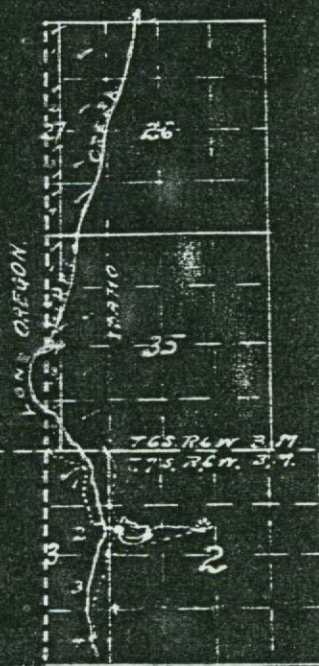
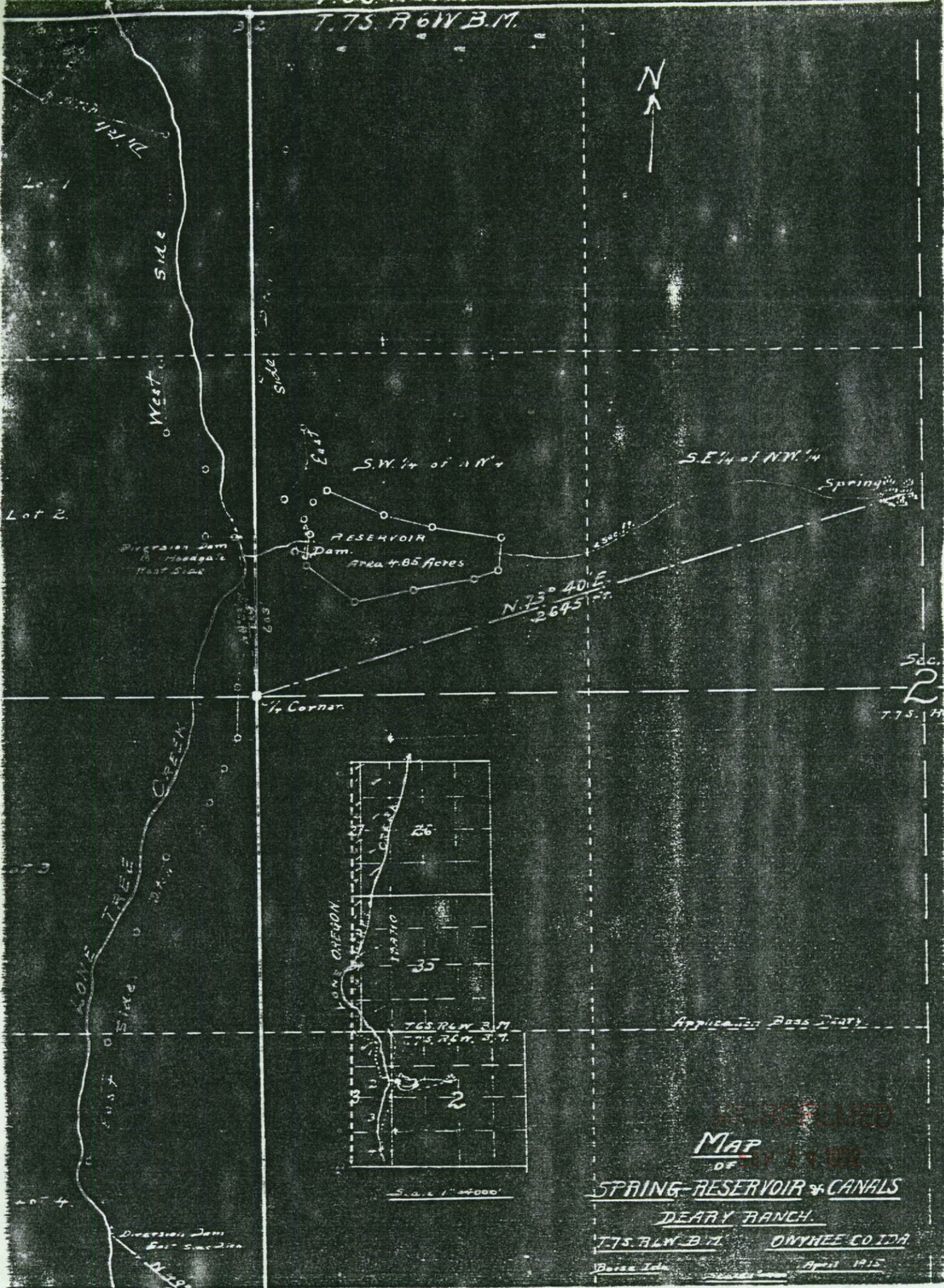


T. 7S. R. 6W. B.M.



RECORDED
MAP
OF
SPRING-RESERVOIR & CANALS
DEARY RANCH.
T. 7S. R. 6W. B.M. ONYHEE CO. IDA
Besse Ida April 1915

**IDAHO DEPARTMENT
OF WATER RESOURCES**

T07S, R06W, S02 & 03

6 = ACRES

 **Section Lines**

 **PLACE OF USE**

 **1/4 1/4 Lines**

 **POINT(S) OF DIVERSION**

Claim(s): 55-04081

Owner(s): SEEBECK

Prepared by: KAY WALKER

Date: 05/06/1998

TOTAL ACRES = 144

PAGE 1 OF 3

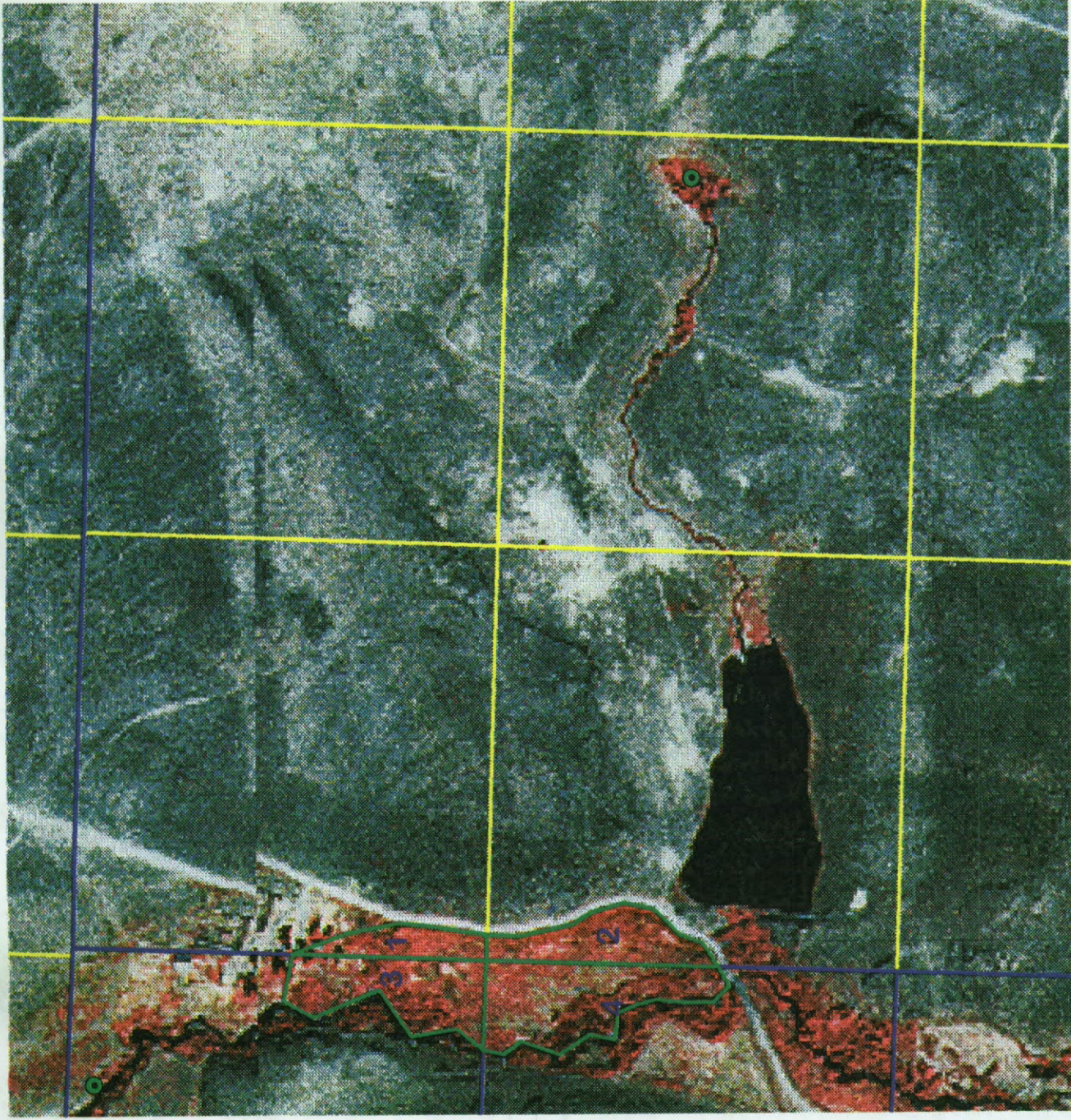


1987 NAPP

0

0.25

0.5 Miles



**IDAHO DEPARTMENT
OF WATER RESOURCES**

**T06S, R06W, S34 & 35
T07S, R06W, S03**

6 = ACRES

Section Lines

PLACE OF USE

1/4 1/4 Lines

POINT(S) OF DIVERSION

Claim(s): 55-04081

Owner(s): SEEBECK

Prepared by: KAY WALKER

Date: 05/06/1998

TOTAL ACRES = 144

PAGE 2 OF 3

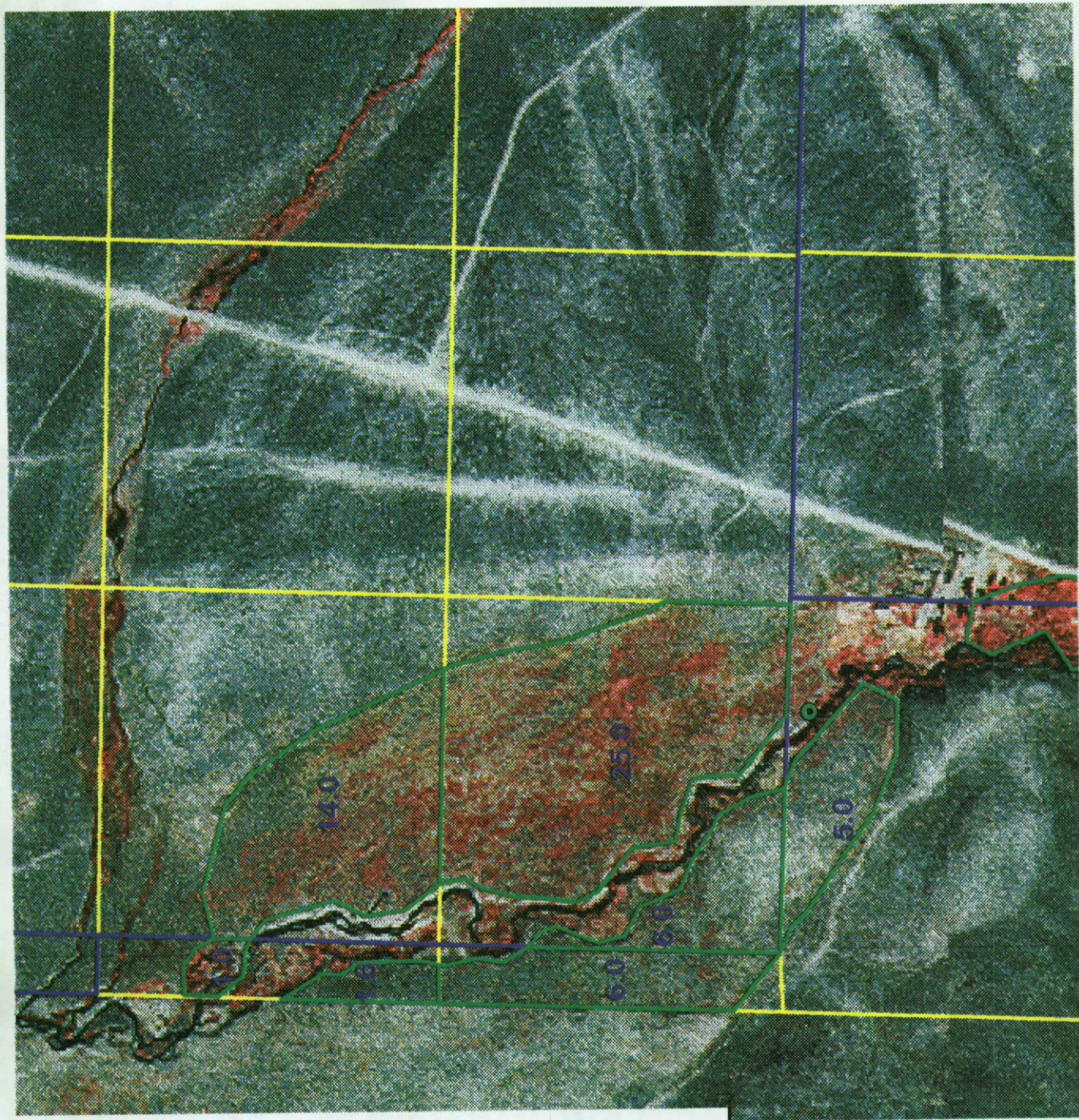


1987 NAPP

0.5 Miles

0.25

0



IDAHO DEPARTMENT OF WATER RESOURCES

T06S, R06W, S26 & 27

6 = ACRES

Section Lines

PLACE OF USE

1/4 1/4 Lines

POINT(S) OF DIVERSION

Claim(s): 55-04081

Owner(s): SEEBECK

Prepared by: KAY WALKER

Date: 05/06/1998

TOTAL ACRES = 144

PAGE 3 OF 3

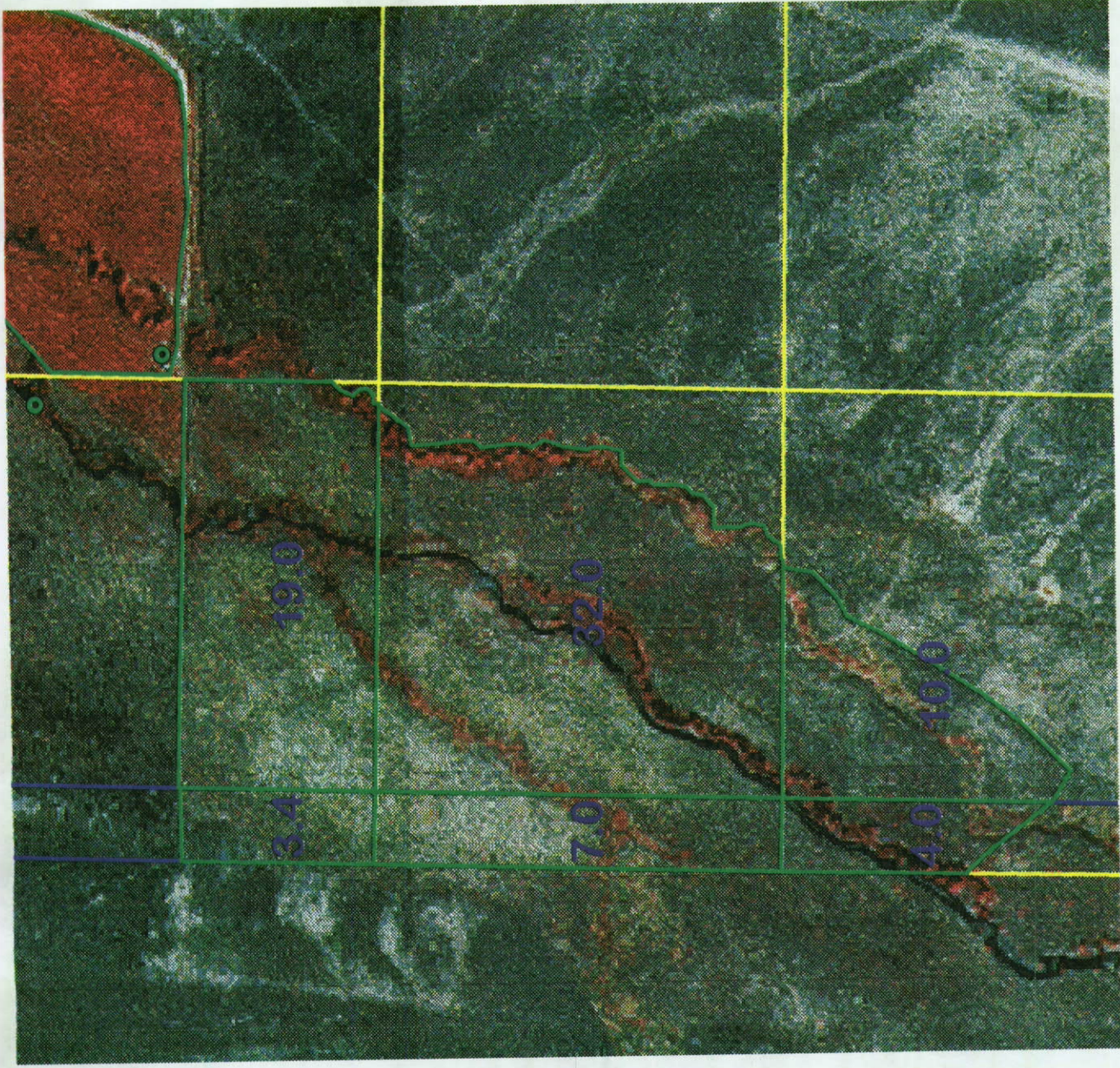


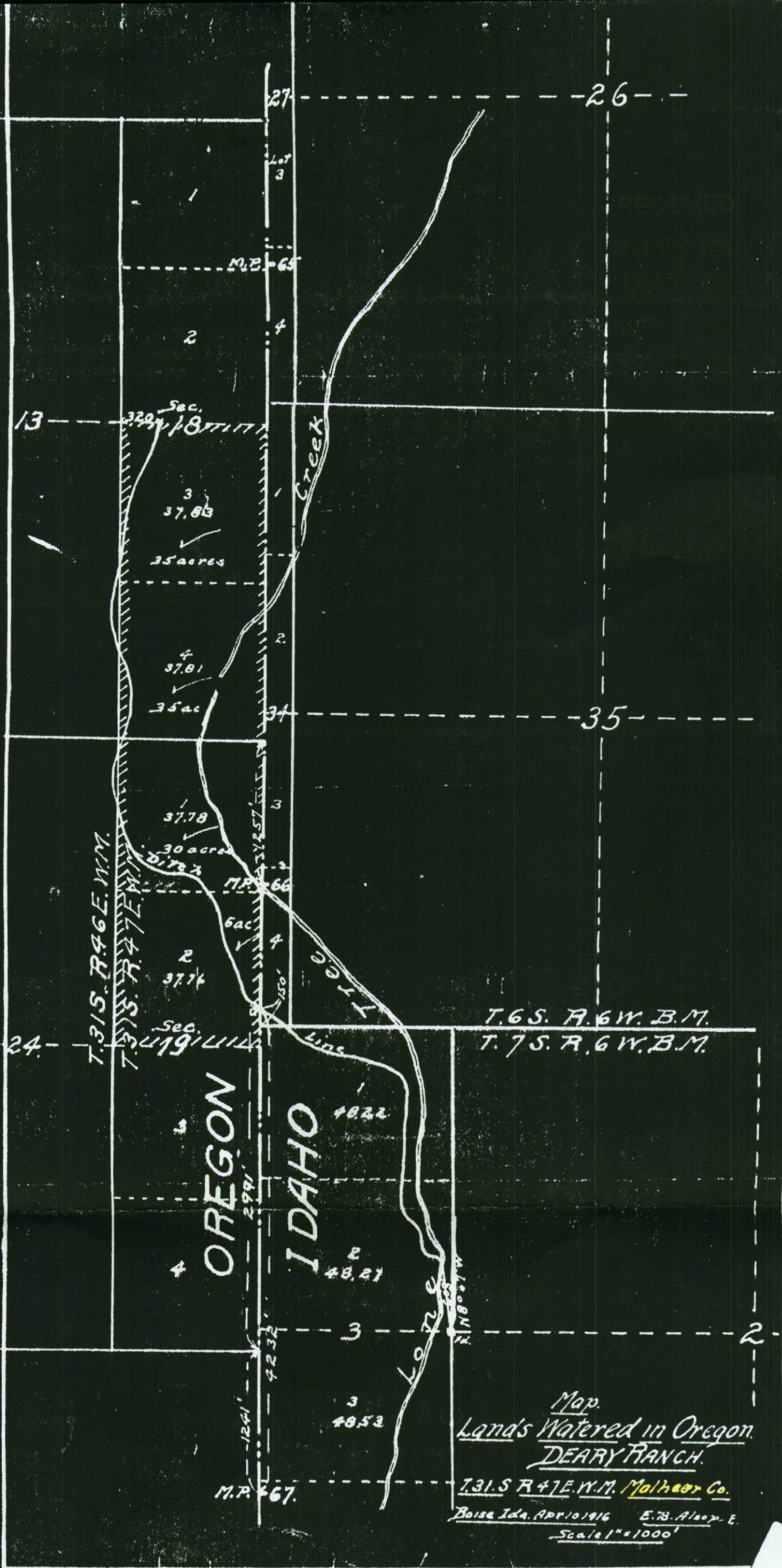
1987 NAPP

0.5 Miles

0.25

0

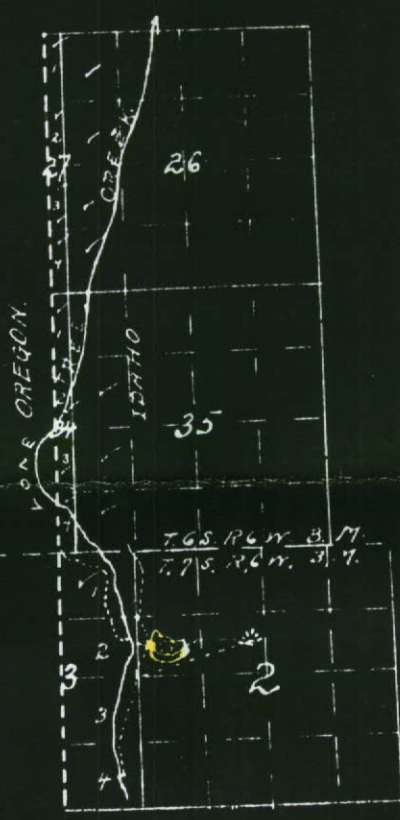
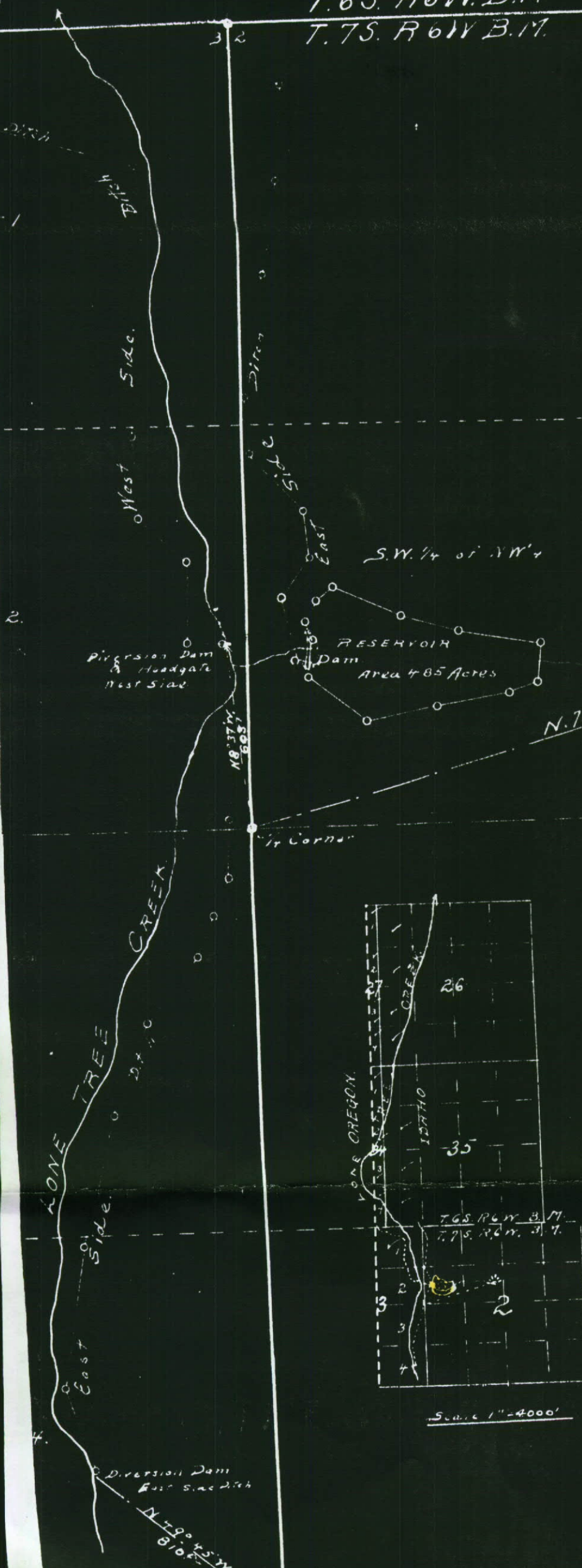




