



26
MICROFILMED
SEP 30 1992
RM 1475

RECEIVED
MAY 19 1993

Department of Water Resources
Western Regional Office

NOTICE OF WATER RIGHT LOCATION.

To Whom It May Concern:

Notice is hereby given that A. B. Azuenaga, of Trout Creek, County of Owyhee, State of Idaho, has this 6th day of September, 1902, appropriated and hereby claims the use of the waters of Trout Creek to the extent of 8 cubic feet per second, flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows, to-wit: At a point on Trout Creek at the point of diversion of said water, where a copy of this notice is posted, said point of diversion being about 100 yards below the Trout Creek falls.

That the special purpose or purposes for which said water is claimed is for irrigation purposes.

That the place of intended use is the southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Sec. 29, and the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, of Sec. 30, Tp. 5 S., R. 5 W.

That the general course of the proposed canal or conduit is in a Westerly direction.

The length of said canal or conduit is about three-fourths of a mile.

A copy of this notice was duly posted at or near the point of intended diversion on the 6th day of September, 1902.

Witness my hand at Trout Creek, State of Idaho, this 6th day of September, 1902.

Appropriator and Claimant, A. B. Azuenaga.

State of Oregon, :
County of Malheur, :--SS.

A. B. Azuenaga, of County of Owyhee, State of Idaho, being first duly sworn, deposes and says that he is of lawful age and the appropriator and claimant of the water right described in the within and foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice, of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at 2 o'clock P. M., the 6th day of September, 1902.

A. B. Azuenaga



A55-10097



6-8-93

To diversion point - through brush



6-8-93

Orange plastic dam in ditch.

A55-10097



6-8-93

Ditch at mannings site. P.O.U. just south of ditch.

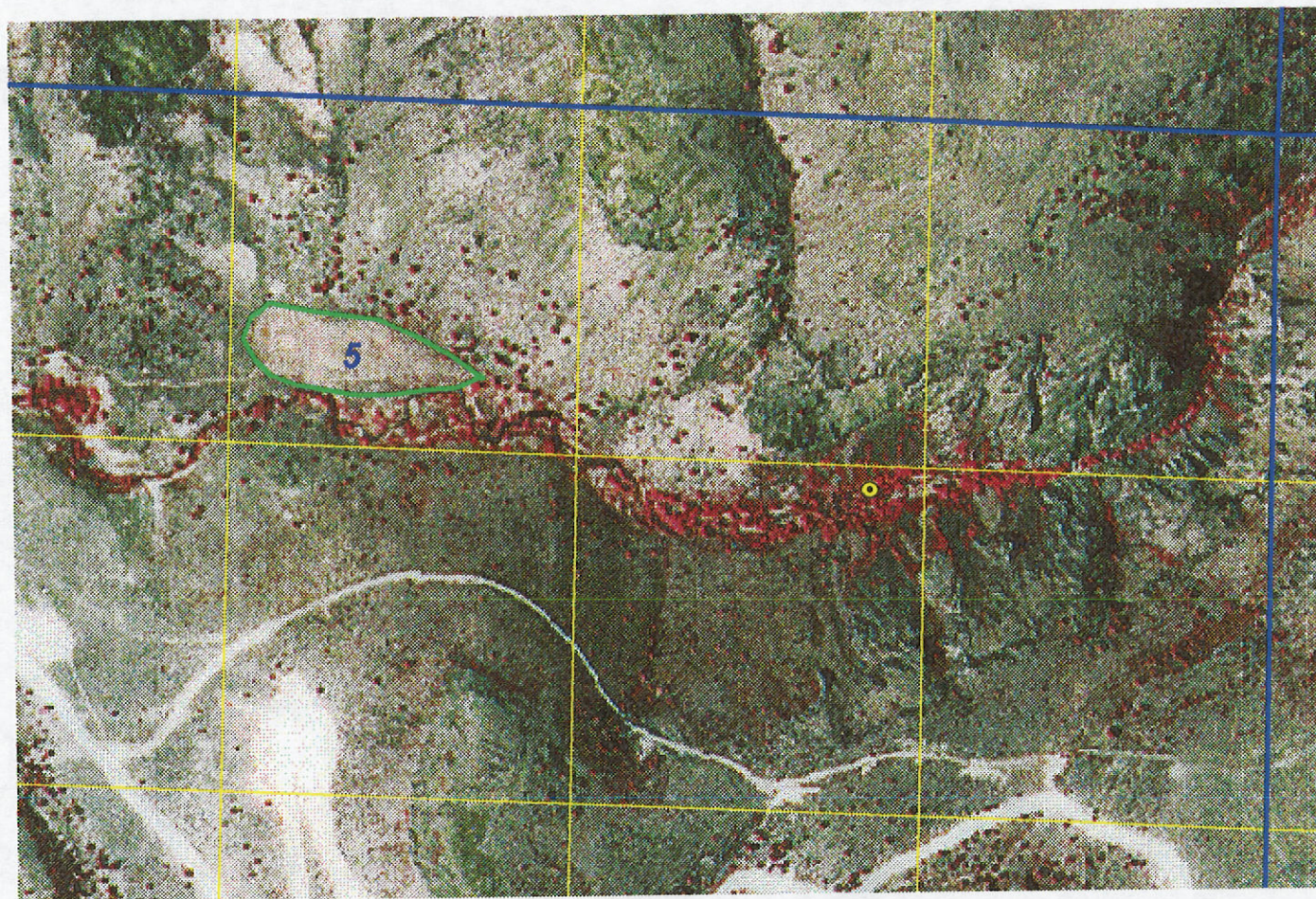
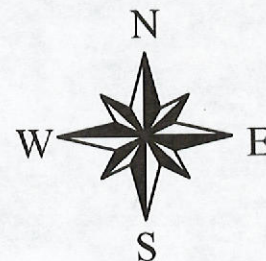


6-8-93

P.O.U. Section 29, N $\frac{1}{2}$ NW $\frac{1}{4}$

IDAHO DEPARTMENT OF WATER RESOURCES

T05S, R05W, S29



1987 NAPP PHOTO



SECTION LINES



POD



PLACE OF USE



1/4 1/4 LINES

6

ACRES

CLAIM(S) : 55-10097

OWNER(S): Jerry & Sharon Gordon

Prepared by: Mel Schulte

Date: 1/21/98

0

0.25

0.5

0.75

1 Miles



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: **A55-10097**
Date Received: 1/20/1989
Receipt No: C005214
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JOHN DAYNES 208-583-4145
Address: PO BOX 324
JORDAN VALLEY OR 97910
AND/OR
Name: JOAN E DAYNES 208-583-4145
Address: PO BOX 324
JORDAN VALLEY OR 97910

