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Documents

In File

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: A55-10110
Date Received: 1/13/1989
Receipt No: W002114
Received By: DE JAL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE BERRETT 503-586-2408
Address: BOX 66
JORDAN VALLEY, OR 97910

AND/OR

Name: RUTH BERRETT 503-586-2408
Address: BOX 66
JORDAN VALLEY, OR 97910

2. Date of Priority: JUL 01, 1963

3. Source: SPRINGS Trib. to: POLE BRIDGE CREEK
SPRINGS WILLIAMS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	05W	28		NW	NW		OWYHEE
		29		SE	NE		OWYHEE
				NW	SW		OWYHEE
				SW	SE		OWYHEE

5. Description of diverting works:
SPRINGS, TROUGHS, DUGOUTS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.090		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/400 HEAD RANGE

A55-10110

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Date: 01/30/89

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	05W	28	NW		NW		STOCK	
		29	SE		NE		STOCK	
			NW		SW		STOCK	
			SW		SE		STOCK	

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:
PRIVATE AND STATE-POLE BRIDGE ALLOTMENT. SAME CATTLE, SAME AREA.
LOCATION MAP, SEE POND WATER RIGHT VA.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39356

Ident. Number

AS5-10110

Date Received

1-13-89

Receipt Number

W 002114

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW



Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Wayne & Ruth Berren Phone (503) 586-2408

Mailing Address Box 66 Jordan Valley, Oregon Zip 97910

2. Date of Priority (Only one (1) per claim) 7/1/1963

3. Source of water supply (a) Springs
which is tributary to (b) Pole Bridge creek & Williams creek

4. a. Location of existing point of diversion is: Township 7S Range 5N Section 28,
1/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of Owyhee

Additional points of diversion if any: SE NE Sec 29 T7S R5W NWSW Sec 29 T7S R5W
same P.D. & P.V. SW SE Sec 29 T7S R5W

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.

Springs - troughs

dry out

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Copies: White-State, Yellow-Claimant
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 stockwater purposes from 1/1 to 12/31 amount .09 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .09 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 5/400/range

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	
7S	5W	29				S						S					S		
		28					S												

Total number of acres irrigated 0

11. In which county (ies) are lands listed above as place of use located? own 1/2 ee

12. Do you own the property listed above as place of use? Yes ✓ No ✓ (X)
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:

Private & State - Pole Bridge allotment
Same cattle - same area.
Location map - see Bond water st. VA

Last Name Barrett Ident No. _____

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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

[illegible]

Copies: White-State, Yellow-Criminals

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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)
(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) Wayne L. Bennett Date 12/30/88
_____ 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 Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 30 day of December 19 88

SEAL

Notary Public John K. Meyer

Residing at 15470 Homedale Rd
Caldwell, Idaho

My Commission Expires Sept 21, 1994

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 Wayne L. Bennett
Address Box 166 Jordan Valley Oregon
Date Dec 30 1988

Last Name Bennett Ident. Number _____

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Copies White-State, Yellow-Claimant
SEP 30 1992

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME BENNETTCLAIM IDENT. NO. ASS-10110DATE RECEIVED 1-13-89CK # 611AMOUNT \$ 175.00

- | | YES | NO | Required Info? |
|--|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☐ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☐ | ☐ | * |
| 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? | ☐ | ☐ | |
| 16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.) | ☐ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? | ☐ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☐ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☐ | ☐ | * |
| 20. Is the fee enclosed correct? | ☐ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☐ | ☐ | |
| 22. Should this claim be receipted and data entered? | ☒ | ☐ | |

Claim checked by: **VERIFIED RDH** Date: 1-28-89Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be sent a copy of amended claim for approval: ☐ (Yes) ☐ (No)

Receipt Prepared by: _____

Date: _____

Claim data entered by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Checked by: _____ Date: _____