T. 65. R. 6 W. B. 17
 T. 75. R. 6 W. B. 17



RECEIVED
 JAN 13 1901
 DISTRICT



Scale 1" = 4000'

MAP
 OF
 SPRING-RESERVOIR & CA
 DEARY RANCH.
 T. 75. R. 6 W. B. 17. OWYHEE C
 Horse Island
 Scale 1" = 4000'
 by E. B. ALLEN

**IDAHO DEPARTMENT
OF WATER RESOURCES**

T07S, R06W, S02 & 03

6 = ACRES

 **Section Lines**

 **PLACE OF USE**

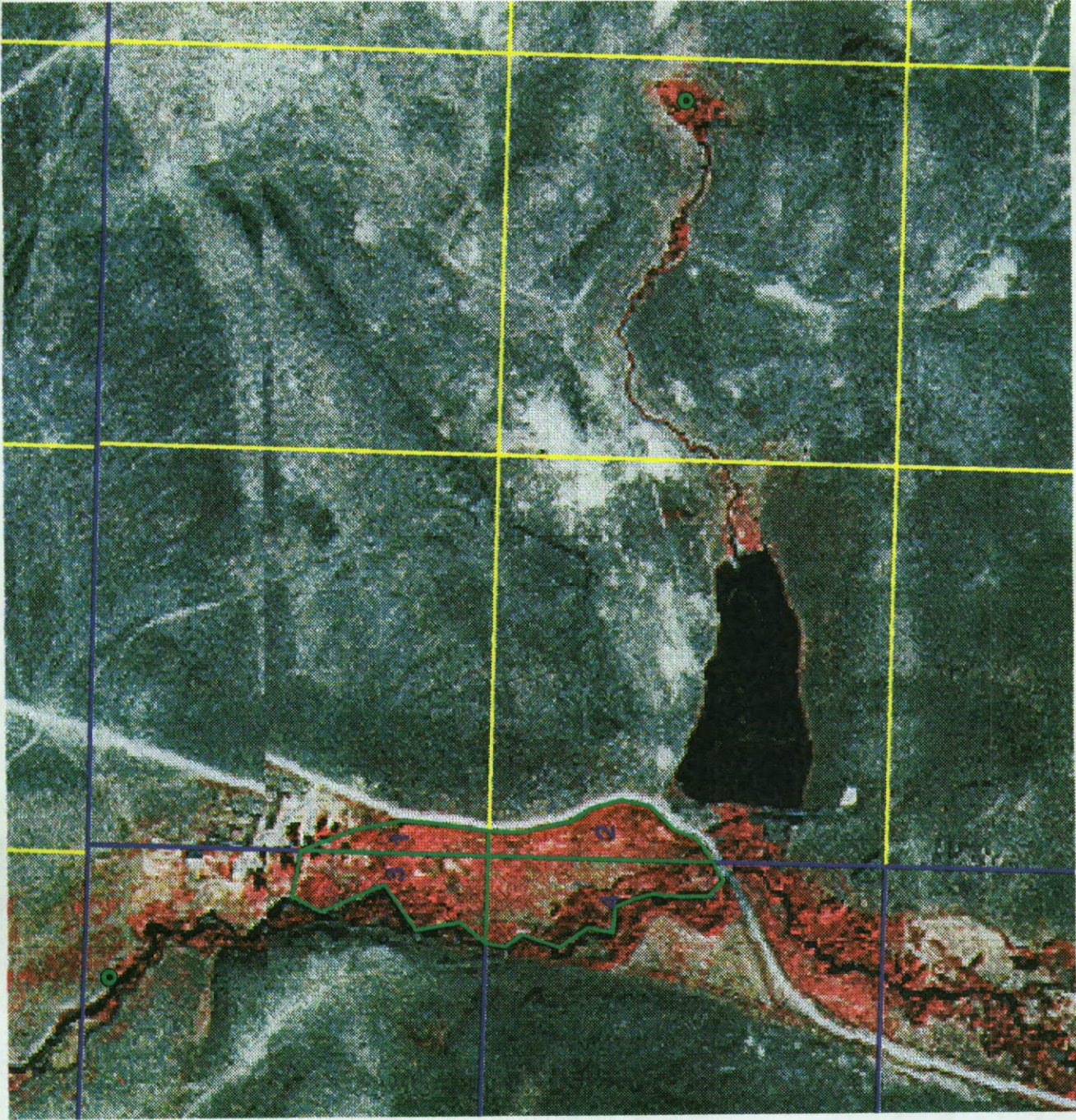
 **1/4 1/4 Lines**

 **POINT(S) OF DIVERSION**

Claim(s): 55-04081
Owner(s): SEEBECK
Prepared by: KAY WALKER
Date: 05/04/1998
Total Acres: ~~429.4~~ 129.3
PAGE 1 OF 3



1987 NAPP



IDAHO DEPARTMENT OF WATER RESOURCES

T06S, R06W, S34 & 35
T07S, R06W, S03

6 = ACRES

 Section Lines

 PLACE OF USE

 1/4 1/4 Lines

 POINT(S) OF DIVERSION

Claim(s): 55-04081
Owner(s): SEEBECK
Prepared by: KAY WALKER
Date: 05/04/1998
Total Acres: ~~429.4~~ **129.3**
PAGE 2 OF 3

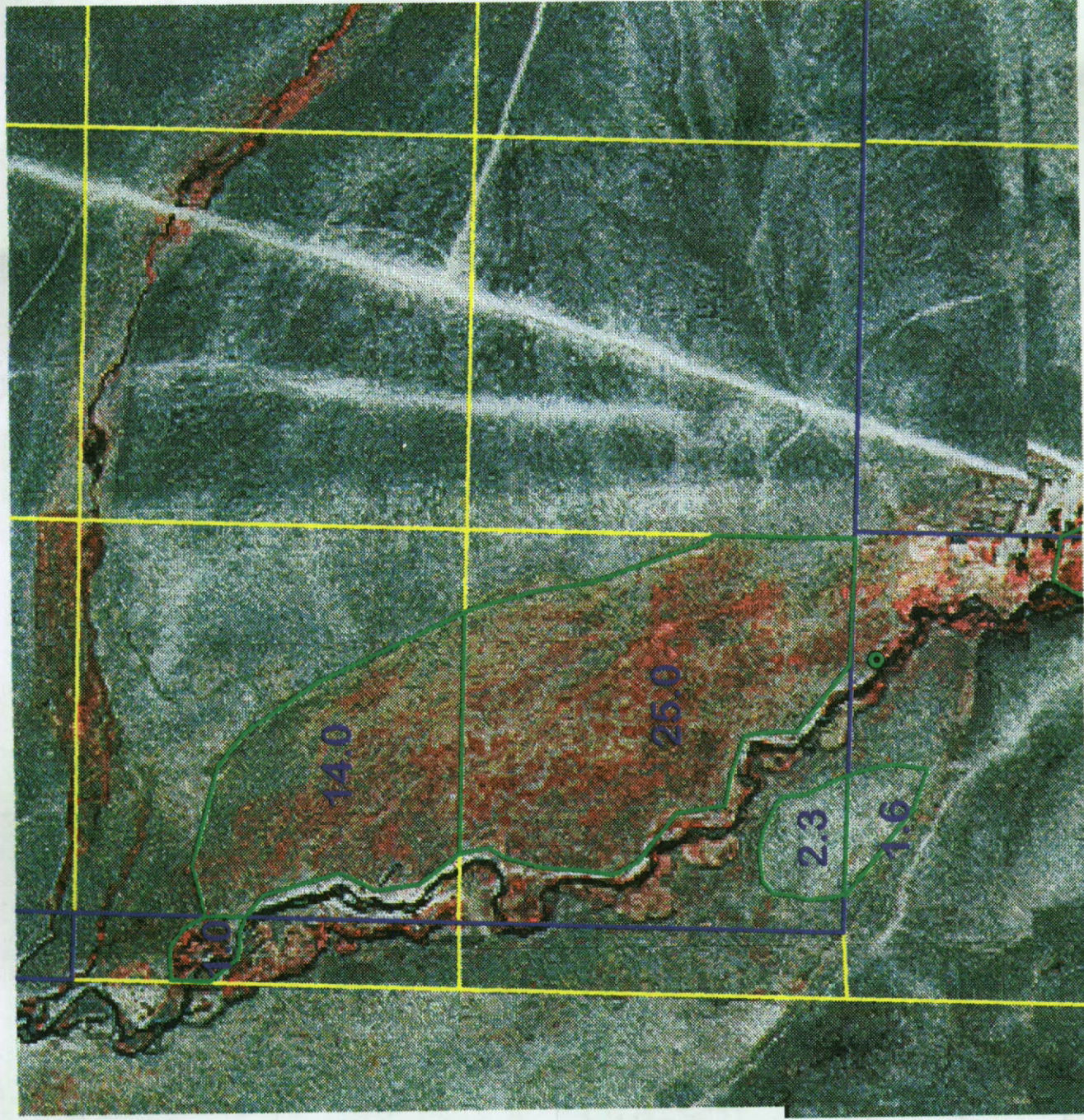


1987 NAPP

0.5 Miles

0.25

0



IDAHO DEPARTMENT OF WATER RESOURCES

T06S, R06W, S26 & 27

6 = ACRES

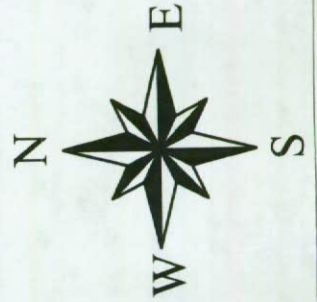
Section Lines

PLACE OF USE

1/4 1/4 Lines

POINT(S) OF DIVERSION

Claim(s): 55-04081
Owner(s): SEEBECK
Prepared by: KAY WALKER
Date: 05/04/1998
Total Acres: ~~120.4~~ **129.3**
PAGE 3 OF 3

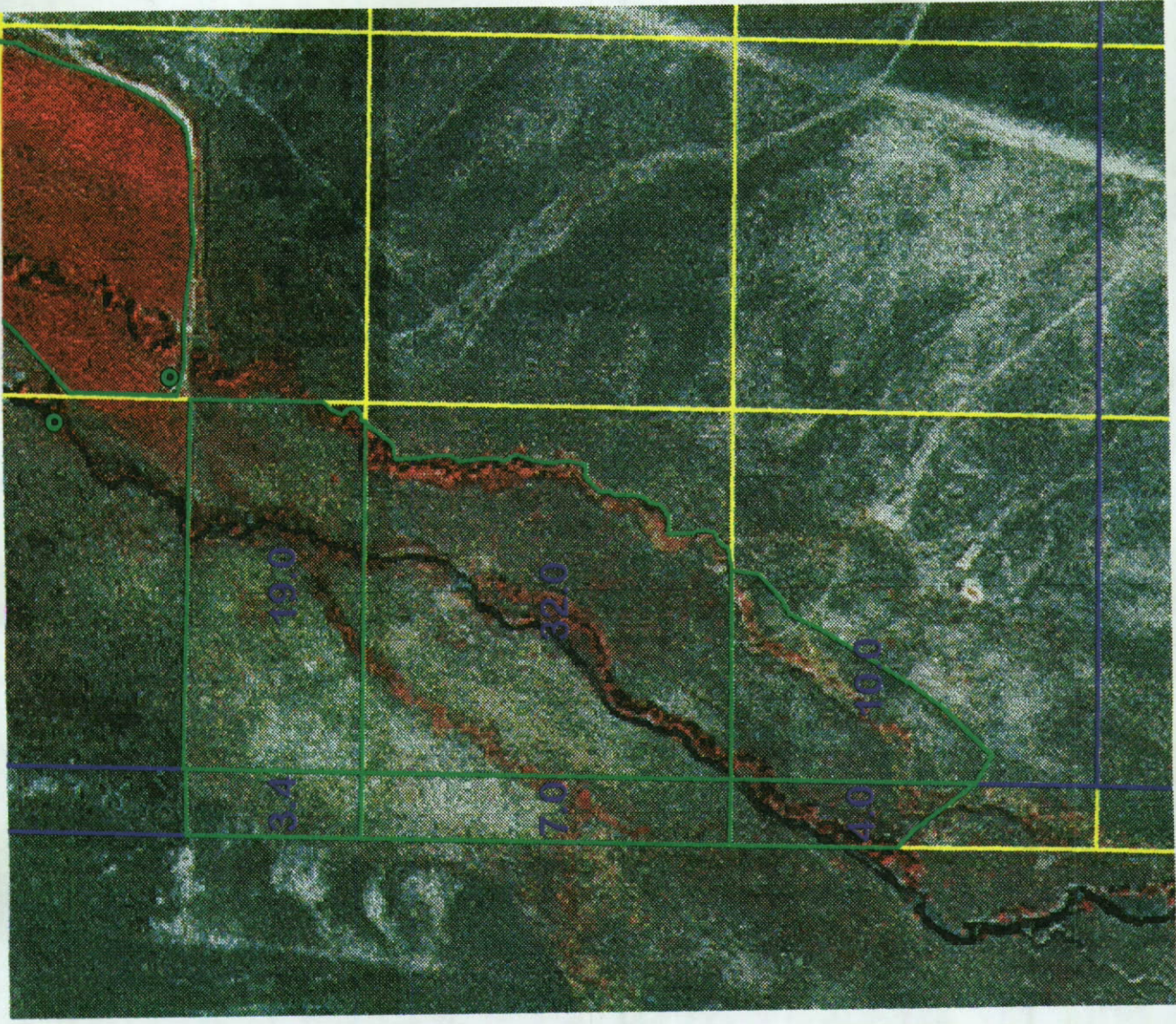


1987 NAPP

0.5 Miles

0.25

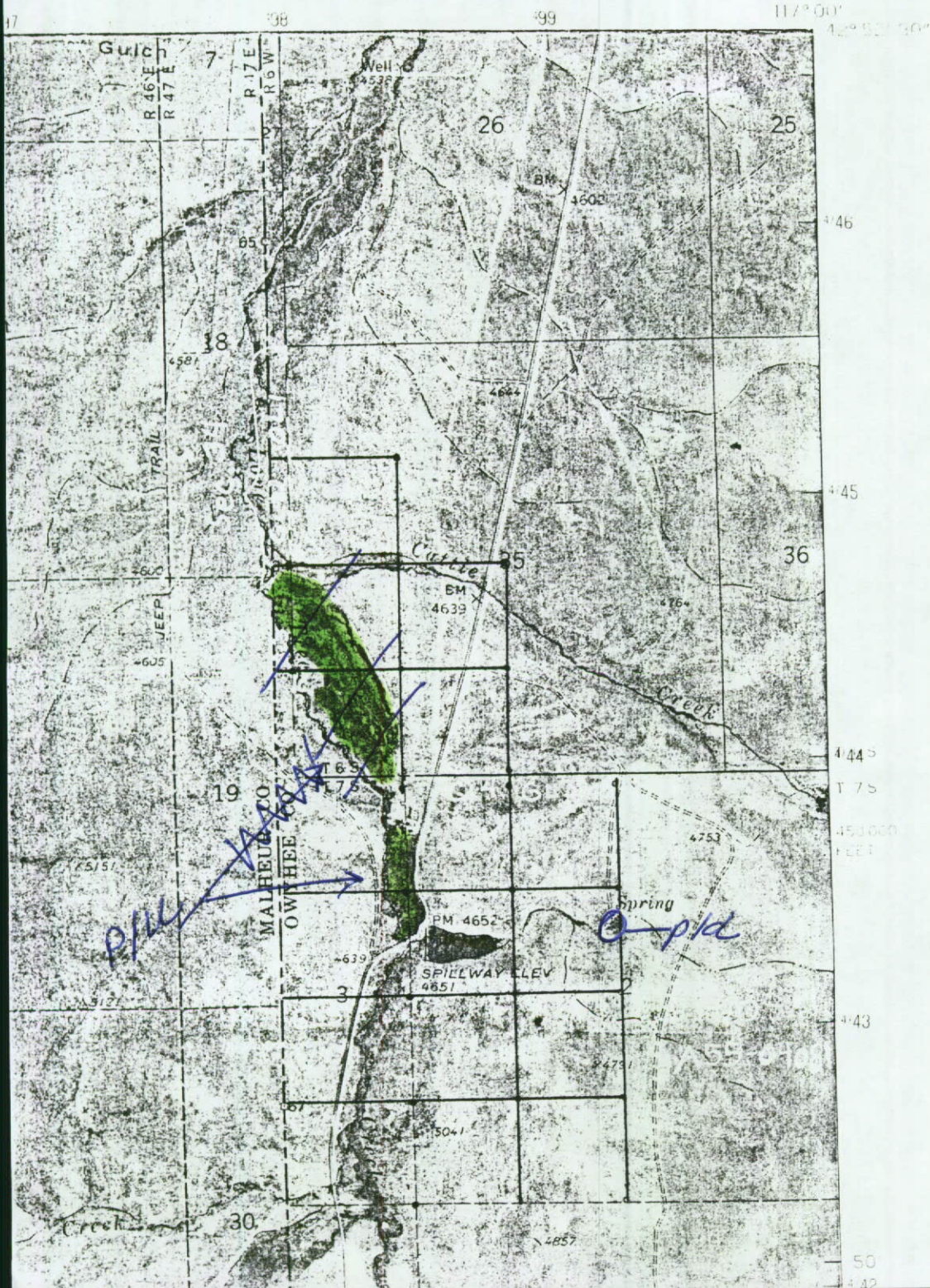
0



AA52-1979

R6W

PARSNIP PEAK QUADRANGLE
OREGON-IDAHO
7.5 MINUTE SERIES (ORTHO PHOTOQUAD)



T6S

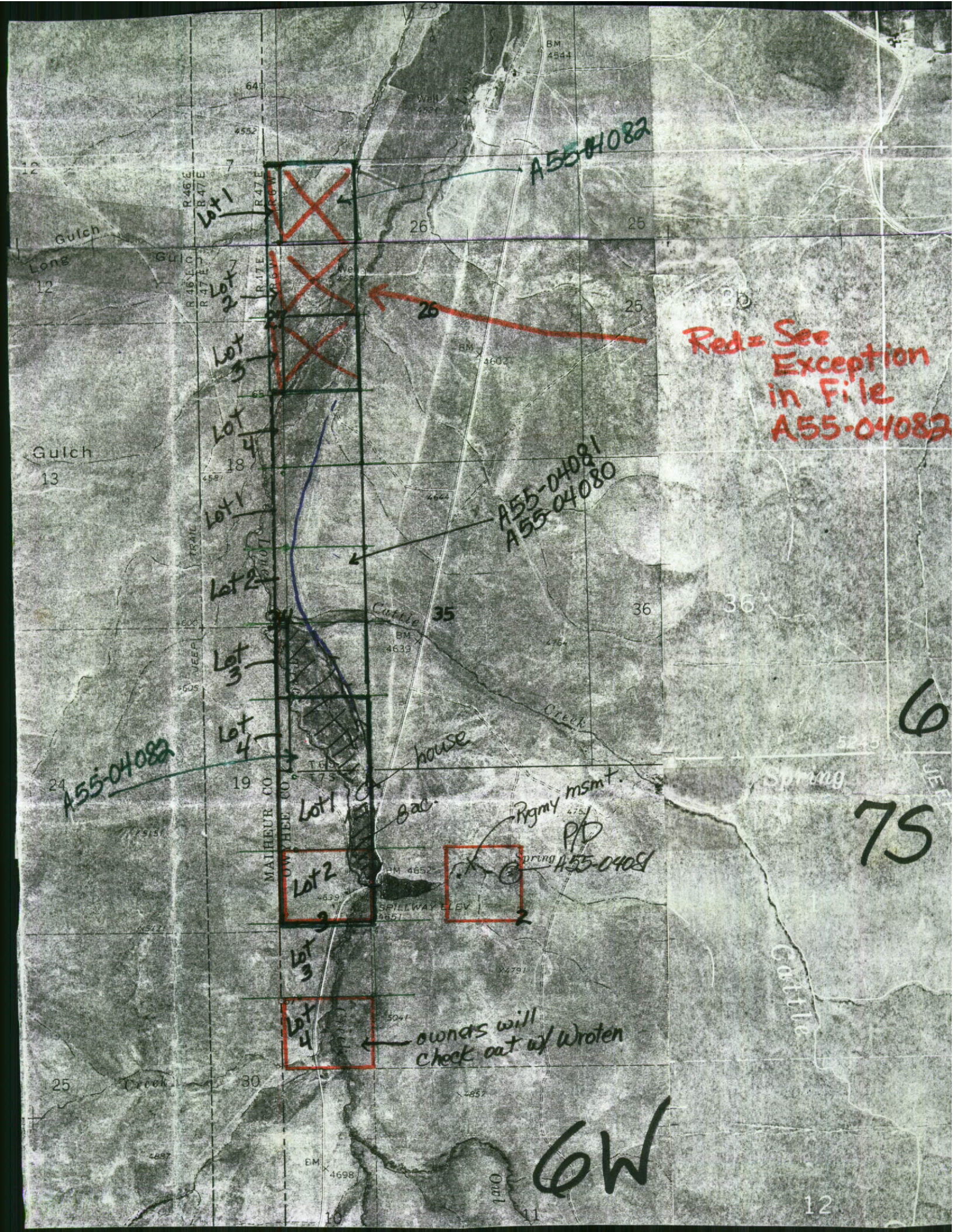
T7S

AA52NE

429-148

7-31-87

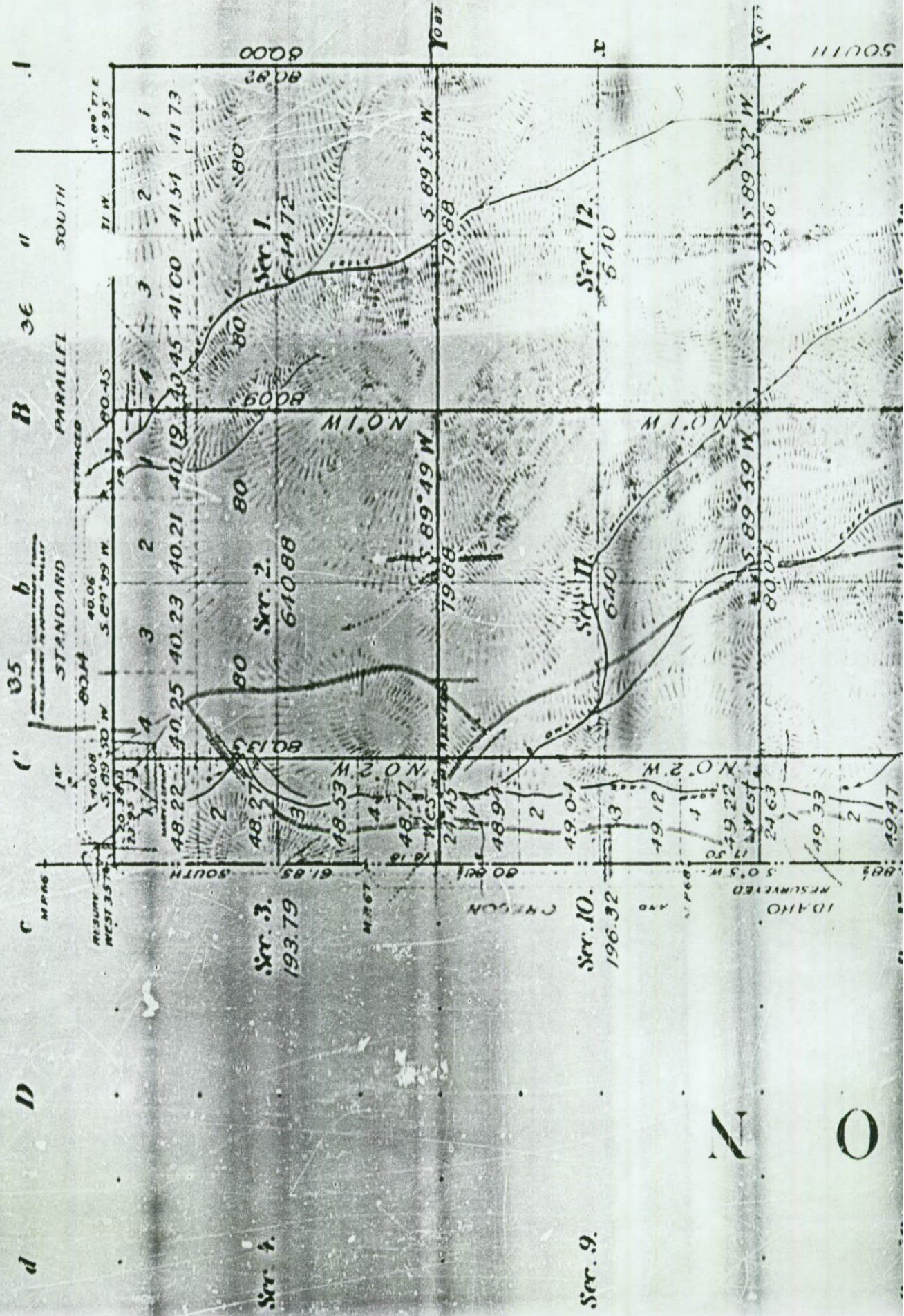




(1909)

7 South

Meo Pasta





PHOTOGRAPHER: ~~KAY WALKER~~ Linda Werner

DATE OF PHOTOS 6/25/92

FILE NO(S). A55-04080, A55-04081 + A55-04082



Reservoir located in SWNW, S02, T7S, R6W





PHOTOGRAPHER: ~~JAY WALKER~~ Linda Werner

DATE OF PHOTOS 6/25/92

FILE NO(S). A55-04080, A55-04081 & A55-04082



Spring located in NESENW, S02, T07S, R06W.