2. Date of Priority: SEP 6, 1902

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	05W	29	NE	NW			OWYHEE

5. Description of diverting works:

POLE DAM TO DITCH, APPROX. 1/2 MILE LONG, DAM REMOVED IN FALL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		
STOCKWATER	01/01	12/31	0.050		

7. Total Quantity Appropriated is:

0.250 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

S/100 CATTLE, 15 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	05W	29	NW	NW		STOCK	
			SW	NW		IRR	10.0
						Section Acres	10.0
						Total Acres	10.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:

BASIS OF CLAIM IS POSTED NOTICE NO. 715, DEPT. OF REC. RECORD
BOOKS.
OWNERSHIP CHANGED BY DB 6/5/98.

15. Basis of Claim: POSTED NOTICE

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 29 1998

WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): -10096
Adjudication Claim No(s): A55-~~10097~~, -04019, -10097, 10098,
-10097
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent ~~DEED~~, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Jerry Gordon / Rand Collins
4. New Owner/Claimant(s) Fer John Daynes Joan E. Daynes
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address P.O. Box 324
City, State and ZIP Code Jordan Valley, OR 97910
New Telephone Number (208) 583-4145
5. Date you acquired the property 3/1996
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) [Signature]
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..



CT TITLE NO. 2274
ESCROW NO. EU96-5934
TAX ACCT. NO. 4670
TAX ACCT. NO. 4671

WARRANTY DEED -- STATUTORY FORM

JERRY L. GORDON and SHARON L. GORDON, husband and wife, Grantor,
conveys and warrants to

JOHN DAYNES and JOAN E. DAYNES, husband and wife, Grantee,

the following described real property free of encumbrances except as
specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS
INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS.
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE
TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY
PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS
ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Except the following encumbrances:

Covenants, conditions, restrictions and easements of record.

The true consideration for this conveyance is \$240,000.00,
as part of a 1031 tax deferred exchange.

Dated this 27 day of March, 1996.



Jerry L. Gordon
JERRY L. GORDON
Sharon L. Gordon
SHARON L. GORDON

STATE OF OREGON, County of Lane) ss.

This instrument was acknowledged before me on March 27, 1996,
by JERRY L. GORDON and SHARON L. GORDON

Helen Brent
Notary Public for Oregon
My commission expires: 10-17-99

JERRY L. GORDON
208 BERINGER COURT
EUGENE, OR 97404
GRANTOR'S NAME AND ADDRESS

Until a change is requested
all tax statements shall be
sent to the following address:
*** SAME AS GRANTEE ***

JOHN DAYNES
COYOTE SPRINGS RANCH
BENTON, CA 93512
GRANTEE'S NAME AND ADDRESS

After recording return to:
CASCADE TITLE CO.
811 WILLAMETTE
EUGENE, OR 97401

BENTON, CA 93512
GRANTEE'S NAME AND ADDRESS

811 WILLAMETTE
EUGENE, OR 97401

218472

FILED-RECORDED

'96 MAR 29 PM 3 13

JM 2005.07.12.
OWYHEE COUNTY, IDAHO
DEPUTY
Don DeRidder

RECEIVED
W. L. Little

Shel. Tills

EXHIBIT "A"

Legal Description

IN TOWNSHIP 5 SOUTH, RANGE 5 WEST, B.M., OWYHEE COUNTY, IDAHO
Section 29: W 1/2 NW 1/4, NE 1/4 NW 1/4
Section 30: Lots 1 and 2, E 1/2 NW 1/4, N 1/2 NE 1/4, SE 1/4 NE 1/4
NW NW SW NW

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: A55-10097
Date Received: 1/20/1989
Receipt No: C005214
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JERRY GORDON 503-344-0327
Address: 3431 DONALD ST.
EUGENE, OR 97405

AND/OR

Name: SHARON GORDON 503-344-0327
Address: 3431 DONALD ST.
EUGENE, OR 97405

2. Date of Priority: SEP 06, 1902

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	05W	29	NE	NW			OWYHEE

5. Description of diverting works:
POLE DAM TO DITCH, APPROX. 1/2 MILE LONG, DAM REMOVED IN FALL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 CATTLE, 15 HORSES

A55-10097

Page 1

Date: 01/20/89

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SEP 30 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	05W	29	NW	NW		STOCK	
			SW	NW		IRR	10.0
						Section Acres	10.0
						Total Acres	10.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:
BASIS OF CLAIM IS POSTED NOTICE NO. 715, DEPT. OF REC. RECORD
BOOKS.

15. Basis of Claim: POSTED NOTICE

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

A55-10097

Date Received

1-19-89

Receipt Number

C005214

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) Jerry & Sharon Gordon Phone (503) 344-0307Mailing Address 3431 Donald St. Eugene, Or Zip 974052. Date of Priority (Only one (1) per claim) Sept. 6 19023. Source of water supply (a) Trout Creek
which is tributary to (b) Owyhee River4. a. Location of existing point of diversion is: Township 5S Range 5W Section 29,NE 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.

Pole Dam Used to divert
Water into Ditch approx. 1/2 mi long - Dam removed
in the Fall

MICROFILMED

SEP 30 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 11-1 amount 0.2 or 25

For Stockwater purposes from 1-01 to 12-31 amount .05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .25 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 25 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater - 100 cattle 15 horses

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	
<u>5S</u>	<u>5W</u>	<u>29</u>						<u>10</u>											<u>10</u>
<u>5S</u>	<u>5W</u>	<u>29</u>						<u>S</u>											

Total number of acres irrigated 10

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 yes No _____

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

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (✓)

14. Remarks:

Last Name Gordon Ident No. _____

Copies: White - State, Yellow - Claimant

SEP 30 1992

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

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

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

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

Scale: 2 inches equals 1 mile

Township 55 Range 54 Section 29

A 15x15 grid of graph paper. The grid is composed of 15 columns and 15 rows. In the upper-left quadrant, the word "Pitch" is handwritten in a cursive script, spanning approximately from column 4 to column 7 and row 10 to row 13. To its right, the word "Dimension" is also handwritten in a cursive script, spanning approximately from column 8 to column 12 and row 10 to row 13. A horizontal line is drawn across the grid at row 10, passing through the middle of the handwritten words.