Comments: 25.00

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SEP 30 1992

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-24-1997
PAGE: A-3

RIGHTS FROM:	SOURCE: SPRINGS	TRIBUTARY: POLE BRIDGE CREEK	

RIGHT NUMBER:	55-10110		
NAME & ADDRESS:	RUTH B BERRETT 1280 KLAMATH AVE NYSSA OR 97913 THE TESTAMENTARY FAMILY BYPASS TRUST DALE L BERRETT TRUSTEE 1280 KLAMATH AVE NYSSA OR 97913 THE TESTAMENTARY FAMILY BYPASS TRUST OWEN ORSON BERRETT TRUSTEE 1280 KLAMATH AVE NYSSA OR 97913 THE TESTAMENTARY FAMILY BYPASS TRUST RETA MAY HANSEN TRUSTEE 1280 KLAMATH AVE NYSSA OR 97913		
SOURCE:	SPRINGS SPRINGS	TRIBUTARY: POLE BRIDGE CREEK WILLIAMS CREEK	
QUANTITY:	0.09 CFS THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.		
PRIORITY DATE:	07/01/1963		
POINT OF DIVERSION:	T07S R05W S28 S29	NWNW SENE NWSW SWSE	Within Owyhee County
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE STOCKWATER	PERIOD OF USE 01-01 12-31	QUANTITY 0.09 CFS
PLACE OF USE:	STOCKWATER T07S R05W S28 S29	Within Owyhee County NWNW SENE	NWSW SWSE

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: NOV-24-1997
PAGE: A-4

RIGHTS FROM: SOURCE: SPRINGS TRIBUTARY: POLE BRIDGE CREEK

RIGHT NUMBER: 55-10110 (CONT)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NOS RP0122006, G6068
STOCKWATER, 400 RANGE CATTLE

NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)



DATE OF CLOSING: 5-31-96

LEGAL DESCRIPTION OF PROPERTY: Township 7S Range 5 W, B.M. (See attached copies of
Section 1/4 of 1/4 of 1/4 Govt. Lot 1/4, B.M. Deeds & Court
Lot 1/4, Block 1/4, Subdivision/Townsite 1/4 Document Decree)
If you have additional legal descriptions, please attach separate sheet.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) **RECEIVED**

[] Water Right Number(s) #55-04063 and #55-02161 **JUN 26 1996**
Assigned by IDWR:

WATER RESOURCES
WESTERN REGION

[] Name and Address of Former Owner/Claimant(s)(Seller): Wayne L. Berrett, deceased
PO Box 366, Jordan Valley, OR 97910

[] New Owner/Claimant (Purchaser): OWEN ORSON BERRETT, RETA MAY HANSEN and DALE L. BERRETT,
as Trustees of THE TESTAMENTARY FAMILY BYPASS TRUST as
provided in THE LAST WILL AND TESTAMENT OF WAYNE L. BERRETT,
Deceased.

[] New Mailing Address: 1280 Klamath Avenue, Nyssa, OR 97913

[] New Telephone Number: (541) 372- - 5623

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
an undivided one-half interest

[] Attach proof of ownership, describe proof attached: see attached copies of the Deed & Court Document Decree
(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 owner/claimant.)

[] Signature of New Owner/Claimant(s): Ruth B. Berrett, Trustee Date 5-31-96
Ruth B. Berrett, Trustee Date 5-31-96
Ruth B. Berrett, Trustee Date 5-31-96
[] Signature of Former Owner/Claimant(s): Ruth B. Berrett Date 5-31-96
RUTH B. BERRETT, individually and as the
Estate of Wayne L. Berrett, deceased Personal Representative 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: By:

Further Action Needed:

Further Action Taken

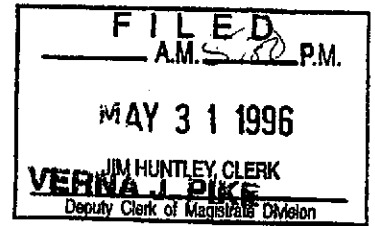
Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



GLENN M. LEE
Attorney at Law
P.O. Box 489
Fruitland, ID 83619-0489
Telephone: (208) 452-4000
Fax: (208) 452-3044

RECEIVED

JUN 26 1996

WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

MAGISTRATE DIVISION

In the Matter of the Estate	)	Case No. SP-93-00212
	(	
of	)	
	(	
	)	ORDER APPROVING
WAYNE L. BERRETT,	(	AMENDED FINAL ACCOUNT
	)	AND
Deceased.	)	DECREE OF DISTRIBUTION
	(	

The AMENDED PETITION FOR SETTLEMENT AND DISTRIBUTION OF
ESTATE BY PERSONAL REPRESENTATIVE IN ANCILLARY PROBATE having
come before the Court for hearing, the Court makes the following
findings:

1. RUTH B. BERRETT is the duly-appointed, qualified
and acting Personal Representative of the above-named estate.
2. The Personal Representative has filed an Inventory
and Appraisement of all property of the Idaho estate known to
her.

