRINGS CREEK Trib. to: BATTLE CREEK
WEST SPRINGS CREEK BATTLE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	01W	3	SW	SE			OWYHEE
		10	NW	SW			OWYHEE

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/01	4.000		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 645.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	01W	3	SE	SW		DOMEST	

A55-04010

Page 1

Date: 02/27/91

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SEP 29 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	01W	10	NE	SW		IRR	40.0
			NW	SW		IRR	15.0
			SE	SW		IRR	40.0
			Section Acres				95.0
		15	NW	NE		IRR	35.0
			SW	NE		IRR	35.0
			NE	NW		IRR	35.0
			SE	NW		IRR	15.0
			Section Acres				120.0
			Total Acres				215.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:
SOURCES ARE BIG SPRINGS CK. & WEST SPRINGS CK.
DOMESTIC PERIOD OF USE LISTED AS 4/15 TO 10/1.
CLAIM BASED ON LAPSED PERMIT 55-2024.

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

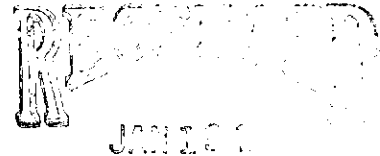
CIVIL CASE NUMBER: 39576

Ident. Number ASS-04010

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) September 21, 1910

3. Source of water supply (a) Big Springs Creek/West Springs Creek
which is tributary to (b) Battle Creek

4. a. Location of existing point of diversion is: Township 10S Range 01W Section 3,
1/4 of SW 1/4 of SE 1/4, Govt. Lot, B.M., County of Owyhee

Additional points of diversion if any: T.10S., R.01W., Sec. 10, NW $\frac{1}{4}$, SW $\frac{1}{4}$

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Ditches

MICROFILMED

SEP 29 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

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

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

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

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

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 04/15 to 10/01 amount 4.000 or _____

For Domestic purposes from 1/1 to 12/31 amount 0.020 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.000 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 645.00 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1 household

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	
10S	01W	10									40.0	15.0		40.0					95.0
		15		35.0	35.0		35.0			15.0									120.0
		3												D					

Total number of acres irrigated 215.0

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: Sources are Big Springs Creek & West Springs Creek

Domestic period of use listed as 4/15 to 10/1

Claim based on lapsed permit 55-2024

Last Name Owen Ident No. _____

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

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

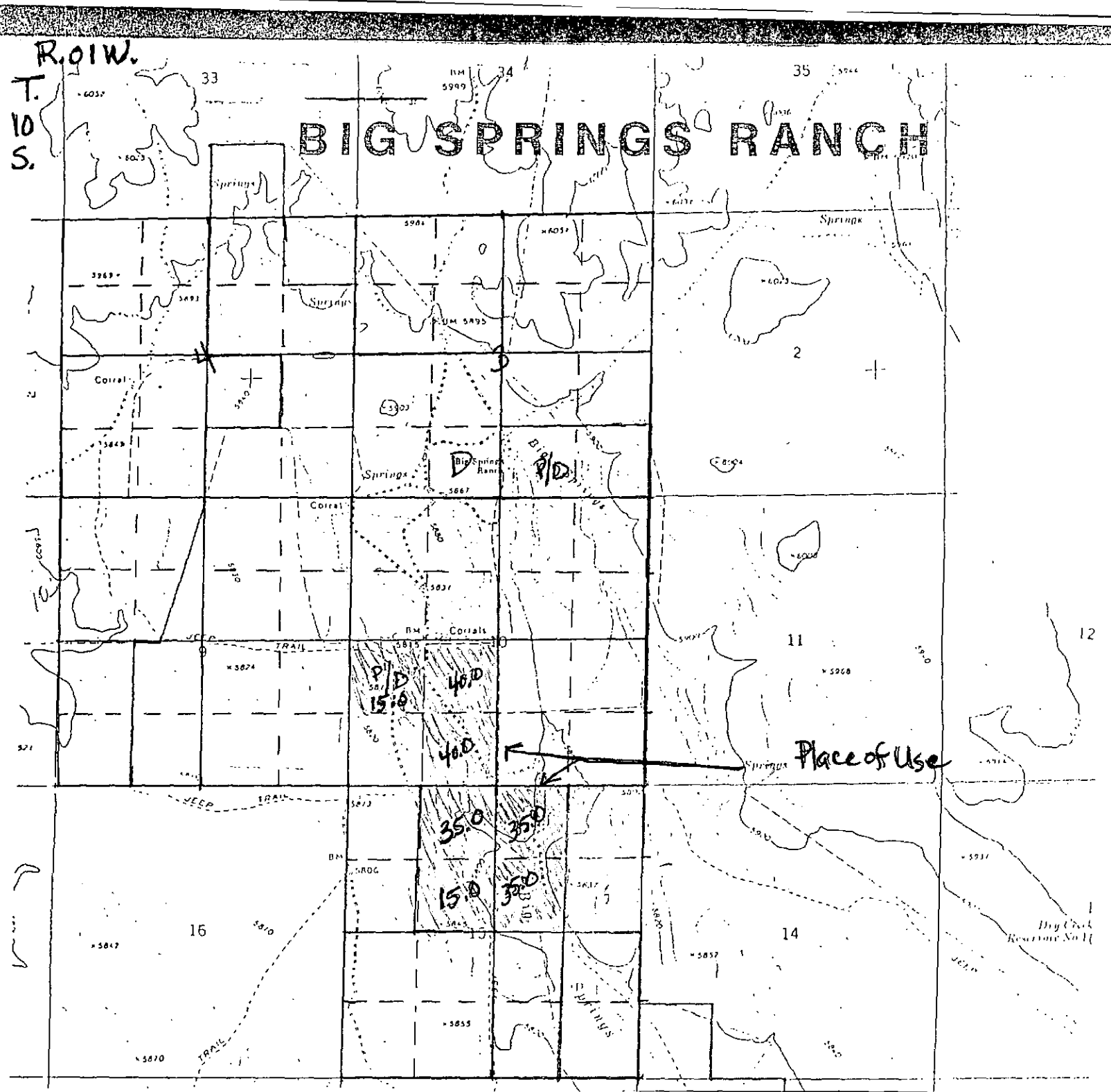
If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water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

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

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

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



15. Basis of Claim (check one) Beneficial Use x Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 55-4010
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Number of attachments 0

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

Signature of Claimant (s) [Signature] Date 1/17/89

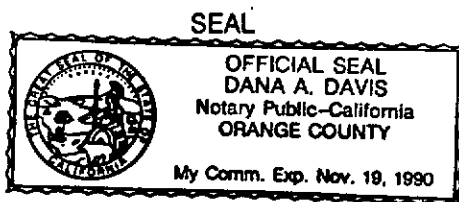
Date _____

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 [Signature]
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 - 55-04010

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 State- CA Zip- 93257
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
09/21/1910 14 S - STATUTORY CLAIM

+ - - Source - - - - - + + - - - - Tributary - - - - - +
BIG SPRINGS CREEK
WEST SPRINGS CREEK

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +
Twn Rng Sec Tract Lot Rflg County

10S 01W 3 SW SE (73) OWYHEE 272.0 313.0 249.0 4.0 15.1
10S 01W 15 NW SW (73) OWYHEE 272.0 313.0 249.0 4.0 1.1

+ - - - - - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume - - - - - +
Code Description Period From Period To 04/15 10/01 4.000
01 - IRRIGATION
43 - DOMESTIC

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
4.000

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Description | County |
|-----|-----|-----|-------|------|-------|--------------|-------------|-------------|
| 10S | 01W | 10 | NE SW | 40.0 | 01 | IRRIGATION | (73) OWYHEE | (73) OWYHEE |
| 10S | 01W | 10 | SE SW | 40.0 | 01 | IRRIGATION | (73) OWYHEE | (73) OWYHEE |
| 10S | 01W | 15 | NW NE | 35.0 | 01 | IRRIGATION | (73) OWYHEE | (73) OWYHEE |
| 10S | 01W | 15 | SW NE | 35.0 | 01 | IRRIGATION | (73) OWYHEE | (73) OWYHEE |
| 10S | 01W | 15 | NE NW | 35.0 | 01 | IRRIGATION | (73) OWYHEE | (73) OWYHEE |
| 10S | 01W | 15 | SE NW | 15.0 | 01 | IRRIGATION | (73) OWYHEE | (73) OWYHEE |

Total Acres: 200.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - - - Remarks - - - - - +
SOURCES ARE BIG SPRINGS CK. & WEST SPRINGS CK.
DOMESTIC PERIOD OF USE LISTED AS 4/15 TO 10/1.

Microfilm Roll Number -

SEP 29 1992

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

OWEN

CLAIM IDENT. NO.