Last Name

Gordon

Ident No.

Copies: White-State, Yellow-Criminal

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

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s) Location Notice 715 For year 1902 - Dept. of Reclamation
Recorded in Book 4 of Water Rights

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

Signature of Claimant (s) Sharon L. Gordon Date 1-16-89

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~~ Oregon)
County of Lane) SS.

Subscribed and sworn (or affirmed) before me this 16th day of January 19 89

SEAL

Notary Public Cheryl Lynne Smith

Residing at Oakridge Oregon

My Commission Expires 3-8-91

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

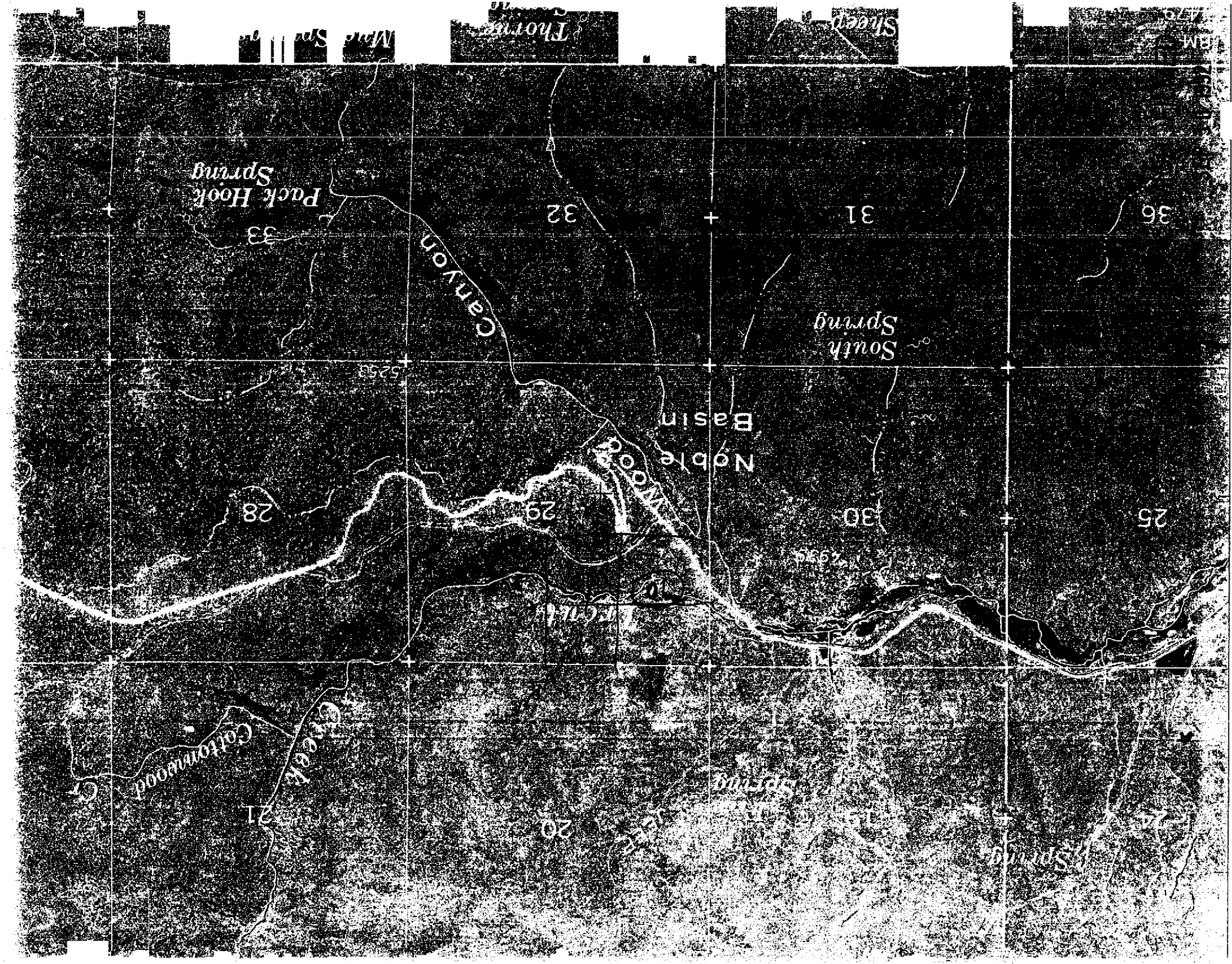
Date _____

Last Name Gordon Ident. Number _____

Copies White-Salt, Yellow-Clay

MICROFILMED

SEP 30 1992



CLAIMANT'S NAME Gordon CLAIM IDENT. NO. ASS-10097

DATE RECEIVED 1-19-89 CK # 1568 AMOUNT \$ 362.

	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)	☒	☐
4. Is the legal description of the p.d. sufficient?	☒	☐
5. Is there a description of the diverting works?	☒	☐
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐
Is the period of use included?	☒	☐
Is a quantity claimed for each use?	☒	☐
7. Is a total quantity claimed entered?	☒	☐
8. If required is a consumptive use entered?	☒	☐
Is the consumptive use correct?	☒	☐
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒	☐
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐
11. Is (are) the county(ies) entered?	☒	☐
12. Is the ownership of p.u. checked?	☒	☐
13. Are other water rights listed or "none" indicated?	☒	☐
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐
15. Is the basis of the claim indicated? <u>Posted Notice 715</u>	☒	☐
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?	☒	☐
If this claim is based on an existing water right, has the identification number been entered?	☒	☐
Should this claim be receipted and data entered?	☒	☐

Claim checked by: Ran

Comments:

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

[illegible]

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

AJ0749NP
No. R55-10097

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

DATE: 06/04/98
PAGE: 2

=====

Comments: Date: 03/27/1995 User-ID: LWERNER Subject: COPIED FROM REMARKS
BASIS OF CLAIM IS POSTED NOTICE NO. 715, DEPT. OF REC. RECORD
BOOKS.

