

IDAHO DEPARTMENT OF WATER RESOURCES

● **Point of Diversion**

□ **Place of Use**

∧ **Section Lines**

□ **1/4 1/4 Lines**

Claim(s): 55-04011

Owner(s): SIMPLOT

Prepared by: Ron Howerton

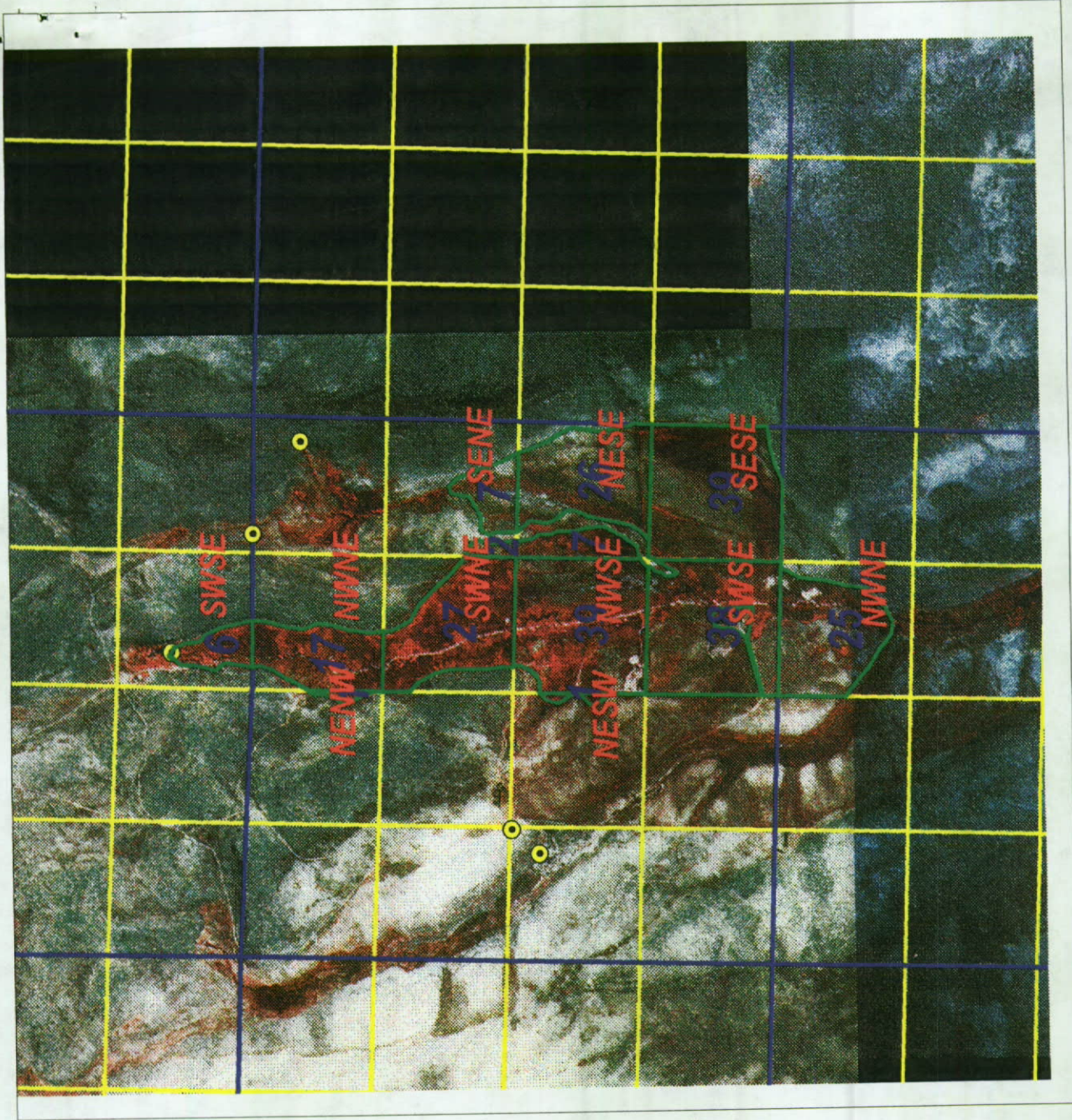
Date: 17 Feb 98

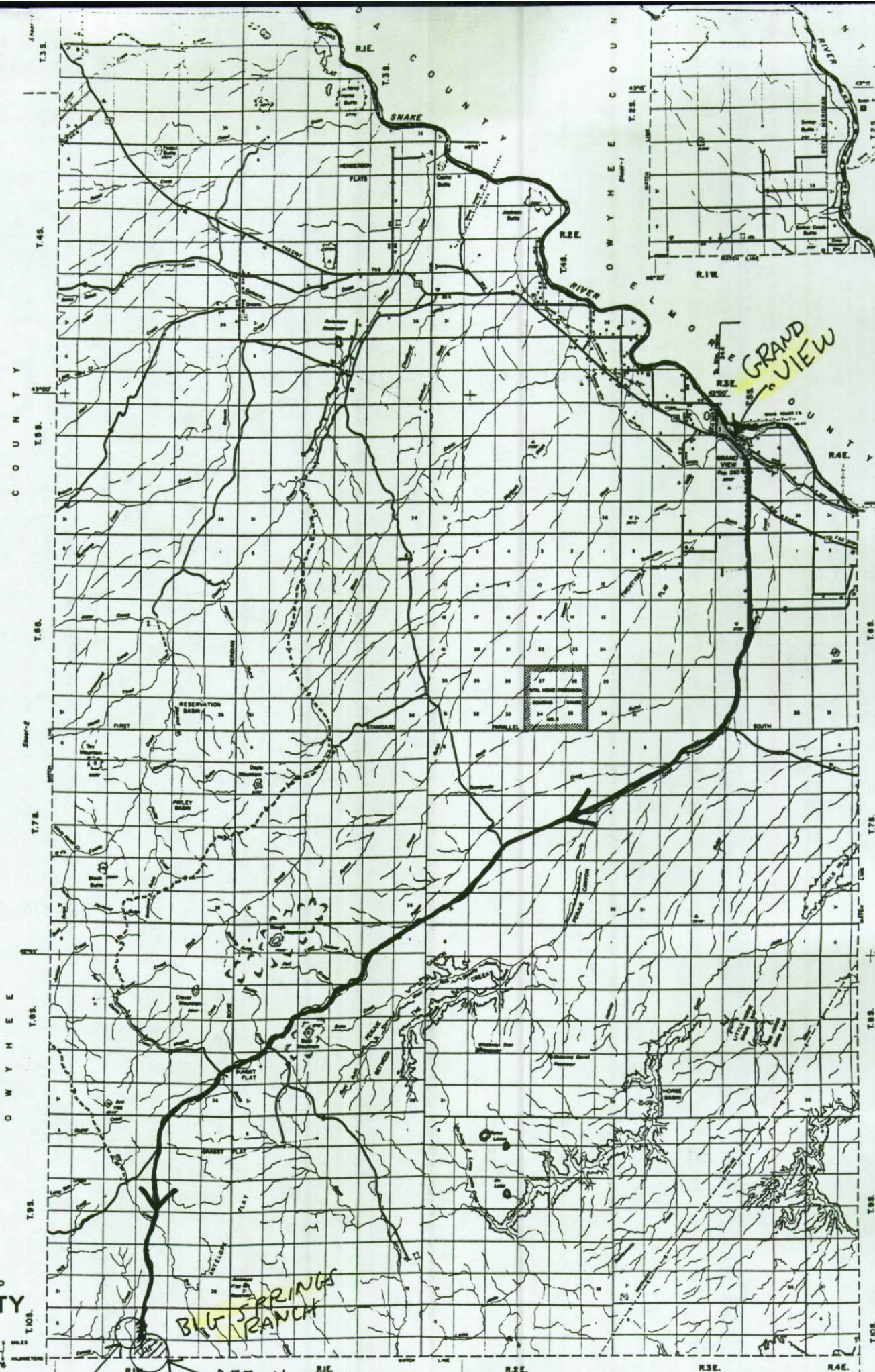
Total Acres: 235

T10S, R01W, S03. S10 & S15



1987 NAPP





OWYHEE COUNTY

GENERAL HIGHWAY MAP OWYHEE COUNTY IDAHO

SCALE
FIELD DATA COLLECTED MARCH, 1975

REVISIONS	
STATE HIGHWAY SYSTEM	SEE N. 1/2
FEEDBACK TRIP	SEE N. 1/2
LOCAL ROAD SYSTEM	SEE N. 1/2
CITY BOUNDARY	SEE N. 1/2
OTHER	POLYCONIC PROJECTION

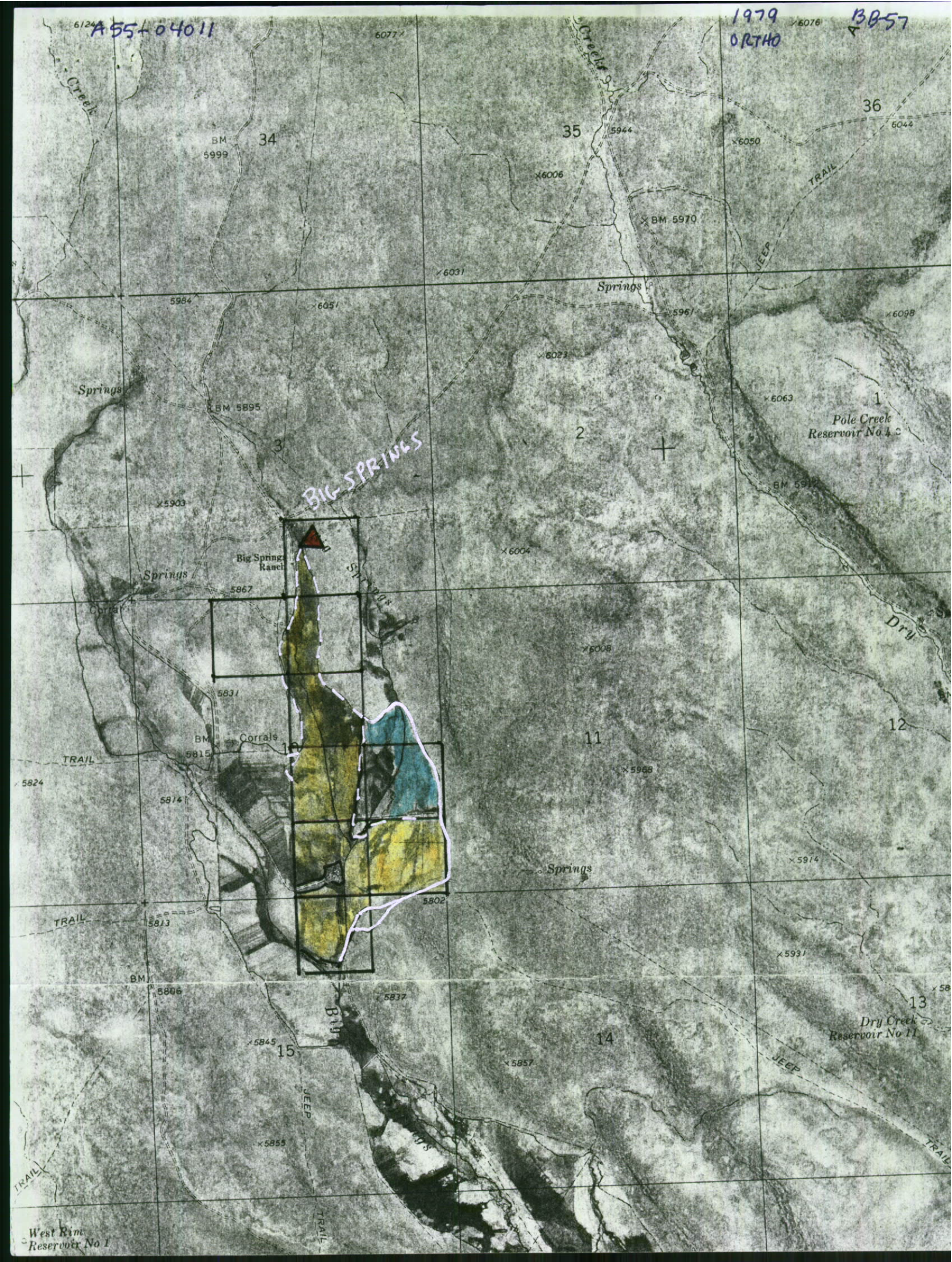
A55-4010

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

T10S, R1W, S3&10

1979
ORTHO
3057

A55-04011





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

Photo's By
RDH 10/27/93

PICTURE # 1

A55-04011 & A55-04010

P/D for both above claims, they both share the West Ditch from the spring. The left side of photo is the East ditch and the right side of photo is the shared West ditch. Concrete head gates and spillway. Located NWSWSE, S3, T10S, R1W.