A55-04010

DATE RECEIVED

1-19-89

CK #

658

AMOUNT \$

50 + 165 = 215.00

Required

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

\$ 215.00

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SEP 29 1992

23. Should this claim be receipted and data entered?

YES

NO



9

Claim checked by: _____

Date: _____

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: _____

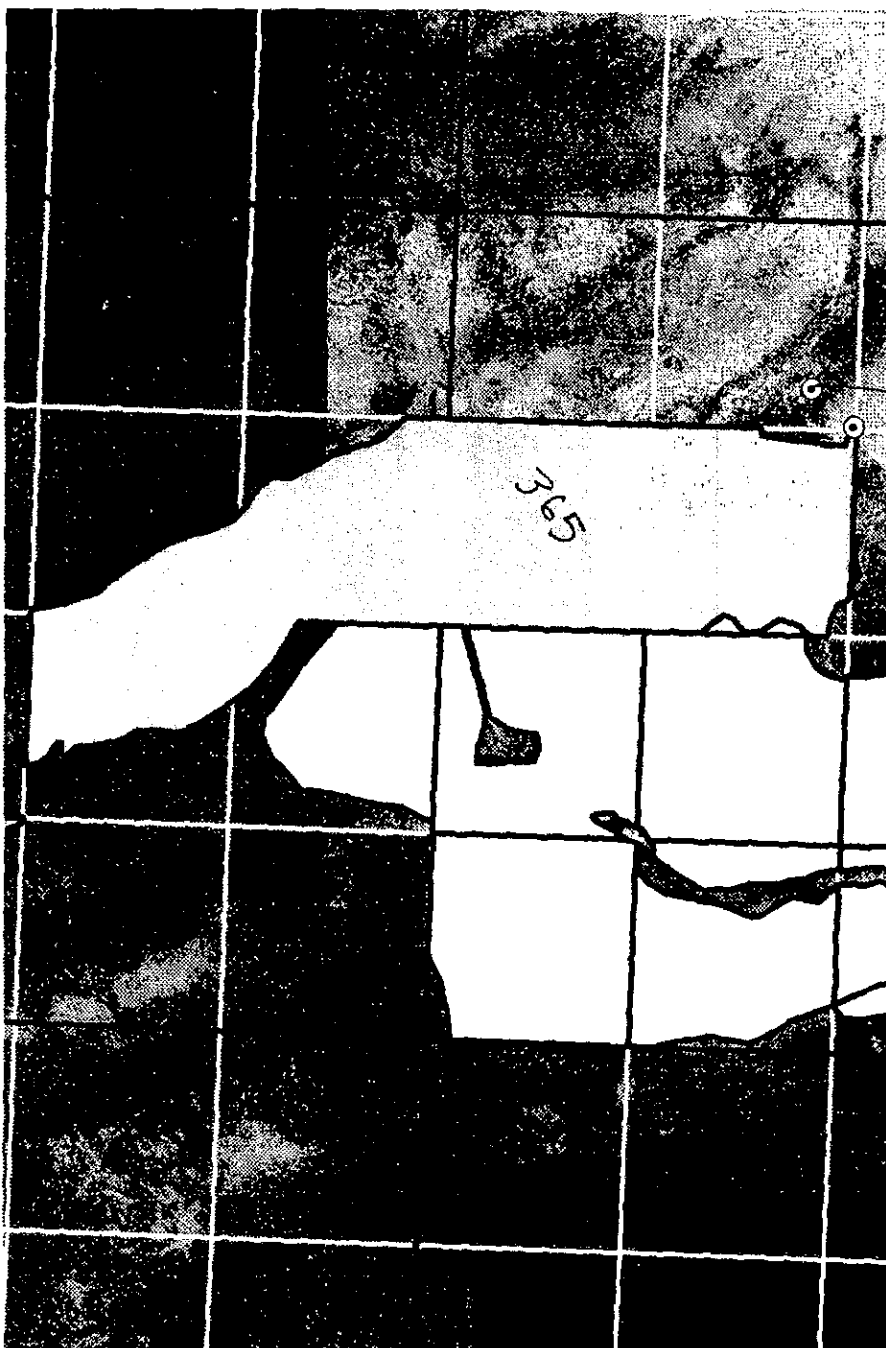
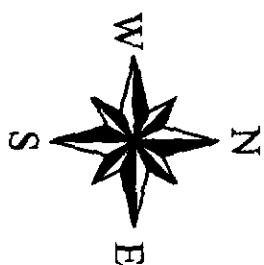
Date: _____

Comments: _____

EXPANDED ACRES, NOTIFY OWEN THAT

THIS CLAIM WILL NEED TO BE AMENDED -

CLAIMS: 4610
 OWNER: Symplot



172, 173, 174
 Ron2-pod.shp
 Ron-pou.shp
 10s01w.dxf
 P10s01w.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

OK


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

CORPORATE HEADQUARTERS

March 26, 1998

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

RECEIVED

MAR 27 1998

WATER RESOURCES
WESTERN REGION

Re: Extension of Time to Respond to Preliminary Recommendation.

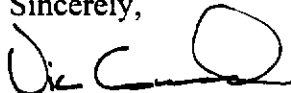
Dear Jan:

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

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

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

Sincerely,



Vic Conrad
Simplot Land and Development

c: F. Bachman
S. Ysursa

DATE: 04/24/98
PAGE: 1

1

DIVERSION
VOLUME

2.96 CFS

Stage: BENEFICIAL USE

OWYHEE County
OWYHEE County

35

FS

Conditions of Approval:

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.

POSSIBLE ALTERNATIVE PERIOD OF USE 04/15 10/15

SEE EXPLANATORY MATERIAL BELOW.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR

AJ0749NP
No. R55-04010

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

DATE: 04/24/98
PAGE: 2

Conditions of Approval:

- DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N12 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
- NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 55-04011 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.66 CFS.

PQU1 USE OF THIS RIGHT WITH RIGHT NO. 55-04011 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 383 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP RIGHT NO. 55-04011 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED AS: T10S, R01W, S03, NWSWE.
UNNAMED STREAM SOURCE IS ALSO KNOWN AS WEST SPRINGS CREEK.
SPRINGS SOURCE IS ALSO KNOWN AS WEST SPRINGS.

Dates: Exam Made Date: Verified Date: 04/24/1998 Objection Filed Date:

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

CLAIM NO. 55 - 04010

**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)

DOMESTIC from 01/01 to 12/31 102 cfs _____ af
from _____ to _____ _____ cfs _____ af
from _____ to _____ _____ cfs _____ af

7. ☒ PLACE OF USE - No change

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

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

REMARKS ADDED DOMESTIC USE, NO CHG TO IRRIG
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: **55-04010**

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):

Purpose: Irrigation

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

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

Purpose: Irrigation and Domestic

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

The Domestic use originally claimed was inadvertently omitted from the recommendation. Before reporting this water right to the SRBA Court the Director needs to add the Domestic use to this water right as it was originally claimed.

_____ 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
Ronald N. Graves, Attorney-in-fact

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



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

CORPORATE HEADQUARTERS

April 15, 1998

HAND DELIVERY

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

RECEIVED
APR 15 1998
WATER RESOURCES
WESTERN REGION

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

Dear Jan:

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

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

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

A55-13688 A55-13686

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

Sincerely,

Vic Conrad
Simplot Land and Development

Enclosures

c: F. Bachman
 S. Ysursa

IDAHO DEPARTMENT OF WATER RESOURCES

◎ Point of Diversion

□ Place of Use

∧ Section Lines

1/4 1/4 Lines

Claim(s): 55-04010

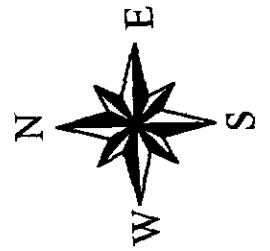
Owner(s): SIMPLOT

Prepared by: Ron Howerton

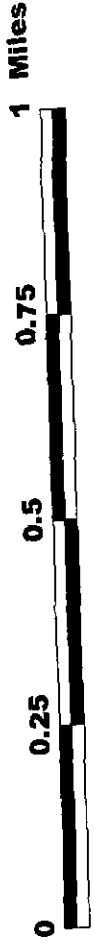
Date: 18 Feb 98

Total Acres: 148

T10S, R01W, S10 & S15



1987 NAPP



AJ0749NP
No. R55-04010

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

DATE: 01/12/98
PAGE: 1

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE DIVERSION RATE DIVERSION VOLUME
C J R SIMPLOT SELF DECLARATION REVOC TRUST 09/21/1910 IRRIGATION 03-15 10-15 2.96 CFS 2.96 CFS
J R SIMPLOT AS TRUSTEE
ATTN RONALD N GRAVES
PO BOX 27
801SE ID 83707
(208) 336-2110
TOTAL DIVERSION: 2.96 CFS

Water Source: BIG SPRINGS UNNAMED STREAM SPRINGS
Tributary to: BIG SPRINGS CREEK
BIG SPRINGS CREEK
BIG SPRINGS CREEK
Stage: BENEFICIAL USE

Point(s) of Diversion: T10S R01W S03 NWSWE 503
S10 SESE SWSW SW
NENSW

| Place of use Legal Description for: IRRIGATION | | | | | | | | | |
|--|--|--|--|--|-------------------------|--|--|--|--|
| NE | | | | | SW | | | | |
| NENE NUNE SUNE SENE | | | | | NENW NUNW SWNW SENW | | | | |
| Lt Ac Lt Ac Lt Ac Lt Ac | | | | | Lt Ac Lt Ac Lt Ac Lt Ac | | | | |
| T R S | | | | | NESE NWSE SUSE SESE | | | | |
| SUM | | | | | Lt Ac Lt Ac Lt Ac Lt Ac | | | | |
| 10S 01W 10 | | | | | SUM | | | | |
| 10S 01W 15 | | | | | TOTAL ACRES | | | | |
| 3.82 24 | | | | | 75.0 | | | | |
| 3.82 | | | | | 148.0 | | | | |

POU County: Owyhee
Other Rights: 55-04011

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 55-04011 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.56 CFS.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 55-04011 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 378 ACRES IN A SINGLE IRRIGATION SEASON. 383

EXP RIGHT NO. 55-04011 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED AS: T10S, R01W, S03, NWSWE. UNNAMED STREAM SOURCE IS ALSO KNOWN AS WEST SPRINGS CREEK. SPRINGS SOURCE IS ALSO KNOWN AS WEST SPRINGS.

Dates: Exam Made Date: Verified Date: 01/12/1998 Objection Filed Date:

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

PER GIS
MAP 98
18 Feb

AJ0749NP
No. R55-04010

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

DATE: 01/12/98
PAGE: 2

Comments: Date: 01/09/1998 User-ID: RHOMERTO Subject: COPIED FROM REMARKS
CLAIM BASED ON LAPSED PERMIT 55-2024.

Date: 01/12/1998 User-ID: RHOMERTO Subject: DOMESTIC
NO DOMESTIC USE FOUND.

Audit: 01/12/98 RHOMERTO

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. ASS-04010

| 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* | Y | Rel 11/01/93 | REPORT | N | N | | |
| PT. OF DIV. | | | 5 | Y | | | |
| SOURCE | | | 5 | Y | | | |
| PL. OF USE | | | 5 | Y | | | |
| DIV. AMOUNT
CFS/AF | | | 5 | Y | | | |
| CONSUMPTIVE
USE | | | NA | NA | | | |
| NATURE OF
USE | | | 5 | N | | | |
| PERIOD OF
USE | | | DEPT STAND | | | | |
| BASIS OF
CLAIM | | | 5 | N | | | |
| REMARKS | | | | | | | |

VERIFICATION CODES

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

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

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

COMMENTS: ASCS MAP IN FILE ASS-04008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:57:48
03/06/92

CLAIM NUMBER: A55-04010

PAGE: 1
GENERAL INFORMATION

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

OWNER CODE: 0

FIRST: RICHARD L.

STATE: ID ZIP: 83604

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

OWNER CODE: 0

FIRST: JOHN LESTER

STATE: CA ZIP: 93257

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

OWNER CODE: A

FIRST: SCOTT L.

STATE: ID ZIP: 837011539

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

OWNER CODE: C

FIRST:

STATE: ID ZIP: 83604

FIELD EXAM REQUIRED?

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

CLAIM REMARKS: SOURCES ARE BIG SPRINGS CK. & WEST SPRINGS CK.
DOMESTIC PERIOD OF USE LISTED AS 4/15 TO 10/1.
CLAIM BASED ON LAPSED PERMIT 55-2024.