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: 06/04/1998 User-ID: MSCHULTE Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGE 6/4/1998 BY MTS

Audit: 06/04/98 MSCHULTE

March 6, 1998

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A

NOTICE OF ERROR REPLY IS:

March 30, 1998

Water right number:

55-10097

JERRY GORDON
SHARON GORDON
1161 RISDEN PL
EUGENE OR 97404

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
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:

6/1/98

SIGNATURE:

John Dwyer

Please print your name:

John Dwyer

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:42:18
06/07/93

PAGE: 1
GENERAL INFORMATION

14
CLAIM NUMBER: A55-10097

LAST: GORDON
ADDRESS: 3431 DONALD ST.
CITY: EUGENE
PHONE NUMBER: 503-344-0327

FIRST: JERRY
STATE: OR ZIP: 97405

OWNER CODE: C

LAST: GORDON
ADDRESS: 3431 DONALD ST.
CITY: EUGENE
PHONE NUMBER: 503-344-0327

FIRST: SHARON
STATE: OR ZIP: 97405

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: BASIS OF CLAIM IS POSTED NOTICE NO. 715, DEPT. OF REC. RECORD BOOKS.

NEW ADDRESS:
1165 Riden Pl.
Eugene OR 974024
(503) 689-5591

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:42:18
06/07/93

PAGE: 12
QUICKLOOK INFORMATION

25
CLAIM NUMBER: A55-10097

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		6-8-93		Posted Notice			
POINT OF DIV	Y		L. Werner	Y	4			
SOURCE	Y				1, 4, 5			
PLACE OF USE	Y			Y	4, 5			
DIV. AMOUNT CFS/VOLUME	Y			Y	5			
CONSUMPTIVE USE	-							
PURPOSES	Y				5			
PERIOD OF USE	Y				Dept. Std.			
BASIS OF CLAIM	Y				1			
REMARKS	Y							

"VERIFIED BY" CODES

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

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

2-22-95

1. Claimant contact for dates of change of POB & POU. May have to recommend based on beneficial use, rather than posted notice.

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>1979</u> IDWR ID NO. <u>AA3</u>	Y(☒) N(☐)
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y(☐) N(☐)
☐ NAPP	DATE OF PHOTO <u>7-31-87</u> IDWR ID NO. <u>AA3NW</u>	Y(☐) N(☒)
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y(☐) N(☐)
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y(☐) N(☐)
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y(☐) N(☐)
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y(☐) N(☐)
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y(☐) N(☐)
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y(☐) N(☐)
☐ OTHER _____	DATE _____	Y(☐) N(☐)
☐ OTHER _____	DATE _____	Y(☐) N(☐)
☐ OTHER _____	DATE _____	Y(☐) N(☐)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☐ SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>6-8-93</u>	<u>2</u>	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>6-8-93</u>	<u>1</u>	<u>Invalid result</u>
☒ OTHER <u>Evid. Pri. documents</u>	DATE <u>Various</u>	<u>4</u>	<u>letter, summary, water right</u>
☐ OTHER _____	DATE _____	_____	_____

CONTACT PERSON: Nancy Fritwell

PHONE NUMBER: () -

DATE OF FIELD EXAM: 1/1/1

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: Daughter

DIRECTIONS TO PROPERTY / NOTES:

A55-04019

Saw phone conversation memo in

A. AJ CLAIM: # A55-10097 PRIORITY DATE: 09-06-1902 STAGE: N

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

NOTES:

To be determined - 6-28-93 - LRU

*Will send claimant contact for date of change of P.O.U.
Posted notice 7/5 refers to a P.O.U. in Sec 29, Slope & Sec 30
SENE. This may have been listed wrong originally. The ditch
I saw during exam is approx. 3/4 mi. Along from the POD
site to found POU.*

*- Evidence meets the minimum requirements for a posted notice. Still need
to find out about the change in POD & POU. Recommending as beneficial use.*

RECOMMENDED PRIORITY DATE:

9-6-1902

REVIEWED BY

Anda Wimmer

DATE *2-22-95 & 3-27-95*

RECEIVED ^{Gordons} May 16, 1993
MAY 19 1993

State of Idaho
Dept of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Department of Water Resources
Western Regional Office

Linda Warner
Sr. Water Resource Agent -

First I would like to apologize for not answering letters that were evidently sent before.

Your letter dated April 22 was the first that we received - maybe the incorrect address (1165 Roden Pl.) instead of correct (1165 Riden Pl.) may have caused this - anyhow I am sorry for your inconvenience on this matter.

To substantiate claim nos. A55-04019, A55-10096, A55-10097, A55-10098, and A55-10099 -

The property in question has been a working Cattle Ranch for years with a Grazing Permit allotment from the Bureau of Land Management which requires the property in question to raise sufficient Hay and pasture to sustain the requirements of the B. L. M.

The Base Property which grows Hay + pasture for livestock therefore uses the water for beneficial use.

Enclosed please find three (3) Water Right Location Notices.

Also on the Abstract of title which I looked up it shows ~~that~~ Four (4) Homestead Certificates saying Covenants include water rights. Don't know if these pertain or not but will include just in case (Enclosure).

I very seldom am able to get over to your part of the country, but will do whatever I can to help you get the right information.

Again - thank you -
Jerry L. Gordon
1165 Riden Place

H. P. - 1-89-5591

Date of Instrument - November 9th 1888
1 - Date of Record - Oct. 7th 1895
Book 5 of Patents, pages 308 + 309
Owyhee Co. Records
180 acres

RECEIVED

MAY 19 1993

Department of Water Resources
Western Regional Office

Date of Instrument - April 9th 1891
2 - Date of Record - Sept. 13th 1898
Book 5 of Patents, pages 410 + 411
Owyhee Co. Records
80 acres

Date of Instrument - August 26th 1907
3 - Date of Record - July 29th 1909
Book 6 of Patents, page 310
Owyhee Co. Records
80 $\frac{38}{10}$ acres

Date of Instrument - Sept. 5th 1903
4 - Date of Record - July 29th 1909
Book 6 of Patents, page 311
Owyhee Co. Records
80 acres

RECEIVED
MAY 19 1993

October - 1898-290
1874

Department of Water Resources
Western Regional Office

NOTICE OF WATER RIGHT LOCATION.