PICTURE # 2

Domestic use, has portable 3 HP pump that pumps water from ditch up to storage tank. Has underground lines to tank. Located in the SWSE, S3, T10S, R1W.



PICTURE # 3

Photo's By
RDH 10/27/98

A55-04011

POU shown looking South, Located NWNE, S10, T10S, R1W.



PICTURE # 4

POU, looking South East at bottom field. Located in the SESE, S10, T10S, R1W.



PICTURE # 5

Photo's By
RDH 10/27/93

A55-04011

Upstream X-Section of East ditch. Located SWSE, S3, T10S, R1W.



PICTURE # 6

Downstream X-Section of East ditch. Located in the SWSE, S3, T10S, R1W.



Photo's By
RDH 10/27/93

PICTURE # 7

A55-04011 & A55-04010

Upstream X-Section of West ditch. Located SWSE, S3, T10S, R1W. This is a shared ditch for both claims above.



PICTURE # 8

A55-04011 & A55-04010

Downstream X-Section of West ditch. Located in the SWSE, S3, T10S, R1W.



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: A55-04011
Date Received: 1/19/1989
Receipt No: W002025
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: SEP 23, 1910

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	01W	3	SW	SE			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	8.800		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 1320.0 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				DOMEST	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	01W	3	SW	SE		IRR	40.0
						Section Acres	40.0
		10	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NW	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	360.0
		15	NW	NE		IRR	40.0
						Section Acres	40.0
						Total Acres	440.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
55-4010, 55-4008, 55-2061

14. Remarks:
DOMESTIC PERIOD OF USE LISTED AS 4/15 TO 10/1.
CLAIM BASED ON LAPSED PERMIT 55-2025.
CLAIM INCORRECTLY SHOW BIG SPRINGS TRIB. TO BATTLE CREEK.
OWNERSHIP CHANGED 9/20/94 RDH.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

A55-04011

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

**NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP**

DATE OF CLOSING: August 31, 1994

LEGAL DESCRIPTION OF PROPERTY: See Exhibit A

Water Right Numbers: See Exhibit B

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

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

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

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

Signature of New Owner/Claimant(s) _____

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

Signature of Former Owner/Claimant(s): _____

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

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

WARRANTY DEED

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

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

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

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

WARRANTY DEED - 1

DATED this 31st day of August, 1994.

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

By Richard L. Owen, Trustee

Trustee

THE OWENS RANCH TRUST
DATED MAY 17, 1967

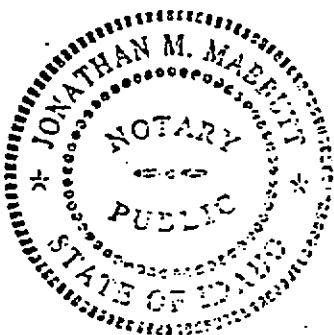
By Velma Marie Owen
Velma Marie Owen, Trustee TRUSTEE

TRUSLEE

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

213665

FILED-RECORDED

94 AUG 31 PM 1 06

BARBARA JAYO
OWYHEE COUNTY RECORDER
BY *[Signature]*
DEPUTY

RECORDED
BY *[Signature]*
DATE 89.07

INDEXED
MICROFILMED

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

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

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

and

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

and

BEGINNING at the section corner common to Sections 22, 23, 26 and 27, T6S, R5E, B. M.; thence North 37.0 feet to the Northwesternly line of the Bruneau to Grand View Highway, the point being marked by a right of way marker, POC-427+72.3; thence North 89°20' West a distance of 989.95 feet, (formerly South 89°55' West a distance of 990.30 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: SE½SW½

Section 17: E½NW½, NE½SW½

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

Section 7: SW½SE½

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

Section 33: SW½SE½

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

Section 1: SW½SE½

Section 3: SW½, S½SE½

Section 4: Lot 2, S½NE½, E½SE½, SW½SE½

Section 9: NE½, SE½, E½SW½, that portion of E½NW½ 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 E½NW½ of Section 9.

Section 10: N½, N½S½, SW½SW½, SE½SW½, S½SE½,

EXCEPTING the one-half (½) acre of land in the NW
corner of NE½SE½, 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: SW½SW½

Section 15: W½NE½, E½NW½, E½SE½

Section 23: N½NW½, SE½NW½, SW½NE½, W½SE½, SE½SE½

Section 25: W½NW½, NW½SW½, E½SW½

Section 26: E½NE½

Section 36: E½W½, SW½NW½, NW½SW½

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

Section 24: NW½SW½

Section 35: SW½SE½

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

Section 7: NE½SW½

Section 21: W½E½, E½W½

Section 35: W½SE½

PARCEL II:

IN TOWNSHIP 10 SOUTH, RANGE 3 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 11: SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 13: NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 14: N $\frac{1}{4}$ NE $\frac{1}{4}$
Section 33: SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 34: NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ S $\frac{1}{4}$
Section 35: W $\frac{1}{4}$ W $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

IN TOWNSHIP 10 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 18: Lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 22: W $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$

IN TOWNSHIP 11 SOUTH, RANGE 2 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 11: SE $\frac{1}{4}$, W $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 12: S $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$
Section 13: N $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$
Section 14: NE $\frac{1}{4}$ NE $\frac{1}{4}$

IN TOWNSHIP 11 SOUTH, RANGE 3 East, B. M., OWYHEE COUNTY, IDAHO
Section 2: Lots 2 and 3
Section 18: Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 19: Lots 1 and 2, E $\frac{1}{4}$ NW $\frac{1}{4}$

PARCEL III:

IN TOWNSHIP 7 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 23: SE $\frac{1}{4}$ SAVING AND EXCEPTING the following described
real property to-wit:

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

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

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

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

@ 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: NE½, N½SE½
Section 20: NW½, N½SW½

PARCEL VI:

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

Section 19: A portion of Government Lot 4 (SW½, 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: S $\frac{1}{2}$ SW $\frac{1}{2}$
Section 4: SE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 9: NE $\frac{1}{2}$ NE $\frac{1}{2}$, SE $\frac{1}{2}$ NE $\frac{1}{2}$, NE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 10: W $\frac{1}{2}$ NW $\frac{1}{2}$, NW $\frac{1}{2}$ SW $\frac{1}{2}$, NE $\frac{1}{2}$ SW $\frac{1}{2}$, S $\frac{1}{2}$ SW $\frac{1}{2}$
Section 15: N $\frac{1}{2}$ NW $\frac{1}{2}$

PARCEL VIII:

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

Section 14: SW $\frac{1}{2}$ SW $\frac{1}{2}$
Section 15: S $\frac{1}{2}$ SE $\frac{1}{2}$
Section 22: NE $\frac{1}{2}$ NE $\frac{1}{2}$
Section 23: NW $\frac{1}{2}$ NW $\frac{1}{2}$

PARCEL IX:

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

Section 22: SE $\frac{1}{2}$, SE $\frac{1}{2}$ NE $\frac{1}{2}$, S $\frac{1}{2}$ SW $\frac{1}{2}$
Section 23: That portion of NW $\frac{1}{2}$ SW $\frac{1}{2}$ more particularly described as follows:
COMMENCING at the NW corner of NW $\frac{1}{2}$ SW $\frac{1}{2}$, 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 NE $\frac{1}{2}$ NE $\frac{1}{2}$ 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 NE $\frac{1}{2}$ NE $\frac{1}{2}$, Sec. 27; thence South 0°14' West along the West sideline of NE $\frac{1}{2}$ NE $\frac{1}{2}$, 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

PARCEL XIII:

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

PARCEL XIV:

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

PARCEL XV:

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

PARCEL XVI:

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

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

* * *

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

IDWR Water Right Numbers :

A51-00012	A51-02238	A51-10289	A55-10222
A51-00013	A51-04023	A51-10379	A55-10223
A51-00014	A51-04103	A51-10380	A55-10224
A51-00031	A51-04104	A51-12741	A55-10225
A51-00032	A51-04105	A51-12748	A55-10226
A51-00033	A51-07047	A51-12749	A55-10227
A51-00034A	A51-07058	A51-12750	A55-10228
A51-00035A	A51-07082	A51-12751	A55-13460
A51-00036A	A51-07092	A51-12752	A55-13461
A51-00068A	A51-07093	A51-12753	A55-13462
A51-00069	A51-07107	A51-12754	A55-13463
A51-00071	A51-07119	A55-02020	A55-13464
A51-00072	A51-07281	A55-02053	A55-13465
A51-00073	A51-10170	A55-02059	A55-13466
A51-00074	A51-10171	A55-02061	A55-13467
A51-02044A	A51-10211	A55-02062B	A55-13469
A51-02044B	A51-10212	A55-02079B	A55-13470
A51-02089B	A51-10213	A55-02173	A55-13471
A51-02091	A51-10272	A55-04008	A55-13472
A51-02108	A51-10273	A55-04009	A55-13474
A51-02120	A51-10274	A55-04010	A55-13478
A51-02123	A51-10275	A55-04011	51-02088
A51-02126	A51-10276	A55-10136	51-02074
A51-02127	A51-10277	A55-10137	51-07183
A51-02133	A51-10278	A55-10138	51-07293
A51-02138	A51-10279	A55-10139	51-07346 <i>changed at Wester</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 *W*

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: A55-04011
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 23, 1910

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	01W	3	SW	SE			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	8.800		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 1320.0 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	SW	SE		DOMEST IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
		10	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NW	SW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	360.0
		15	NW	NE	IRR	40.0
					Section Acres	40.0
					Total Acres	440.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
55-4010, 55-4008, 55-2061

14. Remarks:
DOMESTIC PERIOD OF USE LISTED AS 4/15 TO 10/1.
CLAIM BASED ON LAPSED PERMIT 55-2025.
CLAIM INCORRECTLY SHOW BIG SPRINGS TRIB. TO BATTLE CREEK.