This consists of a marshy area which is undeveloped and flows into a stream then into reservoir.

Stream from spring and point we conducted the pygmy measurement.
NWSENW,
Sec. 2, T07S,
R06W.



Pg. 3



PHOTOGRAPHER: ~~RAY WALKER~~ Linda Werner

DATE OF PHOTOS 6/25/92

FILE NO(S). A55-04080, A55-04081 & A55-04082

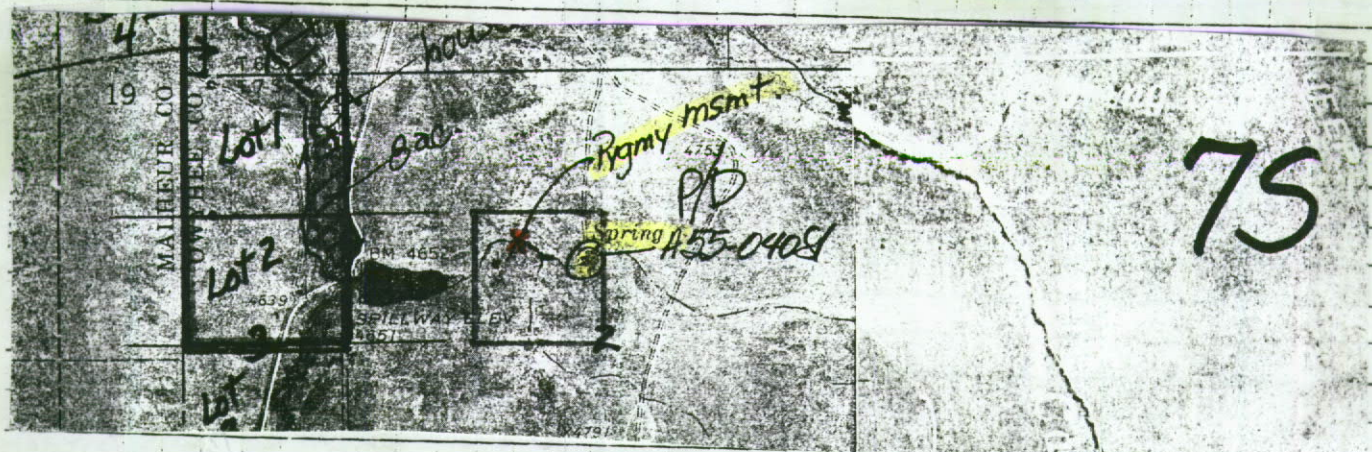


Place of use -
Lots 1 & 2,
Sec. 2, T07S,
R06W - 8 ac.

C. DIAGRAMS

1. Measurement Location

Scale: _____ = _____



2. Cross-Section of Measurement

Scale _____ = _____

D. SUMMARY INFORMATION

1. Measurement rated

_____ excellent ☒ *for drought year* good _____ fair _____ poor

2. Remarks: _____

3. Width: 3.8' Area: 0.575' Discharge in cubic feet per second: 0.73 cfs

April 30, 1993
DATE

Ray Walker
SIGNATURE OF PERSON CONDUCTING MEASUREMENT

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

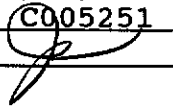
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A55-04081

Date Received: 1/23/1989

Receipt No: C005251

Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MELVIN EDWARD SEEBECK, JR. 916-665-1712
Address: PO BOX 8
CLARKSBURG CA 95612
AND
Name: WILLIAM GARRETT SEEBECK 916-665-1712
Address: PO BOX 8
CLARKSBURG CA 95612

2. Date of Priority: APR 1, 1885

3. Source: SPRING Trib. to: LONE TREE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	06W	2	SE	NW			OWYHEE

5. Description of diverting works:
DAM & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.000		
IRRIGATION STORAGE	01/01	12/31			60.00
IRRIGATION FROM STORAGE	04/01	10/31			60.00
DIVERSION TO STORAGE	01/01	12/31	2.000		

7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) 1180.00 A.F.A.

8. Total consumptive use is 392.0 Acre Feet Per Annum

9. Non-irrigation uses:

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SEP 29 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
06S	06W	26	NW	SW		IRR	10.0	
			SW	SW		IRR	36.0	
			Section Acres					46.0
		27		4		IRR	7.0	
			Section Acres					7.0
			34		1		IRR	7.0
				2		IRR	7.0	
				3		IRR	5.0	
		Section Acres					19.0	
		35	NW	NW		IRR	40.0	
			SW	NW		IRR	40.0	
			NW	SW		IRR	40.0	
			SW	SW		IRR	30.0	
		Section Acres					150.0	
		07S	06W	3		1		IRR
	2					IRR	5.0	
Section Acres					14.0			
Total Acres					236.0			

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:
55-04080

14. Remarks:
OWNERSHIP CHANGED BY JS ON 10-21-91.

15. Basis of Claim: STATUTORY CLAIM

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SEP 29 1992

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 _____

MICROFILMED
SEP 29 1992

Received from
L.A.2 Mendota
P.O. Box 52
Jordan Valley Oregon 97910
8/24/91

RECEIVED
AUG 30 1991

CHANGE IN OWNERSHIP

Department of Water Resources Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s):

A-55-04080
A-55-04081
A-55-04082

Lone Tree Cr.
"Spring"
"Lone Tree Cr."

[] Name and Address of Former Claimant(s):

William E Ross

Jordan Valley Oregon - 97910

Phone 503-586-2380

[] New Claimant(s):

Melvin Edward Seebek Jr. & William Garrett Seebek

[] New Mailing Address:

P.O. Box 8

Clarksburg, California 95612

New Telephone Number:

(916) 665-1712 or (916) 744-1120
or (916) 775-1318

[] Does the change in ownership result in a splitting of the water right claimed? yes ☒ no

If yes, then describe the portion of the water right that is now claimed by the new owner:

N/A

[] 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):

Melvin Edward Seebek Jr.
& William Garrett Seebek

(208) 334-2190

Date:

8/24/91

* Need to meet Kay at Site

* Need to come to understanding of these "Rights"

* Need to document "Cottle Creek" water rights too !!

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SEP 29 1992

CHANGE IN OWNERSHIP

Page 2

[] Signature of Former Claimant(s):

(See Attached Proof of ownership)

Date:

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10-21-91

By: *[Signature]*

Further Action Needed: *N/A*

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: 10-21-91

By: *[Signature]*

Claim Numbers of Split, if any: *None*

*Proof of ownership submitted via Special
Warranty Deed w/ Exhibit A showing lands
covered under all 3 claims listed. [Signature]*

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

Attn. Kay Walker

EASTERN REGIONAL OFFICE
150 SHOUP SUITE #15
IDAHO FALLS, IDAHO 83402
(208) 525-7161

STATE OFFICE
1301 N. ORCHARD ST.
STATEHOUSE MAIL
BOISE, IDAHO 83720
(208) 327-7906

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

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SEP 29 1992

AJ5807NP
(OD-117)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJ. LISTING OF WATER RIGHTS

DATE: 08/01/91
PAGE: 1

RIGHT
NUMBER
A55-04080
NAME & ADDRESS
WILLIAM E. ROSS
JORDAN VALLEY OR 97911

PRIORITY
DATE
04/01/1885 IRRIGATION

USE PERIOD
FROM TO
04-01 10-31

STAGE
STATUTORY CLAIM

MAXIMUM
DIVERSION
3.50 CFS
3.50 CFS
0.00 AFA
612.5 AFA

SOURCE: LONE TREE CREEK

TRIBUTARY: JORDAN CREEK

OTHER RIGHTS:

CONDITIONS OF APPROVAL:

REMARKS:

POINT OF DIVERSION:
T07S R06W S03 LOT 4 ()

PLACE OF USE: IRRIGATION
T06S R06W S26 LOT 4 () NWSW 10.0
S27 Lot 4 () 7.0
S34 Lot 1 () 7.0 Lot 2 7.0 Lot 3 5.0
S35 NWNW 40.0 SWSW 30.0
T07S R06W S03 Lot 1 () 9.0 Lot 2 5.0
236.0 ACRES TOTAL

"Lone Tree" (water)
A55-04080
(Right)
April 1 -> Oct. 31
3.5 Cubic ft. per second
= 1570 gpm

*Listing of water rights
claims filed
by Mr. Ross -
for your information. Kay*

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SEP 29 1992

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
A55-04081	WILLIAM E. ROSS JORDAN VALLEY OR 97911	04/01/1885	IRRIGATION IRRIGATION FROM STORAGE DIVERSION TO STORAGE	04-01 10-31 01-01 12-31 04-01 10-31 01-01 12-31	2.00 CFS 60.00 AFA 60.00 AFA 2.00 CFS 2.00 CFS 1180.00 AFA 392.0 AFA	STATUTORY CLAIM

"Denny Ranch"

SOURCE: SPRING

TRIBUTARY: LONE TREE CREEK

OTHER RIGHTS: 55-04080 ←

CONDITIONS OF APPROVAL:

REMARKS:

POINT OF DIVERSION:
T07S R06W S02

SENE

PLACE OF USE: IRRIGATION

T06S R06W S26 NWSW 10.0
S27 Lot 4 () 7.0
S34 Lot 1 () 7.0 Lot 2
S35 NWSW 40.0
T07S R06W S03 Lot 1 () 9.0 Lot 2
236.0 ACRES TOTAL

SWSW 36.0

7.0 Lot 3 NWSW 40.0
SWSW 40.0
5.0

SWSW 30.0

PLACE OF USE: IRRIGATION FROM STORAGE
SAME AS: IRRIGATION

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SEP 29 1992

"Spring 4081")
A55-04081
12/31
11/11 → C.B. 1 ft
2
897 gpm

AJ5807NP
(00-117)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJ. LISTING OF WATER RIGHTS

DATE: 08/01/91
PAGE: 3

RIGHT NUMBER: A55-04082
NAME & ADDRESS: WILLIAM E. ROSS
JORDAN VALLEY OR 97911
PRIORITY DATE: 04/01/1907
IRRIGATION
WATER USE
USE PERIOD FROM TO: 04-01 10-31
STAGE: STATUTORY CLAIM

MAXIMUM DIVERSION: 4.50 CFS
TOTAL DIVERSION RATE: 4.50 CFS
TOTAL DIVERSION VOLUME: 0.00 AFA
CONSUMPTIVE USE: 787.5 AFA

SOURCE: LONE TREE CREEK
TRIBUTARY: JORDAN CREEK

OTHER RIGHTS:

CONDITIONS OF APPROVAL:

REMARKS:

POINT OF DIVERSION: *Long Ranch*
T07S R06W S03 LOT 2 ()

PLACE OF USE: IRRIGATION

T06S R06W S26 LOT 1 () 40.0
S27 Lot 1 () 7.0
S34 Lot 3 () 4.0
S35 SWSW 9.0
T07S R06W S03 Lot 1 () 7.0
Lot 2 3.0
135.0 ACRES TOTAL

"Lone Tree Creek"
(Right # A55-04082)
4/1-10/31
4.5 CFS
= 2,019 gpm

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SEP 29 1992

**LAND TITLE
INSURANCE & ESCROW CORPORATION**

Cats / overything
T: Barry 3/21/91

RECEIVED
AUG 30 1991

March 14, 1999

WILLIAM GARRETT SEEBECK
MELVIN EDWARD SEEBECK, JR.
P.O. BOX 8
CLARKSBURG, CA 95612

"Deary Place"

Recorded
3/13/91

Department of Water Resources

Re: Escrow No. MEC1180

Property Address: Ranch in Owyhee County, Idaho, commonly known as the Deary Place

Gentlemen,

In connection with the above numbered escrow, we enclose the following which should be retained by you as part of your permanent record:

Check in the amount of \$3.00 which is a refund of recording fee
Escrow Closing Statement (PLEASE RETAIN FOR YOUR TAX RECORDS)
Receipt for deposit to close
Original recorded Special Warranty Deed
Original Assignment of Lease
Copy of Sale Escrow Instructions
Map of property (the pink outlines the deeded land, the yellow outlines the State lease)

Title Insurance Policy No. 6686 will follow

It has been a pleasure serving you in this transaction. If we can be of further assistance to you, please do not hesitate to call us.

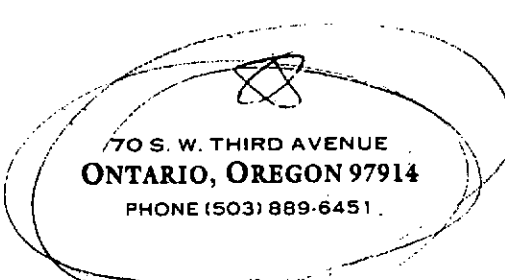
Sincerely,

LAND TITLE INSURANCE & ESCROW



Norm Nelson
Escrow Closer

2043 MAIN STREET
BAKER, OREGON 97814
PHONE (503) 523-3663



70 S. W. THIRD AVENUE
ONTARIO, OREGON 97914
PHONE (503) 889-6451

MICROFILMED

SEP 29 1992

111 WEST WASHINGTON
BURNS, OREGON 97720
PHONE (503) 573-2039

SPECIAL WARRANTY DEED

GRANTOR, CIRCLE BAR RANCHES, INC., an Idaho corporation, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto WILLIAM GARRETT SEEBECK, a single person, whose current address is PO Box 8, Clarksburg, California 95612, an undivided 50% interest; and unto MELVIN EDWARD SEEBECK, JR. and LOIS ARLENE SEEBECK, husband and wife whose current address is PO Box 8, Clarksburg, California 95612, an undivided 50% interest, GRANTEES, and to Grantees' heirs and assigns forever, all of the real estate located in Owyhee County, State of Idaho, more particularly described on Exhibit "A" attached hereto and incorporated herein.

Grantor does hereby covenant that the above-described real estate is free from encumbrances done, made or suffered by the Grantor or any persons claiming under him.

In construing this Deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has hereunto subscribed its name to this instrument this 8th day of March, 1991.

CIRCLE BAR RANCHES, INC.

By: [Signature]
Vice President

STATE OF IDAHO

County of Malheur :ss

On this 8 day of March, 1991, before me, a Notary Public, personally appeared Lazaro Mendicta, known to me to be the Vice - President of the corporation that executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have set my hand and seal the day and year set forth in this acknowledgement.

[Signature]
NORM NELSON
Notary Public for Idaho
Residing at:
Commission expires: 11-20-91
NOTARY PUBLIC - OREGON
MICROFILMED

EXHIBIT "A"

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

Section 26: $W\frac{1}{2}$ $W\frac{1}{2}$ ✓
Section 27: Lots 1, 2, 3 & 4 ✓
Section 34: Lots 1, 2, 3 & 4 ✓
Section 35: $SW\frac{1}{4}$ $NW\frac{1}{4}$, $W\frac{1}{2}$ $SW\frac{1}{4}$, $NW\frac{1}{4}$ $NW\frac{1}{4}$ -

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

Section 1: Lots 3 & 4, $S\frac{1}{2}$ $NW\frac{1}{4}$, $N\frac{1}{2}$ $SW\frac{1}{4}$ ✓
Section 2: Lots 1, 2, 3 & 4, $S\frac{1}{2}$ $N\frac{1}{2}$, $N\frac{1}{2}$ $SE\frac{1}{4}$ ✓
Section 3: Lots 1 & 2 ✓

Together with all tenements, hereditaments, and appurtenances thereunto belonging or anywise appertaining to the property, including all existing fixtures; subject to any and all easements, rights of way, or restrictions of record, and the exceptions, provisions and reservations contained in patents or deeds from the United States of America, or the State of Idaho, or in other deeds or record.

204655

FILED-RECORDED

MAR 13 2 10 PM '91

BARBARA LADD
OWYHEE COUNTY RECORDER
BY E. J. Johnson
DEPUTY

REQUEST OF
O.T.C.
FEE 6.00

INDEXED
MICROFILMED

Recorded
3/13/91

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: A55-04081

Date Received: 1/23/1989

Receipt No: C005251

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM E. ROSS 503-586-2380
Address: JORDAN VALLEY, OR 97911

2. Date of Priority: APR 01, 1885

3. Source: SPRING Trib. to: LONE TREE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	06W	2	SE	NW			OWYHEE

5. Description of diverting works:
DAM & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.000		
IRRIGATION STORAGE	01/01	12/31			60.00
IRRIGATION FROM STORAGE	04/01	10/31			60.00
DIVERSION TO STORAGE	01/01	12/31	2.000		

7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) 1180.00 A.F.A.

8. Total consumptive use is 392.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	06W	26	NW	SW		IRR	10.0

A55-04081

Page 1

Date: 01/23/89

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SEP 29 1992

10. Place of Use: Continued

Township 06S	Range 06W	Section 26	1/4 of SW	1/4 SW	Lot	Use IRR	Acres 36.0
						Section Acres	46.0
		27			4	IRR	7.0
						Section Acres	7.0
		34			1	IRR	7.0
					2	IRR	7.0
					3	IRR	5.0
						Section Acres	19.0
		35	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	30.0
						Section Acres	150.0
07S	06W	3			1	IRR	9.0
					2	IRR	5.0
						Section Acres	14.0
						Total Acres	236.0

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:
55-04080

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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

A55-04081

Date Received

1-19-89

Receipt Number

C005251

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JAN 19 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Bill Ross (William E. Ross) Phone (503) 586-2380Mailing Address Jordan Valley, Oregon Zip 979112. Date of Priority (Only one (1) per claim) April 1, 1885 or earlier3. Source of water supply (a) Springwhich is tributary to (b) Lone Tree Creek4. a. Location of existing point of diversion is: Township 7S Range 6W Section 2,SE 1/4 of NW 1/4 of 1/4, Govt. Lot, B.M., County of Owyhee

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Earthen dam, outlet gate to natural
channel, diversion dam to ditch, main ditch approximately 2 miles long.

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 4-1 to 10-31 amount 2.0 or _____

For diversion to storage purposes from 1-1 to 12-31 amount 2.0 or _____

For irrigation storage purposes from 1-1 to 12-31 amount _____ or 60

For irrigation from storage purposes from 4-1 to 10-31 amount _____ or 60

7. Total quantity claimed (a) 2.0 (cfs) and/or (b) 60 (acre feet)

8. Total consumptive use claimed is 392 acre feet per annum.

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

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	
6S	6W	26										10	36						46
6S	6W	27	Lot	4 (7)															7
6S	6W	34	Lot	1 (7)		Lot 2 (7)		Lot 3 (5)											19
6S	6W	35					40	40			40	30							150
7S	6W	3	Lot	1 (9)		Lot 2 (5)													14

Total number of acres irrigated 236

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.

Claim to a Water Right No. 55 04080

or None ()

14. Remarks: The priority of this water right might be earlier than 1885. The
1885 priority date was obtained from the statement on Application
for Permit No. 17073, filed in 1915 by a previous owner. Other
information might establish an earlier priority date.

MICROFILMED

SEP 29 1992

Last Name Ross Ident No. _____

Copies: White -State, Yellow-Claimant

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.

GEN. INV. 11-11-88

SON 0 8 932

Scale: 2 inches equals 1 mile

[illegible]

SEP 29 1992

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

Last Name Ross Ident No. _____

Ident No.

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

Decree _____

If applicable provide IDWR Water Right Number 55 04081

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) William E. Ross Date 1/19/89

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 _____)
County of Ada) SS.