To Whom It May Concern:

Notice is hereby given that A. B. Azcuenaga, of Trout Creek, County of Owyhee, State of Idaho, has this ^a ~~6th day of September, 1902~~ ⁷⁻⁶⁻¹⁹⁰² appropriated and hereby claims the use of the waters of ^b Trout Creek to the extent of ^c ~~8 cfs~~ ^{8 cfs} flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows, to-wit: At a point on Trout Creek at the point of diversion of said water, where a copy of this notice is posted, ^d ~~said point of diversion~~ ^{100 yd below Trout Cr. Falls} being about 100 yards below the Trout Creek Falls.

That the special purpose or purposes for which said water is claimed is for irrigation purposes.

That the place of intended use is the ^e ~~Northwest 1/4~~ ^{1/4} of the Northwest 1/4 of Sec. 29, and the southeast 1/4 of the Northeast 1/4, of Sec. 30, T. 5 N., R. 5 W.

That the general course of the proposed canal or conduit is in a ^f ~~Westerly~~ ^{Westerly} direction.

The ^g ~~length~~ ^{length of conduit} of said canal or conduit is about ^{3/4} ~~three-fourths~~ of a mile.

A copy of this notice was duly posted at or near the point of intended diversion on the 6th day of September, 1902.

Witness my hand at Trout Creek, State of Idaho, this 6th day of September, 1902.

Appropriator and Claimant, A. B. Azcuenaga.

State of Oregon, :
County of Malheur, :--SS.

A. B. Azcuenaga, of County of Owyhee, State of Idaho, being first duly sworn, deposes and says that he is of lawful age and the appropriator and claimant of the water right described in the within and foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice, of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at 3 o'clock P. M., the 6th day of September, 1902.

A. B. Azcuenaga

Subscribed and sworn to before me this 17 day of Sept., 1902.

(NOTARIAL SEAL)

Fred Palmer,

Notary Public for Oregon.

Filed Sept. 20th, 1902, at 9 o'clock A. M., at request of A. B. Az-
ouenaga.

E. L. Ballard, Recorder.

By J. S. St Clair, Deputy.

Recorded in Book 4 of Water Rights, page _____, among the records of
Owyhee County, Idaho.

Location Notice 715 for year 1902
Dept. of Reclamation.

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-10097	05S	05W	29		NE	NW		OWYHEE

WR RECORDS IN SAME 40 ACRE TRACT

NONE

TRIB: OWYHEE RIVER

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

TRIB: NO TRIBUTARY FOR RECORD

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

NOTES:
Nancy Fretwell told me during exam that Trout cr. falls was just upstream from the site of the diversion.
Claimant states there has been no change in POD.
POD changed to SWNE. based on GTS map prepared 1-14-98

[illegible]

SOURCE: Trout Cr.

TRIB: Jordan Cr.

REVIEWED BY: Arinda Warner

DATE: 6-28-93

=====

SYSTEM DESCRIPTION: Dam, dirt ditch, flood irr.

A. ROOT WATER RIGHT NUMBERS: A55-10097

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
05S	05W	29	NW	NW		GORDON, JERRY	A55-10097 /	- /		X	1
05S	05W	29	NW	NW		GORDON, JERRY	A55-10097 /10.0	- /		4	4.5
			SW	NW						5	5
			NE	NW							
TOTAL ACRES							A55-10097	10.00			

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POU COUNTY: OWYHEE

PRESUMPTION FLAG: C

NOTES:

Acres run on Napp (1987) & during exam. Ditch definitely prominent although I did not get to actual diversion site because of brush overgrowth. The Napp showed a ditch leading from the P.O.D. P.O.U. shows good growth of pasture grass. Take-outs run on ditch.

RECOMMENDATIONS:

TOTAL ACRES:

5

REVIEWED BY:

Amela Werner

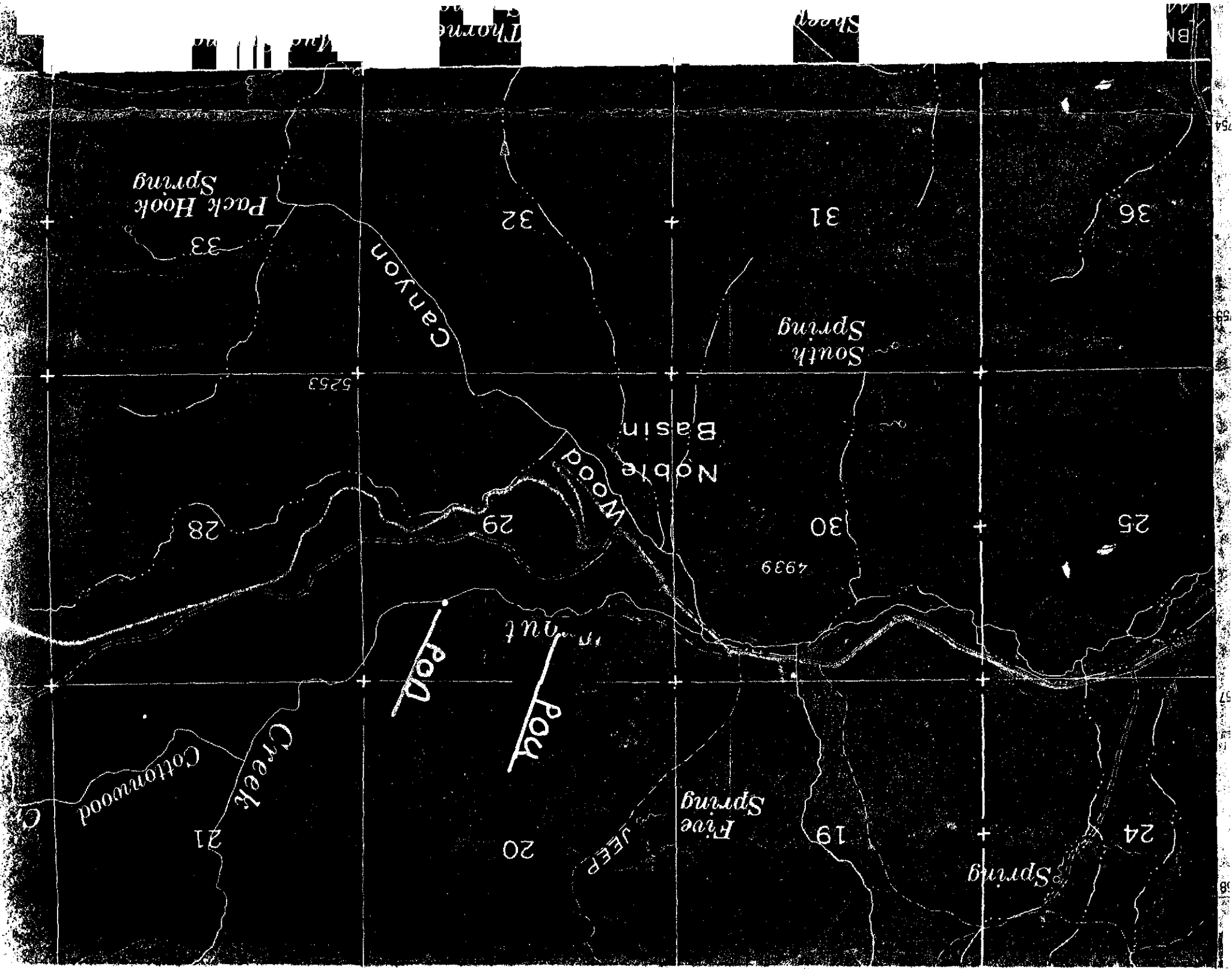
DATE:

6-28-93

Claimant agrees that the POU is different than claimed but state only that there has been no change in the P.O.D. Claim, therefore, recommended on beneficial use rather than a posted notice.

POU change based on GIS map prepared 1-14-98

T58 R5W, S.29 x 30 A55-



A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A55-10097 IRRIGATION	FROM 04-01 TO 11-01	.200 CFS
A55-10097 STOCKWATER	FROM 01-01 TO 12-31	.050 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.250 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
----------	-----------	--------------------

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(☒)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N() Explain in notes, below.

NOTES:

4-1 to 10-31

Could not get an accurate measmt. of slope. Ditch sloped up. I tried 5 times to get a good reading. Leases finally gave up & went to look for cattle as she was missing a bull & a sick calf. My observation of ditch plus cross sectional area measured shows ditch will carry the 6 inches necessary for irr. & stockwater.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.250 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

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

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

*See remarks regarding murrings
marrt. on previous page & on
form.*

MANNING EQUATION-DATA COLLECTION

A55-10097

Claim No(s):: Troud Cr. POD # 56 4 1/2 Ac. section upper

Name of Claimant: _____

Name of Ditch, Canal, or Stream Name: _____

Date of Measurement: 6-8-93 Data Collected By: JRW

Measurement Location: NE 1/4 NW 1/4 Section 29 T 5S R 5W

General Description and Comments

Ditch platted upward, E. Leonard (Nancy) did not go out 1/2 mi. from ditch bottom to turn back down. Ditch can carry 4" + of water. No done.
haven't filed claim on this yet so may be moot point LRW 6-9-93

Cross-section Data

Basis: High water mark () Maximum capacity ()

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

#	Depth or Rod Reading	Dist. from Initial Point	#	Depth or Rod Reading	Dist. from Initial Point
1.	0	0	11.	0	0
2.	.4	.9	12.	.49	1.0
3.	.77	2.0	13.	.86	3.0
4.	1.1	3.1	14.	.70	4.8
5.	.80	4.5	15.	0	5.9
6.	0	6.0	16.		
7.			17.		
8.			18.		
9.			19.		
10.			20.		

Slope Data

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

Channel length from cross section: Upstream _____ Downstream _____

Total channel length used for slope measurement: _____

Rod reading at engineers level: _____

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

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

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

Are maps and/or photos attached? Yes ()

Bottom Ditch
 U. STG. 0200
 m 5.53
 B 5.04
 48
 0.98

U. S T 5.39 4.91
 m 4.90 4.38
 B 4.40 3.86
 9.9'

D. S. T. 4.93 4.35
 m. 4.86 3.76
 B. 3.78 3.18

MANNING'S "n" (roughness coefficient)

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

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 5 x 0.02 CFS/ACRE = 0.10 CFS
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 25.0 AF/A 2.5
ACRES 5 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =
TOTAL CONSUMPTIVE USE 15.0 AF/A

3. IRRIGATION DIVERSION VOLUME N/A

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

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

EOL: 55-4019, Q

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
<u>Irrigation</u>	¹⁵ ~~4-7~~	¹⁵ ~~10-81~~		0.10			~~15.0~~	~~12.5~~
<u>Stockwater</u>	<u>1-1</u>	<u>12-31</u>		0.02				
TOTAL FOR THIS RIGHT				0.12				

REVIEWED BY:

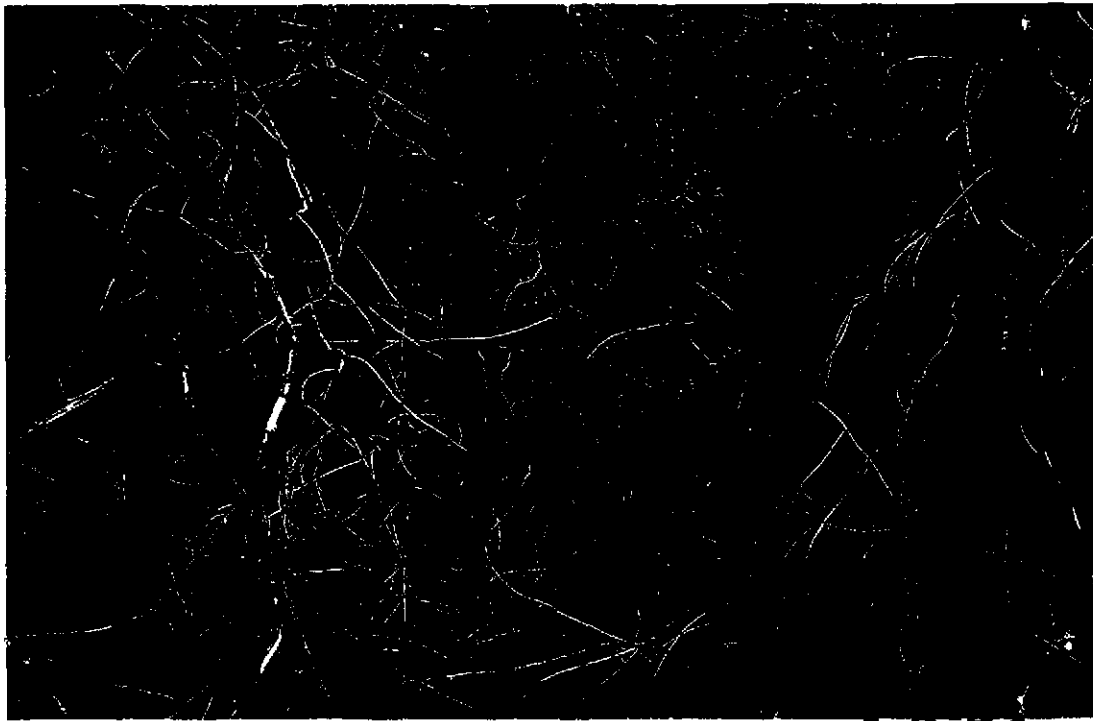
Linda Werner

DATE:

6-28-93

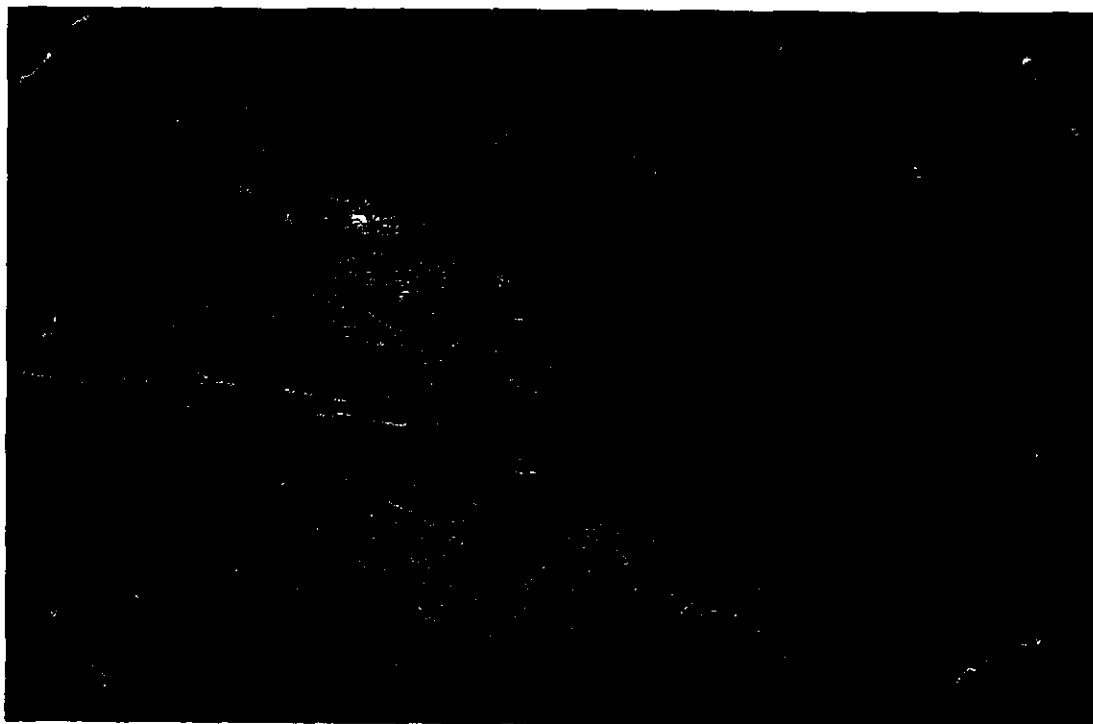
Stockwater for 50 hd cattle or horses.

A55-10097



6-8-93

To diversion point through brush



6-8-93

Orange plastic dam in ditch.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:46:04
06/07/93
26

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A55-10097

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JERRY GORDON	09/06/1902	IRRIGATION	04-01 11-01	0.20 CFS	
C	SHARON GORDON		STOCKWATER	01-01 12-31	0.05 CFS	
	3431 DONALD ST.					
	EUGENE OR 97405					
	(503) 344-0327					
				TOTAL DIVERSION:	0.25 CFS	
				CONSUMPTIVE USE:		25.0 AFA

Water Source: TROUT CREEK

Tributary to: OWYHEE RIVER

Stage: POSTED NOTICE

Point(s) of Diversion:

T05S R05W S29

NENW

OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
05S	05W	29	:																	:	10.0
																				TOTAL ACRES	10.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
05S	05W	29	:																	:	

POU County: OWYHEE

Non-Irrigation Uses: S/100 CATTLE, 15 HORSES

Other Rights: NONE

Remarks: BASIS OF CLAIM IS POSTED NOTICE NO. 715, DEPT. OF REC. RECORD BOOKS.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

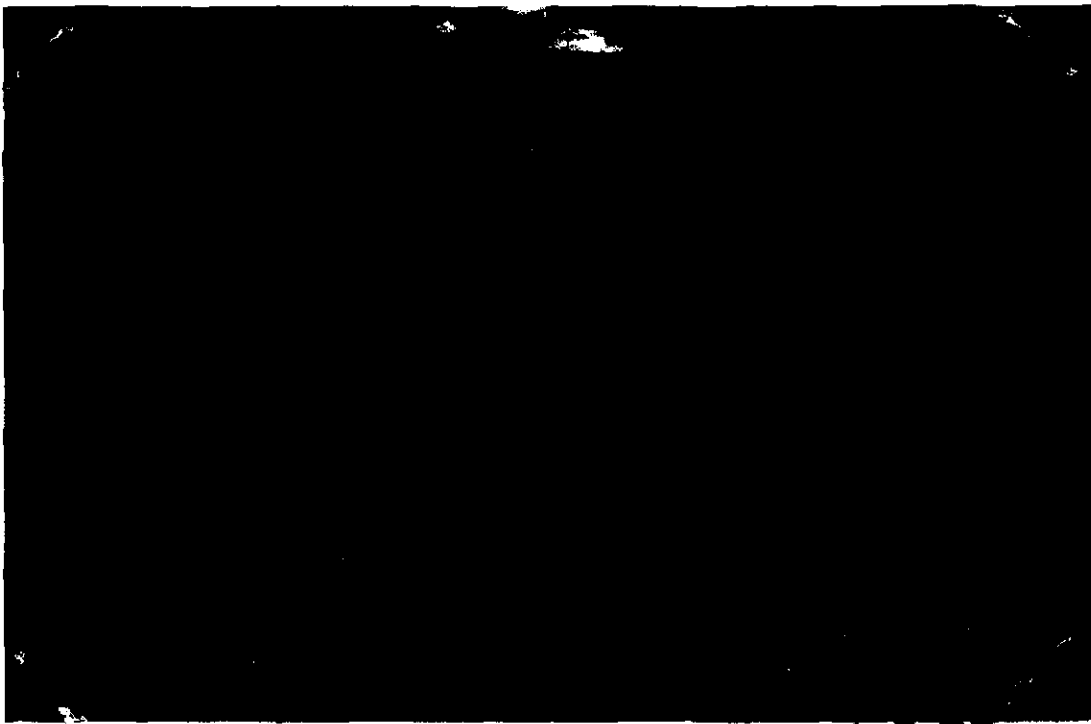
Field Inspection Flag:
Presumption Flag:

A55-100097



6-8-93

Ditch at mannings site. P.O.U. just south of ditch.