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

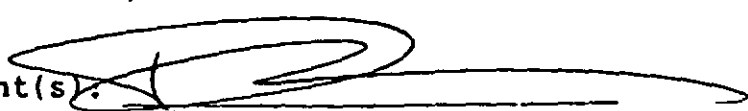
APR 18 1988

Department of Water Resources
Western Regional Office

CHANGE IN OWNERSHIP

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

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

- [] Attach proof of ownership:
Describe proof attached: _____
(Proof of ownership must describe either the property conveyed or include the claim number.)
(Proof of ownership is not required if this form is signed by the former claimant.)
- [] Signature of New Claimant(s): 
Richard L. Owen, Trustee
Owen Family Revocable Trust A Established August 30, 1966, as Amended and Restated October 12, 1988
Date 24 Sept 91

CHANGE IN OWNERSHIP

[] Signature of Former Claimant(s):


Richard L. Owen

Date:

24 Sept. 91

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

For IDWR use only:

Initial Review and Data-Entry: Date _____ By _____

Further Action Needed / Taken: Date _____ By _____

Final Review and Data-Entry: Date _____ By _____

Claim Numbers of Split, if any: _____

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

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

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

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

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

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

SCHEDULE A

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

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A55-04011
Date Received: 1/19/1989
Receipt No: W002025
Received By: DE JOL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: SEP 23, 1910

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	01W	3	SW	SE			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	8.800		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 1320.0 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	SW	SE		DOMEST IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
		10	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NW	SW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	360.0
		15	NW	NE	IRR	40.0
					Section Acres	40.0
					Total Acres	440.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
55-4010, 55-4008, 55-2061

14. Remarks:
DOMESTIC PERIOD OF USE LISTED AS 4/15 TO 10/1.
CLAIM BASED ON LAPSED PERMIT 55-2025.
CLAIM INCORRECTLY SHOW BIG SPRINGS TRIB. TO BATTLE CREEK.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

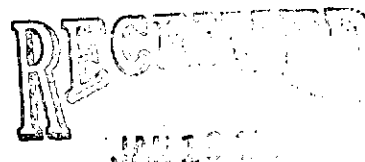
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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

CIVIL CASE NUMBER: 39576

Ident. Number A55-04011Date Received 1-19-89Receipt Number W 002025

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) 845-2001Mailing Address P. O. Box 590, Bruneau, ID Zip 836042. Date of Priority (Only one (1) per claim) September 23, 19103. Source of water supply (a) Big Springs
which is tributary to (b) Big Springs Creek4. a. Location of existing point of diversion is: Township 10S. Range 01W. Section 3,
1/4 of SE SW 1/4 of SE 1/4, Govt. Lot, B.M., County of OwyheeAdditional points of diversion if any: none

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 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 4/15 to 10/1 amount 8.800 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) 8.800 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1,320.00 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.	3															D 40.0		40.0
		10	40.0	40.0	40.0	40.0						40.0			40.0	40.0	40.0	40.0	360.0
		15		40.0															40.0

Total number of acres irrigated 440.0

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:
XX 55-4010, 55-4008, 55-2061 or None ()

14. Remarks:

Domestic period of use listed as 4/15 to 10/11

Claim based on lapsed permit 55-2025

Claim incorrectly shows Big Springs Trib. to Battle Creek

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.

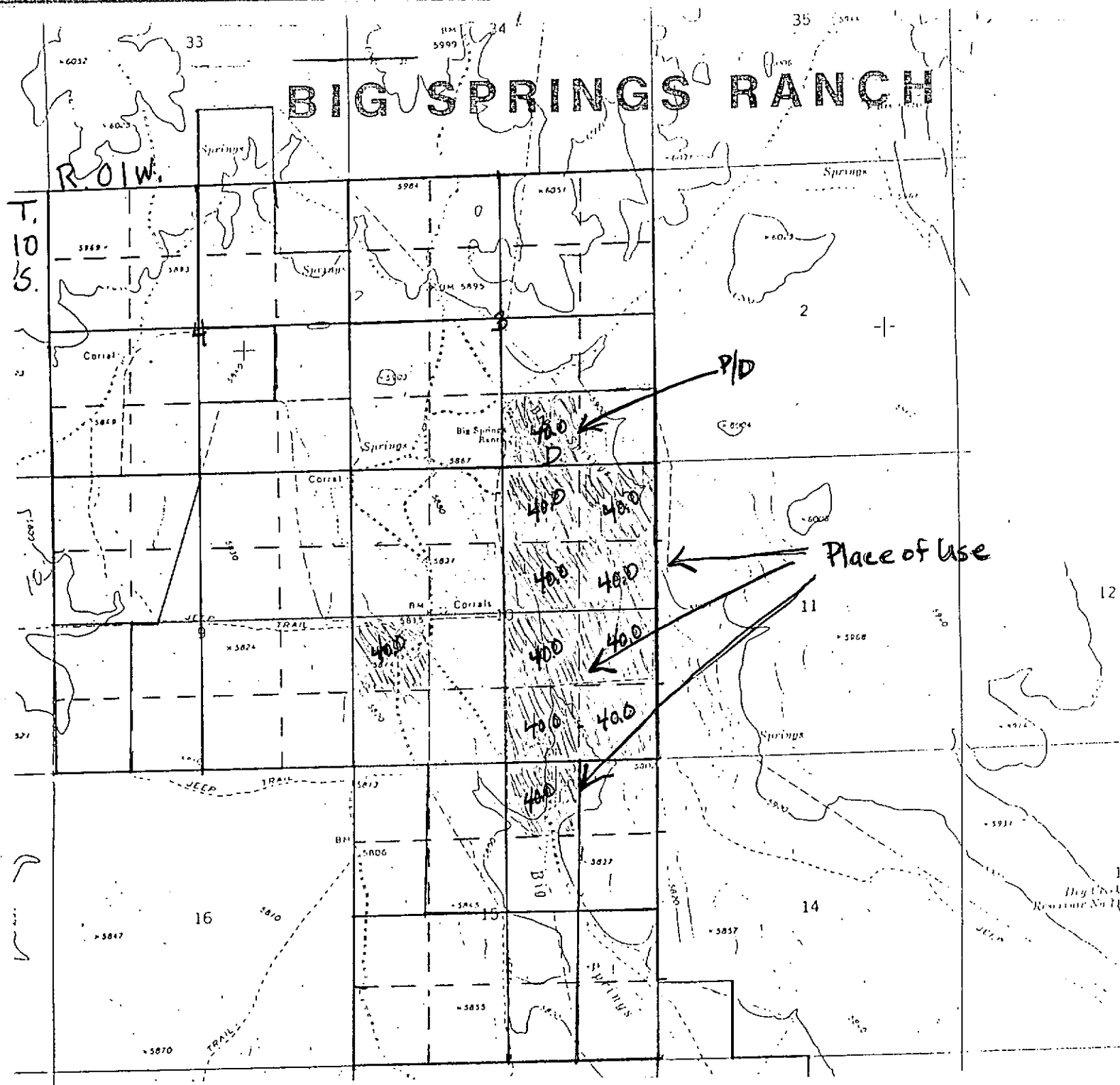
If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water 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



Last Name

Owen

Ident No.

MICROFILMED

Copies: White-State, Yellow-Claimant

SEP 29 1992

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 55-4011
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 0

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

Signature of Claimant (s) [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

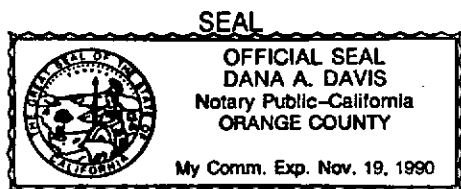
and that the statements contained in the foregoing document are true and correct.

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 _____

MICROFILMED
Copies White State, Yellow Claimant

SEP 29 1992

Water Right Number - 55-04011

Adj. Flag Translation:	Standard Water	Right Number	Old (D) Number -

[illegible]

*** C - CURRENT OWNER ***
GUTHRIE

HATSEI NHOR

1 - 20210 AVE. 176TH
2 -
3 -

State- CA Zip- 93257

+ - -	Priority Date	- - +
	09/23/1910	
	14	
+ - -	Region	- - +
+ - -	Stage	- - +
S -	STAMINOPV CLAIM	
	Status	- - -

```

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

```

Twn	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index	Blank if no Index Code
-----	-----	-----	-------	-----	------	--------	--------------------	--------------	------------------------

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

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume

01 - IRRIGATION
43 - DOMESTIC

04/15	10/01	8,800
01/01	12/31	

	+ - Total Div. Rate	+ - Total Div. Volume	+ - Total Div. Capacity	+ - Total Consumptive Use	+ - KW Usage
	-	-	+	-	+
8,800					

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
-----	-----	-----	-------	-----	-------	--------------	-------------	--------

10S	01W	3	SW SE	40.0	01	IRRIGATION	(73)	OWYHEE
10S	01W	10	NE NE	40.0	01	IRRIGATION	(73)	OWYHEE
10S	01W	10	NW NE	40.0	01	IRRIGATION	(73)	OWYHEE
10S	01W	10	SW NE	40.0	01	IRRIGATION	(73)	OWYHEE
10S	01W	10	SE NE	40.0	01	IRRIGATION	(73)	OWYHEE
10S	01W	10	NW SW	40.0	01	IRRIGATION	(73)	OWYHEE
10S	01W	10	NE SE	40.0	01	IRRIGATION	(73)	OWYHEE
10S	01W	10	NW SE	40.0	01	IRRIGATION	(73)	OWYHEE
10S	01W	10	SW SE	40.0	01	IRRIGATION	(73)	OWYHEE
10S	01W	10	SE SE	40.0	01	IRRIGATION	(73)	OWYHEE
10S	01W	15	NW NE	40.0	01	IRRIGATION	(73)	OWYHEE

Total Acres: 440.0

- - - Diversion Means -

- - - Non-Irrigation Use - -

- - - Other Rights for Same Use - -

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SEP 29 1992

Adj. flag translation: Standard Water Right Number

Remarks

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

- - Conditions of Approval - -
No Conditions of Approval found.

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

04/30/88 CONVERT

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000
Approved/Denied	- 00/00/0000 <td>Protested Date</td> <td>- 00/00/0000</td>	Protested Date	- 00/00/0000
Proof Made Date	- 00/00/0000 <td>Hearing Date</td> <td>- 00/00/0000</td>	Hearing Date	- 00/00/0000
Start Work Date	- 00/00/0000 <td>Verified Date</td> <td>- 02/05/1985</td>	Verified Date	- 02/05/1985
Order Show Cause	- 00/00/0000 <td>Receipt Number</td> <td>-</td>	Receipt Number	-
Licensed Date	- 00/00/0000 <td>Appl Received</td> <td>- 00/00/0000</td>	Appl Received	- 00/00/0000
Decree Date	- 00/00/0000 <td>Presumption Flag</td> <td>-</td>	Presumption Flag	-

Field Exam Fee -
Swan Falls -
Temporary Right -
DLE/Carey Act -
Water District -
Transfer/Amended -

Microfilm Roll Number -

SEP 29 1992

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

OWEN

CLAIM IDENT. NO.

A55-04011

DATE RECEIVED

1-19-89

CK #

658

AMOUNT \$

50+440=490.00

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 |

\$490.00

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SEP 29 1992

23. Should this claim be receipted and data entered?

YES

NO

☒

Claim checked by: Rch

Date: 2/9/91

Claim must be returned to claimant: _____

(Yes) ☐ (No) ☒

Claimant must be notified of modifications: _____

(Yes) ☐ (No) ☒

Receipt Prepared by: _____ Date: _____

Claim data entered by: _____ Date: _____

Checked by: _____ Date: _____

Sent to claimant by: _____ Date: _____

Comments: _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

April 24, 1998

PHILIP E. BATT
GOVERNOR

VIC CONRAD
SIMPLOT COMPANY
PO BOX 27
BOISE ID 83707

KARL J. DREHER
DIRECTOR

REF: NOTICES OF ERROR BASIN 55

Dear Vic:

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

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

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

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

55-02059: N/C to irrigation season.

55-04008 : N/C to irrigation season.

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

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

55-04011: N/C to irrigation season.

55-10225: N/C to irrigation season.

55-10226: N/C to irrigation season.

55-10227: N/C to irrigation season.