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

SEAL

Notary Public Ainta C. McCormick

Residing at Boise, Idaho

My Commission Expires 11-14-92

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, W. F. Ringert 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 W. F. Ringert

Address P.O. Box 2773, Boise, Idaho 83701

Date January 19, 1989

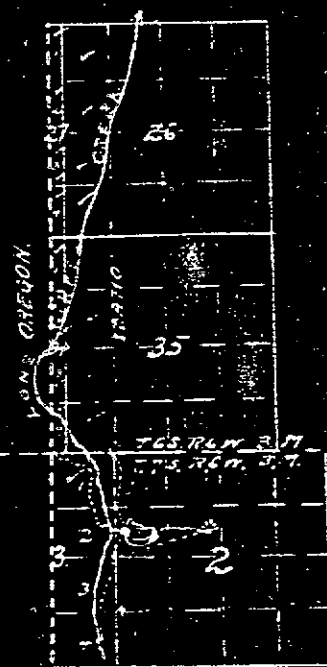
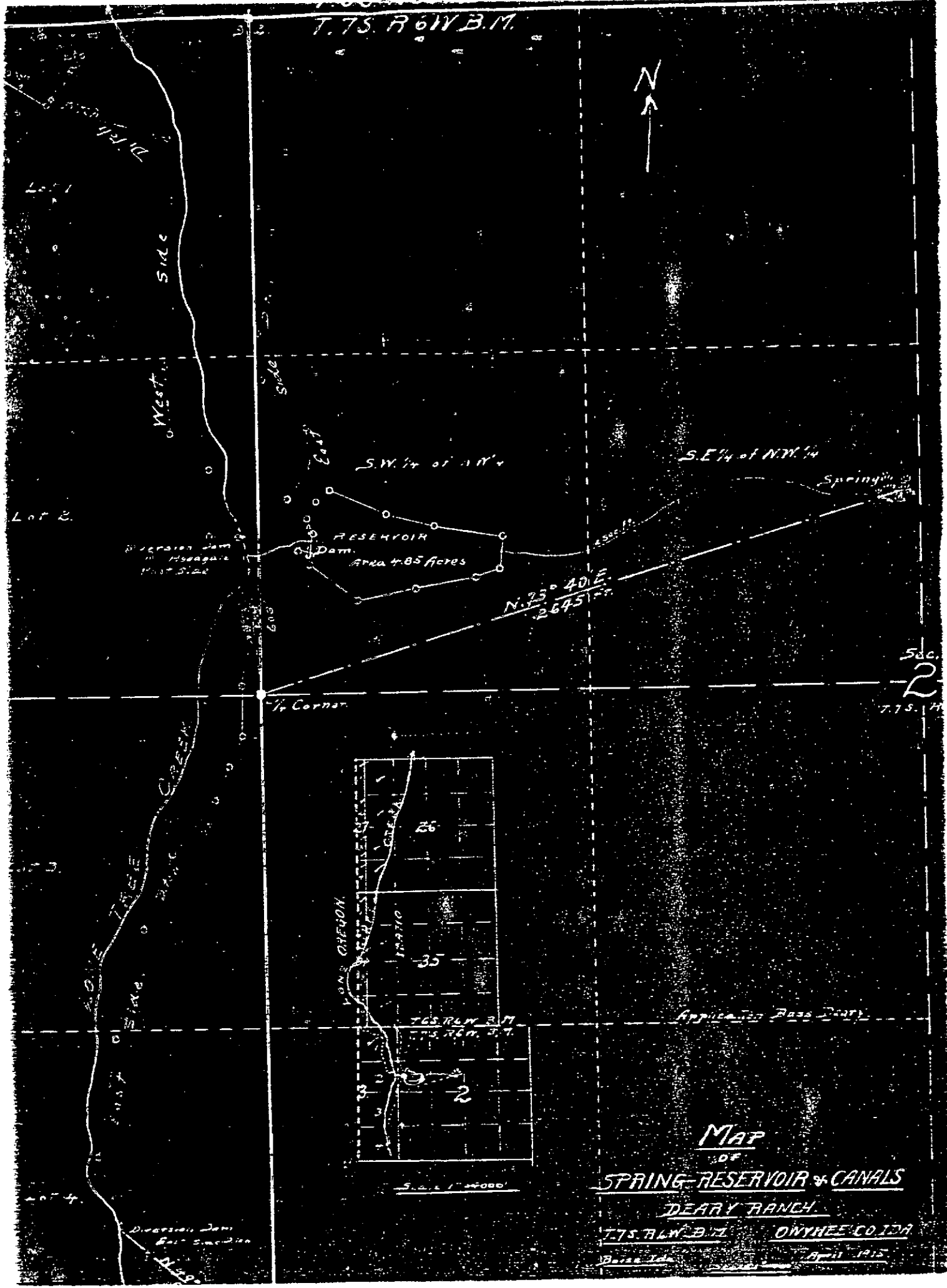
MICROFILMED

SEP 29 1992

Last Name Ross Ident. Number _____

Copies White-State, Yellow-Claimant

T. 7 S. R. 6 W. B. 1 M.



Scale 1" = 400'

MAP
OF
SPRING RESERVOIR & CANALS
DEARY RANCH
T. 7 S. R. 6 W. B. 1 M. ONYHEE CO. IDA
Boise Ida. April 1915

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME RossCLAIM IDENT. NO. A55-04081DATE RECEIVED 1-19-88CK # 880 113AMOUNT \$ 728

YES

NO

1. Is the name and address complete with zip code?

2. Is a priority date entered?

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

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?

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. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

Has the claim been signed, sealed, and dated by a notary?

Was this claim filed on time, or was an extension granted?

Is the fee enclosed correct? Exempt

If this claim is based on an existing water right, has the identification number been entered? N/A

Should this claim be receipted and data entered?

Claim checked by: Ross

MICROFILMED

Comments: _____

SEP 29 1992

WESTERN REGION

CLAIM NUMBERS 5504081

AGENT _____ DATE _____

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES _____

READY FOR DECREE ____ (YES) SENT FOR DECREE ____ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM																			
GIS																			
RECOM																			
GIS																			

POLYGON CREATED ON 80 ____

POLYGON # () () () () _____ UPDATED BY

ATTRIBUTES OF B51-POU.SHP (454) (455) (367) (453) ()

ATTRIBUTES OF B51-POD.SHP (180) () () () ()

B51-DBPOU.DBF _____ UPDATED BY

B51-DBPOD.DBF _____ UPDATED BY

checked mother 6/15/98 -
updated mother 6/15/98

RDH GPSTABLE

OWNER CODE

C

NAME & ADDRESS

WILLIAM GARRETT SEEBECK

MELVIN EDWARD SEEBECK JR

PO BOX 8

CLARKSBURG CA 95612

(916) 665-1712

PRIORITY DATE

04/01/1985

WATER USE

IRRIGATION

IRRIGATION STORAGE

IRRIGATION FROM STORAGE

DIVERSION TO STORAGE

USE PERIOD FROM TO

04-15 10-15

01-01 12-31

04-15 10-15

01-01 12-31

DIVERSION RATE

0.73 CFS

0.73 CFS

0.73 CFS

DIVERSION VOLUME

720.00 AFA

720.00 AFA

720.00 AFA

Water Source: SPRING

Tributary to: LONE TREE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07S R06W S02

NESENW

OMYHEE County

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
06S	06W	26	:	:	:	:	19	:	32	10	:
06S	06W	27	:	:	:	:	:	:	:	:	:
06S	06W	34	:	:	:	:	:	:	:	:	:
06S	06W	35	:	:	:	:	:	:	14	31	:
07S	06W	2	:	:	:	04-01	02	:	:	:	:
07S	06W	3	:	01-08	:	02-04	:	:	:	:	:
										TOTAL ACRES	144.0

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

POU County: OMYHEE

Other Rights: 55-04080 55-04082

Remarks: QNT STORAGE CAPACITY 60.0 AF.

Dates:

Exam Made Date: 06/25/1992

Verified Date: 05/06/1998

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments:

Date: 01/31/1998

User-ID: KWALKER

Subject: COPIED FROM REMARKS OWNERSHIP CHANGED BY JS ON 10-21-91.

Date: 02/14/1998

User-ID: KWALKER

Subject: AMOUNT OF WATER AMOUNT OF WATER RECOMMENDED UNDER THIS CLAIM IS THE AMOUNT

AJ0749NP
No. R55-04081

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

DATE: 05/06/98
PAGE: 2

Comments: Date: 02/14/1998 User-ID: KWALKER Subject: AMOUNT OF WATER
MEASURED DURING FIELD VISIT.

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

Date: 05/04/1998 User-ID: KWALKER Subject: REVISED RECOMMENDATIONS
DURING NOTICE OF ERROR IT WAS BROUGHT TO MY ATTENTION THAT THE
RESERVOIR UNDER THIS RIGHT FILLS CONTINUALLY THROUGHOUT THE
IRRIGATION SEASON AND THAT THIS WATER COVERS ALL OF THE CLAIMANTS
LANDS UNDER 55-04080 AND 55-04082. SEE MEMO OF 5/4/98 IN FILE
WHICH COVERS ALL THE PARTICULARS REGARDING THE RESERVOIR WATER.

Date: 05/06/1998 User-ID: KWALKER Subject: RECOMMENDATIONS
SKIP SEEBECK CAME INTO THE OFFICE YESTERDAY WITH ADDITIONAL
INFORMATION REGARDING DATE OF PRIORITY. WE WENT OVER THE LANDS
I WAS RECOMMENDING TO THE COURT AND HE REQUESTED WE ADD THE LAND
ON WEST SIDE OF LONE TREE CREEK UNDER RT. 55-04080. HE HAD
DOCUMENTS THAT EXPRESSLY STATED BOTH SIDES OF THE CREEK WERE
PREVIOUSLY IRRIGATED. WENT AHEAD AND ADDED 14.7 MORE ACRES TO
THAT CLAIM WHICH IN TURN ADDED THE SAME AMOUNT TO THIS CLAIM.

Audit: 05/06/98 KWALKER

**IDAHO DEPARTMENT
OF WATER RESOURCES**

T07S, R06W, S02 & 03

6 = ACRES

 **Section Lines**

 **PLACE OF USE**

1/4 1/4 Lines

● **POINT(S) OF DIVERSION**

Claim(s): 55-04081

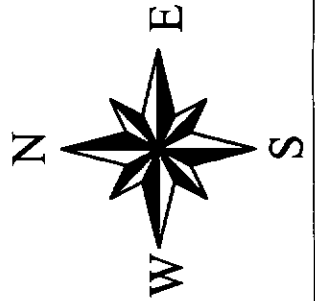
Owner(s): SEEBECK

Prepared by: KAY WALKER

Date: 05/06/1998

TOTAL ACRES = 144

PAGE 1 OF 3



1987 NAPP

0.5 Miles

0.25

0

**IDAHO DEPARTMENT
OF WATER RESOURCES**

**T06S, R06W, S34 & 35
T07S, R06W, S03**

6 = ACRES

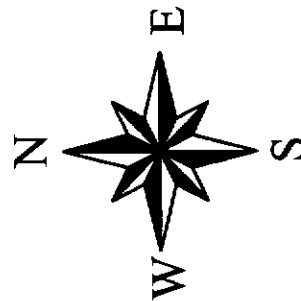
 **Section Lines**

 **PLACE OF USE**

1/4 1/4 Lines

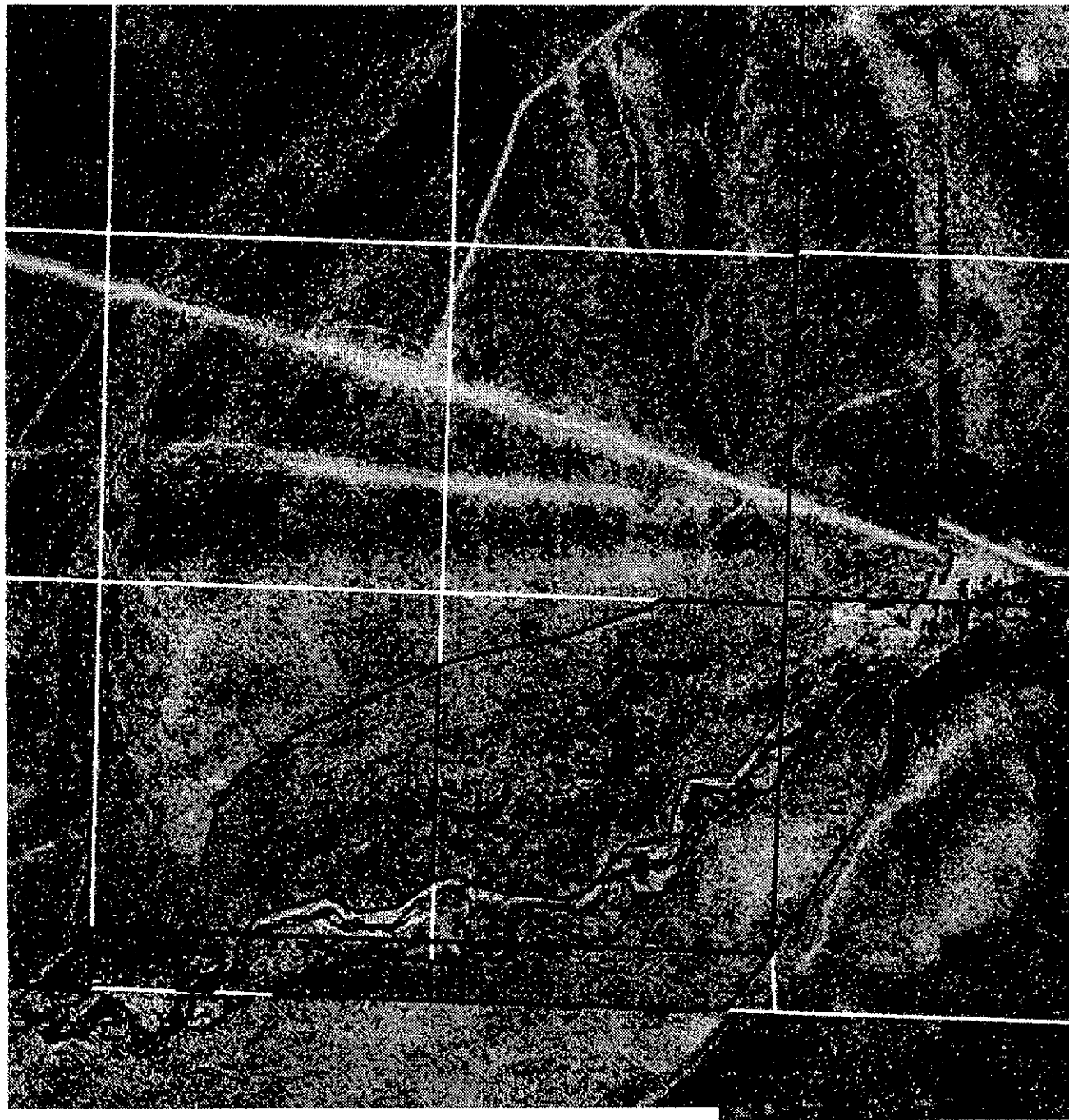
● **POINT(S) OF DIVERSION**

**Claim(s): 55-04081
Owner(s): SEEBECK
Prepared by: KAY WALKER
Date: 05/06/1998
TOTAL ACRES = 144
PAGE 2 OF 3**



1987 NAPP

0 0.25 0.5 Miles



**IDAHO DEPARTMENT
OF WATER RESOURCES**

T06S, R06W, S26 & 27

6 = ACRES

 **Section Lines**

 **PLACE OF USE**

1/4 1/4 Lines

 **POINT(S) OF DIVERSION**

Claim(s): 55-04081

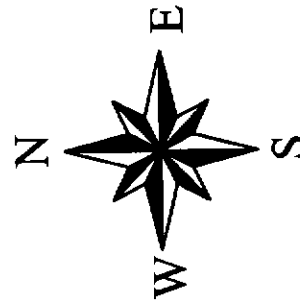
Owner(s): SEEBECK

Prepared by: KAY WALKER

Date: 05/06/1998

TOTAL ACRES = 144

PAGE 3 OF 3



1987 NAPP



0.5 Miles

0.25

0

ABSTRACT OF TITLE

The west half of the southwest quarter and the southwest quarter of the northwest quarter of Section thirty-five and the lots numbered one, two, three and four of Section thirty-four in Township six south of Range six west of Boise Meridian, Idaho.

The west half of the northwest quarter and the west half of the southwest quarter of Section twenty-six and the lots one, two, three and four of Section twenty-seven in Township six south of Range six west of the Boise Meridian, Idaho; and

Lots one and two of Section three in Township seven south of Range six west of the Boise Meridian, Idaho.

Section 35
Section 34
Section 26
Section 27
Section 3

RECEIVED

MAY 05 1998

WATER RESOURCES
WESTERN REGION

Prepared for P. B. Deary, Jordan Valley, Oregon,
by the Owyhee County Abstract Co.

RECEIVED

MAY 05 1898

WATER RESOURCES
WESTERN REGION

United States,	:	Character of Instrument,
Grantor,	:	Patent.
to	:	Date of Instrument,
Thomas Wilson,	:	March 20th, 1886.
Grantee.	:	Date of Record,
	:	Apr. 13th, 1898, at 6 o'clock P.M.
	:	Book 5 of Patents, pages 393 & 394,
	:	Owyhee County Records.

Homestead Certificate No. 890.

Application 924.

Issued pursuant to the act of Congress approved 20th May, 1862,
"To Secure Homesteads to actual settlers on the public domain," and
the acts supplemental thereto,
and Executed by the President: Grover Cleveland.

Seal: By M. McKean, Secretary.

S. W. Clark, Recorder of the General Land Office.

Seal of the General Land Office affixed.

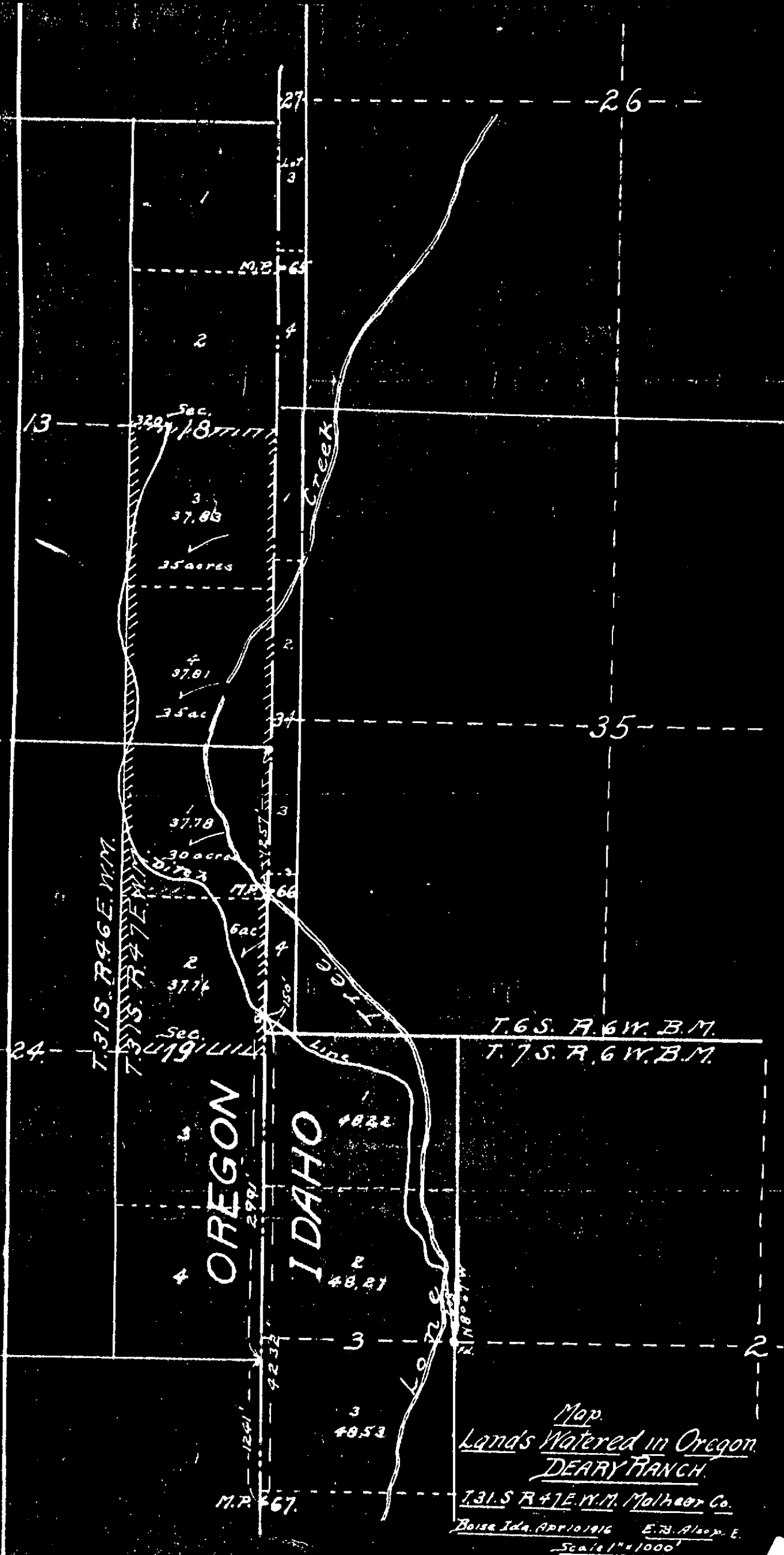
Recorded, Vol. 1, Page 411.

Description---The west half of the south west quarter, and
the south west quarter of the north west quarter of section thirty-
five and the lots numbered one, two, three and four of section
thirty four in township six south of range six west of Boise Meri-
dian in Idaho, containing one hundred and forty eight acres.

Covenants---Subject to the water right and mineral
reservations.

ABSTRACTERS

SILVER CITY, IDAHO



T. 6 S. R. 6 W. B. 17

T. 7 S. R. 6 W. B. 17

N.



Diversion Dam
at Floodgate
West Side

S.W. 1/4 of NW 1/4

S.E. 1/4 of NW 1/4

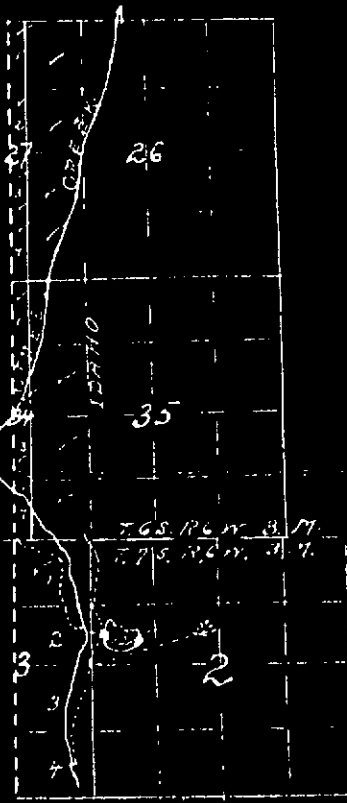
RESERVOIR

Dam

Area 4.65 Acres

N. 73° 40' E.
2675 ft.

1/4 Corner



Scale 1" = 4000'

MAP
OF

SPRING-RESERVOIR & CANAL

DEARY RANCH.

T. 7 S. R. 6 W. B. 17.

OWYHEE CO.

Boise Ida

Scale 1" = 4000'

April 19

by E. A. Alsop.

(Kays 085)

THE LAW CENTER
599 WEST BANNOCK STREET
P. O. BOX 2773
BOISE, IDAHO 83701

TELEPHONE (208) 342-4591

Bill Ross Mined
Attorney 1932
To Substantiate Rights

RECEIVED

WATER RESOURCES
WESTERN REGION

Dear Bill:

The application filed by Bas Deary in 1915 states that 3.5 c.f.s. of water from Lone Tree Creek and 2.0 c.f.s. of water from a spring had been used for irrigation more than 30 years. I think that is sufficient to warrant filing claims of water rights for those quantities, claiming a priority date of March 1, 1885.

The 1915 application also states that water of Lone Tree Creek to the extent of 4.5 c.f.s. has been used for the previous eight years through the ditch on the west side of the creek. I think that would be sufficient to warrant filing a claim of water right for that quantity, with a priority of March 1, 1907.

Y The Clerk of the District Court in Owyhee County advised me that no judgment was entered in the case of Driscoll v. Maher and others. The defendants in that suit included P. B. Deary and Mrs. M. J. Deary, who appear to be previous owners of your property. P. B. Deary probably is the Bas Deary who filed the application in 1915. Driscoll claimed a water right for 720 inches (14.4 c.f.s.) with a priority of 1871. However, his complaint indicated that only 4.0 c.f.s. had been applied to beneficial use in 1871, and that the balance of the water was appropriated at various times between 1871 and 1895. Apparently his facts were not strong enough to warrant proceeding with the lawsuit, and the court record really is of questionable value in establishing the quantity and priority of the Driscoll water rights.

June 8, 1982

We inquired of the Idaho Department of Water Resources regarding water rights on Lone Tree Creek. The Department does not show any licensed water rights on the creek. They do show three uncanceled permits and four claims of water rights under the constitutional method of appropriation that I discussed with you when you were in the office.