JP. Simple Plot

CONTACT PERSON: Scott Campbell

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 11/01/93APPOINTMENT MADE: Y (S) N ()

TIME: - : - A () P ()

ACCOMPANIED BY: LYN KRESS

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: MARRIAGE

DIRECTIONS TO PROPERTY / REMARKS:

SEE CITY MAP

A. AJ CLAIM: # A55-04010 PRIORITY DATE: 09-21-1910 STAGE: J

B. WR RECORD: # 55-04010 PRIORITY DATE: 09-21-1910 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

N

FIELD EXAMINER

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

IF YES EXPLAIN.

REMARKS: AFFIDAVIT - PG 3 ALBERT BLACK

RECOMMENDED PRIORITY DATE:

09-21-1910

REVIEWED BY Rch

DATE 1/12/98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A55-04010 | 10S | 01W | 3 | | SW | SE | | OWYHEE |
| A55-04010 | 10S | 01W | 10 | | NW | SW | | OWYHEE |

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
A55-04011
A55-10144

WR RECORDS IN SAME 40 ACRE TRACT
55-04011

SOURCE: BIG SPRINGS CREEK
WEST SPRINGS CREEK

TRIB: BATTLE CREEK
BATTLE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 55-04010 | 10S | 01W | 3 | | SW | SE | | OWYHEE |
| 55-04010 | 10S | 01W | 15 | | NW | SW | | OWYHEE |

OTHER WR RECORDS WITH SAME WR POD

55-04011

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX
R PREFIX

A55-04011
A55-10144
R55-10144

SOURCE: BIG SPRINGS CREEK
WEST SPRINGS CREEK

TRIB: BATTLE CREEK
BATTLE CREEK

C. FIELD EXAM REQUIRED?

| FIELD EXAMINER | DUE TO POD DISCREPANCY? (Y/N) | DUE TO SOURCE DISCREPANCY? (Y/N) | DATABASE |
|----------------|-------------------------------|----------------------------------|----------|
| <u>PSK</u> | Y | N | |

REMARKS:

| RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: | | 1/4 | 1/4 | LOT | COUNTY |
|---|------|------|-----|-----|--------|
| TMP. | RGE. | SEC. | | | |
| --- | --- | --- | --- | --- | Day |
| --- | --- | --- | --- | --- | |
| --- | --- | --- | --- | --- | |

SOURCE: BIG-SPRINGS-CREEK
 TRIB: BATTLE-CREEK
 REVIEWED BY: RLn
 DATE: 1/12/98

- SOURCE(S)
- BIG SPRINGS
- UNNAMED STREAM
- SPRINGS
- BIG SPRINGS CREEK

TRIB

T10 S R1W S3 NW SW SE (BIG SP)
 S3 SW SW SW S04 SE SE SE (AKA WEST SPRINGS) SPRINGS
 S10 NE NW SW AKA (WEST SPRINGS) UNNAMED STREAM
 CR

SYSTEM DIAGRAM

SEE ORTHO LABELED

SYS DIAC

£

ASCS MAP IN 4008

GENERAL HIGHWAY MAP OWYHEE COUNTY IDAHO

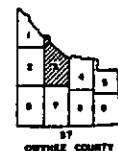
FIELD DATA COLLECTED MARCH, 1978

| REVISIONS |
|------------------------|
| 1. ADDED NEW HIGHWAYS |
| 2. ADDED NEW TOWNS |
| 3. ADDED NEW RIVERS |
| 4. ADDED NEW LAKE |
| 5. ADDED NEW MOUNTAINS |
| 6. ADDED NEW CITIES |
| 7. ADDED NEW COUNTIES |
| 8. ADDED NEW STATES |
| 9. ADDED NEW COUNTRIES |
| 10. ADDED NEW PLANETS |

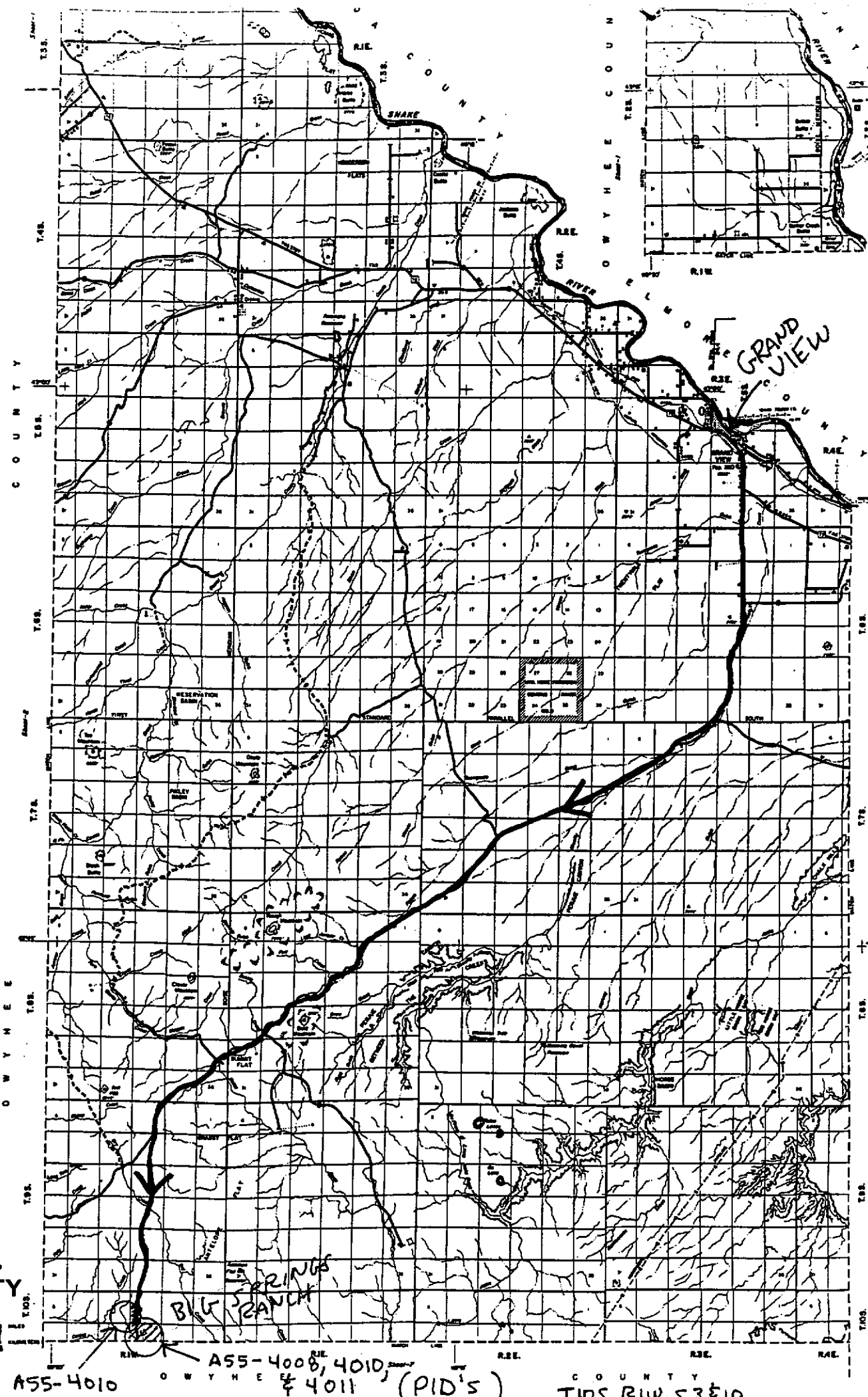
A55-4010

A55-4008, 4010, 4011 (PID'S)