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

Sincerely,

Ron Howerton
SRBA Western Region
334-2190

CORPORATE HEADQUARTERS

March 26, 1998

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

RECEIVED

MAR 27 1998

**WATER RESOURCES
WESTERN REGION**

Re: Extension of Time to Respond to Preliminary Recommendation.

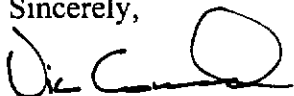
Dear Jan:

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

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

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

Sincerely,



Vic Conrad
Simplot Land and Development

c: F. Bachman
S. Ysursa

AJ0749NP
No. R55-04011

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

DATE: 02/23/98
PAGE: 1

OWNER CODE: C
NAME & ADDRESS: J R SIMPLOT SELF DECLARATION REVOC TRUST
J R SIMPLOT AS TRUSTEE
ATTN RONALD N GRAVES
PO BOX 27
BOISE ID 83707
(208) 336-2110
PRIORITY DATE: 09/23/1910
WATER USE: IRRIGATION
USE PERIOD FROM TO: 03-15 10-15
DIVERSION RATE: 4.70 CFS
DIVERSION VOLUME: 4.70 CFS
TOTAL DIVERSION: 4.70 CFS

Water Source: BIG SPRINGS
Point(s) of Diversion: T10S R01W S03
Place of use Legal Description for: IRRIGATION
Tributary to: BIG SPRINGS CREEK
Stage: BENEFICIAL USE
ONYHEE County

NE										SW										SE									
NENE NWNE SWNE SENE										NENW NWNW SWNW SENW										NESE NWSE SWSE SESE									
T R S : Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac										Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac										Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac									
10S 01W 3 :										17 27 09 :										01 :									
10S 01W 10 :										25 :										06 :									
10S 01W 15 :										:										33 39 38 39 :									
																				TOTAL ACRES									
																				204.0									
																				25.0									
																				235.0									

POU County: ONYHEE

Other Rights: 55-04010

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 55-04010 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.66 CFS.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 55-04010 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 383 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP RIGHT NO. 55-04010 IS ALSO DIVERTED THROUGH POINT
DIVERSION DESCRIBED AS: T10S, R01W, S03, NWSE.

Dates: Exam Made Date: Verified Date: 02/23/1998 Objection Filed Date:

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

Comments: Date: 01/12/1998 User-ID: RHOBERTO Subject: COPIED FROM REMARKS
CLAIM BASED ON LAPSED PERMIT 55-2025.

Date: 01/12/1998 User-ID: RHOBERTO Subject: DOMESTIC

AJ0749NP
No. R55-04011

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

DATE: 02/23/98
PAGE: 2

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

Audit: 02/23/98 RHOWERTO

CLAIM NO. 55 - 04011

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

1. ☒ NAME - No change
☐ NEW OWNER: _____
(SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)
☒ ADDRESS - No change
☐ NEW ADDRESS: _____

2. ☒ SOURCE - No change
☐ CHANGE - New source and/or tributary is: _____

3. ☒ QUANTITY - No change
☐ CHANGE - New amounts: _____ CFS and/or _____ AFY

4. ☒ PRIORITY DATE - No change
☐ CHANGE - Priority date to: _____
(EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)

5. ☒ POINT OF DIVERSION - No Change
☐ CHANGE - New point of diversion is: T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
T _____, R _____, S _____, _____ 1/4, _____ 1/4, _____ 1/4
(LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)

6. ☒ PURPOSE AND PERIOD OF USE - No change
☐ CHANGE New purpose of use New period of use New amount(s)
_____ from _____ to _____ cfs _____ af
_____ from _____ to _____ cfs _____ af
_____ from _____ to _____ cfs _____ af

7. ☒ PLACE OF USE - No change
☐ CHANGE New place(s) of use: (LOCATION(S) AND ACRES SHOULD ALSO BE SHOWN ON MAP)

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

REMARKS IRRIG SEASON - NO CHG.

CONDITIONS _____

Reviewer Ron Howerton Date 4/21/98

March 6, 1998

RECEIVED

APR 15 1998

WATER RESOURCES
WESTERN REGION

**NOTICE OF ERROR
REPLY**

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

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

NOTICE OF ERROR REPLY IS: April 15, 1998

Water Right Number: **55-04011**

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

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

Evening Telephone Number:

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

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

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

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

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

The Idaho Supreme Court recently addressed the "irrigation season" use in *In re SRBA Nos. 39576, 91-00005 Ex Rel. General Provisions Re. Basin-Wide Issue 5*, 1997 Opinion 122 (Idaho Oct. 3, 1997). In this decision the Court held "that due to year to year changes in climatic conditions and variability in each area's soil type, the period of use for irrigation water rights should not be defined as a fixed period of use." Id. at 7. The Idaho Supreme Court's ruling on this issue is being challenged. A Petition for Rehearing was filed by the State of Idaho but rehearing has not yet been granted. In light of the pending petition, Claimant requests that irrigation season be described only as "irrigation season" in accord with present Idaho law.

In the event that the Idaho Supreme Court reverses its earlier decision on using "irrigation season", the period beginning March 1 and ending November 30 should be used to identify a specific calendar description. The actual calendar dates for

the beginning and ending of an irrigation season fluctuate from year-to-year. An irrigation season described "from March 1 through November 30" will allow Claimant to divert and beneficially utilize water during those years when the irrigation season begins early or ends late.

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

J. R. Simplot Self-Declaration of Revocable Trust

DATE: 4-14-1998 SIGNATURE: by: _____

Ronald N. Graves, Attorney-in-fact

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



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

CORPORATE HEADQUARTERS

April 15, 1998

HAND DELIVERY

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

RECEIVED
APR 15 1998
WATER RESOURCES
WESTERN REGION

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

Dear Jan:

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

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

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

A55-13688 A55-13686

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

Sincerely,

Vic Conrad
Simplot Land and Development

Enclosures

c: F. Bachman
 S. Ysursa

CORPORATE HEADQUARTERS

March 26, 1998

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

RECEIVED

MAR 27 1998

**WATER RESOURCES
WESTERN REGION**

Re: Extension of Time to Respond to Preliminary Recommendation.

Dear Jan:

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

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

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

Sincerely,



Vic Conrad
Simplot Land and Development

c: F. Bachman
S. Ysursa

**IDAHO DEPARTMENT OF
WATER RESOURCES**

⊙ **Point of Diversion**

□ **Place of Use**

∧ **Section Lines**

1/4 1/4 Lines

Claim(s): 55-04011

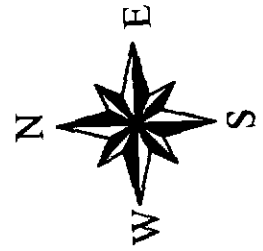
Owner(s): SIMPLOT

Prepared by: Ron Howerton

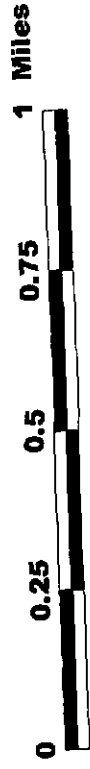
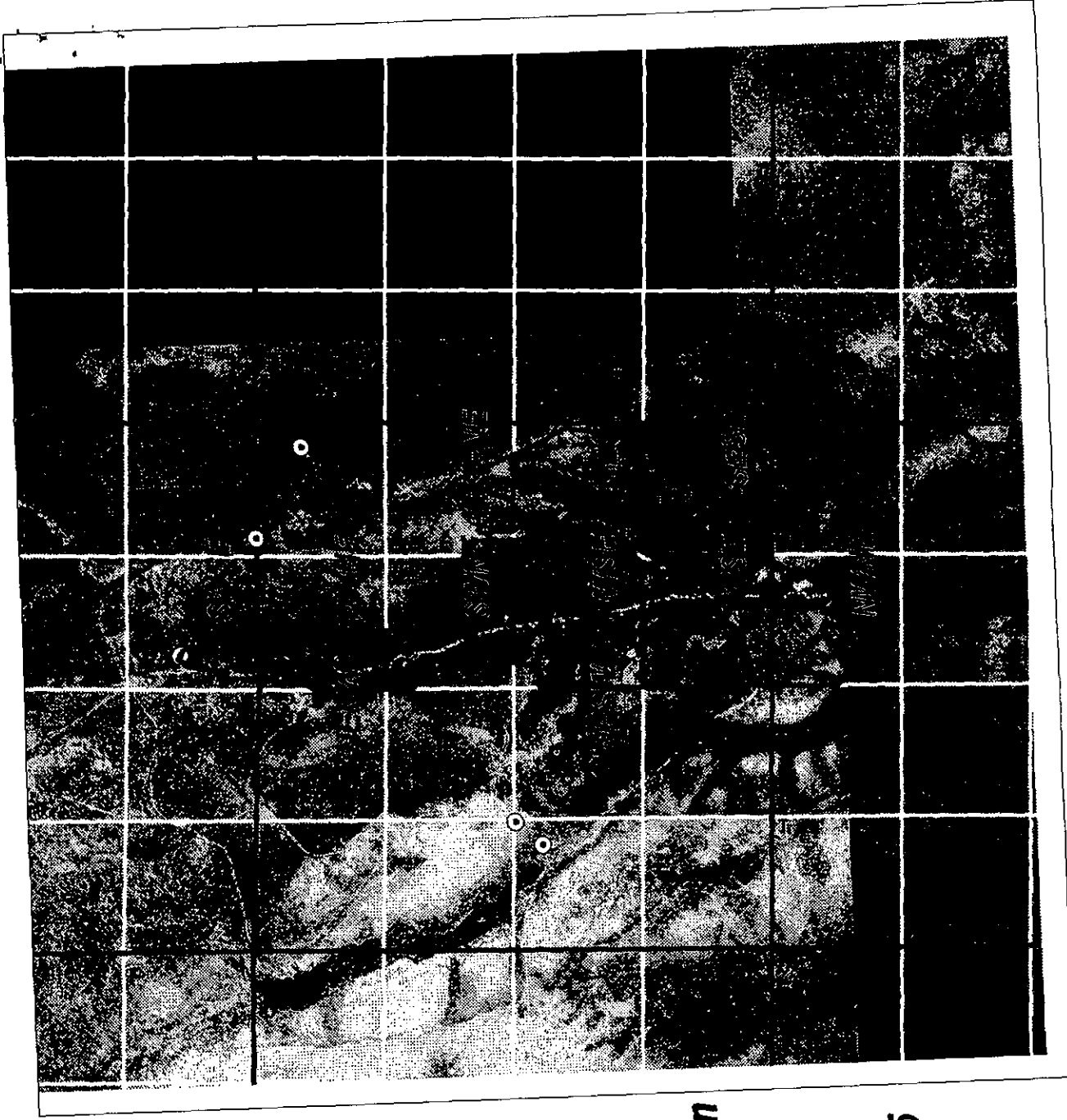
Date: 17 Feb 98

Total Acres: 235

T10S, R01W, S03. S10 & S15



1987 NAPP



AJ0749NP
No. R55-04011

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

DATE: 01/12/98
PAGE: 1

OWNER
CODE
C
J R SIMPLOT SELF DECLARATION REVOC TRUST
J R SIMPLOT AS TRUSTEE
ATTN RONALD N GRAVES
PO BOX 27
BOISE ID 83707
(208) 336-2110

NAME & ADDRESS

PRIORITY
DATE
09/23/1910

WATER USE
IRRIGATION

USE PERIOD
FROM TO
03-15 10-15

DIVERSION
RATE
4.60 CFS

DIVERSION
VOLUME
4.7 CFS

TOTAL DIVERSION:
4.60 CFS

Water Source: BIG SPRINGS
Point(s) of Diversion: T10S R01W S03
Place of use Legal Description for: IRRIGATION
Tributary to: BIG SPRINGS CREEK
Stage: BENEFICIAL USE
ONYHEE County

NE		NW		SW		SE		SUM													
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
10S	01W	3																			
10S	01W	10																			
10S	01W	15																			
17.44 126 09										33.27 34.39 39										195.0	
30										30										30.0	
25										236.0										235	

POU County: ONYHEE

Other Rights: 55-04010

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 55-04010 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 7.56 CFS.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 55-04010 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 378 ACRES IN A SINGLE
IRRIGATION SEASON. 383

EXP RIGHT NO. 55-04010 IS ALSO DIVERTED THROUGH POINT
DIVERSION DESCRIBED AS: T10S, R01W, S03, NWSE.