The only priority date earlier than your 1885 water right claim is a claim by William Maher for 1.1 c.f.s. with a claimed priority date of July 1, 1872. The diversion point is in Section 22, T. 7 S., R. 6 W., which is upstream from your diversion points. Besides the 1872 claim there are two claims stating priority dates earlier than your 1907 claim. One is by Thomas R. and Anita Gluch for 9.77 c.f.s. with a claimed priority date of January 1, 1887. The other is a claim by Terry Warn for 4.44 c.f.s. with a claimed priority date of March 1, 1904.

By reason of these other claims, there is a possibility that a water right for 1.1 c.f.s. might come ahead of your 1885 and 1907 claims, and that two water rights aggregating 14.21 c.f.s. might also come ahead of your 1907 claim.

I have compared the land descriptions stated in the 1915 application with the map prepared in connection with that application, and with our Metzger maps and your tax collector's notices. From what I have found thus far, it appears that the claimed 1885 water rights would have been used to irrigate approximately 153 acres on the east side of the creek, and the claimed 1907 right would have been used to irrigate 212 acres on the west side of the creek. I think the 640-acre figure stated in the 1915 application assumed that the government survey lots in Sections 27 and 34 in T. 6 S., R. 6 W., were approximately 40 acres, each, when in fact those lots are only 7 acres, each, according to the Metzgers map.

Part of the 1885 claim is for 2.0 c.f.s. from a spring in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, T. 7 S., R. 6 W., B.M. Because the spring drains into Lone Tree Creek at a point downstream from the William Maher point of diversion under the 1872 claim, that 1872 claim would not have any effect on the water from the spring. The Gluch 1887 claim and the Warn 1904 claim are both later than the 1885 claim for the water from the spring, and if the priority dates are correct, the Gluch and Warn claims would not have any effect on the water from the spring.

Mr. Bill Ross

-3-

June 8, 1982

As I might have indicated when you were in the office, the Idaho Legislature passed a law several years ago requiring that written claims to water rights be filed with the Department of Water Resources for all water rights that are not evidenced by a court decree, or by a valid permit or license issued by the Department of Water Resources. Those claims must be filed before June 30, 1983, and any water rights for which such claims are not filed automatically will be forfeited. You need to file notices of claims for your water rights on Lone Tree Creek and the water right from the spring.

Perhaps you should call me at your convenience to discuss this water right situation.

Yours very truly,

ANDERSON, KAUFMAN, RINGERT & CLARK

By

Bill
W. F. Ringert

WFR:am

AJ0749NP
No. R55-04081

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

DATE: 05/04/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MELVIN EDWARD SEEBECK JR	04/15/1944	IRRIGATION	04-15 10-15	0.73 CFS	~~646.50~~ AFA 720.
C	WILLIAM GARRETT SEEBECK PO BOX 8 CLARKSBURG CA 95612 (916) 665-1712		IRRIGATION STORAGE IRRIGATION FROM STORAGE DIVERSION TO STORAGE	01-01 12-31 04-15 10-15 01-01 12-31	0.73 CFS	~~646.50~~ AFA 720.
TOTAL DIVERSION:					0.73 CFS	~~646.50~~ AFA 720.

Water Source: SPRING
Tributary to: LONE TREE CREEK
Point(s) of Diversion: T07S R06W S02 NESENW
Stage: BENEFICIAL USE
ONYHEE County

Place of Use Legal Description for: IRRIGATION									
NE					SE				
NENE NWNE SWNE SENE					NENE NWSE SWSE SENE				
Lt Ac Lt Ac Lt Ac Lt Ac					Lt Ac Lt Ac Lt Ac Lt Ac				
T R S					T R S				
06S 06W 26	02-03	19	32	10	03-07	04-04	04-06	04-06	61.0
06S 06W 27					03-07	04-04	04-06	04-06	14.4
06S 06W 34									4.8
06S 06W 35									3.0
07S 06W 2	02-04	02							3.0
07S 06W 3	01-04								3.0
TOTAL ACRES					TOTAL ACRES				
144					144				

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

POU County: ONYHEE

Other Rights: 55-04080 55-04082

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A55-04081

Other Water Rights Listing Overlapping Place(s) of Use:
A55-04071 A55-04080 A55-04081 A55-04082 R55-04080 R55-04082

Remarks: QNT STORAGE CAPACITY 60.0 AF.

Dates: Exam Made Date: 06/25/1992 Verified Date: 05/04/1998 Objection Filed Date:

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

Handwritten notes:
Jumped out
Please skip
all steps
See 5/5/98
p2

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

AJ0749NP
No. R55-04081

Comments: Date: 01/31/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
OWNERSHIP CHANGED BY JS ON 10-21-91.

Date: 02/14/1998 User-ID: KWALKER Subject: AMOUNT OF WATER
AMOUNT OF WATER RECOMMENDED UNDER THIS CLAIM IS THE AMOUNT
MEASURED DURING FIELD VISIT.

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

Date: 05/04/1998 User-ID: KWALKER Subject: REVISED RECOMMENDATIONS
DURING NOTICE OF ERROR IT WAS BROUGHT TO MY ATTENTION THAT THE
RESERVOIR UNDER THIS RIGHT FILLS CONTINUALLY THROUGHOUT THE
IRRIGATION SEASON AND THAT THIS WATER COVERS ALL OF THE CLAIMANTS
LANDS UNDER 55-04080 AND 55-04082. SEE MEMO OF 5/4/98 IN FILE
WHICH COVERS ALL THE PARTICULARS REGARDING THE RESERVOIR WATER.

Audit: 05/04/98 KWALKER

IDAHO DEPARTMENT
OF WATER RESOURCES

T07S, R06W, S02 & 03

6 = ACRES

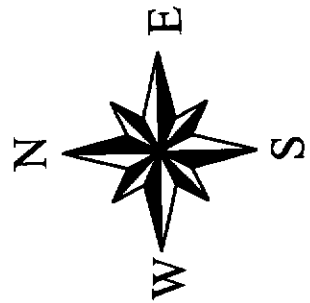
Section Lines

PLACE OF USE

1/4 1/4 Lines

POINT(S) OF DIVERSION

Claim(s): 55-04081
Owner(s): SEEBECK
Prepared by: KAY WALKER
Date: 05/04/1998
Total Acres: ~~429.4~~ 129.3
PAGE 1 OF 3

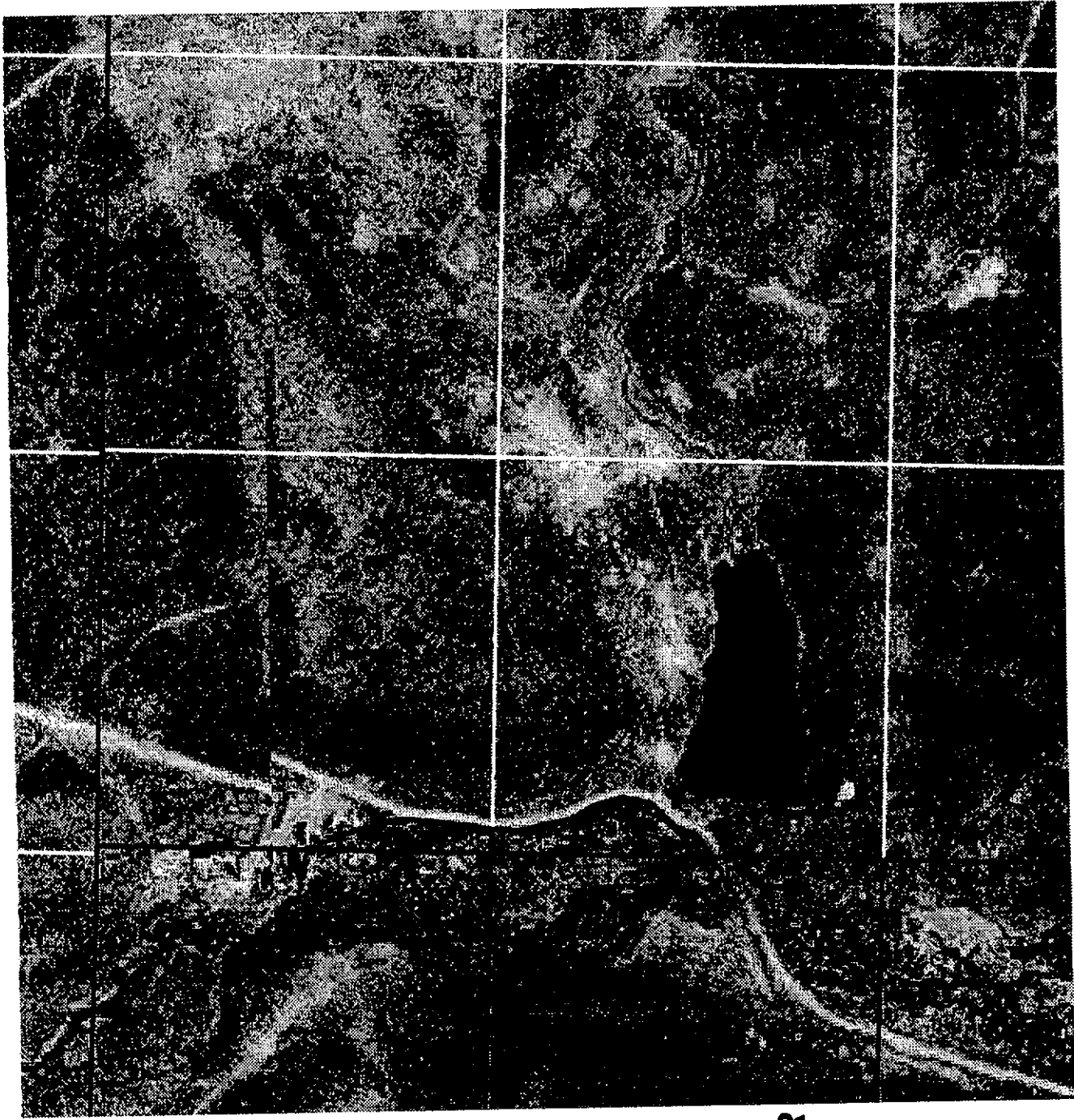


1987 NAPP

0

0.25

0.5 Miles



**IDAHO DEPARTMENT
OF WATER RESOURCES**

**T06S, R06W, S34 & 35
T07S, R06W, S03**

6 = ACRES

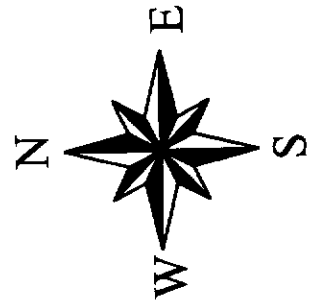
 **Section Lines**

 **PLACE OF USE**

1/4 1/4 Lines

 **POINT(S) OF DIVERSION**

**Claim(s): 55-04081
Owner(s): SEEBECK
Prepared by: KAY WALKER
Date: 05/04/1998
Total Acres: ~~429.4~~ **129.3**
PAGE 2 OF 3**

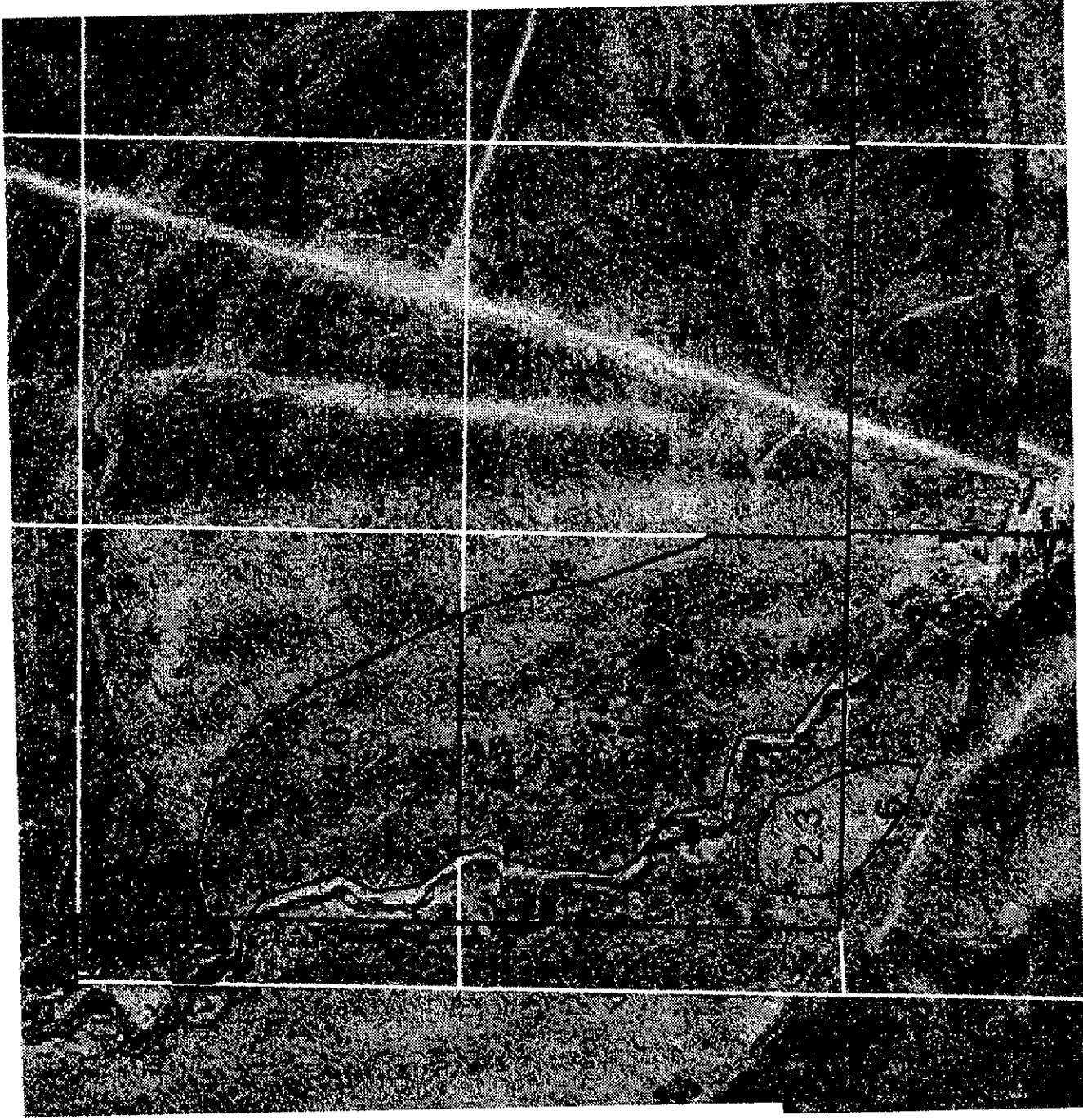


1987 NAPP

0.5 Miles

0.25

0



IDAHO DEPARTMENT
OF WATER RESOURCES

T06S, R06W, S26 & 27

6 = ACRES

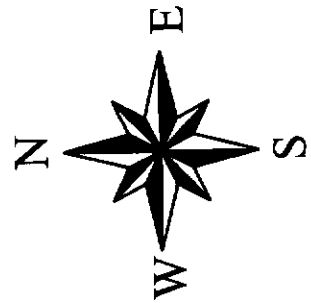
 Section Lines

 PLACE OF USE

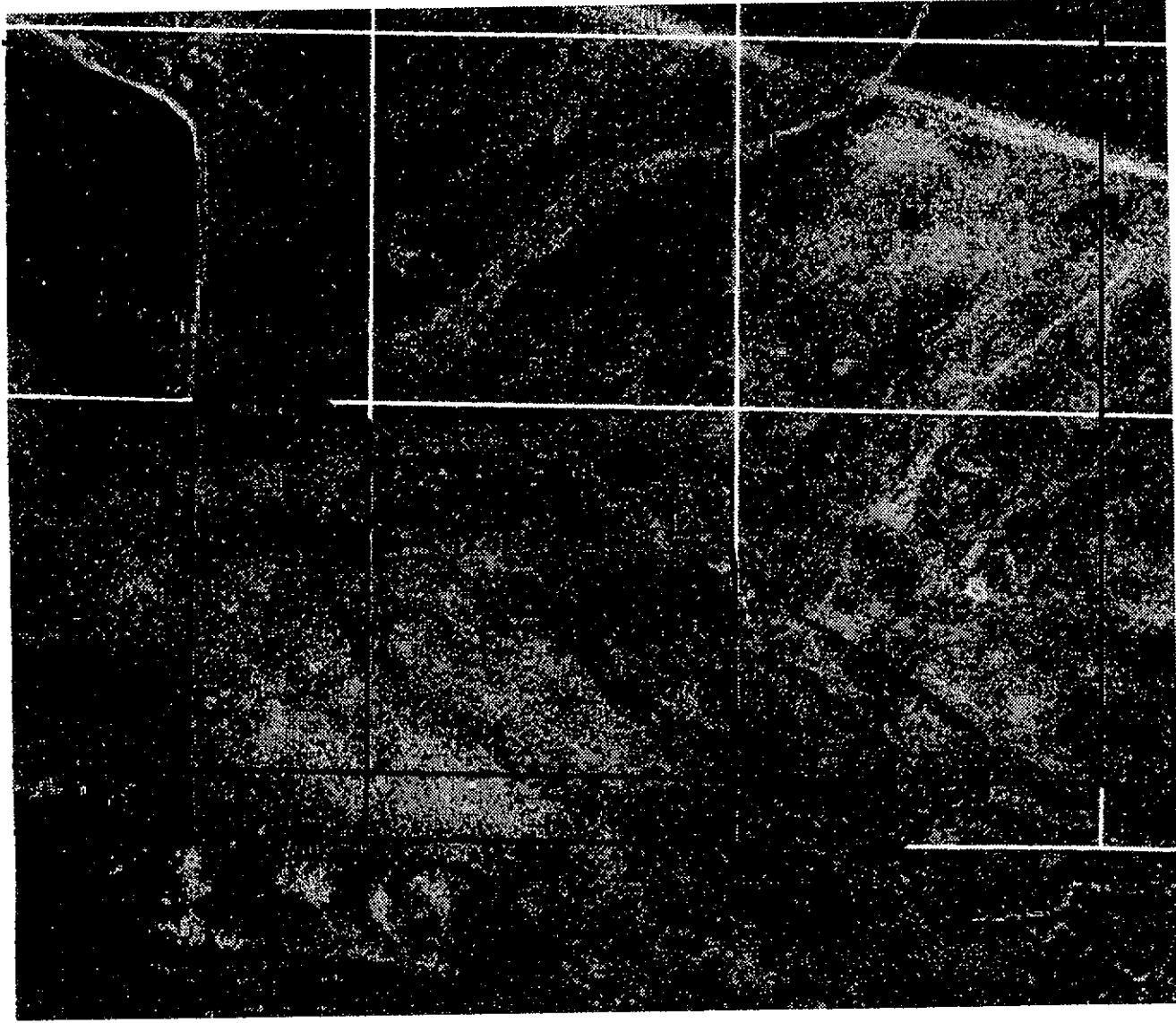
1/4 1/4 Lines

● POINT(S) OF DIVERSION

Claim(s): 55-04081
Owner(s): SEEBECK
Prepared by: KAY WALKER
Date: 05/04/1998
Total Acres: ~~120.4~~ **129.3**
PAGE 3 OF 3



1987 NAPP



0 0.25 0.5 Miles

MEMORANDUM

May 4, 1998

TO: FILE A55-04081

FROM: KAY WALKER

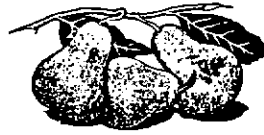
RE: REVISION OF PRIOR RECOMMENDATIONS

Following receipt of the Notice of Error submitted on this claim the claimant's came into the office and explained to me how this right works. The change in my recommendations are based on that conversation and reality of how this right is used.

Water is continually diverted from the spring to the reservoir at 0.73 cfs. The reservoir will refill from bone-dry to completely full in approximately 1 week. This reservoir fills continually year round. Therefore, even though the reservoir itself only holds 60 acre feet of water, the refilling of the reservoir allows use of the water for all of the irrigated lands. Water is diverted from the reservoir through a 12 3/4" pipe under highway to ditch which conveys water to place of use.

The acres to be irrigated comprise of the 10 acres previously recommended under this right along with 43.9 acres under right 55-04080, and 75.4 acres under right 55-04082. Total acres under reservoir water are 129.3.

At 5.0 acre feet per acre (amount allowable for land from storage) the maximum amount of water would be 646.5 acre feet. If this 60 acre feet reservoir fills in one-week, the amount of water that runs through reservoir during irrigation season would be 60 AF multiplied by the number of weeks during irrigation season (184 day irrigation season divided by 7 days/week = 26.3 weeks. This calculates out to be 1577 acre feet per irrigation season. Allowing 5.0 acre feet per acre would utilize less than 1/2 of the water going through this facility. In looking at the statutory claim that was filed on this use in 1982, this is how the use was claimed. (The original claimant claimed 1180 AFA for 236 acres on statutory claim.)



EAGLE POINT ORCHARDS

Eagle Point Pear Juice

P. O. Box 8
Clarksburg, CA 95612

RECEIVED

MAR 25 1998

**WATER RESOURCES
WESTERN REGION**

Kay Walker

Idaho Dept Water Resources
Western Region

2735 Airport Way

Boise, Idaho 83705-5082

3/23/98

Dear Kay,

As per our Talk Today enclosed are the forms
showing we do not accept the following water rights as
they were written in your 3/4/98 correspondence:

- 1) Right # 5504082 "Lone Tree Creek" "no Beneficial use"?
- 2) Right # 55-04081 "Spring"
- 3) Right # 55-04080 "Lone Tree Creek"
- 4) Right # 55-02069 "Cattle Creek"

Also, on 7/30/97 we received Right # 55-13475 for our Little
Domestic Spring on Cattle Creek.

Thanks for your Time on the phone today and we look forward
to meeting with you on April 2nd 1998 (Thursday) at your office. I'm
sure we can work out all the details at that time. Thanks for
your help in figuring out the details of these water rights.

Sincerely M.S. Sebeck Jr. (SS)

March 6, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED

MAR 25 1998

WATER RESOURCES
WESTERN REGION

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

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

NOTICE OF ERROR REPLY IS: March 30, 1998

Water right number:

55-04081

MELVIN EDWARD SEEBECK JR

WILLIAM GARRETT SEEBECK

PO BOX 8

CLARKSBURG CA 95612

Daytime Telephone Number:

916-885-1712

Evening Telephone Number:

916-795-1318

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

A) Priority date incorrect.

D) Place of use incorrect.

B) Quantity of water used incorrect

E) Water used yearly.

C) Period of use is OK.

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

We wish to see the water rights better reflect the original water rights in all aspects.

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

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

DATE:

3/23/98

SIGNATURE:

Melvin E. Seebek Jr.

Please print your name: Melvin E. Seebek Jr.

William G. Seebek

William G. Seebek

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

AJ0749NP
No. R55-04081

OWNER CODE: C
NAME & ADDRESS: MELVIN EDWARD SEEBECK JR
C WILLIAM GARRETT SEEBECK
PO BOX 8
CLARKSBURG CA 95612
(916) 665-1712

PRIORITY DATE: 04/15/1944

WATER USE: IRRIGATION STORAGE
IRRIGATION FROM STORAGE
DIVERSION TO STORAGE

USE PERIOD FROM TO: 04-15 10-15
01-01 12-31
04-15 10-15
01-01 12-31

DIVERSION RATE: 0.20 CFS
0.73 CFS
0.73 CFS

DIVERSION VOLUME: 60.00 AFA
50.00 AFA
60.00 AFA

TOTAL DIVERSION: 60.00 AFA

Water Source: SPRING
Tributary to: LONE TREE CREEK
Stage: BENEFICIAL USE
Point(s) of Diversion: T07S R06W S02 NESENW
OMYHEE County

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07S 06W	2										3.0
07S 06W	3										7.0
											10.0

TOTAL ACRES

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

POU County: OMYHEE

Other Rights: 55-04080

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A55-04081

Remarks: QNT STORAGE CAPACITY 60.0 AF. ✓
Dates: Exam Made Date: 06/25/1992 Verified Date: 02/15/1998 Objection Filed Date:

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

Comments: Date: 01/31/1998 User-ID: KWALKER Subject: COPIED FROM REMARKS
OWNERSHIP CHANGED BY JS ON 10-21-91.