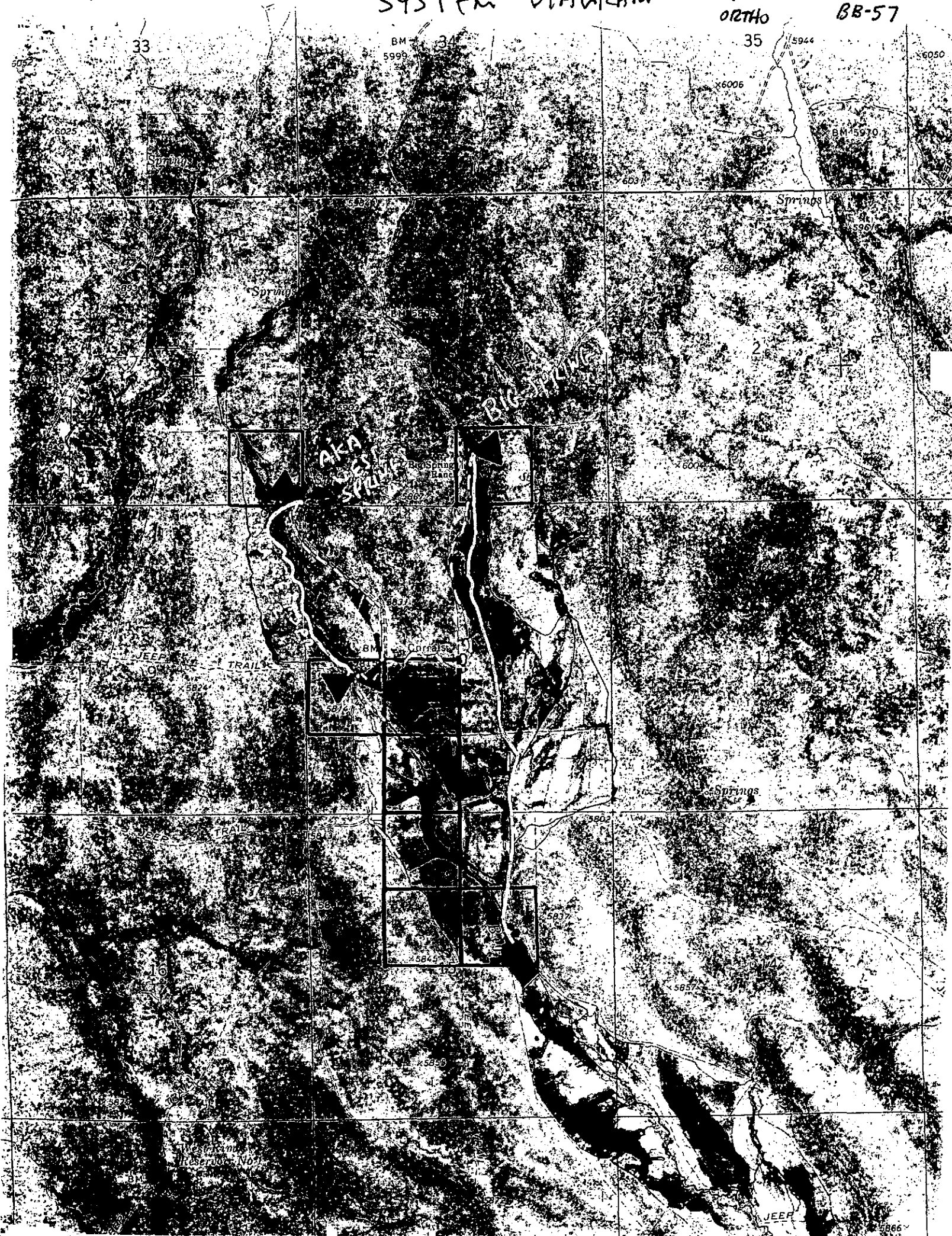
COUNTY T10S, R1W, S3E10

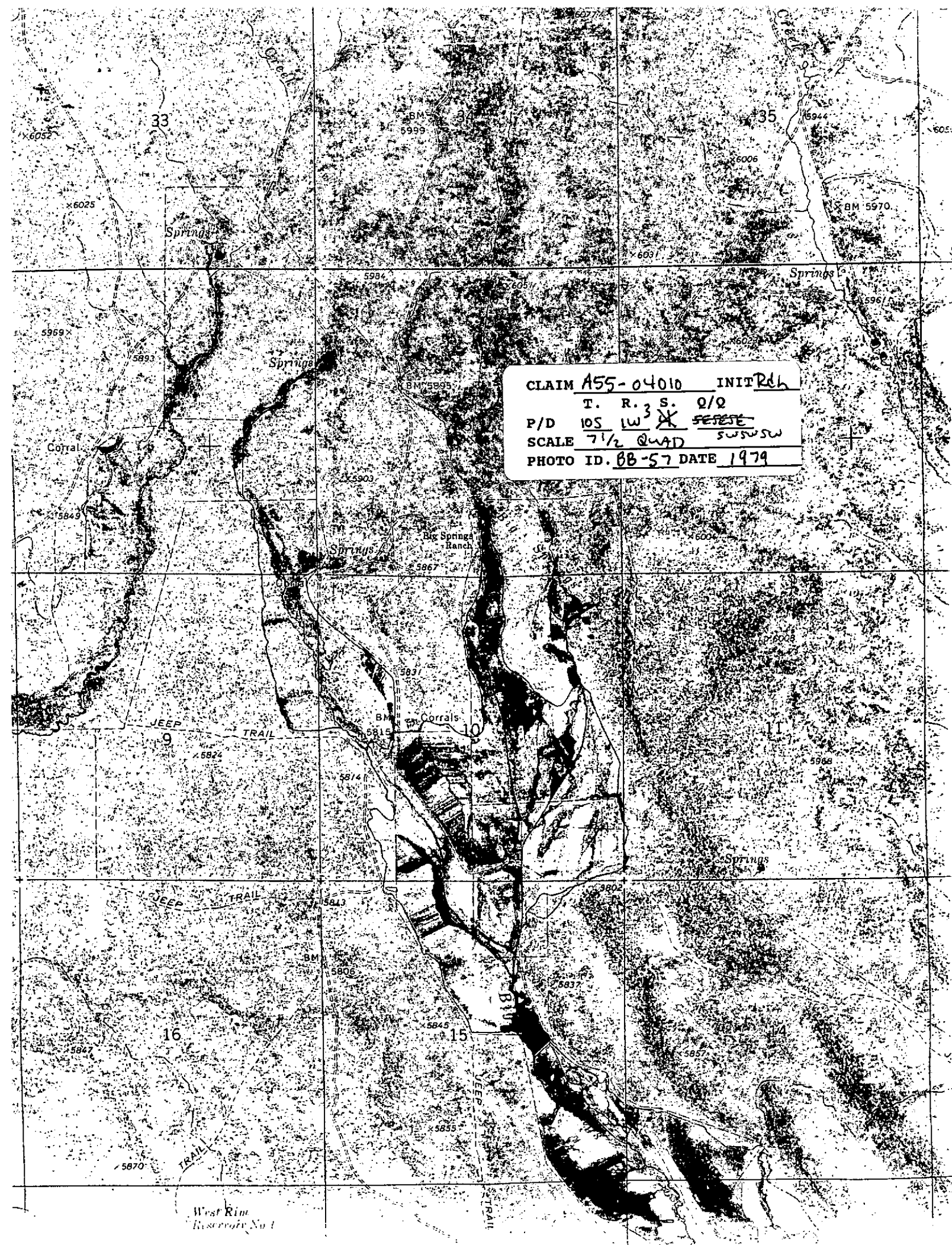


OWYHEE COUNTY

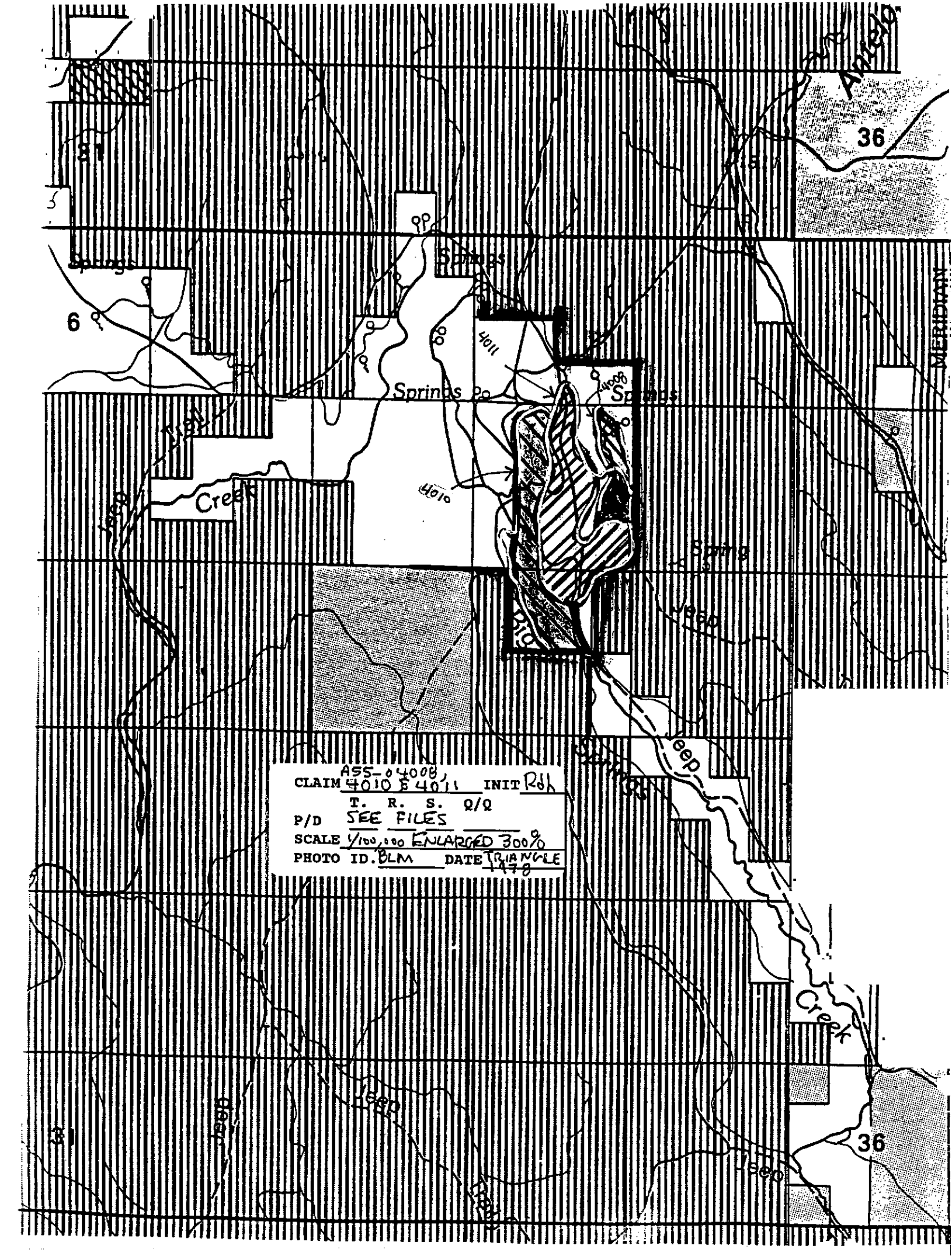


BB-57





ASS-04008,
CLAIM 4010 & 4011 INIT Rch
T. R. S. Q/Q
P/D SEE FILES
SCALE 1/100,000 ENLARGED 300%
PHOTO ID. BLM DATE 1978



A. ROOT WATER RIGHT NUMBERS: A55-04010

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|--------------------|-----------------|----------------|-----------------|----------------|------------------|
| 10S | 01W | 3 | SE | SW | | CAMPBELL, SCOTT L. | A55-04010 / | - / | | | |
| 10S | 01W | 10 | NE | SW | | CAMPBELL, SCOTT L. | A55-04010 /40.0 | 55-04010 /40.0 | | | |
| 10S | 01W | 10 | NW | SW | | CAMPBELL, SCOTT L. | A55-04010 /15.0 | - / | 1.0 | | |
| | | | NW | SW | | CAMPBELL, SCOTT L. | A55-04011 /40.0 | 55-04011 /40.0 | | | |
| | | | NW | SW | | CAMPBELL, SCOTT L. | A55-02061 /10.0 | 55-02061 /10.0 | | | |
| 10S | 01W | 10 | SE | SW | | CAMPBELL, SCOTT L. | A55-04010 /40.0 | 55-04010 /40.0 | 22.0 | | |
| 10S | 01W | 15 | NW | NE | | CAMPBELL, SCOTT L. | A55-04010 /35.0 | 55-04010 /35.0 | 28.0 | | |
| | | | NW | NE | | CAMPBELL, SCOTT L. | A55-04011 /40.0 | 55-04011 /40.0 | | | |
| 10S | 01W | 15 | SW | NE | | CAMPBELL, SCOTT L. | A55-04010 /35.0 | 55-04010 /35.0 | 10.0 | | |
| 10S | 01W | 15 | NE | NW | | CAMPBELL, SCOTT L. | A55-04010 /35.0 | 55-04010 /35.0 | 12.0 | | |
| 10S | 01W | 15 | SE | NW | | CAMPBELL, SCOTT L. | A55-04010 /15.0 | 55-04010 /15.0 | | | |
| TOTAL ACRES | | | | | | A55-04010 | 215.00 | 200.00 | 73.00 | | |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