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

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

Comments: Date: 01/12/1998 User-ID: RHOVETO Subject: COPIED FROM REMARKS
CLAIM BASED ON LAPSED PERMIT 55-2025.

Date: 01/12/1998 User-ID: RHOVETO Subject: DOMESTIC

AJ0749NP
No. R55-04011

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

DATE: 01/12/98
PAGE: 2

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

Audit: 01/12/98 RHOWERTO

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A55-04011

FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD *
PRIORITY*	<u>Y</u>	<u>0664</u> <u>AFHDPWIF</u>	<u>N</u>	<u>N</u>		
PT. OF DIV.		<u>5</u>	<u>Y</u>	<u>/</u>		
SOURCE		<u>5</u>	<u>Y</u>	<u>/</u>		
PL. OF USE		<u>5</u>	<u>Y</u>	<u>/</u>		
DIV. AMOUNT CFS/AF		<u>5</u>	<u>Y</u>	<u>/</u>		
CONSUMPTIVE USE		<u>NA</u>	<u>NA</u>	<u>/</u>		
NATURE OF USE		<u>5</u>	<u>N</u>	<u>/</u>		
PERIOD OF USE		<u>5</u>	<u>DEPT STAN</u>	<u>/</u>		
BASIS OF CLAIM		<u>5</u>	<u>N</u>	<u>/</u>		
REMARKS						

DATA ENTRY COMPLETED
BY _____ DATE _____

FINAL RECOMMENDATION
BY _____ DATE _____

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

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

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

COMMENTS: ASCS MAP IN A55-04008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:57:48
03/06/92

CLAIM NUMBER: A55-04011

PAGE: 1
GENERAL INFORMATION

LAST: CAMPBELL
ADDRESS: ELAM, BURKE & BOYD
P.O. BOX 1539
CITY: BOISE
PHONE NUMBER: 208-485-2001
OWNER CODE: A
FIRST: SCOTT L.
STATE: ID ID ZIP: 83604

LAST: OWEN FAMILY REVOCABLE TRUST A
ADDRESS: RICHARD L OWEN TRUSTEE
PO BOX 590
CITY: BRUNEAU
PHONE NUMBER: 208-845-2001
OWNER CODE: C
FIRST:
STATE: ID ID ZIP: 83604

LAST: GUTHRIE
ADDRESS: 20210 AVE. 176TH
CITY: PORTERVILLE
PHONE NUMBER: 208-000-0000
OWNER CODE: O
FIRST: JOHN LESTER
STATE: CA CA ZIP: 93257

LAST: OWEN
ADDRESS: P.O. BOX 590
CITY: BRUNEAU
PHONE NUMBER: 208-845-2001
OWNER CODE: O
FIRST: RICHARD L.
STATE: ID ID ZIP: 83604

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
DATABASE
FIELD EXAMINER

CLAIM REMARKS: DOMESTIC PERIOD OF USE LISTED AS 4/15 TO 10/1.
CLAIM BASED ON LAPSED PERMIT 55-2025.
CLAIM INCORRECTLY SHOW BIG SPRINGS TRIB. TO BATTLE CREEK.

JR
Simple

CONTACT PERSON: SCOTT CAMPBELL PHONE NUMBER: () - -
DATE OF FIELD EXAM: 10/27/93 APPOINTMENT MADE: Y() N() TIME: : A() P()
ACCOMPANIED BY: LYNN KNESS PHONE NUMBER: () - -
RELATIONSHIP TO CLAIMANT: MANAGER
DIRECTIONS TO PROPERTY / REMARKS:

SEE CITY MAP

A. AJ CLAIM: # A55-04011 PRIORITY DATE: 09-23-1910 STAGE: J

B. WR RECORD: # 55-04011 PRIORITY DATE: 09-23-1910 STAGE: S

C. FIELD EXAM REQUIRED?

DATABASE N

FIELD EXAMINER

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

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

IF YES EXPLAIN.

REMARKS:

AFFIDAVIT PC-4 ALBERT BLAKE

RECOMMENDED PRIORITY DATE:

09-23-1910

REVIEWED BY

Rbh

DATE

1/12/98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-04011	10S	01W	3		SW	SE		OMYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
A55-04010
A55-10144

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: BIG SPRINGS

TRIB: BIG SPRINGS CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
55-04011	10S	01W	3		SW	SE		OMYHEE

OTHER WR RECORDS WITH SAME WR POD

A PREFIX
A55-04010
A55-10144

55-04010

SOURCE: BIG SPRINGS

TRIB: BIG SPRINGS CREEK

C. FIELD EXAM REQUIRED?

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

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	LOT	COUNTY
10S	1W	3	NW	SW	SE	OWY

SOURCE: BIG SPRINGS

TRIB: BIG SPRINGS CREEK

OK

REVIEWED BY:

Rel

DATE:

1/12/98

SYSTEM DIAGRAM

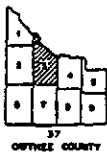
SEE ORTHO IN FILE §

ASCS MAP IN 4008

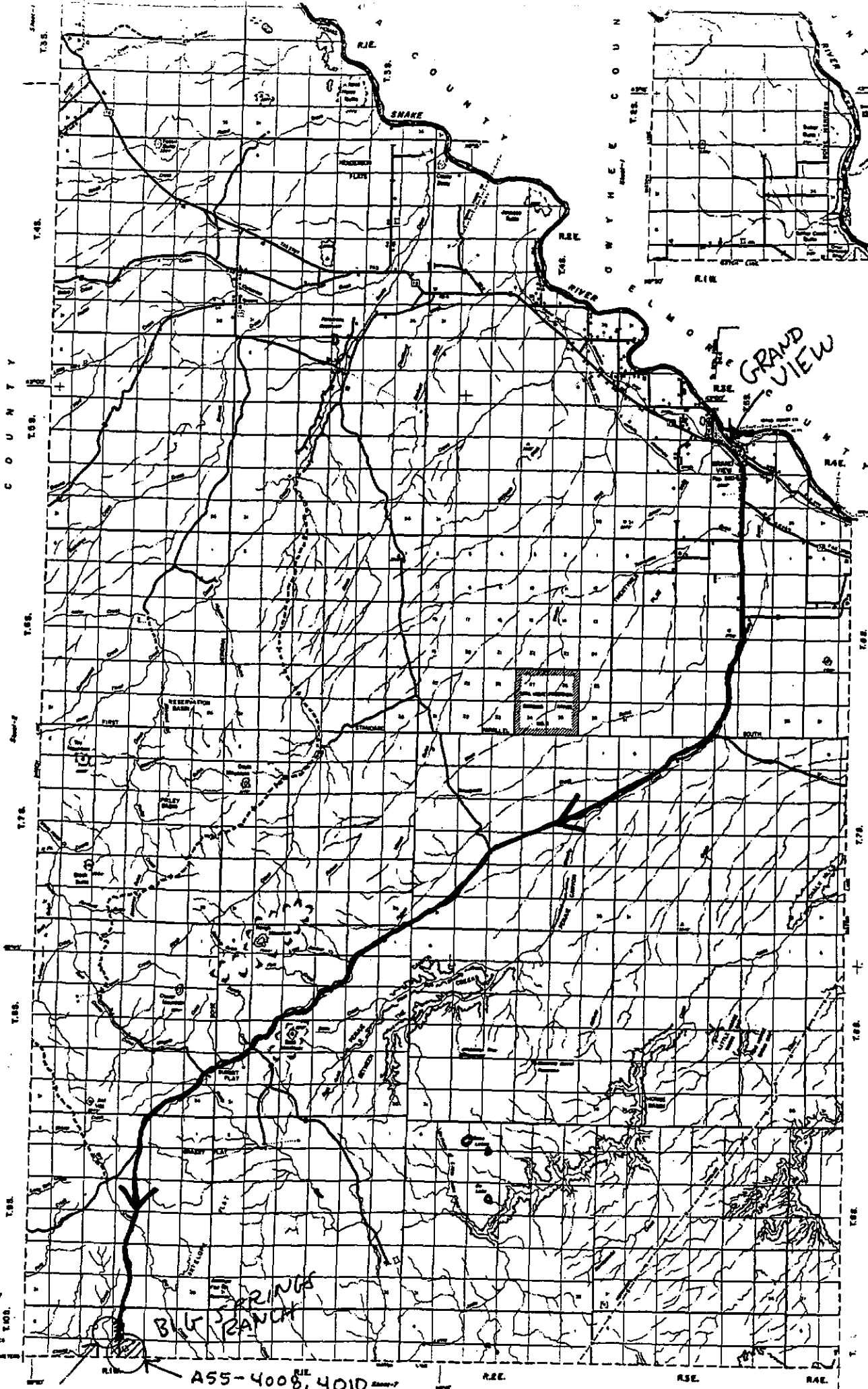
GENERAL HIGHWAY MAP OWYHEE COUNTY IDAHO

FIELD DATA COLLECTED MARCH, 1978

Scale	1:50,000
Projection	UTM
Datum	NAD 83
Units	Meters
Source	USGS
Author	USGS
Editor	USGS
Reviewer	USGS
Approval	USGS
Signature	USGS
Date	1978



OWYHEE COUNTY



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

COUNTY
 T10S, R1W, S3&10

A 55-404011

1979
0.10740

13057



West Reservoir



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 1478

A. ROOT WATER RIGHT NUMBERS: A55-04011

B. POI LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	01W	3	SE	SE		CAMPBELL, SCOTT L.	A55-04011 /	-			
			SE	SE		CAMPBELL, SCOTT L.	A55-04008 / 5.0	-			
			SW	SE		GUTHRIE, JOHN LESTER		55-04008 / 5.0			
			SW	SE		GUTHRIE, JOHN LESTER		55-04011 / 40.0			
10S	01W	3	SW	SE		CAMPBELL, SCOTT L.	A55-04011 / 40.0	55-04011 / 40.0	12.0		
10S	01W	10	NE	NE		CAMPBELL, SCOTT L.	A55-04011 / 40.0	55-04011 / 40.0	27.0		
			NE	NE		CAMPBELL, SCOTT L.	A55-04008 / 30.0	55-04008 / 30.0			
10S	01W	10	NW	NE		CAMPBELL, SCOTT L.	A55-04011 / 40.0	55-04011 / 40.0	21.0		
10S	01W	10	SW	NE		CAMPBELL, SCOTT L.	A55-04011 / 40.0	55-04011 / 40.0	27.0		
10S	01W	10	SE	NE		CAMPBELL, SCOTT L.	A55-04011 / 40.0	55-04011 / 40.0	24.0		
			SE	NE		CAMPBELL, SCOTT L.	A55-04008 / 15.0	55-04008 / 15.0			
10S	01W	10	NW	SW		CAMPBELL, SCOTT L.	A55-04011 / 40.0	55-04011 / 40.0	1.0		
			NW	SW		CAMPBELL, SCOTT L.	A55-04010 / 15.0	-			
			NW	SW		CAMPBELL, SCOTT L.	A55-02061 / 10.0	55-02061 / 10.0			
10S	01W	10	NE	SE		CAMPBELL, SCOTT L.	A55-04011 / 40.0	55-04011 / 40.0	27.0		
10S	01W	10	NW	SE		CAMPBELL, SCOTT L.	A55-04011 / 40.0	55-04011 / 40.0	31.0		
10S	01W	10	SW	SE		CAMPBELL, SCOTT L.	A55-04011 / 40.0	55-04011 / 40.0	39.0		
10S	01W	10	SE	SE		CAMPBELL, SCOTT L.	A55-04011 / 40.0	55-04011 / 40.0	26.0		
10S	01W	15	NW	NE		CAMPBELL, SCOTT L.	A55-04011 / 40.0	55-04011 / 40.0	28.0		
			NW	NE		CAMPBELL, SCOTT L.	A55-04010 / 35.0	55-04010 / 35.0			
TOTAL ACRES							440.00	440.00	263.00		

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

C. FIELD EXAM REQUIRED?

DUE TO POI DISCREPANCY? (Y/N)

FIELD EXAMINER

DATABASE Y

POI COUNTY: OMYHEE

SEE OVERLAP
REVIEW SHT

OVERLAP REVIEW SHEET

RIGHT NO	TNS	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
A55-04008 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	TNS	RNG	SEC	NE				NW				SW				SE				
				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:

REVIEWED BY:

DATE:

230 235
RSH

7/12/98

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 4-225, 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)

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

- (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 8.8 cfs Use Irr. & Dom. Period of Use: From 4/15 To 10/1

Amount	Use	Period of Use: From	To
--------	-----	---------------------	----

Amount	Use	Period of Use: From	To
--------	-----	---------------------	----

(cfs, grain
or all)

(dom., irr.,
stock, etc.)