6-8-93

P.O.U. Section 29, N $\frac{1}{2}$ NW $\frac{1}{4}$

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(X)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

N/A

ROOT WATER RIGHT NUMBER: 55-10097

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-10097	0.250	-	-	-	-
TOTAL CFS		0.250				

DIVERSION RATE REVIEW

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

DATABASE
N

FIELD
EXAMINER

NOTES:

AUTHENTICATION:

SIGNATURE:

Linda Werner

DATE:

6-28-93 + 2-22-95 + 3-27-95

NAME OF FIELD EXAMINER:

L. Werner

TITLE:

Sr. WR Agent

3-19-95
1165 Risdien PL.
Eugene Or-97404

Linda Werner

Sr. Water Resource Agent

Adjudication Section

RECEIVED

MAR 23 1995

WATER RESOURCES
WESTERN REGION

Dear Linda -

Thank you for the explanations on our property notice of claim nos. A55-04019, A55-10096, A55-10097, A55-10098 & A55-10099 - The diversions have been in place at their present location to my knowledge since the land has been irrigated & no changes of major diversions have been made.

A55-10097 - you are right - irrigated land lies mainly in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 29 & no change of diversion locations have been made.

A55-10096 - Find amendment on increased acres, also copy of original claim showing use of water from Trout Cr. as a main source (P.O.D. being in the NE $\frac{1}{4}$ of Section 30 - shown on your map as the second P.O.D. down Trout Creek) with Split Rock Cr. flowing into ditch to increase flow of water.

I hope this will be the information that you need -

Thank you for your time

Home Phone 503-689-5591

Cell Phone - 503-954-2838

Jerry Gordon

Sharon L. Gordon

MAILING DATE: February 23, 1995
RESPONSE DATE: March 23, 1995

JERRY OR SHARON GORDON
1165 RISDEN PL
EUGENE OR 97407

RE: NOTICE OF CLAIM NOS: A55-04019, A55-10096, A55-10097,
A55-10098, A55-10099

Dear Mr. or Mrs. Gordon;

We are currently in the process of preparing the above referenced Notices of Claim for court decree in the Snake River Basin Adjudication. During this process certain questions arose concerning the claims listed below. Any claim that is listed above and not shown below is ready for court decree and does not require any further information or changes. The following claims require the information or changes listed.

A55-04019-Trout creek
Priority Date and Points of Diversion

This claim was originally filed as a statutory claim for the irrigation of land in section 30. The total acreage was for 45 acres and the claim listed two points of diversion. The information you submitted for the evidence of priority supports the usage in section 30. Therefore, I am going to take two of the other claims you filed on Trout creek and combine them with the statutory claim. These claims are numbered A55-10098 and A55-10099. The result will be that claim number A55-04019 will be recommended with all the Trout creek points of diversion, and places of use, except the upper one which irrigates the five acre field.

This brings me to my question. How long have the Trout creek diversions been in use at their present site? If a change of location has occurred, when did this change take place?

Also, for your information, the evidence information you submitted consists of 3 posted notices. Two of these notices support irrigation in section 30 back to October 14, 1898. I can recommend a priority date of October 14, 1898, based on this information. The basis of your claim can be recommended as a "posted notice" rather than a "beneficial use".

2/23/95
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A55-10097-Trout creek
Priority Date and Place of Use

This is the claim which covers the irrigation of the 5 acre field from the upper point of diversion. The third type of priority date documentation you submitted is also a posted notice.

This notice states that the place of use was in the W1/2NW1/4, Section 29, T5S, R5W. However, field exam findings and map verification show the land irrigated lies mainly in the NE1/4NW1/4, Section 29. Is the information on this notice relative to the found place of use? Has there ever been a change in the place of use or diversion locations? If so, when did this change occur?

A55-10096-Split Rock creek
Priority Date and Acreage

The evidence of priority submitted on this source is based on an affidavit from yourself. This affidavit does not show a specific date of first usage. Unfortunately, the posted notices do not refer to any water source other than Trout creek. Please submit further evidence to support the Split Rock creek usage. I will enclosed a pamphlet which will explain the types of evidence you can submit.

Also, your claim was filed for the irrigation of five acres. Nine acres were found as a result of the field exam. If you believe nine acres is accurate, your claim will need to be amended before this amount can be recommended. I will enclose a copy of the claim you filed. You can make the changes on this form. The claim will need to be signed and notarized.

I will enclose a copy of the map showing the field exam findings along with profile reports of the claims you filed. Your response must be received in our office by the response date shown above. If no response is received, your claims may not be recommended accurately or may be disallowed for lack of proof of priority date. Be sure to contact me if you have any questions.

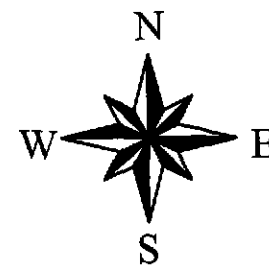
Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures: Map, Profile reports, Evidence of Priority Pamphlet,
Notice of Claim number A55-10096.

IDAHO DEPARTMENT OF WATER RESOURCES

T05S, R05W, S29



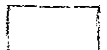
1987 NAPP PHOTO



 SECTION LINES

• POD

 PLACE OF USE

 1/4 1/4 LINES

6 ACRES

CLAIM(S): 55-10097

OWNER(S): Jerry & Sharon Gordon

Prepared by: Mel Schulte

Date: 1/21/98

0 0.25 0.5 0.75 1 Miles