ORDER APPROVING AMENDED FINAL ACCOUNT
AND DECREE OF DISTRIBUTION - 1

COPY

3. Notice to Creditors has been published, and the time for presenting claims that arose prior to the death of the decedent has expired.

4. All debts of the decedent and of the Idaho estate, and all expenses of administration, and all taxes that have attached to or accrued against the Idaho estate have been or will be paid via the Oregon estate.

5. The Personal Representative has filed an Amended Final Account.

6. The Claim Against Estate filed by Richard B. Eismann on behalf of Walter E. Morgan and Grace Morgan, husband and wife, dated December 7, 1993, and Case No. CV-94-00665 were settled via a Stipulation among the parties and was dismissed with prejudice via an Order entered by the Court on February 29, 1996; which Stipulation and Order of Dismissal, with Prejudice, was filed on March 4, 1996; and therefore, the Idaho estate is now in a condition to be closed.

7. Proof of Service of the Notice of the time for filing objections to the Amended Final Account and Amended Petition for Distribution has been filed herein. No objections have been filed.

8. The decedent died testate on the 4th day of February, 1993, and decedent's Will was admitted to probate in the County Court of the State of Oregon, in and for the County of Malheur, on the 11th day of February, 1993, and on the 20th day of August, 1993, certified and authenticated copies of said Will,

Order Admitting Will to Probate and Appointing Personal Representative and Letters Testamentary were filed with this Court pursuant to Idaho Code Section 15-4-204. By the terms of the decedent's Will, the following persons are entitled to distribution of the remaining Idaho estate, to-wit:

OWEN ORSON BERRETT, RETA MAY HANSEN and DALE L. BERRETT, as Trustees of THE TESTAMENTARY FAMILY BYPASS TRUST as provided in THE LAST WILL AND TESTAMENT OF WAYNE L. BERRETT, Deceased.

Parcel I:

All of the right title and interest of the Decedent, being an undivided one-half ($\frac{1}{2}$) interest, in and to the following described real property:

Lands located in Owyhee County, Idaho, as follows:

In Twp. 7 S., R. 5 W., B.M.:

In Sec. 8: SW $\frac{1}{4}$ SE $\frac{1}{4}$, that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying South and West of a line running from the Northwest corner thereof in a straight line to the Southeast corner thereof;
In Sec. 17: E $\frac{1}{2}$;
In Sec. 18: E $\frac{1}{2}$ E $\frac{1}{2}$;
In Sec. 19: SW $\frac{1}{4}$ SE $\frac{1}{4}$
In Sec. 20: E $\frac{1}{2}$;
In Sec. 29: W $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
In Sec. 30: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
In Sec. 33: NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

In Twp. 8 S., R. 5 W., B.M.:

In Sec. 13: S $\frac{1}{2}$ SW $\frac{1}{4}$;
In Sec. 23: NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
In Sec. 24: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$.

SUBJECT TO that certain MORTGAGE in favor of FARM CREDIT SERVICES, dated October 17, 1991, recorded October 28, 1991, as Instrument No. 206162, Mortgage Records of Owyhee County, Idaho.

Together with all water and water rights, ditches and ditch rights, tenements and hereditaments, appurtenances and fixtures, easements, rights, privileges, permits and licenses thereunto belonging, in anywise appertaining or used in connection there-

with, and the reversions, remainders, rents, issues and profits thereof.

Together with STATE LAND LEASES Nos. G-6068 and G-6070, which leases accompany and are used in connection with the above-described lands (grazing 2,107.24 acres containing 249.00 AUMs) and (grazing 70 acres containing 6.00 AUMs); and, BLM ALLOTMENTS, being Boulder Flat No. 00509 containing 170 AUMs, Pole Bridge No. 00510 containing 56 AUMs and Berrett FFR No. 00609 containing 114 AUMs for a total of 340 AUMs, for which allotments the above-described lands are the base lands.

Together with any timber growing upon the above-described lands.

Parcel II:

All of the right title and interest of the Decedent, being a Community Property [undivided one-half ($\frac{1}{2}$)] interest, in and to the following described real property:

Lands located in Owyhee County, Idaho, as follows:

In Twp. 7 S., R. 5 W., B.M.:

In Sec. 5: SE $\frac{1}{4}$ SE $\frac{1}{4}$;

In Sec. 8: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying North and East of a line running from the Northwest corner thereof in a straight line to the Southeast corner thereof;

In Sec. 9: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

In Sec. 16: W $\frac{1}{2}$.