Period of Use: From 12/1/80 To 12/31/80

(both dates inclusive)

- 1.3 Total quantity of water claimed: 8.8 cubic feet per second, or acre feet per annum, and/or gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 9-23-1910

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:

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.

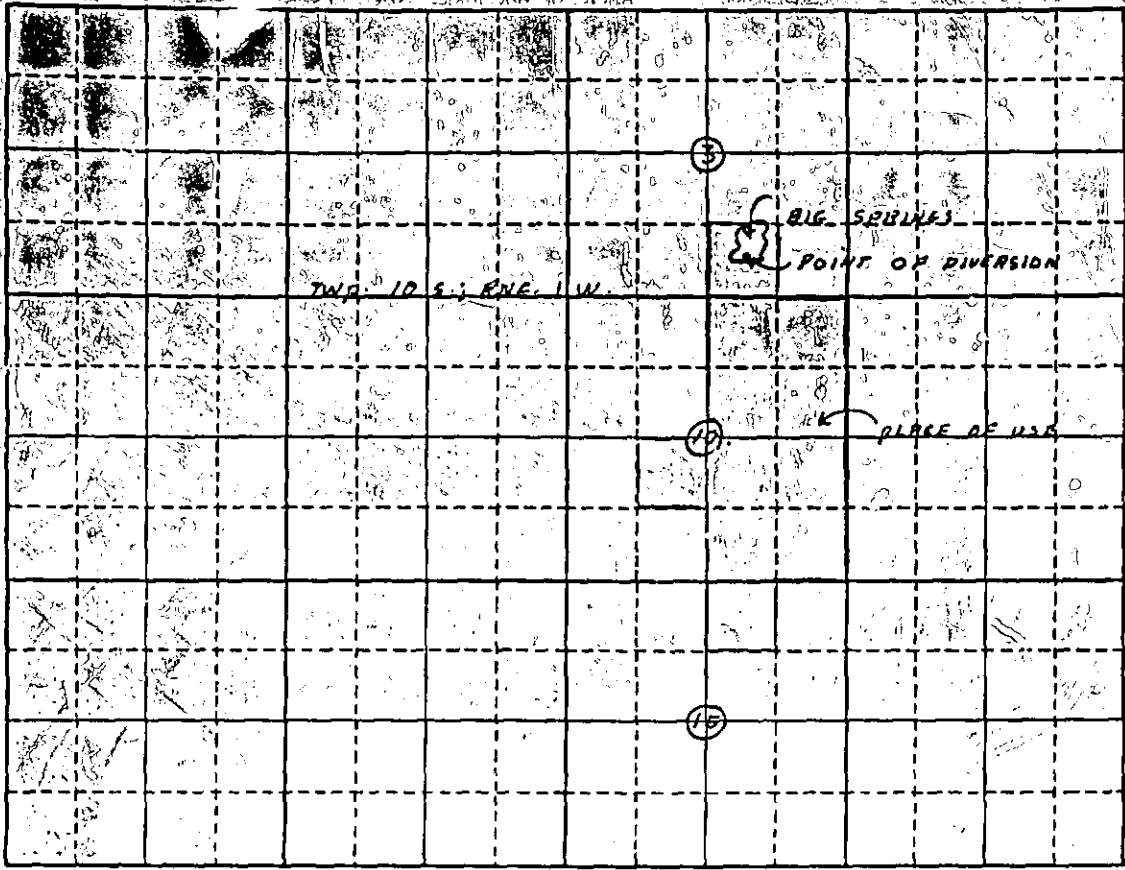
[illegible]

Total No. of acres 440

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:

(B) Remarks: The 8.8 cfs was originally claimed and used under Permit #6654/55-2025 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

County of Ada

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

Sworn to before me this 15th day of March

John Peter Cuthbert
(Claimant)

Notary Public
Residing at Boise

My commission expires February 7, 1977

Dist # 14204

For Department Use Only

Received by: *[Signature]* Date 3-15-74 Exception filed by: Forwarded to: Date
Proctor check by: *[Signature]* Date 15 Mar 74 claimant by:
\$10.00 fee received by: *[Signature]* Date 3-15-74
Approved for publication by:
Published in: *Chamberlain Register*
Dates: 3-28-74 to 4-4-74

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A55-04011 IRRIGATION	FROM 04-15 TO 10-01	8.800 CFS
A55-04011 DOMESTIC	FROM 01-01 TO 12-31	.020 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		8.800 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
55-04011 IRRIGATION	FROM 04-15 TO 10-01	8.800 CFS
55-04011 DOMESTIC	FROM 01-01 TO 12-31	8.800 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		8.800 CFS

PRESUMPTION FLAG: NA *B/w CLAIM*

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<i>PEK</i>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(*X*)
Y(*X*) N() Explain in remarks, below.

REMARKS:

3/15-10/15

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N(X)

AJ TOTAL CLAIMED DIVERSION RATE: 8,800 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 8,800 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD DATABASE EXAMINER
Y

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD MANNING, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N(X)

IF YES COMPLETE OVERLAP REVIEW. SEE OVERLAP SHEET

OTHER RIGHTS LISTED IN CLAIM: 55-4010, 55-4008, 55-2061

LIST ALL RIGHTS WITH A SAME POI AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A55-04011	BIG SPRINGS	CAMPBELL, SCOTT L.	8,800	0.020		
A55-02061	CAMAS CREEK	CAMPBELL, SCOTT L.	1,000	0.020		
A55-04008	SPRINGS	CAMPBELL, SCOTT L.	1,000	0.020		
A55-04010	BIG SPRINGS CREEK WEST SPRINGS CREEK	CAMPBELL, SCOTT L.	4,000	0.018		

NO RIGHTS WITH SAME POI BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION) 1b. CALCULATIONS

1a. IRRIGATION RATE $\frac{235}{230} \times 0.02 \text{ CFS/ACRE} = 4.7 \text{ CFS}$
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = 1320.0 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 TO: COMMENTS

ADD REMARKS:
QNT - EOI
POU1 - EII
EXP - BOI, FO5

MANNING EQUATION CHANNEL CAPACITY RESULTS

10-27-1993

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.

Claim No(s): ASS-04011 AND 4010Name of Claimant: OWEN Rec by: LYNN KNESSName of Ditch, Canal, or Stream Name: BIG SPRINGS (WEST DITCH)Date of Measurement: 10-27-93 10:30 Data Collected By: R. HoversonMeasurement Location: SW 1/4 SE 1/4 Section B T 10S R 1W

General Description and Comments

SAME DITCH USED FOR 4010

Cross-section Data

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

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

<u>upstream</u>			
<u>Depth or Rod Reading</u>	<u>Dist. from Initial Point</u>	<u>Depth or Rod Reading</u>	<u>Dist. from Initial Point</u>
1. <u>0</u>	<u>0</u>	11. <u>0</u>	<u>0</u>
2. <u>.25</u>	<u>1</u>	12. <u>.4</u>	<u>1</u>
3. <u>.4</u>	<u>2</u>	13. <u>.5</u>	<u>2</u>
4. <u>.9</u>	<u>3</u>	14. <u>.65</u>	<u>3</u>
<u>.9</u>	<u>4</u>	15. <u>.6</u>	<u>4</u>
6. <u>.9</u>	<u>5</u>	16. <u>.6</u>	<u>5</u>
7. <u>.6</u>	<u>6</u>	17. <u>.3</u>	<u>6</u>
8. <u>.4</u>	<u>7</u>	18. <u>0</u>	<u>6.6</u>
9. <u>.2</u>	<u>8</u>	19. _____	
10. <u>0</u>	<u>8.7</u>	20. _____	

Slope Data

Basis: High water mark (☒) Channel bottom () Land surface ()Channel length from cross section: Upstream 107 Downstream 73Total channel length used for slope measurement: 180

Rod reading at engineers level: _____

Upstream rod reading 4.41 - High Water Mark(if taken from channel bottom) _____ = _____Downstream rod reading 7.30 - High Water Mark(if taken from channel bottom) _____ = _____N : The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes ()

MANNING'S "n" (roughness coefficient)

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

MANNING EQUATION CHANNEL CAPACITY RESULTS

10-27-1993

File Number: A55-04011

Claimant: OWEN RANCHES ACCOMPANIED BY LYNN KNESS/MANAGER

Channel measured: BIG SPRINGS EAST DITCH

Date of measurement: 10/27/93 @ 11:00

Measurement location:

SWSE S03 T10S R1W

ABOUT 40 FT FROM P/D

Calculation prepared by: RON HOWERTON

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 309 feet.

The upstream and downstream rod readings are 5.97 and 7.47 feet.

The channel cross section is 3.58 ft-sq.

The wetted perimeter is 6.58 feet.

The hydraulic radius is 0.54 feet.

The slope is 0.0049

The roughness coefficient is 0.0250

The flow velocity is 2.766 ft/sec.

The rate of flow is 9.89 cfs.

CROSS SECTION NUMBER 1

For File Number A55-04011 for the BIG SPRINGS EAST DITCH

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.35	0.35	1.00
3	0.70	0.70	2.00
4	0.90	0.90	3.00
5	1.05	1.05	4.00
6	0.70	0.70	5.00
7	0.40	0.40	6.00
8	0.00	0.00	6.70

The area for this cross section is 4.04 square feet
and the wetted perimeter is 7.06 feet.

CROSS SECTION NUMBER 2

For File Number A55-04011 for the BIG SPRINGS EAST DITCH

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.50	0.50	1.00
3	0.75	0.75	2.00
4	0.80	0.80	3.00
5	0.70	0.70	4.00
6	0.40	0.40	5.00
7	0.00	0.00	5.80

The area for this cross section is 3.11 square feet
and the wetted perimeter is 6.09 feet.