FIELD EXAMINER

DATABASE
Y

POU COUNTY: OMYHEE

SEE OVER LAP
REVIEW SHT

OVERLAP REVIEW SHEET

| RIGHT
NO | | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|-----------------------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|------------|
| | TNS | RNG | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| A55-04008
TOTAL A | 10S | 1W | 10 | 22 | 4 | | 17 | | | | | | | | | | | | | 43 |
| A55-04011 | 10S | 1W | 3 | | | | | | | | | | | | | | | 6 | | 6 |
| | | | 10 | | 17 | 27 | 9 | 1 | | | | 1 | | | | 33 | 39 | 38 | 39 | 204 |
| | | | 15 | | 25 | | | | | | | | | | | | | | | 25 |
| <u>TOTAL B</u> | | | | | | | | | | | | | | | | | | | | <u>235</u> |
| <u>A+B
TOTALS</u> | | | | 22 | 46 | 27 | 26 | 1 | | | | 1 | | | | 33 | 39 | 44 | 39 | <u>278</u> |

| RIGHT
NO | | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|-------------------------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|------------|
| | TNS | RNG | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| A55-04010 | 10S | 1W | 10 | | | | | | | | | 38 | | | 40 | | | | | 78 |
| | | | 15 | | 3 | 24 | | 33 | | | 10 | | | | | | | | | 70 |
| <u>TOTAL C</u> | | | | | | | | | | | | | | | | | | | | <u>148</u> |
| A55-04011 | 10S | 1W | 3 | | | | | | | | | | | | | | | 6 | | 6 |
| | | | 10 | | 17 | 27 | 9 | 1 | | | | 1 | | | | 33 | 39 | 38 | 39 | 204 |
| | | | 15 | | 25 | | | | | | | | | | | | | | | 25 |
| <u>TOTAL B</u> | | | | | | | | | | | | | | | | | | | | <u>235</u> |
| <u>B+C
TOTALS</u> | | | | | 45 | 51 | 9 | 34 | | | 10 | 39 | | | 40 | 33 | 39 | 44 | 39 | <u>383</u> |
| <u>A+B+C
TOTALS</u> | | | | 22 | 49 | 51 | 26 | 34 | | | 10 | 39 | | | 40 | 33 | 39 | 44 | 39 | 426 |

ACRES CALC. BY RDH:

- * A55-04008 HAS NO OVERLAPS WITH 4010 OR 4011.
- * A55-04010 acres are combined with A55-04011 = 383
- * Total acres for all three rights are 426

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 148
REVIEWED BY: BZH

DATE: 1/12/98

Claim No. 55-4010

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that John Lester Guthrie
(name of claimant)

of 20210 Ave. 176; Porterville, Calif. 93257
(mailing address)

claims a right to the diversion and beneficial use of
ground water or surface water tributary to Battle Creek

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Big Springs Creek and West Springs Creek

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

| | | |
|---------------------|----------------------------|--|
| Amount <u>4 cfs</u> | Use <u>Ir. & Dom.</u> | Period of Use: From <u>4/15</u> To <u>10/1</u> |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| (cfs, gpm or a/h) | (dom., irri., stock, etc.) | (both dates inclusive) |

(3) Total quantity of water claimed: 4 cubic feet per second, or _____ acre feet per annum, and/or _____ gallon per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) 9-21-1910

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)

SW 1/4 SE 1/4, Sec. 3 Twp. 10S Rge. 1W B.M. County of Owyhee
Additional points of diversion: NW 1/4 SW 1/4, Sec. 15; Twp. 10S.; Rng. 1W.

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Diversion dam and ditches

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T | R | SEC. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | TOTAL |
|-----|----|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 10S | 1W | 10 | | | | | | | | | 40 | | | | | | | | 80 |
| " | " | 15 | | 35 | 35 | | 35 | | 15 | | | | | | | | | | 120 |
| | | | | | | | | | | | | | | | | | | | |
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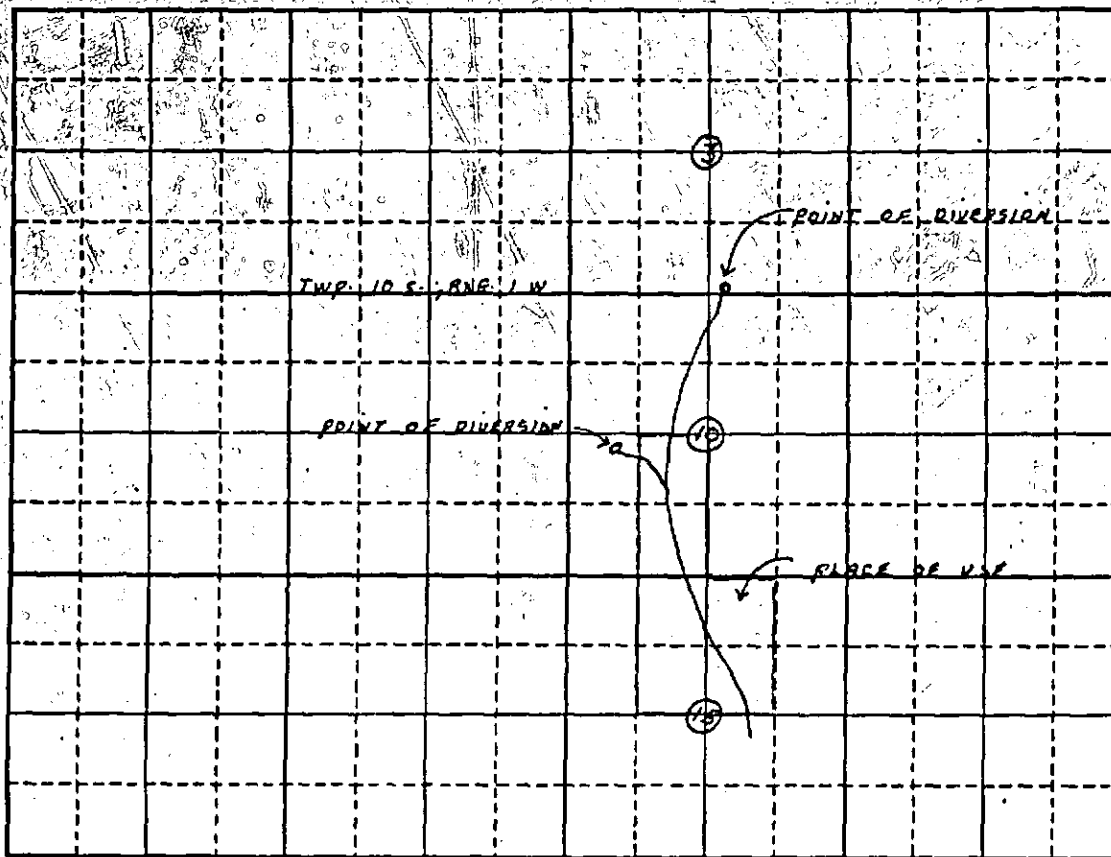
Total No. of acres 200

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

(7) If you are claiming water as a member of an organization, list name of organization:

55-4010

(8) Remarks: The 4 cfe was originally claimed and used under Permit #6650/55-2024 but was never 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 affiants knowledge

Sworn to before me this 15th day of March

John Vester Coitman
(Claimant)

1974

Notary Public

Residing at Boise

My commission expires February 7, 1977

File # 14204

For Department Use Only

Received by

Date 3-15-74

Exception filed by

Forwarded to

Date

Prelim. check by

Date 15 March 74

claimant by

\$10.00 fee received by

Date 3-15-74

Approved for publication by

Published in

Dates 3-28-74 4-4-74

A. AJ CLAIMED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A55-04010 IRRIGATION | FROM 04-15 TO 10-01 | 4.000 CFS |
| A55-04010 DOMESTIC | FROM 01-01 TO 12-31 | .020 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 4.000 CFS |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| 55-04010 IRRIGATION | FROM 04-15 TO 10-01 | 4.000 CFS |
| 55-04010 DOMESTIC | FROM TO | 4.000 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 4.000 CFS |

PRESUMPTION FLAG: PA ga claim

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

REMARKS:

3/15 - 10/15

Y() N(☒)
Y(☒) N() Explain in remarks, below.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? ☒ Y ☐ N ☒ X

AJ TOTAL CLAIMED DIVERSION RATE:

4,000 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE:

4,000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

** If an amount smaller than the original diversion rate is **

** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD

DATABASE EXAMINER

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

peh

B.

FLOW MEASUREMENT

MEASUREMENT METHOD MAPPING, SEE ATTACHED CALCULATIONS.C. ARE OTHER WATER RIGHTS USED? ☒ Y ☐ N ☐ X IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POI AND IRRIGATION USAGE:

| CLAIM NO. | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|--------------------|--------------------|-----------|----------------|-----------|----------------|
| A55-04010 | BIG SPRINGS CREEK | CAMPBELL, SCOTT L. | 4,000 | 0.018 | | |
| A55-02061 | WEST SPRINGS CREEK | CAMPBELL, SCOTT L. | 1,000 | 0.020 | | |
| A55-04011 | CAMAS CREEK | CAMPBELL, SCOTT L. | 8,800 | 0.020 | | |

NO RIGHTS WITH SAME POI BUT NOT USED FOR IRRIGATION

SEE OVERLAP SHEET

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 148 x 0.02 CFS/ACRE = 2.96 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

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

2. IRRIGATION CONSUMPTIVE USE

~~CLAIMED CONSUMPTIVE USE = 645.0 AF/A~~
~~ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =~~
~~TOTAL CONSUMPTIVE USE AF/A~~

3. IRRIGATION DIVERSION VOLUME

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

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

NO DOMESTIC USE FOUND

ADD
REMARKS
QUT E01
P001 E11
EXP B01
F05

ADD TO
COMMENTS

MANNING EQUATION CHANNEL CAPACITY RESULTS

11-01-1993

File Number: A55-04010

Claimant: OWEN RANCHES

Channel measured: AKA WEST SPRINGS CREEK (DITCH)

Date of measurement: 11/01/93

Measurement location:

ABOUT 400' DOWN FROM THE SOURCE SPRING AND DITCH FROM THE NATURAL CHANNEL
ACCOMPANIED BY LYNN KNESS/MANAGER

Calculation prepared by: RON HOWERTON

Comments about the measurement:

THE WATER IS CO-MINGLED NR THE CORRAL WITH BIG SPRINGS WATER THEN FLOWS
BACK INTO THE NATURAL CHANNEL OF WEST SPRINGS CREEK THEN DIVERTED AGAIN
FROM ANOTHER P/D DOWN THE WEST SIDE OF POU

The results of the calculation are:

The length of the channel measured is 219 feet.

The upstream and downstream rod readings are 4.42 and 5.17 feet.

The channel cross section is 1.69 ft-sq.

The wetted perimeter is 4.31 feet.

The hydraulic radius is 0.39 feet.

The slope is 0.0034

The roughness coefficient is 0.0250

The flow velocity is 1.873 ft/sec.

The rate of flow is 3.18 cfs.