Date: 02/14/1998 User-ID: KWALKER Subject: AMOUNT OF WATER
AMOUNT OF WATER RECOMMENDED UNDER THIS CLAIM IS THE AMOUNT
MEASURED DURING FIELD VISIT.

Audit: 02/15/98 KWALKER

**IDAHO DEPARTMENT
OF WATER RESOURCES**

T07S, R06W, S2 & S3

6 ACRES

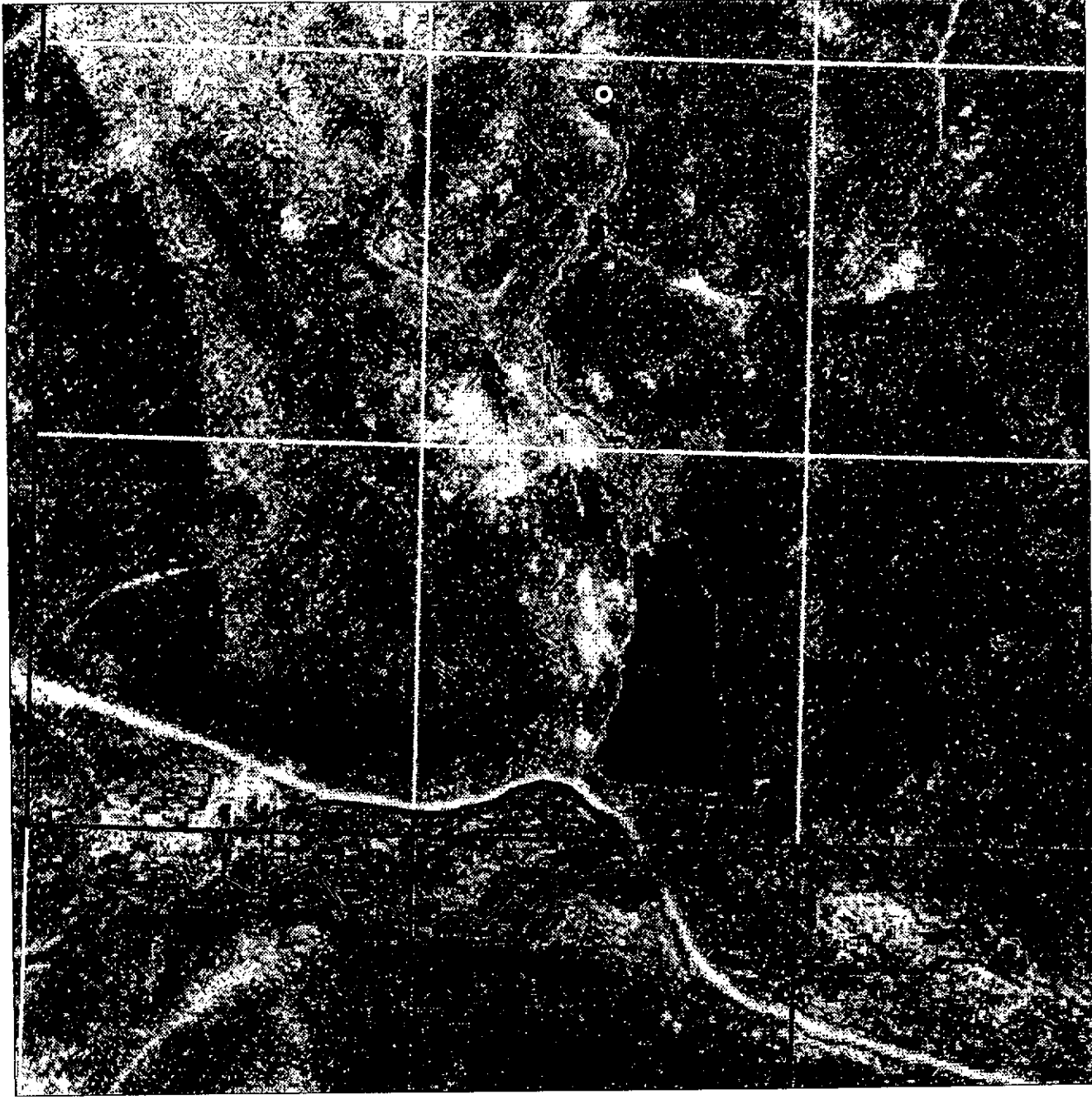
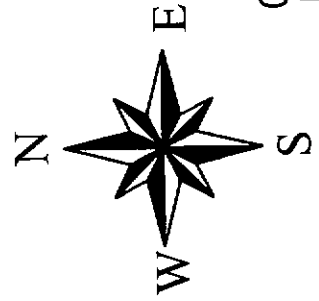
 **Section Lines**

 **PLACE OF USE**

1/4 1/4 Lines

 **POINT OF DIVERSION**

**Claim(s): 55-04081
Owner(s): SEEBECK
Prepared by: Kay Walker
Date: 2/15/1998**



0.25

0.5

0.75 Miles

0

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A55-04081

FIELD EXAM
Y/N-IF NO,
DO OFFICE
VERIFICATION

FIELD EXAM
OR IN-OFFICE
VERIFICATION
WHOM/DATE

FIELD EXAM
OR IN-OFFICE
VERIFICATION
WHOM/DATE

FIELD EXAM
OR IN-OFFICE
VERIFICATION
WHOM/DATE

FIELD EXAM
OR IN-OFFICE
VERIFICATION
WHOM/DATE

CLAIM
VERIFIED BY
CODE
(SEE BELOW)

CHANGE
CLAIM
Y/N

CLAIM
VERIFIED BY
CODE
(SEE BELOW)

CLAIM
VERIFIED BY
CODE
(SEE BELOW)

CLAIM
VERIFIED BY
CODE
(SEE BELOW)

CLAIM
VERIFIED BY
CODE
(SEE BELOW)

REVIEW
COMPLETED
WHOM/DATE

REVIEW
COMPLETED
WHOM/DATE

REVIEW
COMPLETED
WHOM/DATE

REVIEW
COMPLETED
WHOM/DATE

REVIEW
COMPLETED
WHOM/DATE

REVIEW
COMPLETED
WHOM/DATE

WR ELEMENT
PRIORITY*

WR ELEMENT
PRIORITY*

WR ELEMENT
PRIORITY*

PT. OF DIV.

SOURCE

PL. OF USE

DIV. AMOUNT
CFS/AF

CONSUMPTIVE
USE

NATURE OF
USE

PERIOD OF
USE

BASIS OF
CLAIM

REMARKS

DATA ENTRY COMPLETED
BY DATE

FINAL RECOMMENDATION
BY DATE

FINAL RECOMMENDATION
BY DATE

FINAL RECOMMENDATION
BY DATE

FINAL RECOMMENDATION
BY DATE

FINAL RECOMMENDATION
BY DATE

FINAL RECOMMENDATION
BY DATE

FINAL RECOMMENDATION
BY DATE

FINAL RECOMMENDATION
BY DATE

FINAL RECOMMENDATION
BY DATE

VERIFICATION CODES

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

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

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

COMMENTS:

11:06:10
02/15/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION
CLAIM NUMBER: A55-04081

LAST: ROSS
ADDRESS: JORDAN VALLEY
CITY: OR STATE: OR ZIP: 97911
PHONE NUMBER: 503-586-2380

OWNER CODE: O
LAST: SEEBECK JR
ADDRESS: PO BOX 8
CITY: CLARKSBURG
PHONE NUMBER: 916-665-1712

OWNER CODE: C
LAST: SEEBECK
ADDRESS: PO BOX 8
CITY: CLARKSBURG
PHONE NUMBER: 916-665-1712

OWNER CODE: C
LAST: WILLIAM GARRETT
ADDRESS: CA STATE: CA ZIP: 95612
PHONE NUMBER: 916-665-1712

FIELD EXAM REQUIRED? FIELD EXAMINER
VERIFICATION REQUIRED DUE TO REMARKS? Y ()
CLAIM REMARKS: GEN OWNERSHIP CHANGED BY JS ON 10-21-91.

CONTACT PERSON: _____

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 6/25/92

APPOINTMENT MADE: Y() N()

TIME: - : - A() P()

ACCOMPANIED BY: Seebeck Bros & Linda

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

owner, IDWR

DIRECTIONS TO PROPERTY / NOTES:

Meet at "Old Deaky Place" - ranch house
located in NENE, Lt. 1, Sec. 3, T7S,
R6W

A. AJ CLAIM: # A55-04081 PRIORITY DATE: 04-01-1885 STAGE: S
B. WR RECORD: # 55-04081 PRIORITY DATE: 04-01-1885 STAGE: S
C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N(☒)
D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N(☒)
E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? Y(☒) N()
F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?
PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y() N()
FIELD EXAM COMPLETED N/A(☒) Y() N()
FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y() N()
LICENSE ISSUED N/A(☒) Y() N()

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

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

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

NOTES:

Claims submitted evidence of 1944 priority - see statement of William Rose, previous owner, dated 4/7/93. Recommend allowing 1944 priority for the land under this claim.

change statutory to B/U

RECOMMENDED PRIORITY DATE:

4-15-1944

REVIEWED BY

cu

DATE

2/15/98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
-------	-----------	------	-----	-----	-----	-----	-----	-------------	--------	----------------	------------------

A55-04081	07S	06W	2	SE	NW				ONYHEE		
-----------	-----	-----	---	----	----	--	--	--	--------	--	--

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SPRING

TRIB: LONE TREE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
-------	-----------	------	-----	-----	-----	-----	-----	-------------	--------	----------------	------------------

55-04081	07S	06W	2	SE	NW				ONYHEE		
----------	-----	-----	---	----	----	--	--	--	--------	--	--

OTHER WR RECORDS WITH SAME WR POD
A PREFIX R PREFIX
NONE NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: SPRING

TRIB: LONE TREE CREEK

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

AJ FIELD EXAM (DATE OF FIELD EXAM)

NAME OF EXAMINER

OTHER (DESCRIBE IN NOTES BELOW)

kw & dw

NOTES: Spring runs into stream to
reservoir located in SWNW, Sec. 2,
T5, 6W

[illegible]

REVIEWED BY: kw DATE: 2/15/98

REVIEWED BY: SW DATE: 2/13/98
SYSTEM DESCRIPTION: DESCRIBED BELOW (✓), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

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

Spring is located in marshy area which is undeveloped. Claimants have built breakade around spring to keep animals out. Spring flows into stream, then into reservoir. See claimants reservoir approx. 20' deep. Dam face about 4' high between natural rock structure above highway. 13³/₄" pipe from reservoir, under highway to place of use.

A. ROOT WATER RIGHT NUMBERS: A55-04081
R55-04081

B. PDU LISTING										LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES				
06S	06W	26	NW	SW		SEEBECK JR, MELVIN EDWARD	A55-04081	10.0	55-04081	10.0	39.0	0
			NW	SW		SEEBECK JR, MELVIN EDWARD	A55-04080	10.0	55-04080	10.0		
			NW	SW		SEEBECK, WILLIAM GARRETT	A55-04082	14.0	55-04082	14.0		
06S	06W	26	SW	SW		SEEBECK JR, MELVIN EDWARD	A55-04081	36.0	55-04081	36.0	25.0	0
			SW	SW		SEEBECK JR, MELVIN EDWARD	A55-04080	36.0	55-04080	36.0		
06S	06W	27			4	SEEBECK JR, MELVIN EDWARD	A55-04081	7.0	55-04081	7.0	7.0	0
					4	SEEBECK JR, MELVIN EDWARD	A55-04080	7.0	55-04080	7.0		
06S	06W	34			1	SEEBECK JR, MELVIN EDWARD	A55-04081	7.0	55-04081	7.0	3.0	0
					1	SEEBECK JR, MELVIN EDWARD	A55-04080	7.0	55-04080	7.0		
06S	06W	34			2	SEEBECK JR, MELVIN EDWARD	A55-04081	7.0	55-04081	7.0		0
					2	SEEBECK JR, MELVIN EDWARD	A55-04080	7.0	55-04080	7.0		
06S	06W	34			3	SEEBECK JR, MELVIN EDWARD	A55-04081	5.0	55-04081	5.0	7.0	0
					3	SEEBECK JR, MELVIN EDWARD	A55-04080	5.0	55-04080	7.0		
					3	SEEBECK, WILLIAM GARRETT	A55-04082	4.0	55-04082	4.0		
			NE	SE	3	SEEBECK JR, MELVIN EDWARD	R55-04081	2.0	-	/		
			NE	SE	3	SEEBECK JR, MELVIN EDWARD	R55-04080	1.0	-	/		
06S	06W	35	NW	NW		SEEBECK JR, MELVIN EDWARD	A55-04081	40.0	55-04081	40.0	1.0	0
			NW	NW		SEEBECK JR, MELVIN EDWARD	A55-04080	40.0	55-04080	40.0		
06S	06W	35	SW	NW		SEEBECK JR, MELVIN EDWARD	A55-04081	40.0	55-04081	40.0		0
			SW	NW		SEEBECK JR, MELVIN EDWARD	A55-04080	40.0	55-04080	40.0		
06S	06W	35	NW	SW		SEEBECK JR, MELVIN EDWARD	A55-04081	40.0	55-04081	40.0	19.0	0
			NW	SW		SEEBECK JR, MELVIN EDWARD	A55-04080	40.0	55-04080	40.0		
			NW	SW		SEEBECK JR, MELVIN EDWARD	R55-04081	19.0	-	/		
			NW	SW		SEEBECK JR, MELVIN EDWARD	R55-04080	14.0	-	/		
06S	06W	35	SW	SW		SEEBECK JR, MELVIN EDWARD	A55-04081	30.0	55-04081	30.0	34.0	0
			SW	SW		SEEBECK JR, MELVIN EDWARD	A55-04080	30.0	55-04080	30.0		
			SW	SW		SEEBECK, WILLIAM GARRETT	A55-04082	9.0	55-04082	9.0		
			SW	SW		LU RANCHING CO INC	A55-04071	4.0	55-04071	4.0		
			SW	SW		SEEBECK JR, MELVIN EDWARD	R55-04081	24.0	-	/		
			SW	SW		SEEBECK JR, MELVIN EDWARD	R55-04080	25.0	-	/		
07S	06W	3			1	SEEBECK JR, MELVIN EDWARD	A55-04081	9.0	55-04081	9.0	27.0	3
					1	SEEBECK JR, MELVIN EDWARD	A55-04080	9.0	55-04080	9.0		

PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A55-04081

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	VR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	06W	3									
			NE	NE	1	SEEBECK, WILLIAM GARRETT	A55-04082 / 7.0	55-04082 / 7.0			
			NE	NE	1	SEEBECK JR, MELVIN EDWARD	A55-13475 /	- /			
			NE	NE	1	SEEBECK JR, MELVIN EDWARD	R55-04081 / 4.0	- /			
			NE	NE	1	SEEBECK JR, MELVIN EDWARD	55-13475 /	- /			
			SE	NE	2	SEEBECK JR, MELVIN EDWARD	A55-04081 / 5.0	55-04081 / 5.0	17.0		4
					2	SEEBECK JR, MELVIN EDWARD	A55-04080 / 5.0	55-04080 / 9.0			
					2	SEEBECK, WILLIAM GARRETT	A55-04082 / 3.0	55-04082 / 7.0			
					2	SEEBECK JR, MELVIN EDWARD	R55-04081 / 2.0	- /			

ADDITIONAL POU FOUND

7S 6W 2 NWNW - 1 ac
SNNW - 2 ac

TOTAL ACRES A55-04081

236.00

236.00

179.00

10 acres

POU COUNTY: OMYHEE

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

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A55-04081	SPRING	SEEBECK JR, MELVIN EDWARD	2.000	0.008	1180.00	5.00
A55-04071	JORDAN CREEK	LU RANCHING CO INC	0.920	0.020		
A55-04080	LONE TREE CREEK	SEEBECK JR, MELVIN EDWARD	3.500	0.014		
R55-04080	LONE TREE CREEK	SEEBECK JR, MELVIN EDWARD	0.800	0.020		
R55-04081	SPRING	SEEBECK JR, MELVIN EDWARD	0.730	0.013	60.00	1.07
A55-04082	LONE TREE CREEK	SEEBECK, WILLIAM GARRETT	4.500	0.033		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A55-04081	DIVERSION TO STORAGE	SEEBECK JR, MELVIN EDWARD	FROM 01-01 TO 12-31	2.000 CFS	
A55-13475	STOCKWATER	SEEBECK JR, MELVIN EDWARD	FROM 01-01 TO 12-31	0.020 CFS	

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A55-13475	DOMESTIC	SEEBECK JR, MELVIN EDWARD	FROM 01-01 TO 12-31	0.040 CFS	
55-13475	STOCKWATER	SEEBECK JR, MELVIN EDWARD	FROM 01-01 TO 12-31	0.020 CFS	
55-13475	DOMESTIC	SEEBECK JR, MELVIN EDWARD	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 55-04080

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

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

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y() N()

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

CHECK DOCUMENTS USED TO VERIFY POB: ☒ ORTHOPHOTOQUAD, IDWR NO. AA52; ☐ TOPOGRAPHIC QUAD, IDWR NO. _____;
☒ NAPP, IDWR NO. AA52 NE; ☐ ASCS PHOTO; ☒ OTHER B/S

NOTES: shape
file

RECOMMENDATIONS:

TOTAL ACRES: 10 N/A()

REVIEWED BY: kw

DATE: 2/15/98

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

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A55-04081 IRRIGATION	FROM 04-01 TO 10-31	2.000 CFS	60.00 AF/A
A55-04081 IRRIGATION STORAGE	FROM 01-01 TO 12-31		60.00 AF/A
A55-04081 IRRIGATION FROM STORAGE	FROM 04-01 TO 10-31	2.000 CFS	
A55-04081 DIVERSION TO STORAGE	FROM 01-01 TO 12-31	2.000 CFS	1180.00 AF/A
TOTAL DIVERSION RATE/VOLUME			

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
55-04081 IRRIGATION	FROM 04-01 TO 10-31	2.000 CFS	60.00 AF/A
55-04081 IRRIGATION STORAGE	FROM 01-01 TO 12-31		60.00 AF/A
55-04081 IRRIGATION FROM STORAGE	FROM 04-01 TO 10-31	2.000 CFS	
55-04081 DIVERSION TO STORAGE	FROM 01-01 TO 12-31	2.000 CFS	1180.00 AF/A
TOTAL DIVERSION RATE/VOLUME			

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

Y(✓) N()

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

N/A() Y(✓) N()

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

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

Y(✓) N()

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

Y() N(✓)

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

Y(✓) N()

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

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

N/A() Y(✓) N()

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

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

N/A() Y(✓) N()

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

N/A() Y(✓) N()

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

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

N/A(✓) Y() N()

surface water

NOTES: *Recommend IDWR standard season of use - 4/15 to 10/15.*

AJ CLAIM TOTAL DIVERSION RATE: 2.000 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A () Y (✓) N ()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A () Y () N (✓)

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

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

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

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y (✓) N ()

FLOW MEASUREMENT

MEASUREMENT METHOD Sydney Meter

SEE ATTACHED CALCULATIONS.

Measured
0.73 cfs in
Stream -

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 70 x 0.02 CFS/ACRE = 0.20 CFS
(Taken from pou review)

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

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

2. IRRIGATION DIVERSION VOLUME N/A

CLAIMED DIVERSION VOLUME = 1180.00 AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE N/A

CLAIMED CONSUMPTIVE USE = 392.0 AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

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

1b. CALCULATIONS

NOTES:

Measured 0.73 cfs in stream below
spring - allow this amount for
diversion to storage -

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	DATABASE EXAMINER	REC. DIV VOL. AF/A	DATABASE EXAMINER	REC. CONS. USE
IRRIGATION	4/15 10/15	2.000	0.20	60.00	50.00	392.0 N/A
IRRIGATION STORAGE	01-01 12-31	2.000	0.20	60.00	50.00	392.0
IRRIGATION FROM STORAGE	4/15 10/15	2.000	0.20	60.00	50.00	392.0
DIVERSION TO STORAGE	01-01 12-31	2.000	0.20	60.00	50.00	392.0
TOTAL FOR THIS RIGHT		2.000	0.73	180.00	150.00	392.0 N/A

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: FW

DATE: 2/15/98

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

QNT = D05 (60. AF)

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

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: 55-04081

DATABASE 2.000

TOTAL DIVERSION RATE OF WR SPLITS

EXAMINER _____

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-04081	2.000	R55-04081	0.730	55-04081	2.000
TOTAL CFS		2.000		0.730		2.000

DIVERSION RATE REVIEW

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

DATABASE Y
FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

Ray Walker *2/15/98*
Ray Walker *St. Agent*

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)

IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

☒ ORTHOPHOTOQUAD

DATE OF PHOTO

IDWR ID NO.

Y(☒) N(☐)

☐ TOPOGRAPHIC

DATE FIELD CHECKED

IDWR ID NO.

Y(☐) N(☐)

☒ NAPP

DATE OF PHOTO

IDWR ID NO.

Y(☒) N(☐)

☐ ASCS AERIAL PHOTO

DATE OF PHOTO

IDWR ID NO.

Y(☐) N(☐)

☐ ASCS COLOR SLIDE

DATE OF PHOTO

IDWR ID NO.

Y(☐) N(☐)

☐ BLM OR USFS AERIAL PHOTO

DATE OF PHOTO

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

DATE

IDWR ID NO.

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

IDWR ID NO.

Y(☐) N(☐)

☐ WATER RIGHT LICENSE

DATE LICENSE SIGNED

IDWR ID NO.

Y(☐) N(☐)

☐ IDWR APPROVED TRANSFER

DATE TRANSFER APPROVED

IDWR ID NO.

Y(☐) N(☐)

☐ SYSTEM DESCRIPTION

DATE DRAWN

IDWR ID NO.

Y(☐) N(☐)

☒ PHOTOGRAPHS

DATE(S) PHOTOS TAKEN

IDWR ID NO.

Y(☐) N(☐)

☐ SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

IDWR ID NO.

Y(☐) N(☐)

☐ HUBBLE ANALYSIS

DATE ANALYSIS COMPLETED

IDWR ID NO.

Y(☐) N(☐)

☐ CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

IDWR ID NO.

Y(☐) N(☐)

☒ FLOW MEASUREMENT CALCULATIONS

DATE SYSTEM MEASURED

IDWR ID NO.

Y(☐) N(☐)

☐ OTHER

DATE

IDWR ID NO.