Together with all water and water rights (including IDWR Licenses Nos. 55-04063 and 55-02161), ditches and ditch rights, tenements and hereditaments, appurtenances and fixtures, easements, rights, privileges, permits and licenses thereunto belonging, in anywise appertaining or used in connection therewith, and the reversions, remainders, rents, issues and profits thereof.

PERSONAL PROPERTY:

That certain Brand, to-wit: Livestock Brand No. 38 209 - D
 ◇+, located
 upon the left rib (cattle)
 upon the left hip (horses)

IT IS HEREBY ORDERED AND DECREED:

1. The Amended Final Account is allowed and settled.

ORDER APPROVING AMENDED FINAL ACCOUNT
AND DECREE OF DISTRIBUTION - 4

2. The Personal Representative is directed to make distribution of the remaining Idaho estate property hereinabove described, and any other property of the decedent or the estate not now known or discovered, to:

OWEN ORSON BERRETT, RETA MAY HANSEN and DALE L. BERRETT, as Trustees of THE TESTAMENTARY FAMILY BYPASS TRUST as provided in THE LAST WILL AND TESTAMENT OF WAYNE L. BERRETT, Deceased.

DATED this 31st day of May, 1996.

THOMAS J. RYAN
Magistrate

AJ0749NP
No. 55-10110

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

DATE: 11/05/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RUTH B BERRETT 1280 KLAMATH AVE NYSSA OR 97913 (541) 372-5623	07/01/1963	STOCKWATER	01-01 12-31	0.09 CFS	
				TOTAL DIVERSION:	0.09 CFS	
C	THE TESTAMENTARY FAMILY BYPASS TRUST OWEN ORSON BERRETT TRUSTEE 1280 KLAMATH AVE NYSSA OR 97913 (541) 372-5623					
C	THE TESTAMENTARY FAMILY BYPASS TRUST RETA MAY HANSEN TRUSTEE 1280 KLAMATH AVE NYSSA OR 97913 (541) 372-5623					
C	THE TESTAMENTARY FAMILY BYPASS TRUST DALE L BERRETT TRUSTEE 1280 KLAMATH AVE NYSSA OR 97913 (541) 372-5623					
D	RUTH BERRETT					
D	WAYNE BERRETT PO BOX 166 JORDAN VALLEY OR 97910 (503) 586-2408					

Water Source: SPRINGS
SPRINGS

Tributary to: POLE BRIDGE CREEK
WILLIAMS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07S R05W S28
S29

NWNW
SENE

NWSW

SWSE

OWYHEE County
OWYHEE County

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	:
07S	05W	28	:							S										:
07S	05W	29	:					S						S						:

POU County: OWYHEE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A55-10110

Conditions of Approval:

AJ0749NP
No. 55-10110

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

DATE: 11/05/97
PAGE: 2

=====

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP PARCEL NOS RP0122006, G6068
STOCKWATER, 400 RANGE CATTLE

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

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

Comments: Date: 01/28/1992 User-ID: SMITH Subject: COPIED FROM REMARKS
PRIVATE AND STATE-POLE BRIDGE ALLOTMENT. SAME CATTLE, SAME AREA.
LOCATION MAP, SEE POND WATER RIGHT VA.

Date: 06/12/1992 User-ID: HOWERTON Subject: INCORRECT ADDRESS
WE INCORRECTLY LISTED HIS ADDRESS AS PO BOX 66, CORRECTED IT TO
PO BOX 166, PER CONVERSATION WITH MR BERRETT, BY RDH 6/9/92.

Date: 07/19/1995 User-ID: RMCCARTH Subject: CORRECTION
ADDED CONDITION L12

Date: 04/03/1997 User-ID: STK-DSHA Subject: D&S STK-BLM UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Date: 11/05/1997 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 11/05/97 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 25, 1997

RE: Water Right No. 55-10108, 55-10109, 55-10110, 55-10112, 55-10114

Ruth B Berrett
1280 Klamath Ave
Nyssa OR 97913

Mrs. Berrett:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:d

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 25, 1997

RE: Water Right No. 55-10108, 55-10109, 55-10110, 55-10112, 55-10114

The Testamentary Family Bypass Trust
1280 Klamath Ave
Nyssa OR 97913

Dear Trustees:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:d

Enclosures

In Re SRBA)
Case No. 39576)
_____)