CROSS SECTION NUMBER 1

For File Number A55-04010 for the AKA WEST SPRINGS CREEK (DITCH)

| Number | Rod
Reading | Water
Depth | Distance |
|--------|----------------|----------------|----------|
| 1 | 0.00 | 0.00 | 0.00 |
| 2 | 0.35 | 0.35 | 0.50 |
| 3 | 0.25 | 0.25 | 1.00 |
| 4 | 0.50 | 0.50 | 1.50 |
| 5 | 0.70 | 0.70 | 2.00 |
| 6 | 0.75 | 0.75 | 2.50 |
| 7 | 0.20 | 0.20 | 3.00 |
| 8 | 0.40 | 0.40 | 3.50 |
| 9 | 0.00 | 0.00 | 3.80 |

The area for this cross section is 1.53 square feet
and the wetted perimeter is 4.50 feet.

CROSS SECTION NUMBER 2

For File Number A55-04010 for the AKA WEST SPRINGS CREEK (DITCH)

| Number | Rod
Reading | Water
Depth | Distance |
|--------|----------------|----------------|----------|
| 1 | 0.00 | 0.00 | 0.00 |
| 2 | 0.25 | 0.25 | 0.50 |
| 3 | 1.00 | 1.00 | 1.00 |
| 4 | 1.05 | 1.05 | 1.50 |
| 5 | 0.90 | 0.90 | 2.00 |
| 6 | 0.35 | 0.35 | 2.50 |
| 7 | 0.20 | 0.20 | 3.00 |
| 8 | 0.00 | 0.00 | 3.30 |

The area for this cross section is 1.86 square feet
and the wetted perimeter is 4.11 feet.

Claim No(s): A55- 4010Name of Claimant: DWEN ACCOMPANIED BY LYNN KNEISSName of Ditch, Canal, or Stream Name: WEST SPRINGS CREEKDate of Measurement: 11/01/93 1030 Data Collected By: RON HOWERTONMeasurement Location: NW 1/4 NW 1/4 Section 10 T 10 R 1W

General Description and Comments

ABOUT 400' DOWN FROM SPRINGS

Cross-section Data

Basis: High water mark (X) 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>.35</u> | <u>.5</u> | 12. <u>.25</u> | <u>.5</u> |
| 3. <u>.25</u> | <u>1.0</u> | 13. <u>1.0</u> | <u>1.0</u> |
| 4. <u>.5</u> | <u>1.5</u> | 14. <u>1.05</u> | <u>1.5</u> |
| <u>.7</u> | <u>2.0</u> | 15. <u>.9</u> | <u>2.0</u> |
| 6. <u>.75</u> | <u>2.5</u> | 16. <u>.35</u> | <u>2.5</u> |
| 7. <u>.2</u> | <u>3.0</u> | 17. <u>.2</u> | <u>3.0</u> |
| 8. <u>.4</u> | <u>3.5</u> | 18. <u>0</u> | <u>3.3</u> |
| 9. <u>0</u> | <u>3.8</u> | 19. _____ | _____ |
| 10. _____ | _____ | 20. _____ | _____ |

Slope Data

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

Channel length from cross section: Upstream 106 Downstream 113Total channel length used for slope measurement: 219Rod reading at engineers level: NAUpstream rod reading 4.42 - High Water Mark(if taken from channel bottom) _____ = _____Downstream rod reading 5.17 - 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 | ✗ | (1) | negligible | .000 | ✗ | (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 | | | | VEGETATION | | | |
| smooth | .000 | ✗ | (1) | low | .005 | ✗ | (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 | ✗ | (1) | minor | 1.00 | ✗ | (1) |
| occasional | .005 | | (2) | appreciable | 1.15 | | (2) |
| frequent | .010 | | (3) | severe | 1.30 | | (3) |
| | .015 | | (4) | | | | |

MANNING EQUATION CHANNEL CAPACITY RESULTS

10-27-1993

FIELD NOTES
10/27/93

File Number: A55-04010 & A55-04011

Claimant: OWEN RANCHES ACCOMPANIED BY LYNN KNESS/MANAGER

Channel measured: BIG SPRINGS WEST DITCH

Date of measurement: 10/27/93 @ 10:30

Measurement location:

SWSE S03 T10S R1W

Calculation prepared by: RON HOWERTON

Comments about the measurement:

SAME DITCH FOR BOTH CLAIMS ABOVE

ABOUT 200 FT FROM P/D

The results of the calculation are:

The length of the channel measured is 180 feet.

The upstream and downstream rod readings are 4.41 and 7.30 feet.

The channel cross section is 3.76 ft-sq.

The wetted perimeter is 7.89 feet.

The hydraulic radius is 0.48 feet.

The slope is 0.0161

The roughness coefficient is 0.0250

The flow velocity is 4.603 ft/sec.

The rate of flow is 17.29 cfs.

CROSS SECTION NUMBER 1

For File Number A55-04010 & A55-04011 for the BIG SPRINGS WEST DITCH

| Number | Rod
Reading | Water
Depth | Distance |
|--------|----------------|----------------|----------|
| 1 | 0.00 | 0.00 | 0.00 |
| 2 | 0.25 | 0.25 | 1.00 |
| 3 | 0.40 | 0.40 | 2.00 |
| 4 | 0.90 | 0.90 | 3.00 |
| 5 | 0.90 | 0.90 | 4.00 |
| 6 | 0.90 | 0.90 | 5.00 |
| 7 | 0.60 | 0.60 | 6.00 |
| 8 | 0.40 | 0.40 | 7.00 |
| 9 | 0.20 | 0.20 | 8.00 |
| 10 | 0.00 | 0.00 | 8.70 |

The area for this cross section is 4.52 square feet
and the wetted perimeter is 8.97 feet.

CROSS SECTION NUMBER 2

For File Number A55-04010 & A55-04011 for the BIG SPRINGS WEST DITCH

| Number | Rod
Reading | Water
Depth | Distance |
|--------|----------------|----------------|----------|
| 1 | 0.00 | 0.00 | 0.00 |
| 2 | 0.40 | 0.40 | 1.00 |
| 3 | 0.50 | 0.50 | 2.00 |
| 4 | 0.65 | 0.65 | 3.00 |
| 5 | 0.60 | 0.60 | 4.00 |
| 6 | 0.60 | 0.60 | 5.00 |
| 7 | 0.30 | 0.30 | 6.00 |
| 8 | 0.00 | 0.00 | 6.60 |

The area for this cross section is 2.99 square feet
and the wetted perimeter is 6.81 feet.

RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|------------------|----------------------------|----------------------------|-----------------------|-------------------|
| IRRIGATION | 3/15 - 10/15 | DATABASE EXAMINER
4-000 | DATABASE EXAMINER | DATABASE EXAMINER |
| DOMESTIC | 04-15 10-01
01-01 12-31 | 4-000
0-020 | | |

TOTAL FOR THIS RIGHT

4.000 2.96 CFS

REVIEWED BY:

Rsh

DATE: 1/12/98

A. CHECK ONLY THE FOLLOWING THAT APPLY:

| | | |
|------------------------|-------------------------------------|--------------------------|
| OWNERSHIP | ACCEPTED
AS CLAIMED | NEEDS
REVIEW |
| FORFEIT/ABANDON | ☒ | ☐ |
| ADDITIONAL DIV. AMOUNT | ☐ | ☐ |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-04010

TOTAL DIVERSION RATE OF WR SPLITS

| | | |
|-------------------|----------|-----|
| DATABASE
4.000 | EXAMINER | CFS |
|-------------------|----------|-----|

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A55-04010 | 4.000 | - | - | 55-04010 | 4.000 |
| TOTAL CFS | | 4.000 | | | | 4.000 |

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N) NA

IF NO, is the written review sheet attached? (Y/N) NA

FIELD
EXAMINER

DATABASE

REMARKS:

B/W

AUTHENTICATION:

SIGNATURE: Ron HowertonNAME OF FIELD EXAMINER: Ron HowertonDATE: 1/12/92TITLE: SR wa AGENT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:57:48
03/06/92

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A55-04010

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

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
MAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

| Water Source: | Tributary to: | Stage: | BENEFICIAL USE |
|--------------------|---------------|--------|----------------|
| BIG SPRINGS CREEK | BATTLE CREEK | | |
| WEST SPRINGS CREEK | BATTLE CREEK | | |

[illegible]

POU County: OWYHEE

Other Rights: NONE

Remarks: SOURCES ARE BIG SPRINGS CK. & WEST SPRINGS CK.
DOMESTIC PERIOD OF USE LISTED AS 4/15 TO 10/1.
CLAIM BASED ON LAPSED PERMIT 55-2024.

| | | |
|--------|------------------------|------------------------|
| Dates: | Exam Made Date: | Verified Date: |
| Misc: | Water District Number: | Field Inspection Flag: |
| | | Presumption Flag: |

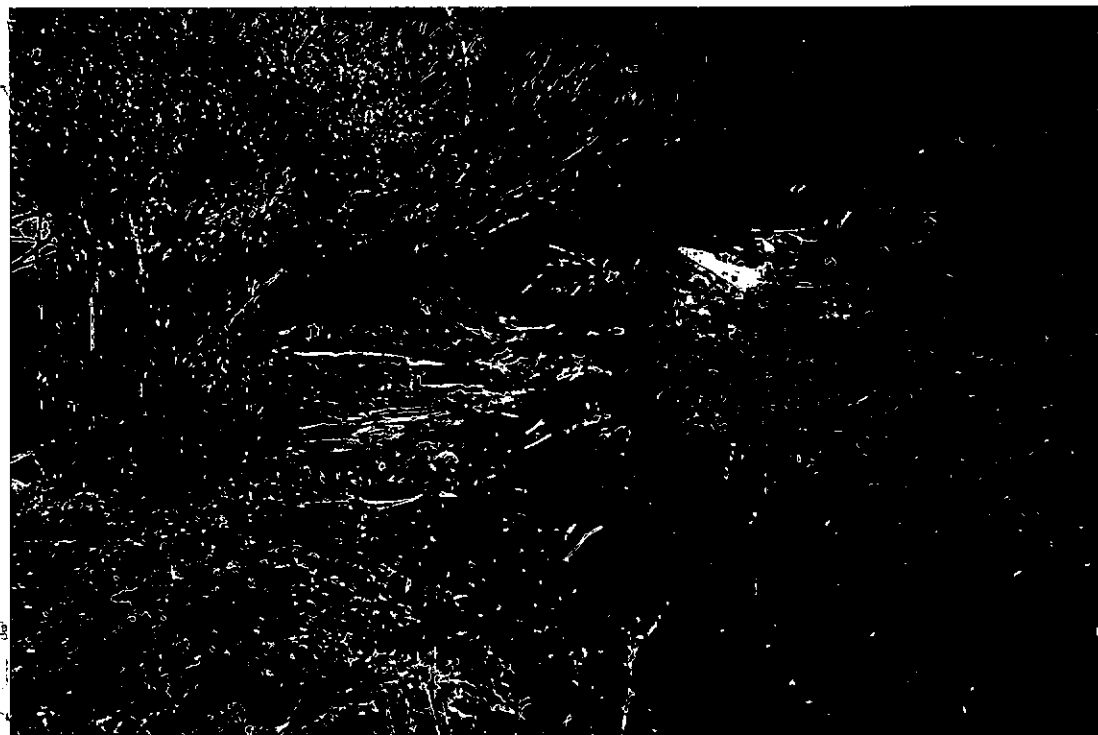
PICTURE # 1

Photo's By
RDH

11/61/97

A55-04010

P/D # 1 The photo shows the source locally known as West Springs, the ditch is diverted from the natural channel locally known as West Springs Creek. The natural channel is to the left of photo and the ditch is flowing to the right, located in the SESE, S4, T10S, R1W. This P/D was not claimed, 1979 photo shows this diversion. See photo 3 for additional information.