Y(☐) N(☐)

☐ OTHER

DATE

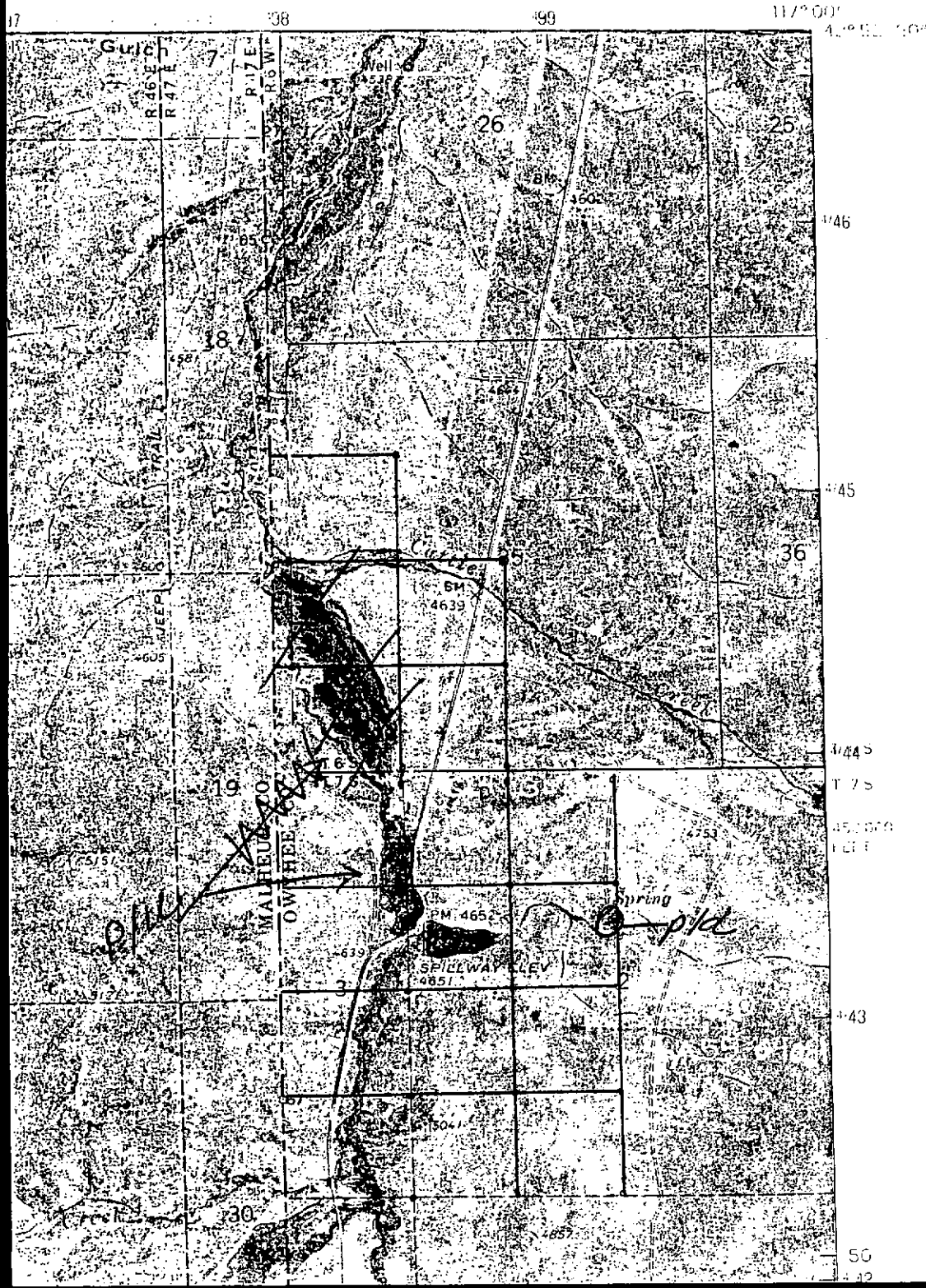
IDWR ID NO.

Y(☐) N(☐)

AA52-1979

R6W

PARSNIP PEAK QUADRANGLE
OREGON-IDAHO
7.5 MINUTE SERIES (ORTHO PHOTOQUAD)



T6S

T7S

per aerial photo & map acreage
grid

[illegible][illegible]

Hone
bell
ck.

[illegible][illegible]

AA52NE

429548

7-31-87





A55-04082

Red = See
Exception
in File
A55-04082

A55-04080
A55-04080

A55-04082

Rgmy msm
P/B
A55-04081

Lot 1
Lot 2

Gardens will
check out of Wagon

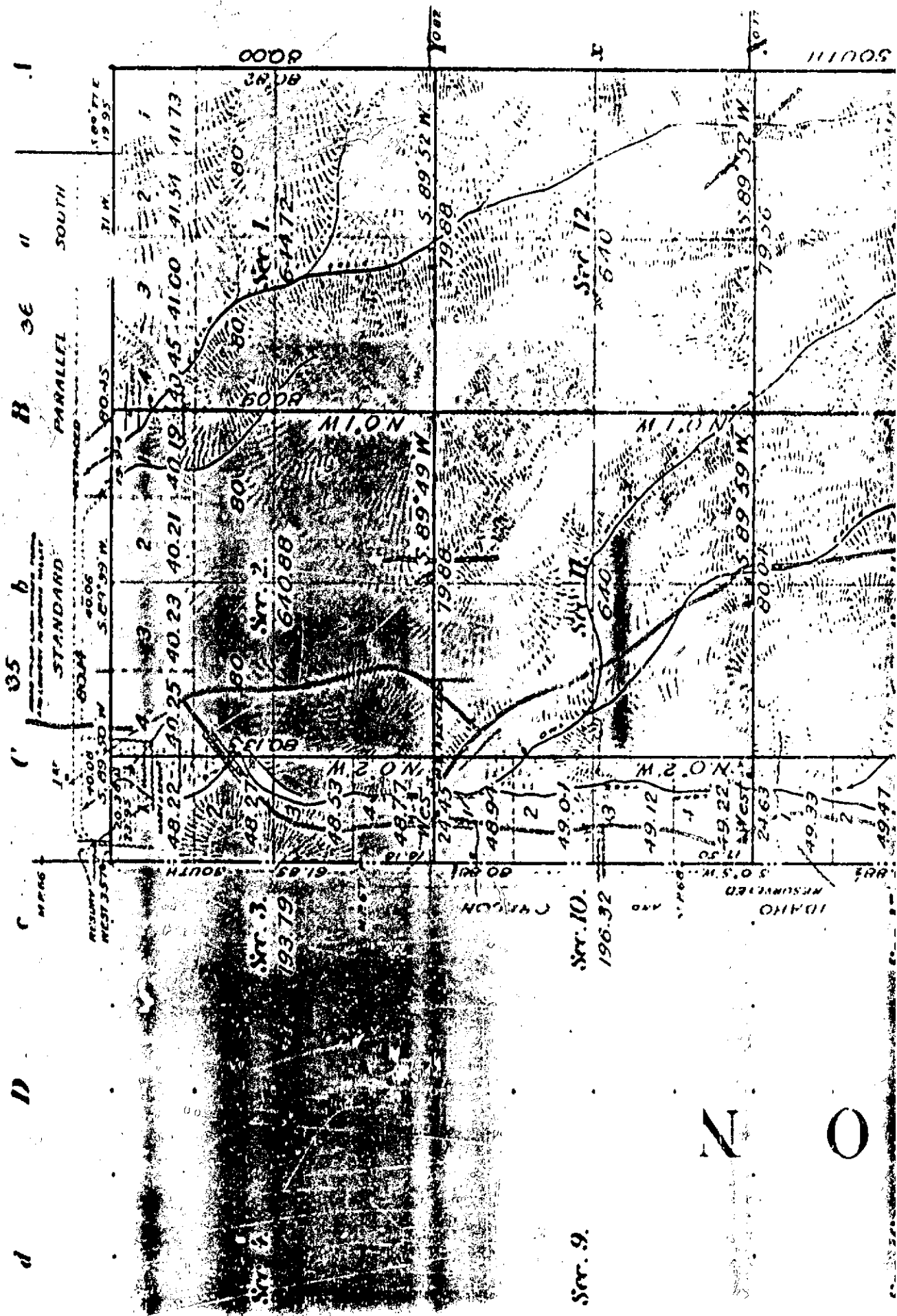
6W

7 South

(4-675a)

(1909)

No 6 West of the Boise Meridian, Idaho.

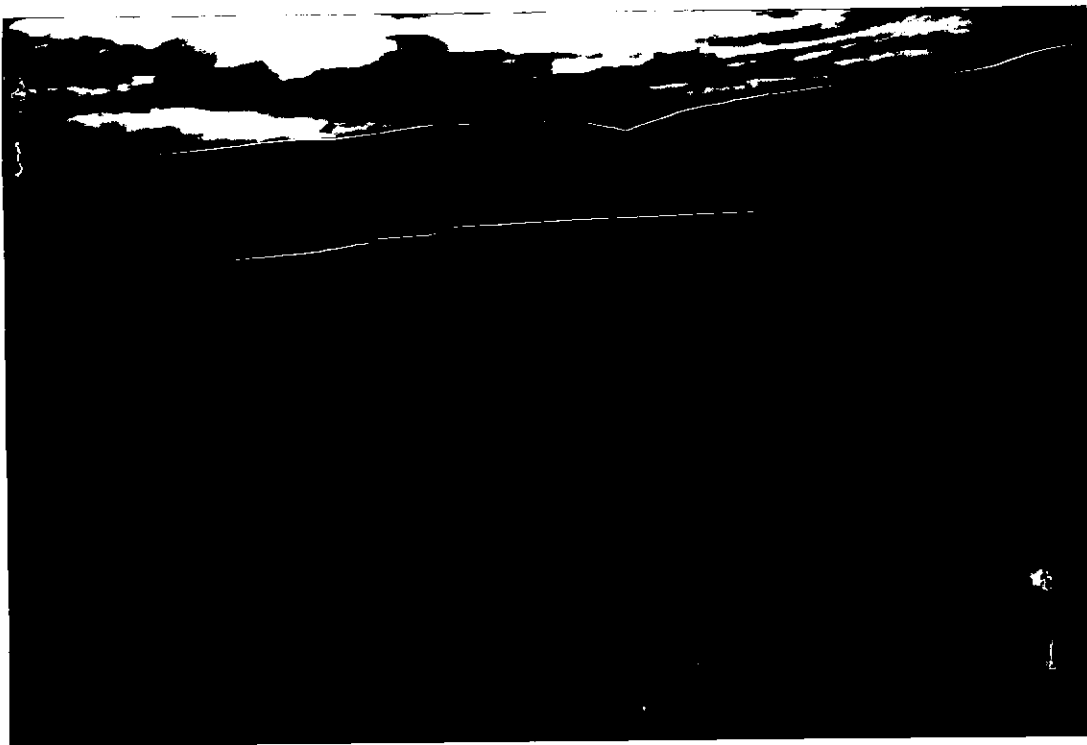




PHOTOGRAPHER: ~~KAY WALKER~~ Linda Werner

DATE OF PHOTOS 6/25/92

FILE NO(S). A55-04080, A55-04081 & A55-04082



Reservoir located in SWNW, S02, T7S, R6W



PHOTOGRAPHER: ~~JOY WALKER~~ Linda Werner

DATE OF PHOTOS

6/25/92

FILE NO(S). A55-04080, A55-04081 & A55-04082



Spring located in
NESENW, S02,
T07S, R06W.

This consists
of a marshy
area which is
undeveloped
and flows
into a stream
then into
reservoir.

Stream from
spring and
point we
conducted
the pygmy
measurement.
NWSENW,
Sec. 2, T07S,
R06W.



Pg. 3



PHOTOGRAPHER: ~~RAY WALKER~~ Linda Werner

DATE OF PHOTOS 6/25/92

FILE NO(S). A55-04080, A55-04081 & A55-04082



Place of use -
Lots 1 & 2,
Sec. 2, T07S,
R06W - 8 ac.

A55-04081
Water Right No.
(if applicable)

A. GENERAL INFORMATION

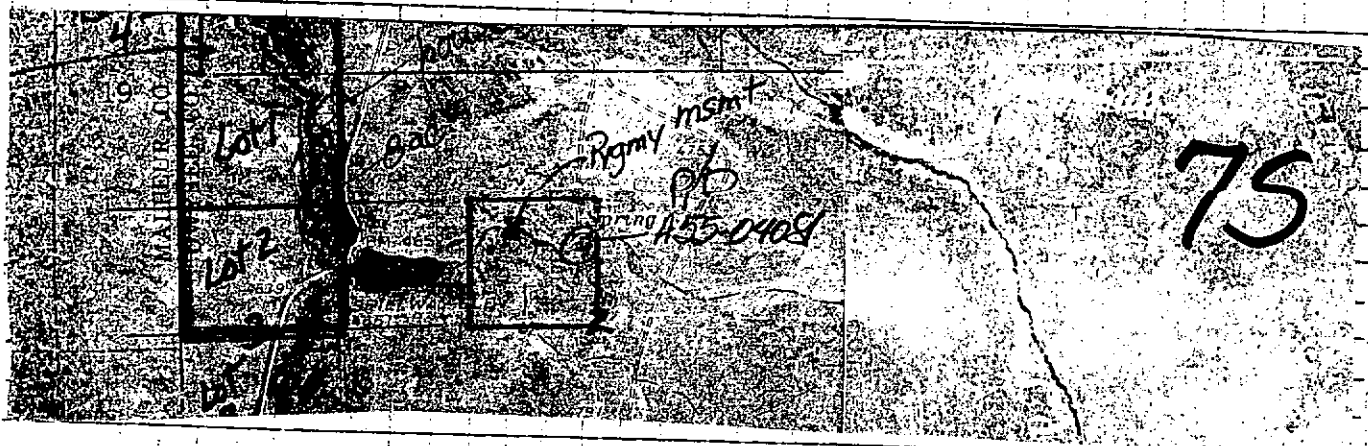
- ## B. MEASUREMENT DATA

.0 .10 .20 .30 .40 .50 .60 .70 .75 .80

C. DIAGRAMS

1. Measurement Location

Scale: _____ = _____



2. Cross-Section of Measurement

Scale _____ = _____

D. SUMMARY INFORMATION

1. Measurement rated

_____ excellent ☒ good _____ fair _____ poor

/ for drought year

2. Remarks: _____

3. Width: 3.8' Area: 0.575' Discharge in cubic feet per second: 0.73 cfs

April 30, 1993
DATE

Ry Walker
SIGNATURE OF PERSON CONDUCTING MEASUREMENT

0.638



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 28, 1993

RE: SRBA Claims to Water Rights in Owyhee County

Melvin Edward Seebeck, Jr. and/or
William Garrett Seebeck
P.O. Box 8
Clarksburg, CA 95612

Gentlemen:

I just received the statements you submitted, from the Baltzor's, in regard to evidence of your claims to water rights in Owyhee County. Please be advised that these need to be signed by the Baltzor's in the presence of a notary public so that they can be used in court, if necessary, to establish the continued water uses. It would also be helpful if the statements contained the names of the creeks they used and the number of acres that they have irrigated from each source. Since the statutory claims were previously contested, the more information you can submit in regard to the water use on the "Deary Place", the better for your cause.

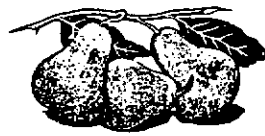
Feel free to contact me if you have any questions or comments in regard to the above.

Sincerely,

A handwritten signature in cursive script that reads 'Kay Walker'.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Kay Walker
Idaho Dept. of Water Resources
Western Region



EAGLE POINT ORCHARDS
Eagle Point Pear Juice

P. O. Box 8
Clarksburg, CA 95612

RECEIVED
DEC 27 1993
WATER
WEST

2735 Airport Way
Boise, Idaho 83705-5082

12/19/93

Dear Kay,

I just received the two enclosed Testimonials/Verifications of our water rights, so I wanted to get them off to you as soon as possible. As you can see, these statements are from Michael & Carolyn Baltzer who have current as well as long-standing connections to our "Deary Place". If you need more information from us, or ^{need} more people to verify the continued use of the water rights, please let us know. We are hoping you have enough substantiation from us at this time to confirm all five of our water rights, which are well documented in my previous letters. Please let us know if you need more information.

On 12/6/93 we received the official "withdrawal letter" of our Cattle Creek (1991) Application # 55-7529. As per my previous letter to both you and David Tuttle Jr., we are assuming this withdrawal is correct because of the fact that we ~~have~~ already have the water right on "Cattle Creek" by virtue of the 1915 license.

Please let us know how things are progressing, as we are anxious to solidify our five water rights, so we can begin the long process of repairs/improvements needed on our "Deary Place".
Have a Great Holiday Season! Sincerely, Melvin E. (Skip) Seelach Jr.
Skip

Deary Place

I, Carolyn Baltzor, moved to the Deary Place right after I got married in July 1985.

Bill Ross had hired men at the time who were setting sprinklers and irrigating from water being pumped from Lone Tree Creek.

In 1986, my husband and I started irrigating. We continued to pump from Lone Tree and divert water from Cattle Creek to flood irrigate the hay fields.

We irrigated the upper meadow with water stored in the pond.

From 1985 to the present we have used water from both creeks and spring.

Dec 9, 1993

Carolyn Baltzor

Carolyn Baltzor

Deary Place

I, Michael Baltzor moved to the Deary Place Right after I got married in July 1985.

Bill Ross had hired men at the time who were setting sprinklers and irrigating from water being pumped from Lone Tree Creek.

In 1986, my wife and I started irrigating. We continued to pump from Lone Tree and divert water from Cattle Creek to flood irrigate the hayfields.

We irrigated the upper meadow with water stored in the pond.

From 1985 to the present we have used water from both creeks and spring.

In the late 1970's, my dad Ted Baltzor Sr. Built two dams in Lone Tree Creek, one above the house $\frac{1}{4}$ of a mile and one below the house about a mile in order to flood irrigate the meadows. Ted worked over

(over)

for Bill Ross at the time.

12-13-93

Michael Baltzor

Michael BALTZOR

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State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 22, 1993

RE: SRBA Claims to Water Rights in Owyhee County

Melvin Edward Seebeck, Jr. and/or
William Garrett Seebeck
P.O. Box 8
Clarksburg, CA 95612

Gentlemen:

Enclosed are computer generated copies of the claims you recently submitted to our office. Also enclosed is Departmental Receipt No. W016997 in the amount of \$95.00. The next step will be for me to verify the use of the water as claimed under the two new claims. I may drive up to Jordan Valley next week to examine your Cattle Creek claim. You do not need to be present.

In regard to the questions you presented in your letter of November 29, 1993, I offer the following: Application for Permit No. 55-07428 was filed for the irrigation of 152.5 acres. Existing License No. 55-02069 only covers the irrigation of 20 acres. Since the remaining 132.5 acres are not currently irrigated with Cattle Creek water we cannot include these acres or additional water on Notice of Claim No. A55-02069. The 0.40 cfs shown on this license is about 180 gallons per minute, which from what you said in your letter, is more than the creek can provide.

If you wish to pursue the application for permit you need to let us know **on or before January 22, 1994**, otherwise the withdrawal of the application will be accepted as final action in this matter. If you choose to pursue approval of the application, you will need to **provide some dates that you can be present for a conference and/or hearing** to resolve the protests.

On Claim No. A55-13475, your domestic and stockwater spring, I had to insert a month and day of first use. Since you did not provide this information I inserted December 31 of the year claimed, pursuant to Departmental guidelines. This can be amended if you want to provide additional information regarding the first use of the water.

I need some information on the pump that was used to irrigate your land from Lone Tree Creek. If possible, I need to know the horsepower of the pump used, the pressure, and the feet of lift from the creek to where the pump sits. I remember you saying that since the creek channel had become so deep, water had to be pumped to get it to the land but I don't remember discussing the pump information and it was not included in my field notes.

We will be spending this winter reviewing our field work notes and making our recommendations on the claims submitted. Our findings in regard to the adjudication claims will be mailed out sometime late next spring. I have tried to respond to each of your questions. Please let me know if you need further information. Feel free to contact me if you have any questions or comments in regard to the above.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker". The signature is written in dark ink and is positioned above the typed name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

State of Idaho
Dept. of Water Resources

Kay Walker - Water Resource Agent

David Tutthill JR. - Manager, Western Region office

2735 Airport Way

Boise, Idaho 83705-5082

(Melvin E. William Seelbach)
P.O. Box 8
Clarksburg, Calif 95612

RECEIVED

DEC 03 1993

WATER RESOURCES
WESTERN REGION

November 29, 1993

Dear Kay & David,

The purpose of this letter is to respond to your two letters: 1) 9/15/93 letter from Kay Walker, and 2) November 3, 1993 letter from David Tutthill. Since both these letters are in regard to our "Cattle Creek" Water Right, I thought it best to respond with this one letter which I will send to the attention of both of you. Let me preface this with my acknowledgement that we are not familiar with all of the complexities of Idaho Water Rights, and we are relying heavily on both of your expertise and suggestions as to how we can best re-affirm all of the Water Rights on our Owyhee County Ranch. As we have said before, we are determined to keep all previous Water Rights on our property, and, as my 9/10/93 correspondence to Kay Walker clearly details, we have provided your department a lot of information and substantiation relating to our five Water Rights. Please let us know of any further information and/or substantiation you may need besides that which we have included with this response.

(Regarding the November 3, 1993 letter from David Tutthill Jr.)

As we stated in our 9/10/93 letter, we filed our 8/30/91 Request # 55-09428 for "Cattle Creek" Water Rights (which were later protested by Thomas Elch & Terry Wam) before we discovered we already had an existing Water Right on "Cattle Creek" under License # 55-02069 dated October 2, 1915. We want to establish as many water usage rights as possible on "Cattle Creek". We feel we are justified in desiring use of this small creek not only because of the previous license, but also because this creek is, and always has been, an extremely integral part of the operation of our Ranch (See Page 3 of our 9/10/93 correspondence to Kay Walker). Further, this small creek starts as a spring just off our deeded property, and (except for heavy run-off periods) the water never even leaves our deeded property. Even though "Cattle Creek" only flows at about 30 gpm, we are sure that with appropriate diversions and storage management this creek can be an even more important part of our irrigation and stock watering system - especially during run-off periods, and with no adverse effect to anyone downstream.

With all of the above in mind, we will rely on your knowledge as to how we should proceed. It seems correct that since we already have an existing License

11/29/93
(Page 2)

(#55-02069) on "Cattle Creek" Water Rights (Dated Oct. 2, 1915), there is no need to proceed with the 8/30/91 Request #55-07428. Do you agree?? Or should we pursue the new Application as well as keep the old license so as to get most water rights possible? Would this give us more usage during heavy run-off periods? These are all questions we would hope you could help us answer. Now that we have more information, we would be happy to meet with either or both of you to help lay out our options, and to get your opinion on how to best proceed with our five Water Rights. Please be advised that in no way do we feel our intentions are "speculative", and we are prepared in every way to pursue our Water Rights which would include any necessary conferences to remove any protests.

(Regarding the September 15, 1993 letter from Kay Walker)

Kay, as per your suggestion we got Bill Ross to notarize the "Evidence of Priority" on our Water Rights (A copy of two pages are included for your files)

Regarding "Cattle Creek" previous Claim #55-02069 (previously discussed in this letter). I have completed the claim form you sent us as best as possible - Can we increase the appropriated quantity of water, or the number of use acres? I wasn't sure what you meant by "make any changes we would like to make....."

I have filled out the "Withdrawal Form" and signed it to withdraw application #55-07428. Again, we are relying on your judgement that this is the best thing to do to both clean-up and maximize our Water Rights. It certainly seems good to us to not have to deal with a protest (and possible bad feelings with new neighbors) if we can get all we need from this previously issued License.

I have also done my best to finish filling out the "Domestic Spring" form you sent us --- please let us know if you need more information. Remember, we want this to be approached as an existing usage, and not a new usage. Enclosed is our check #870 for \$95⁰⁰ which covers: 1) \$70 for "Cattle Creek" old license #55-02069

Includes 20 acres - do we need more \$ if more acreage??
2) \$25 Claim for Domestic Spring (Cattle Creek)
(previous use back to 1944)

All forms are notarized as you requested - Thanks Again to you Kay, and also to Dave Tuthill JR. for helping steer us in the right direction as we get all these rights straightened out. Again, now that we seem to be getting close to finalizing the "Water Rights", we would be happy to make a trip up to meet one or both of you to expedite the process, and finish answering the questions I, as a novice on these matters, have posed in this letter.

Please let us know what else we need to do -----

Thanks for your help!

Sincerely, Melvin E. Seelack Jr.