Claim No(s).: ASS-04011Name of Claimant: OWEN Acc By: LYNN KNESS MANAGERName of Ditch, Canal, or Stream Name: BIG SPRINGS (EAST DITCH)Date of Measurement: 10-27-93/11/02 Data Collected By: RON HOWERMANMeasurement Location: SW 1/4 SE 1/4 Section 3 T 10S R 1W

General Description and Comments

Cross-section Data

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

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

UPSTREAM		DOWNSTREAM	
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>1</u>	12. <u>.5</u>	<u>1</u>
3. <u>.7</u>	<u>2</u>	13. <u>.75</u>	<u>2</u>
4. <u>.9</u>	<u>3</u>	14. <u>.8</u>	<u>3</u>
<u>1.05</u>	<u>4</u>	15. <u>.7</u>	<u>4</u>
6. <u>.7</u>	<u>5</u>	16. <u>.4</u>	<u>5</u>
7. <u>.4</u>	<u>6</u>	17. <u>0</u>	<u>5.8</u>
8. <u>0</u>	<u>6.7</u>	18. _____	
9. _____		19. _____	
10. _____		20. _____	

Slope Data

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

Channel length from cross section: Upstream 128 Downstream 181Total channel length used for slope measurement: 309

Rod reading at engineers level: _____

Upstream rod reading 5.97 - High Water Mark(if taken from channel bottom) _____ = _____Downstream rod reading 7.47 - High Water Mark(if taken from channel bottom) _____ = _____

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

Are maps and/or photos attached? Yes ()

MANNING'S "n" (roughness coefficient)

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	3/15-6/5	DATABASE EXAMINER 8.800	DATABASE EXAMINER	DATABASE EXAMINER
-DOMESTIC	04/16 10/01 01-01 12-31	0.020		13200

TOTAL FOR THIS RIGHT

REVIEWED BY: Reh

DATE: 1/12/98

4.6 454.7

A. CHECK ONLY THE FOLLOWING THAT APPLY:

ACCEPTED AS CLAIMED ☒ NEEDS REVIEW ☐
☒ ☐
☐ ☐
☐ ☐

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-04011

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 8.800 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-04011	8.800	-		55-04011	8.800
TOTAL CFS		8.800				8.800

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 RS
DATABASE X

REMARKS:

B/w

AUTHENTICATION: Ron Howerton

SIGNATURE: Ron Howerton

NAME OF FIELD EXAMINER: Ron Howerton

DATE: 1/12/98
TITLE: 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: A55-04011

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								
BASIS OF CLAIM								
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAAPP 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.

09:25:46
03/06/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 14
PROFILE REPORT

CLAIM NUMBER: A55-04011

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	OWEN FAMILY REVOCABLE TRUST A RICHARD L OWEN TRUSTEE PO BOX 590 BRUNEAU ID 83604 (208) 845-2001	09/23/1910	IRRIGATION DOMESTIC	04-15 10-01 01-01 12-31	8.80 CFS 0.02 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	8.80 CFS	1320.0 AFA

Water Source: BIG SPRINGS
Tributary to: BIG SPRINGS CREEK
Stage: BENEFICIAL USE
OWYHEE County

Point(s) of Diversion: T10S R01W S03

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE								
T	R S	NENE	NWNE	SWNE	SENE	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
10S 01W 3	:	40	40	40	40	:	:	:	:	:	:	40	40	40.0
10S 01W 10	:	:	:	:	:	:	40	:	:	:	:	40	40	360.0
10S 01W 15	:	:	:	:	:	:	:	:	:	:	:	:	:	40.0
														440.0
														TOTAL ACRES

Place of use Legal Description for: DOMESTIC

NE		NW		SW		SE								
T	R S	NENE	NWNE	SWNE	SENE	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
10S 01W 3	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: OWYHEE

Non-Irrigation Uses: DOMESTIC 1 HOME

Other Rights: 55-4010, 55-4008, 55-2061

Non-Irrigation Use: DOMESTIC 1 HOME

Remarks: DOMESTIC PERIOD OF USE LISTED AS 4/15 TO 10/1.
CLAIM BASED ON LAPSED PERMIT 55-2025.
CLAIM INCORRECTLY SHOW BIG SPRINGS TRIB. TO BATTLE CREEK.

Dates: Exam Made Date: Verified Date:

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

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)

IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

☒ ORTHOPHOTOQUAD

DATE OF PHOTO

1979

IDWR ID NO. BB-57

Y() N()

☐ TOPOGRAPHIC

DATE FIELD CHECKED

IDWR ID NO.

Y() N()

☐ NAPP

DATE OF PHOTO

IDWR ID NO.

Y() N()

☒ ASCS AERIAL PHOTO

DATE OF PHOTO

1988

IDWR ID NO.

Y() N()

☐ ASCS COLOR SLIDE

DATE OF PHOTO

IDWR ID NO.

Y() N()

☒ BLM OR USFS AERIAL PHOTO

DATE OF PHOTO

1978 TRIANGLE

IDWR ID NO.

Y() N()

☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)

DATE OF SURVEY

IDWR ID NO.

Y() N()

☐ SCS SOIL SURVEY MAP

DATE ISSUED

IDWR ID NO.

Y() N()

☐ SUBDIVISION PLAT MAP

DATE OF MAP

IDWR ID NO.

Y() N()

☒ OTHER LOC MAP

DATE

TRANS DEPT CITY MAP

Y() N()

☐ OTHER

DATE

IDWR ID NO.

Y() N()

☐ OTHER

DATE

IDWR ID NO.

Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

NO. OF

PAGES

NOTES

☐ LICENSING FIELD EXAM

DATE OF FIELD EXAM

☐ WATER RIGHT LICENSE

DATE LICENSE SIGNED

☐ IDWR APPROVED TRANSFER

DATE TRANSFER APPROVED

☐ SYSTEM DESCRIPTION

DATE DRAWN

☒ PHOTOGRAPHS

DATE(S) PHOTOS TAKEN

10/27/93

☐ SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

☐ HUBBLE ANALYSIS

DATE ANALYSIS COMPLETED

☐ CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

☐ FLOW MEASUREMENT CALCULATIONS

DATE SYSTEM MEASURED

☒ OTHER OVERLAP REVIEW

DATE

NA

☐ OTHER

DATE

Photo's By
RDH 10/27/93

PICTURE # 1

A55-04011 & A55-04010

P/D for both above claims, they both share the West Ditch from the spring. The left side of photo is the East ditch and the right side of photo is the shared West ditch. Concrete head gates and spillway. Located NWSWSE, S3, T10S, R1W.



PICTURE # 2

Domestic use, has portable 3 HP pump that pumps water from ditch up to storage tank. Has underground lines to tank. Located in the SWSE, S3, T10S, R1W.



PICTURE # 3

Photo's By
RDH 10/27/93

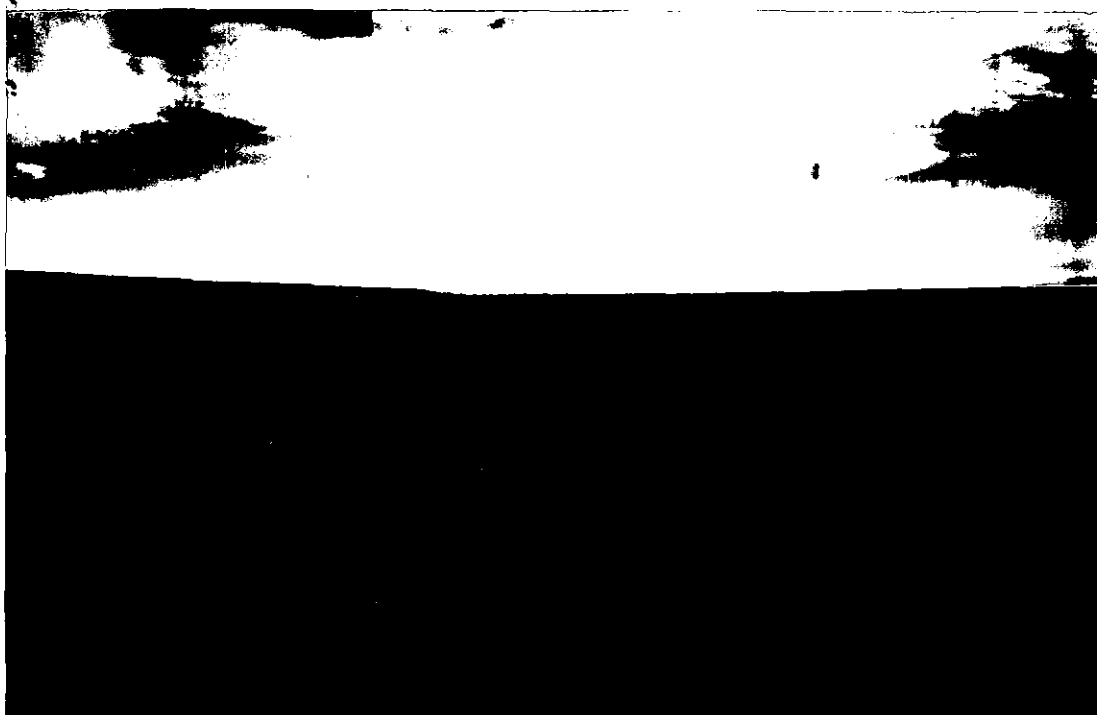
A55-04011

POU shown looking South, Located NWNE, S10, T10S, R1W.



PICTURE # 4

POU, looking South East at bottom field. Located in the SESE, S10, T10S, R1W.



PICTURE # 5

Photo's By
RDH 10/27/93

A55-04011

Upstream X-Section of East ditch. Located SWSE, S3, T10S, R1W.



PICTURE # 6

Downstream X-Section of East ditch. Located in the SWSE, S3, T10S, R1W.

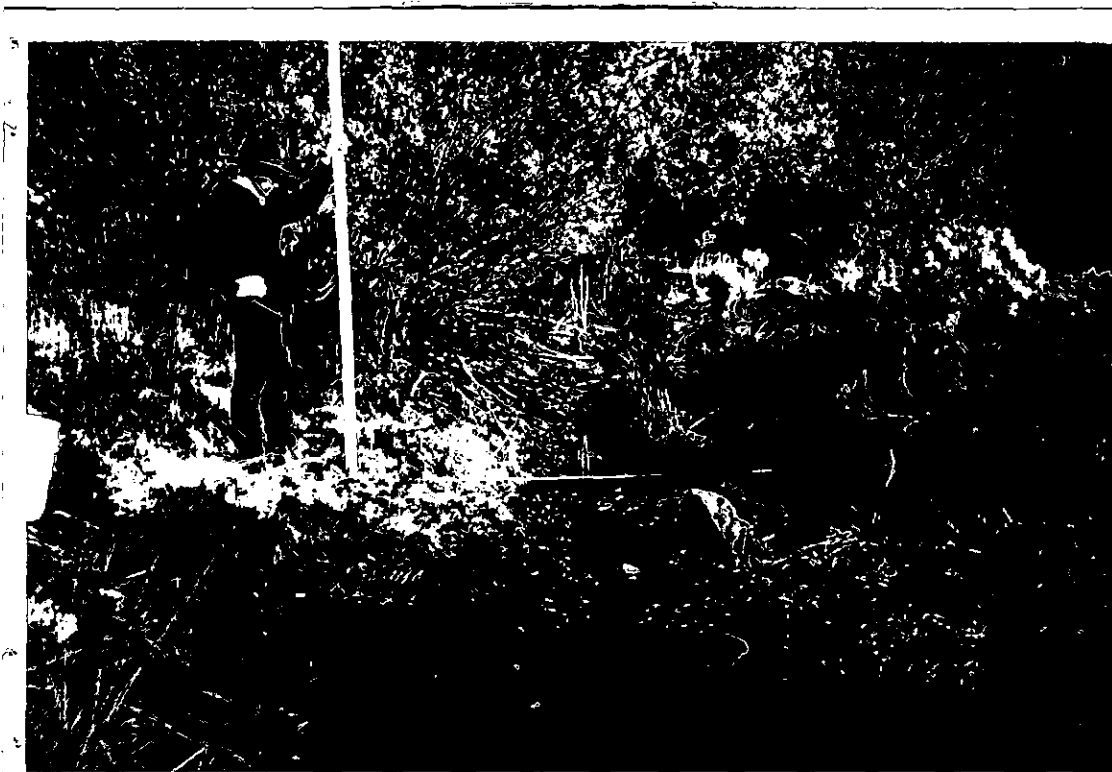


Photo's By
RDH 10/27/93

PICTURE # 7

A55-04011 & A55-04010

Upstream X-Section of West ditch. Located SWSE, S3, T10S, R1W. This is a shared ditch for both claims above.