PICTURE # 2

This is P/D #2 from West Springs Creek located in the NWSW S10, T10S, R1W.

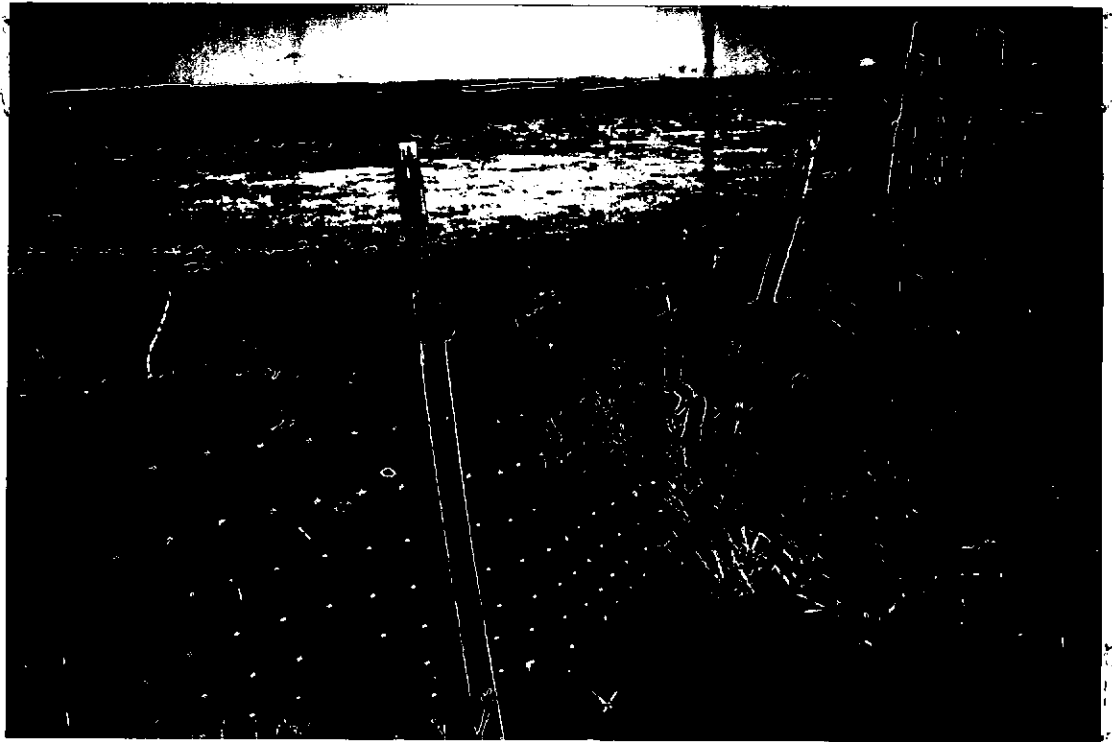


PICTURE # 3

A55-04010

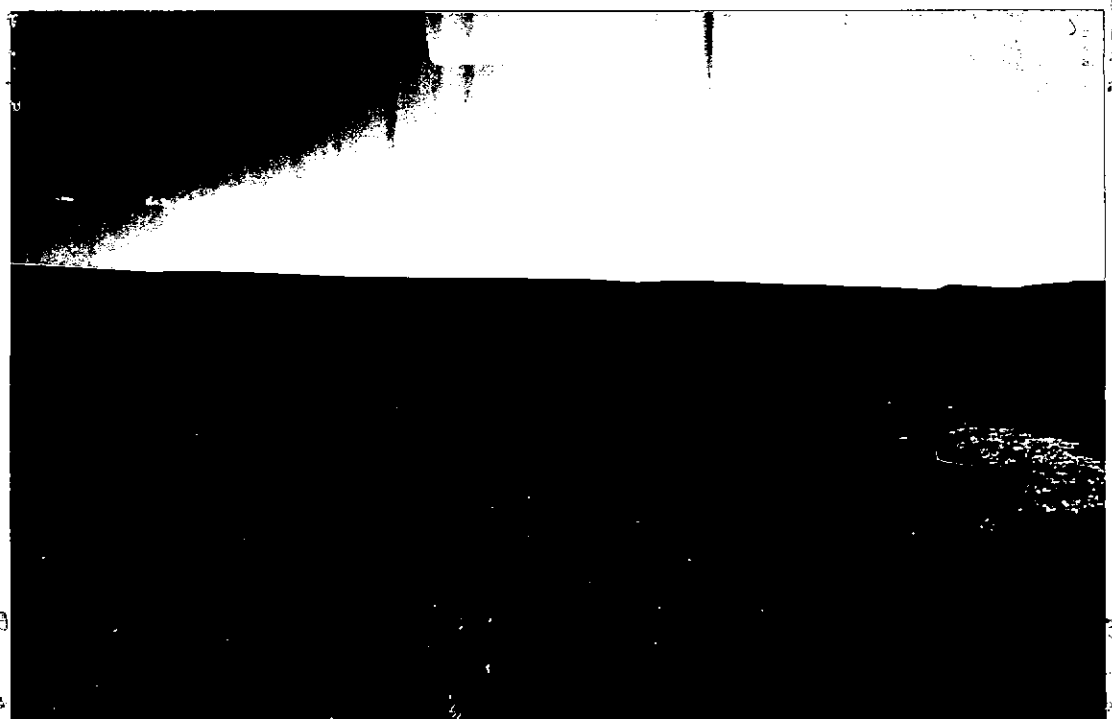
RDH
Photos By
11/01/03

This photo shows where the ditch from P/D #1 from photo #1 flows into and co-mingles with the ditch from P/D #3 from Big Springs West ditch the photo of that P/D is in it's file A55-04011. The water co-mingled here flows down to West Springs Creek, P/D #2. This photo pictured is located near the corrals in the NWSW, S10, T10S, R1W.



PICTURE # 4

This is the POU looking from the NESW, S10, T10S, R1W looking South East.

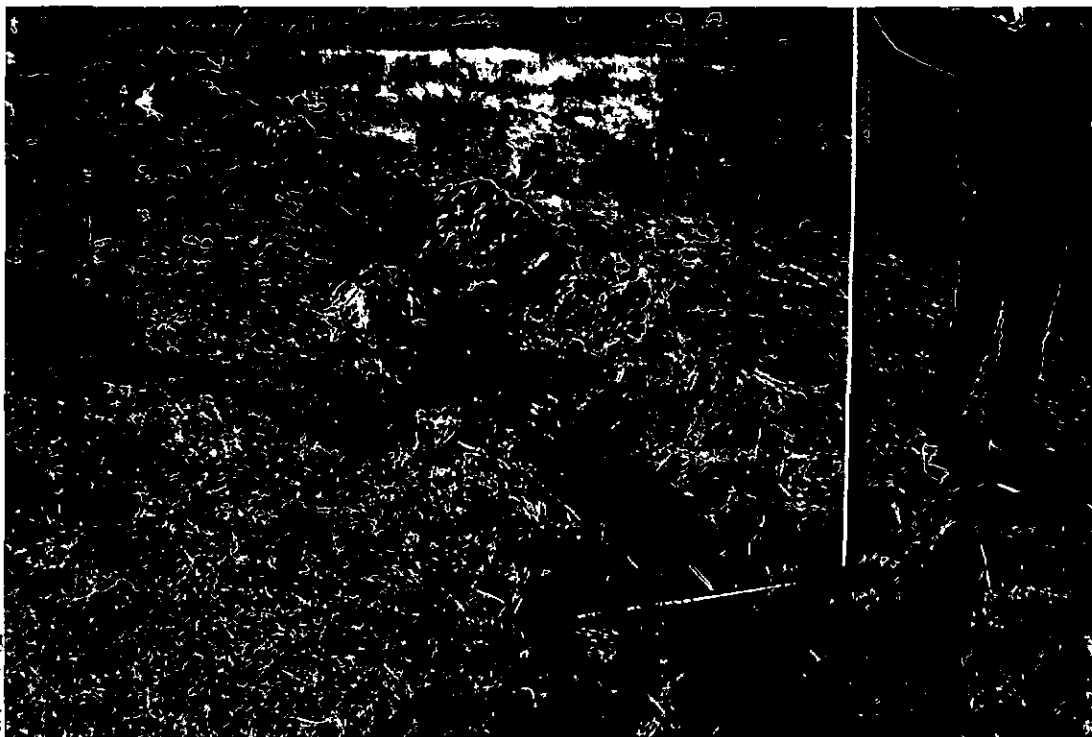


PICTURE # 5

Photo's By
RDH 11/01/93

A55-04010

Up-Stream X-Section located about 400 feet down from where the water is diverted from the spring West Springs Creek.



PICTURE # 6

Down-Stream X-Section located 219 feet down from the Up-Stream X-Section.