Z-3

RECEIVED

DEC 03 1993

WATER RESOURCES
WESTERN REGION

HEREFORDS AND HORSES
Bill and Phyllis Ross
Jordan Valley, Oregon 97910
503-586-2380

*Original
From Bill Ross
10/6/93*

Kays

(283)

This is to attest that the Deary Ranch was acquired by my father, Sam Ross, and myself from Bas Deary in 1944. It was operated continuously as a part of our cattle operation from that time until the property changed ownership in 1990.

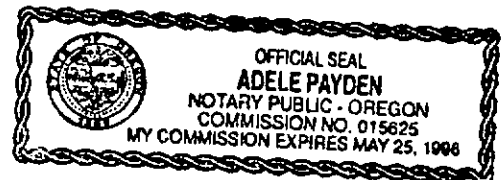
Beneficial use was made of the water rights on this property in accordance with Idaho water law throughout the time of our ownership. At no time was there a lapse of beneficial use extending for as long as three years on any of the five established claims and rights. A description of those filings and rights are listed below.

This statement is intended as a preliminary to a more detailed narrative which will follow when time permits me to organize and research such information.

Very truly yours,

William E. Ross

William E. Ross
date



*Adele Payden 10-5-96
Notary for Oregon*

I, Bill Ross being of sound state of mind, do hereby state the following facts as I know them to exist to the best of my recollection regarding the following water rights for the "Deary Place", which is located approximately 13 miles south of Jordan Valley, Oregon on the northwest slope of South Mountain, Idaho (Sections 1, 2, 3, 26, 27, 34, 35 in Owyhee County, approximately 1200 acres in total):

1. **LONE TREE CREEK** (established 4/1/1885, point of diversion T07S R06W S03 LOT 4) (CLAIM #A55-04080).
2. **LONE TREE CREEK** (established 4/1/1907, point of diversion T07S R06W S03 LOT 2). (CLAIM #A55-04082)
3. **SPRING SUPPLYING RESERVOIR** (CLAIM #A55-04081 DATED 4/1/1885) DIVERSION T07S R06W S02 SENW.
4. **CATTLE CREEK** (WATER LICENSE #55-02089 dated 10/2/1915, Alfred Feltwell, point of diversion T07S R06W SECTION 1 TRACT NW NW.
5. **DOMESTIC SPRING ON CATTLE CREEK**

I owned the Deary Place from 1944 thru ~~1950~~ and to the best of my recollection there has never been a period of 3 years or more where water use on the Deary Place did not involve ALL of the above before mentioned water rights.

As proof of this, I petitioned the Idaho Department of Water Resources on several occasions for the acknowledgement and /or reestablishment of the aforementioned water rights (list attached). Further more, I am offering a list of names of fellow ranchers and employees and others who have first hand knowledge of continued use of water on the Deary Place which shows the continue utilization of water rights for the purpose of our cattle operation.

Since I owned the ranch for so many years and made so many efforts to preserve the existing water rights of the Deary Place, I am writing this affidavit to help the new owners finalize what I know to be the above five (5) water uses for the property said to be called Deary Place, as described above.

Bill Ross
9/7/93



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 15, 1993

RE: SRBA Claims to Water Rights in Owyhee County

Melvin Edward Seebeck, Jr. and/or
William Garrett Seebeck
P.O. Box 8
Clarksburg, CA 95612

Gentlemen:

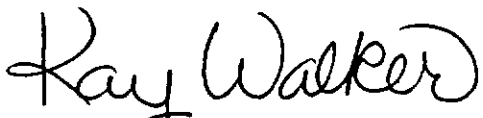
I received your letter and evidence of priority for your claims yesterday. In a quick review of what you submitted, I have prepared a couple of claim forms for your signature, and have a suggestion regarding your evidence. The evidence of your priority dates should be in affidavit form (notarized statements) or it may not stand up in court if someone was to object to your claims.

The enclosed claim numbered A55-02069 is for the license on Cattle Creek. I prepared this based on the way the license was issued. If you have any changes that you would like to make on this form, just cross through the information and make your change, then date and initial any corrections. You also need to complete item 9, with the number and kind of stock you are watering. I am also enclosing a "Withdrawal" form that you should sign and return to withdraw Application No. 55-07428.

The second claim form (handwritten) is for the domestic spring located at the old Deary place. There were several items on this form that I could not complete. You need to complete items 2 (date of first use of the spring), item 9 (number of livestock that drink from the spring), item 13 (other water rights used for domestic and stockwater purposes at this location) and item 16, (either one of you can sign in the presence of a notary public).

The filing fee for Claim A55-02069 is \$70.00 (\$50.00 claim fee and \$20.00 per acre claimed). The fee for the claim on the spring is \$25.00. Please return these signed and notarized forms, along with the filing fee, at your earliest convenience. If you have any questions regarding any of this, please feel free to contact me at (208)334-2190.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker". The signature is written in dark ink and is positioned above the typed name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

RECEIVED
SEP 14 1993

September 10, 1993

Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Resources
Kay Walker, Senior Water Resource Agent
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Dear Kay,

I enjoyed talking with you today, and enclosed is the preliminary information from Bill Ross (*previous owner*) showing his proof of continued use of the five water rights on our "Deary Ranch" from 1944 through 1990. I have also enclosed a rough draft of the five water rights of our "Deary Ranch", which we put into summary form for Bill Ross' review. All this information, and much more will be re-organized and added to as we do more research.

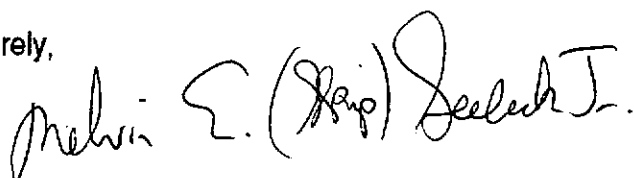
Other people who we intend to get written documentation from verifying continued "Deary Ranch" water use over the years include:

Frank Lazer
Mike Baltzor (for Ted Baltzor) (irrigated out of Lone Tree Creek late 1970's.).
Ray Gluch (irrigated out of Lone Tree Creek with high pressure gun 1960's).
Alfonso Accordgoita
Simon Corta (continued use of domestic Cattle Creek Spring).
Mary Deary
and more ...

Kay, we appreciate your patience as we gather all the necessary information so that you people can officially recognize our five water rights as continuing usages and existing viable water rights. Please note: that we feel there is no need to pursue our new Cattle Creek Water Right Request #55-07428 (8/30/91) since we have now shown the old license #55-02069 dated October 2, 1915.

Your thoughts and assistance are greatly appreciated as we definitely want to get all our necessary documentation to you so that we can preserve all our previous five water rights and usages as we have listed them.

Sincerely,



Melvin E. Seebeck, Jr.

HEREFORDS AND HORSES
Bill and Phyllis Ross
Jordan Valley, Oregon 97810
503-586-2380

This is to attest that the Deary Ranch was acquired by my father, Sam Ross, and myself from Bas Deary in 1944. It was operated continuously as a part of our cattle operation from that time until the property changed ownership in 1990.

Beneficial use was made of the water rights on this property in accordance with Idaho water law throughout the time of our ownership. At no time was there a lapse of beneficial use extending for as long as three years on any of the five established claims and rights. A description of those filings and rights are listed below.

This statement is intended as a preliminary to a more detailed narrative which will follow when time permits me to organize and research such information.

Very truly yours,



William E. Ross

9/7/93

date

I, Bill Ross being of sound state of mind, do hereby state the following facts as I know them to exist to the best of my recollection regarding the following water rights for the "Deary Place", which is located approximately 13 miles south of Jordan Valley, Oregon on the northwest slope of South Mountain, Idaho (Sections 1, 2, 3, 26, 27, 34, 35 in Owyhee County, approximately 1200 acres in total):

1. LONE TREE CREEK (established 4/1/1885, point of diversion T07S R06W S03 LOT 4) (CLAIM #A55-04080).
2. LONE TREE CREEK (established 4/1/1907, point of diversion T07S R06W S03 LOT 2). (CLAIM #A55-04082)
3. SPRING SUPPLYING RESERVOIR (CLAIM #A55-04081 DATED 4/1/1885) DIVERSION T07S R06W S02 SENW.
4. CATTLE CREEK (WATER LICENSE #55-02089 dated 10/2/1915, Alfred Feltwell, point of diversion T07S R06W SECTION 1 TRACT NW NW.
5. DOMESTIC SPRING ON CATTLE CREEK

I owned the Deary Place from 1944 thru ~~1990~~ and to the best of my recollection there has never been a period of 3 years or more where water use on the Deary Place did not involve ALL of the above before mentioned water rights.

As proof of this, I petitioned the Idaho Department of Water Resources on several occasions for the acknowledgement and /or reestablishment of the aforementioned water rights (list attached). Further more, I am offering a list of names of fellow ranchers and employees and others who have first hand knowledge of continued use of water on the Deary Place which shows the continue utilization of water rights for the purpose of our cattle operation.

Since I owned the ranch for so many years and made so many efforts to preserve the existing water rights of the Deary Place, I am writing this affidavit to help the new owners finalize what I know to be the above five (5) water uses for the property said to be called Deary Place, as described above.

Bill Ross
9/7/93

(Rough Draft)

RECORDED
SEP 14 1993

Department of Water Resources
Western Regional Office

I, Bill Ross being of sound state of mind, do hereby state the following facts as I know them to exist to the best of my recollection regarding the following water rights for the "Deary Place", which is located approximately 13 miles south of Jordan Valley, Oregon on the northwest slope of South Mountain, Idaho (Sections 1, 2, 3, 26, 27, 34, 35 in Owyhee County approximately 1200 acres in total):

1. **LONE TREE CREEK** (established 4/1/1885, point of diversion TO7S RO6W SO3 LOT 4) (CLAIM #A55-04080).
2. **LONE TREE CREEK** (established 4/1/1907, point of diversion TO7S R06W S03 LOT 2). (CLAIM #A55-04082)
3. **SPRING SUPPLYING RESERVOIR** (CLAIM #A55-04081 DATED 4/1/1885) DIVERSION TO7S RO6W S02 SENW.
4. **CATTLE CREEK** (WATER LICENSE #55-02069 dated 10/2/1915, Alfred Feltwell, point of diversion TO7S RO6W SECTION 1 TRACT NW NW.
5. **DOMESTIC SPRING ON CATTLE CREEK**

I owned the Deary Place from ¹⁹⁴⁴1943 thru ¹⁹⁹¹1991 and to the best of my recollection there has never been a period of 3 years or more where water use on the Deary Place did not involve ALL of the above before mentioned water rights.

As proof of this, I petitioned the Idaho Department of Water Resources on several occasions for the acknowledgement and /or reestablishment of the aforementioned water rights (*list attached*). Further more, I am offering a list of names of _____ and employees and others who have first hand knowledge of continued use of water on the Deary Place which shows the continue utilization of water rights for the purpose of our cattle operation.

Since I owned the ranch for so many years and made so many efforts to preserve the existing water rights of the Deary Place, I am writing this affidavit to help the new owners finalize what I know to be the above five (5) water uses for the property said to be called Deary Place, as described above.

To best explain what I know about the above five (5) water rights, I will address each water right individually and explain how each was used continually as we ran our cattle operation.

WATER RIGHT #1 LONE TREE CREEK (established 4/1/1885, point of diversion TO7S RO6W SO3 LOT 4) (Claim #A55-04080).

This water right is very old and the point of diversion has been affected by recent changes in the depth of Lone Tree Creek caused by erosion. Nevertheless, I have made efforts to pump water from Lone Tree Creek into old diversion canals that dispensed water from Lone Tree Creek onto the Deary Place. Frank Baltzar, my employee, on several occasions operated this pump (1970 - 1980's) to bring water out of Lone Tree Creek onto the Deary Place.

WATER RIGHT #2 LONE TREE CREEK (established 4/1/1907, point of diversion TO7S RO6W SO3 LOT 2). (CLAIM #A55-04082)

This use of water from Lone Tree Creek is closely related to the other water right on Lone Tree Creek in that the elevation of Lone Tree Creek itself has lowered over the years due to erosion. Once again, however, we have made a continued effort over the years to use Lone Tree Creek water for irrigation in the production of hay on the 200+ acres of land located along Lone Tree Creek

WATER RIGHT #3 SPRING SUPPLYING RESERVOIR (established 4/1/1885, point of diversion TO7S RO6W SO2 SE NW), (Claim #A55-04081).

This spring originates on deeded land on the Deary Place and flows into the Deary Place reservoir from which it has always been dispersed annually onto the Deary Place pasture and hay fields. Further use of this spring since 1963 has been a water source for domestic use at the main ranch residence located approximated 1800 linear feet below the spring. This spring feeds the approximately 6 acre reservoir which supplies water directly to various Deary Place fields..

WATER RIGHT #4 CATTLE CREEK (WATER LICENSE #55-02069 dated 10/2/1915 point of diversion T07S R06W SECTION 1 TRACT NW NW).

Cattle Creek water has been used for stock and irrigation on the Deary Place since the 1800's. There exists various diversion canals off of Cattle Creek which we have used to dispense water to various points on the Deary Place. There are two diversion canals (*one small and one large*) approximately 1 mile east of the main road which have been used to dispense water to the meadows on the south side of Cattle Creek and the surrounding area. Also, Cattle Creek water that flows under the main road to the Deary Place meadows has always been diverted to continuously irrigate lower meadow areas. For the past 8 years, Mike and Carolyn Baltzar (*ranch tenants*) have used this Cattle Creek flow to irrigate the lower meadow area. Prior to this ranch employees have made sure Cattle Creek water was reaching Deary Place low lands and was dispersed as efficiently as possible to irrigate the various crops before the water reached Lone Tree Creek. As I understand it, in 10/2/1915 a license was issued for this ranch under the name of Albert Feltwell for the specific use of water on the Deary Place.

WATER RIGHT #5 DOMESTIC SPRING ON CATTLE CREEK

To the best of my knowledge this small spring in the form of a hand dug well was originally utilized for the old homestead which existed on the Deary Place from _____ to _____. This spring produces a small artesian flow that has been used for stock and domestic use continuously throughout the years. Because of the artesian flow a small pool of water located between four (4) large Lombardi popular trees has always been a known water source on the ranch. Other people who have used this old spring are _____, _____ and _____.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Mail Date: April 30, 1993

Response Date: May 30, 1993

Melvin Edward Seebeck, Jr. and/or
William Garrett Seebeck
P.O. Box 8
Clarksburg, CA 95612

Gentlemen:

We are currently in the process of preparing your Notice of Claims for court decree in the Snake River Basin Adjudication. The claims in question are as follows:

Claim No. A55-04080

This claim was filed based on beneficial use of water dating back to April 1, 1885, from Lone Tree Creek.

Claim No. A55-04081

This claim was filed based on beneficial use of water dating back to April 1, 1885, from a spring tributary to Lone Tree Creek. Our measurement of this spring turned out to be 0.73 cubic feet per second which is equivalent to 327 gallons per minute.

Claim No. A55-04082

This claim was filed based on beneficial use of water dating back to April 1, 1907, from Lone Tree Creek.

On October 21, 1991, the Department sent you a copy of a letter previously sent to William E. Ross, requesting that you submit evidence supporting the priority date that had been listed on the above claims. However, this evidence has not been received in our office.

Before the Department can make a recommendation to the Court for decree of these claims, some evidence of the priority date claimed must be submitted. Again we are enclosing a brochure outlining types of evidence you may submit. If we do not receive the requested information, these claims will be recommended for disallow due to lack of evidence supporting any priority date.

As for the use of the spring you have re-developed for domestic uses, you should file an application for permit. Enclosed is an application for permit form with instructions for your use in this matter. Any surface water sources that were developed after May 20, 1971, must be filed on. If I remember correctly, this spring was used for domestic purposes years ago and you had recently rebuilt the

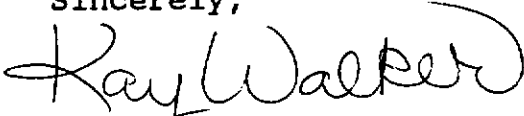
*5-6-93
Skip Seebeck
called - is still
gathering evidence -
told him I had to
have it by the
end of this
summer.
KW*

Page 2 of 2
April 30, 1993

same system. I suggest you file the application for permit form rather than a claim, since the system had undergone some years of non-use.

Thank-you for your cooperation. If you should have any questions, or feel that you need help in any way, please feel free to contact me at (208) 334-2190.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker". The signature is written in dark ink and is positioned above the typed name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

May 22, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MELVIN E SEEBECK JR
WILLIAM G SEEBECK
PO BOX 8
CLARKSBURG CA 95612

RE: Claims filed in the Snake River Basin Adjudication

Dear Claimants: *CLAIM NO. ASS-04080, ASS-04081,
ASS-04082 - DWYHER CO.*

The Department of Water Resources will be conducting beneficial use and water right claim verification examinations in your area beginning in June. An examination is needed to verify your water use in order to issue a water right license and/or decree.

Information on your permit or claim which may need to be verified includes source of water, type of usage, amount of water used, number of acres irrigated, and legal descriptions of the point of diversion and/or place of use.

In order to expedite these field examinations, which need to be completed this summer in your area, we request that you contact our office at (208)334-2190 within two weeks to make an appointment at a time convenient for you. The amount of time required to conduct these exams depends on the number of water rights you have filed. An approximate time can be given when you call for an appointment.

Although it is not mandatory that you accompany the field examiner, it does insure that an accurate description of your system will be made. If either yourself, or someone familiar with the system, could accompany the examiner it would be appreciated.

In some cases, the date of priority claimed also needs to be verified. Letters were sent to some claimants notifying them that evidence of the date of first use of their water right(s) was required. If you received one of these letters and have questions, we can address those during our examination.

To make an appointment, or if you have any questions or problems with scheduling the exam, please contact one of the following water resource agents:

LINDA WERNER

KAY WALKER

RON HOWERTON

ROXANNE MCCARTHY



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Date 10-21-91

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Notice of Claim No.(s) A57-04080

A57-04081

A57-04082

[MELVIN E. SEEBECK, JR.]
WILLIAM G. SEEBECK
P.O. BOX 8
[CLARKSBURG, CA 95612]

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflects the change in ownership of the lands and appurtenant water right(s) covered under the original filing(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree. * SEE BELOW.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

JAN SHURTE
WATER RIGHT SUPERVISOR
ADJUDICATION SECTION

JS:j
Enclosure(s)

MICROFILMED

SEP 29 1992

* ATTACHED IS AN EVIDENCE OF PRIORITY LETTER WE SENT ON 6-28-91 TO THE PREVIOUS OWNER OF THESE CLAIMS. HE DID NOT SUBMIT THE EVIDENCE REQUESTED & THIS IS STILL A REQUIREMENT OF THESE CLAIMS. WE WILL BE IN THIS AREA NEXT SUMMER AND IF NO EVIDENCE IS IN BY THEN, WE WILL LET YOU KNOW.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

A55-04080 *JUNE 28, 1991*
WILLIAM E. ROSS

RE: Claim No(s): *A55-04080 04081*

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

JORDAN VALLEY OR 97911

Dear Claimant(s):

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

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

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

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

Sincerely,

Jan Shurte

Jan Shurte
Water Rights Supervisor
Adjudication Section

MICROFILMED

SEP 29 1992

JS:lh
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that BILL ROSS

(Name of Claimant)

Jordan Valley, Oregon 97911

(Mailing Address)

Telephone No. (503) 586-2380

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1885

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 is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Spring, tributary to Lone Tree Creek

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

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>2.0 c.f.s.</u>	Use <u>Irrigation</u>	Period of Use From <u>April 1</u>	To <u>October 31</u>
Quantity	<u>2.0 c.f.s.</u>	Use <u>Diversion to storage</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity	<u>60 AF</u>	Use <u>Storage</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity	<u>3.5 c.f.s.</u>	Use <u>Diversion from storage</u>	Period of Use From <u>April 1</u>	To <u>Oct. 31</u>
Quantity		Use <u>to irrigation.</u>	Period of Use From	To

- (4) 1,180 AFA TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

SE ¼ NW ¼, Sec. 2 Twp. 7S Rge. 6W 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. Describe any changes in the system and give the date of the change. Earthen dam, outlet gate to natural channel, diversion dam to ditch, main ditch approximately 2 miles long.

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	6W	26										10	36						46
6S	6W	27	Lot 4 (7)																7
6S	6W	34	Lot 1 (7),	Lot 2 (7),	Lot 3 (5)														19
6S	6W	35					40	40			40	30							150
7S	6W	3	Lot 1 (9),	Lot 2 (5)															14

No. of acres 236

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

NOTE: Include here the type and number of stock watered:

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

SEE ATTACHED COPY OF MAP PREPARED IN 1915
BY E. B. ALSOP, C.E.

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 Ohio)
County of Mahoning) ss.

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

Sworn to before me this 6th day of August

Bill Ross
(Claimant)
1982
James G. [Signature]
Notary Public
Residing at Garden Valley, Ore
Commission expires 7-30-83

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by <u>[Signature]</u>	Date <u>8-10-82</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>GLS</u>	Date <u>9/7/82</u>		claimant by:	
\$20.00 fee received by <u>JP</u>	Date <u>9-20-82</u>			
Published in <u>Quincy Herald</u>				
Dates <u>9/23 & 9/30/82</u>				

Water Right Number - 55-04081 ✓ Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + - - - - First Name - - - - + - - - - Address - - - - +

*** C - CURRENT OWNER ***

ROSS SEEBECK, MELVIN E BILL

1 -
2 -
3 -City- JORDAN VALLEY State- OR Zip- 97911
Phone -

+ - - Priority Date - - - + - - - Region - - - + - - - Stage - - - + - - - Status - - - +
04/01/1885 ✓ 14 WESTERN 5 - STATUTORY CLAIM
+ - - Source - - - - - + - - - Tributary - - - - - +
SPRING LONE TREE CREEK

+ - - - - Point of Diversion - - - - -
TwN Rng Sec Tract Lot RFlg County

07S 06W 2 SE NW ✓ (73) OWYHEE

+ - - - - Description Period From Period To Water Use Diversion Rate Diversion Volume
Code
01 - IRRIGATION 04/01 10/31 ✓
02 - IRRIGATION STORAGE 01/01 12/31 ✓ 2.000 60.00
03 - IRRIGATION FROM STORAGE 04/01 10/31 ✓ 60.00
55 - DIVERSION TO STORAGE 01/01 12/31 ✓ 2.000

+ - - Total Div. Rate - - - + - - - Total Div. Volume - - - + - - - Total Div. Capacity - - - +
2.000 ✓ 1180.00

+ - - - - Place of Use - - - - - Description - - - - - County - - - - -
TwN Rng Sec Tract Lot Acres Code
06S 06W 26 NW SW 10.0 ✓ 01 IRRIGATION (73) OWYHEE
06S 06W 26 SW SW 36.0 ✓ 01 IRRIGATION (73) OWYHEE
06S 06W 27 4 7.0 ✓ 01 IRRIGATION (73) OWYHEE
06S 06W 34 1 7.0 ✓ 01 IRRIGATION (73) OWYHEE
06S 06W 34 2 7.0 ✓ 01 IRRIGATION (73) OWYHEE
06S 06W 34 3 5.0 ✓ 01 IRRIGATION (73) OWYHEE
06S 06W 35 40.0 ✓ 01 IRRIGATION (73) OWYHEE
06S 06W 35 NW NW 40.0 ✓ 01 IRRIGATION (73) OWYHEE
06S 06W 35 SW NW 40.0 ✓ 01 IRRIGATION (73) OWYHEE
06S 06W 35 NW SW 30.0 ✓ 01 IRRIGATION (73) OWYHEE
06S 06W 35 SW SW 30.0 ✓ 01 IRRIGATION (73) OWYHEE
07S 06W 3 1 9.0 ✓ 01 IRRIGATION (73) OWYHEE
07S 06W 3 2 5.0 ✓ 01 IRRIGATION (73) OWYHEE

Total Acres: 236.0

+ - - Diversion Means - DAM & DITCH