PICTURE # 8

A55-04011 & A55-04010

Downstream X-Section of West ditch. Located in the SWSE, S3, T10S, R1W.





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-04011

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

AJ5516NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION ATTORNEY NAME ADD/UPDATE

DATE: 02/02/96
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
A51-00034	SUCCESSFULLY CHANGED ON HOST
A51-00035A	SUCCESSFULLY CHANGED ON HOST
A51-00036A	SUCCESSFULLY CHANGED ON HOST
A51-00068A	SUCCESSFULLY CHANGED ON HOST
A51-00069	SUCCESSFULLY CHANGED ON HOST
A51-00071	SUCCESSFULLY CHANGED ON HOST
A51-00072	SUCCESSFULLY CHANGED ON HOST
A51-00073	SUCCESSFULLY CHANGED ON HOST
A51-00074	SUCCESSFULLY CHANGED ON HOST
A51-02044A	SUCCESSFULLY CHANGED ON HOST
A51-02044B	SUCCESSFULLY CHANGED ON HOST
A51-02089B	SUCCESSFULLY CHANGED ON HOST
A51-02091	SUCCESSFULLY CHANGED ON HOST
A51-02108	SUCCESSFULLY CHANGED ON HOST
A51-02120	SUCCESSFULLY CHANGED ON HOST
A51-02123	SUCCESSFULLY CHANGED ON HOST
A51-02126	SUCCESSFULLY CHANGED ON HOST
A51-02127	SUCCESSFULLY CHANGED ON HOST
A51-02133	SUCCESSFULLY CHANGED ON HOST
A51-02138	SUCCESSFULLY CHANGED ON HOST
A51-02150	SUCCESSFULLY CHANGED ON HOST
A51-02152	SUCCESSFULLY CHANGED ON HOST
A51-02165	SUCCESSFULLY CHANGED ON HOST
A51-02167	SUCCESSFULLY CHANGED ON HOST
A51-02169	SUCCESSFULLY CHANGED ON HOST
A51-02170	SUCCESSFULLY CHANGED ON HOST
A51-02178	SUCCESSFULLY CHANGED ON HOST
A51-02196	SUCCESSFULLY CHANGED ON HOST
A51-02213B	SUCCESSFULLY CHANGED ON HOST
A51-02238	SUCCESSFULLY CHANGED ON HOST
A51-04023	SUCCESSFULLY CHANGED ON HOST
A51-04103	SUCCESSFULLY CHANGED ON HOST
A51-04104	SUCCESSFULLY CHANGED ON HOST
A51-04105	SUCCESSFULLY CHANGED ON HOST
A51-07047	SUCCESSFULLY CHANGED ON HOST
A51-07058	SUCCESSFULLY CHANGED ON HOST
A51-07082	SUCCESSFULLY CHANGED ON HOST
A51-07092	SUCCESSFULLY CHANGED ON HOST
A51-07093	SUCCESSFULLY CHANGED ON HOST
A51-07107	SUCCESSFULLY CHANGED ON HOST
A51-07119	SUCCESSFULLY CHANGED ON HOST
A51-07281	SUCCESSFULLY CHANGED ON HOST
A51-10170	SUCCESSFULLY CHANGED ON HOST

AJ5514NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION ATTORNEY NAME ADD/UPDATE

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

INPUT: AJ_SELECTION:SHAFF-CAMPBELL-CAN.SEL

TYPE OF ACTION: MODIFY
MODIFY ALL FIELDS FLAG: N

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

STATE: ID ZIP: 837011539

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

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
A51-10275 SUCCESSFULLY CHANGED ON HOST
A51-10276 SUCCESSFULLY CHANGED ON HOST
A51-10277 SUCCESSFULLY CHANGED ON HOST
A51-10278 SUCCESSFULLY CHANGED ON HOST
A51-10279 WATER RIGHT HAS NO ATTORNEY OWNER CODE - NOT UPDATED
A51-10280 SUCCESSFULLY CHANGED ON HOST
A51-10281 SUCCESSFULLY CHANGED ON HOST
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A55-10147 SUCCESSFULLY CHANGED ON HOST
A55-10221 SUCCESSFULLY CHANGED ON HOST

Previously conveyed to Idaho Fish & Game

INPUT: AJ_SELECTION:SHAF-CAMPBELL-CAN.SEL

TYPE OF ACTION: MODIFY LAST NAME:
MODIFY ALL FIELDS FLAG: N ADDRESS LINE 1: ELAM & BURKE
ADDRESS LINE 3: PO BOX 1539
CITY: BOISE
STATE: ID ZIP: 837011539
PHONE NUMBER: (208) 343-5454

A55-10222 SUCCESSFULLY CHANGED ON HOST
A55-10223 SUCCESSFULLY CHANGED ON HOST
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A63-00166A SUCCESSFULLY CHANGED ON HOST
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R51-04105 SUCCESSFULLY CHANGED ON HOST
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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

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: 837015539

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
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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

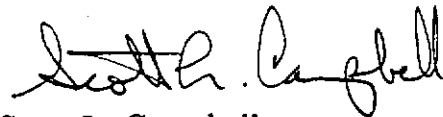
David B. Shaw, Esq.
December 10, 1993
Page 2

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
CAWPDATA\SLC00001.PLD

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

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

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

DATED this 6th Day of December, 1993.

ELAM & BURKE

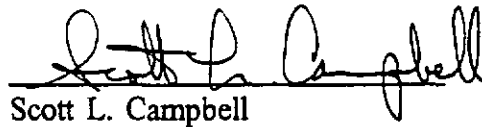
By Scott L. Campbell
Scott L. Campbell

CERTIFICATE OF SERVICE

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

All Parties of Record

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


Scott L. Campbell

CERTIFICATE OF MAILING

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Washington, D.C. 20026-4378

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

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Idaho Department of Water Resources
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Nez Perce Tribe
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Holden Kidwell Hahn * Crapo
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Twin Falls, Idaho 83303-1906

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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

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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
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Boise, Idaho 83701

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Blair Grover, Esq.
Grover Law Office
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Environment and Natural Resources
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Conflict Management Services
Boise State University
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Boise, Idaho 83725

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

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
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Twin Falls, Idaho 83303

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Fruitland, Idaho 83619

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Kent Fletcher, Esq.
Parsons, Smith, Stone & Fletcher
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Burley, Idaho 83318

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Office of the General Counsel
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Boise, Idaho 83706

Barbara Scott-Brier, Esq.
Department of the Interior
Regional Solicitor's Office
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Portland, Oregon 97232

U.S. Department of Justice
Environment & Natural Resources Div.
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Juel Aikele
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Arco, ID 83213

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San Diego, CA 92113

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Mitchell D. Sorenson
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Moore, ID 83255

Herman Aikele
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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

DEADLINE
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.

MICROFILMED

SEP 29 1992

FAX: (208) 338-8299

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

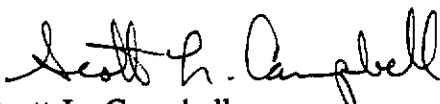
Davis Wright Tremaine

Jan Shurte
February 7, 1992
Page 2

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

Very truly yours,

DAVIS WRIGHT TREMAINE


Scott L. Campbell

SLC:md
Enclosures

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

MICROFILMED
SEP 29 1992

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

Attorneys for Claimant
Owen Ranches

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

In Re the General Adjudication
of Rights to the Use of Water
From the Snake River Basin
Water System

CASE NO. 39576

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

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

Petitioner,

v.

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

Defendants.

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

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

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

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

BIG SPRINGS RANCH

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

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

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

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

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

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

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

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

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

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

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

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

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

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

BATTLE CREEK RANCH

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

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

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

21. Under Water Right No. A55-04009, the points of diversion -- for the water diverted from Scrappy Creek, Scrappy Reservior and Lower Butte Reservior 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 A. Bick
Notary Public for Idaho
Residing at Idaho Falls
My Commission Expires: 4/10/97

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

Attorneys for Claimant
Owen Ranches

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

In Re the General Adjudication
of Rights to the Use of Water
From the Snake River Basin
Water System

CASE NO. 39576

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

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

Petitioner,

v.

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

Defendants.

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

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

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

BIG SPRINGS RANCH

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

BATTLE CREEK RANCH

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

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

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

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

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

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

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

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

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

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

WYLIE RANCH

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

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

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

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

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

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

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

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

SCATTERED WATER RIGHTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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} ~~December~~, 1991, 1992.

Albert Black
Albert Black

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

Morris A. Beck
Notary Public for Idaho
Residing at Boonville, Idaho
My Commission Expires: 4/15/97



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

MAY 22 1992

Department of Water Resources
Western Regional Office

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

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

Dear Scott:

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

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

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

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:region(s)

Enclosures:

Five Computer Reports

DAVIS WRIGHT TREMAINE

LAW OFFICES

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

RECEIVED
FEB 25 1992

Department of Water Resources

SCOTT L. CAMPBELL
(208) 338-8219

February 24, 1992

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

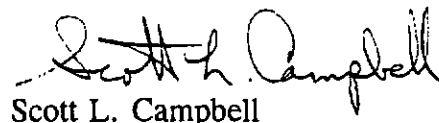
Re: Notice of Change in Address and Firm Affiliation

To Whom it May Concern:

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

Very truly yours,

DAVIS WRIGHT TREMAINE


Scott L. Campbell

SLC:md

FAX: (208) 338-8299

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

DAVIS WRIGHT TREMAINE

LAW OFFICES

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

SCOTT L. CAMPBELL
(208) 338-8219

February 13, 1992

RECEIVED
FEB 14 1992

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

Department of Water Resources

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

Dear David:

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

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

Thank you very much for your cooperation.

Very truly yours,

DAVIS WRIGHT TREMAINE


Scott L. Campbell

SLC:md
Enclosures

FAX: (208) 338-8299

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

JUL 18 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

February 15, 1991

CECIL D. ANDRUS

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

GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Ref: Adjudication Claims

Dear Mr. Owen:

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

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

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

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

S U M M A R Y

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

Truly yours,

Ron Howerton
Sr. Water Resource Agent

Attachments: A

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

CLAIM NO.

MODIFICATION

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

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

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

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

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

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

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

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

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

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

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

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



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 14, 1990

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

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

Dear Mr. ^{Scott} Campbell:

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

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

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

Yours truly,

David B. Shaw
Adjudication Bureau Chief

DBS;dms

OWEN RANCHES
Snake River Basin Adjudication

Notice of Claim to Water Right:

Number

Priority Date

A51-00002
A51-00003
A51-00004 - A51-10352
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

SCOTT L. CAMPBELL

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

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

January 8, 1991

RECEIVED
JAN 09 1991

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

Department of Water Resources

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

Dear David:

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

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

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

Mr. David Shaw
January 8, 1991
Page 2

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

Thank you for your assistance in this matter.

Very truly yours,

ELAM, BURKE AND BOYD


Scott L. Campbell

SLC:jm
Enclosure

cc: Mr. and Mrs. Richard L. Owen

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

Basin 51:

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

Basin 55:

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

Basin 65:

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