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

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

RECEIVED

FEB 04 1994

February 4, 1994

WATER RESOURCES
WESTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

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

ASS-04010

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

STATE: ID ZIP: 837011539

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

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
A51-02048 SUCCESSFULLY CHANGED ON HOST
A51-02089B SUCCESSFULLY CHANGED ON HOST
A51-02091 SUCCESSFULLY CHANGED ON HOST
A51-02108 SUCCESSFULLY CHANGED ON HOST
A51-02120 SUCCESSFULLY CHANGED ON HOST
A51-02123 SUCCESSFULLY CHANGED ON HOST
A51-02126 SUCCESSFULLY CHANGED ON HOST
A51-02127 SUCCESSFULLY CHANGED ON HOST
A51-02133 SUCCESSFULLY CHANGED ON HOST
A51-02138 SUCCESSFULLY CHANGED ON HOST
A51-02150 SUCCESSFULLY CHANGED ON HOST
A51-02152 SUCCESSFULLY CHANGED ON HOST
A51-02165 SUCCESSFULLY CHANGED ON HOST
A51-02167 SUCCESSFULLY CHANGED ON HOST
A51-02169 SUCCESSFULLY CHANGED ON HOST
A51-02170 SUCCESSFULLY CHANGED ON HOST
A51-02178 SUCCESSFULLY CHANGED ON HOST
A51-02196 SUCCESSFULLY CHANGED ON HOST
A51-02213B SUCCESSFULLY CHANGED ON HOST
A51-02238 SUCCESSFULLY CHANGED ON HOST
A51-04023 SUCCESSFULLY CHANGED ON HOST
A51-04103 SUCCESSFULLY CHANGED ON HOST
A51-04104 SUCCESSFULLY CHANGED ON HOST
A51-04105 SUCCESSFULLY CHANGED ON HOST
A51-07047 SUCCESSFULLY CHANGED ON HOST
A51-07058 SUCCESSFULLY CHANGED ON HOST
A51-07082 SUCCESSFULLY CHANGED ON HOST
A51-07092 SUCCESSFULLY CHANGED ON HOST
A51-07093 SUCCESSFULLY CHANGED ON HOST
A51-07107 SUCCESSFULLY CHANGED ON HOST
A51-07119 SUCCESSFULLY CHANGED ON HOST
A51-07281 SUCCESSFULLY CHANGED ON HOST
A51-10170 SUCCESSFULLY CHANGED ON HOST

TYPE OF ACTION: MODIFY
MODIFY ALL FIELDS FLAG: N

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

STATE: ID ZIP: 837011539

FIRST NAME:
ADDRESS LINE 2: 702 W IDAHO FL 10
PHONE NUMBER: (208) 342-5454

| | | | |
|------------|--|--|--|
| A51-10171 | SUCCESSFULLY CHANGED ON HOST | | |
| A51-10210 | SUCCESSFULLY CHANGED ON HOST | | |
| A51-10211 | SUCCESSFULLY CHANGED ON HOST | | |
| A51-10212 | SUCCESSFULLY CHANGED ON HOST | | |
| A51-10213 | SUCCESSFULLY CHANGED ON HOST | | |
| A51-10272 | SUCCESSFULLY CHANGED ON HOST | | |
| A51-10273 | SUCCESSFULLY CHANGED ON HOST | | |
| A51-10274 | SUCCESSFULLY CHANGED ON HOST | | |
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| A51-10276 | SUCCESSFULLY CHANGED ON HOST | | |
| A51-10277 | SUCCESSFULLY CHANGED ON HOST | | |
| A51-10278 | SUCCESSFULLY CHANGED ON HOST | | |
| A51-10279 | WATER RIGHT HAS NO ATTORNEY OWNER CODE - NOT UPDATED | Previously conveyed to Idaho Fish & Game | |
| A51-10280 | SUCCESSFULLY CHANGED ON HOST | | |
| A51-10281 | SUCCESSFULLY CHANGED ON HOST | | |
| A51-10282 | SUCCESSFULLY CHANGED ON HOST | | |
| A51-10283 | SUCCESSFULLY CHANGED ON HOST | | |
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| A51-10289 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-02020 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-02053 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-02059 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-02061 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-020628 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-020798 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-02090 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-02113 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-02173 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-04008 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-04009 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-04010 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-04011 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-10136 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-10137 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-10138 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-10139 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-10140 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-10141 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-10142 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-10143 | SUCCESSFULLY CHANGED ON HOST | | |
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| A55-10145 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-10146 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-10147 | SUCCESSFULLY CHANGED ON HOST | | |
| A55-10221 | SUCCESSFULLY CHANGED ON HOST | | |

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

STATE: ID ZIP: 837011539

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

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

Record will be corrected to Idaho Fish & Game

AJ5514NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION ATTORNEY NAME ADD/UPDATE

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

INPUT: AJ_SELECTION:SHAF-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

STATE: ID ZIP: 837011539

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

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

RECEIVED

FEB 04 1994

WATER RESOURCES
WESTERN REGION

SCOTT L. CAMPBELL

ELAM & BURKE

A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

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

RECEIVED

DEC 14 1993

Department of Water Resources

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

December 10, 1993

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

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

Dear David:

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

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

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

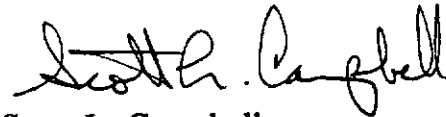
David B. Shaw, Esq.
December 10, 1993
Page 2

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

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

Very truly yours,

ELAM & BURKE
A Professional Association

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

Scott L. Campbell

SLC:ma
Enclosure

RECEIVED

FEB 04 1994

WATER RESOURCES
WESTERN REGION

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

RECEIVED

DEC 09 1993

Department of Water Resources
Adjudication Bureau

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

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

In re the General Adjudication)
of Rights to the Use of Water)
from the Snake River Basin)
Water System)

Case No. 39576

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

NOTICE OF CHANGE OF FIRM AND
ADDRESS

vs.)

*changes made by
Don Shaff.*

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

Respondents.)

- of 2-4-94

DESCRIPTIVE SUMMARY

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

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

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

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

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

DATED this 6th Day of December, 1993.

ELAM & BURKE

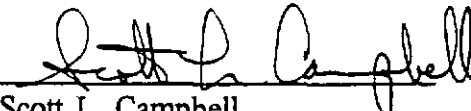
By Scott L. Campbell
Scott L. Campbell

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

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

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

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

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

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

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James C. Tucker
Rosholt, Robertson &
Tucker, Chartered
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Boise, ID 83701-2139

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

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

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Park Costello & Burkett
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Boise, Idaho 83701

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Nyssa, Oregon 97913

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Land & Water Fund of the Rockies
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Boise, Idaho 83701

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Hollifield, Tolman & Bevan
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P.O. Box 1846
Twin Falls, ID 83303

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

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

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Wayne E. Slaughter, Jr.
Terry T. Uhling
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Pocatello, ID 83204

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Boise, Idaho 83709

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Candy L. Jackson
Tribal Attorneys Office
Shoshone-Bannock Tribes
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Fort Hall, ID 83203

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Holland and Hart
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Boise, Idaho 83701

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Don A. Olowinski, Esq.
Steven R. Ormiston, Esq.
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Jeffrey C. Fereday, Esq.
Michael C. Creamer, Esq.
Christopher H. Meyre, Esq.
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Boise, ID 83701

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P.O. Box 1391
Pocatello, ID 83204-1391

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David Hammerquist, Esq.
Ringert Clark Harrington Reid
Christenson & Kaufman, Chartered
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Boise, ID 83702

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

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

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

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

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

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

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

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

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

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

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

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Hobdey & Hobdey
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Gooding, Idaho 83330

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Cosh, Humphrey, Greener & Welsh
815 West Washington
Boise, Idaho 83702

*Richard L. Cummings, Esq.
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P.O. Box 955
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*Gray Young, Esq.
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Assistant General Counsel
Idaho Power Company
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Boise, Idaho 83707

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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

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

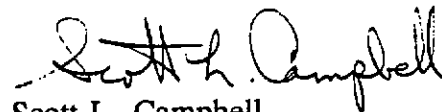
Re: Notice of Change in Address and Firm Affiliation

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

ANCHORAGE, ALASKA • BELLEVUE, WASHINGTON • HONOLULU, HAWAII • LOS ANGELES, CALIFORNIA
BOISE, IDAHO • DENVER, COLORADO • SAN FRANCISCO, CALIFORNIA • SEATTLE, WASHINGTON • WASHINGTON, D.C.

RECEIVED
FEB 11 1992

Department of Water Resources
Western Regional Office

DAVIS WRIGHT TREMAINE

LAW OFFICES

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.

FAX: (208) 338-8299

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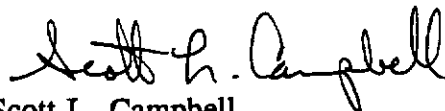
Davis Wright Tremaine

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.)

UNRECORDED

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.

NOTED

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 E. Black
Joe Black

SUBSCRIBED AND SWORN TO before me this 22 day of

January, 1991.
1992

Monica J. Beck
Notary Public for Idaho
Residing at Shannon, Idaho
My Commission Expires: 4/10/91

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.

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

Monice A. Beck
Notary Public for Idaho
Residing at Brunson, Idaho
My Commission Expires: 4/16/97



State of Idaho

DEPARTMENT OF WATER RESOURCES

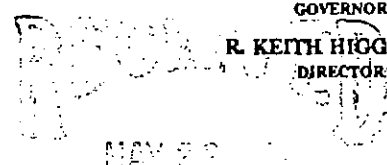
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

May 22, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR



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

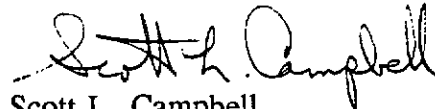
Re: Notice of Change in Address and Firm Affiliation

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 • RICHMOND, 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:

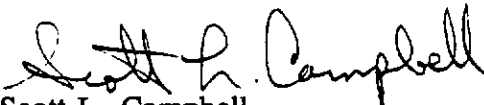
Pursuant to a prior telephone conversation with Ms. Lynne Krogh-Hampe, I am providing this correspondence to notify the Idaho Department of Water Resources of my change of address and affiliation. I am presently a partner with the law firm of Davis Wright Tremaine at the above-referenced address.

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 • SEATTLE, WASHINGTON • SALT LAKE CITY, UTAH • SAN FRANCISCO, CALIFORNIA • SPOKANE, IDAHO

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

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

GOVERNOR

Scott L. Campbell

Elam, Burke & Boyd

P.O. Box 1539

Boise, ID 83701-1539

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

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

CECIL D. ANDRUS

RICHARD L. OWEN

GOVERNOR

P.O. BOX 590

4011, 10221, 10222, R. KEITH HIGGINSON

BRUNEAU

ID 83604

10223, 10224, 10225, DIRECTOR

10226, 10227, 10228

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.

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

ELAM, BURKE AND BOYD

ATTORNEYS AND COUNSELORS AT LAW

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

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

January 10, 1991

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

RECEIVED
JAN 11 1991

Department of Water Resources

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

Dear Mr. Shaw:

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

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

Very truly yours,

Teresa E. Teevan

Teresa E. Teevan
Legal Assistant

ELAM, BURKE AND BOYD

ATTORNEYS AND COUNSELORS AT LAW

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

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

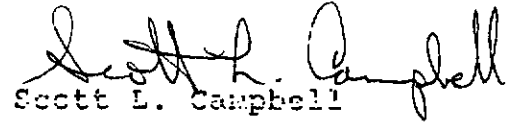
Mr. David Shaw
January 8, 1991
Page 2

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)
- ✓ A65-10366 (two claims are filed under the same ^{ouc (o)}
water right number) ^{ouc (c)} fixed
- ✓ A65-10367

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