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS

) Water Rights 55-10109, 55-10108,
) 55-10110, 55-10112
) and 55-10114

☐	Change of Address
☒	Substitution of Party
☐	I.C. 42-222 Transfer

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

Water Right(s): 55-10109, 55-10108, 55-10110, 55-10112 and 55-10114

PAGE 1

From (Claimant/Seller):

Name of Claimant: WAYNE BERRETT
RUTH BERRETT
Address: PO BOX 166
JORDAN VALLEY OR 97910
Phone: (503) 586-2408

To (Claimant/Purchaser):

Name of Claimant: RUTH B BERRETT
Address: 1280 KLAMATH AVE
NYSSA OR 97913
Phone: (541) 372-5623

Name of Claimant: THE TESTAMENTARY FAMILY BYPASS TRUST
Address: DALE L BERRETT TRUSTEE
1280 KLAMATH AVE
NYSSA OR 97913
Phone: (541) 372-5623

Name of Claimant: THE TESTAMENTARY FAMILY BYPASS TRUST
Address: OWEN ORSON BERRETT TRUSTEE
1280 KLAMATH AVE
NYSSA OR 97913
Phone: (541) 372-5623

Name of Claimant: THE TESTAMENTARY FAMILY BYPASS TRUST
Address: RETA MAY HANSEN TRUSTEE
1280 KLAMATH AVE
NYSSA OR 97913
Phone: (541) 372-5623

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: November 24, 1997



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11-25-97 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

WAYNE BERRETT
RUTH BERRETT
PO BOX 166
JORDAN VALLEY OR 97910
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

RUTH B BERRETT
1280 KLAMATH AVE
NYSSA OR 97913

THE TESTAMENTARY FAMILY BYPASS TRUST
DALE L BERRETT TRUSTEE
1280 KLAMATH AVE
NYSSA OR 97913

THE TESTAMENTARY FAMILY BYPASS TRUST
OWEN ORSON BERRETT TRUSTEE
1280 KLAMATH AVE
NYSSA OR 97913

THE TESTAMENTARY FAMILY BYPASS TRUST
RETA MAY HANSEN TRUSTEE
1280 KLAMATH AVE
NYSSA OR 97913
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
11/24/1997

55-10109, 55-10108, 55-10110,
55-10112 AND 55-10114

PAGE 4

5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Denise Bullington
Signature of person or attorney mailing the form

AJ0749NP
No. R55-10110

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

DATE: 04/18/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WAYNE BERRETT	07/01/1963	STOCKWATER	01-01 12-31	0.09 CFS	
C	RUTH BERRETT					
	PO BOX 166					
	JORDAN VALLEY OR 97910					
	(503) 586-2408					
				TOTAL DIVERSION:	0.09 CFS	

Water Source: SPRINGS
SPRINGS

Tributary to: POLE BRIDGE CREEK
WILLIAMS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T07S R05W S28 NWNW
S29 SENE NWSW SWSE
OWYHEE County
OWYHEE County

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		
07S	05W	28	:							S									
07S	05W	29	:			S						S				S			

POU County: OWYHEE

Other Rights: ~~NONE~~

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A55-10110

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NOS RP0122006, G6068
STOCKWATER, 400 RANGE CATTLE

Dates: Exam Made Date: Verified Date: 04/18/1997 Objection Filed Date:

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

Comments: Date: 01/28/1992 User-ID: SMITH Subject: COPIED FROM REMARKS

AJ0749NP
No. R55-10110

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

DATE: 04/18/97
PAGE: 2

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Comments: Date: 01/28/1992 User-ID: SMITH Subject: COPIED FROM REMARKS
PRIVATE AND STATE-POLE BRIDGE ALLOTMENT. SAME CATTLE, SAME AREA.
LOCATION MAP, SEE POND WATER RIGHT VA.

Date: 06/12/1992 User-ID: HOWERTON Subject: INCORRECT ADDRESS
WE INCORRECTLY LISTED HIS ADDRESS AS PO BOX 66, CORRECTED IT TO
PO BOX 166, PER CONVERSATION WITH MR BERRETT, BY RDH 6/9/92.

Date: 07/19/1995 User-ID: RMCCARTH Subject: CORRECTION
ADDED CONDITION L12

Date: 04/03/1997 User-ID: STK-DSHA Subject: D&S STK-BLM UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 04/18/97 MMINICUC

AJ5809NP
No. R55-10110

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/04/97
PAGE: 23

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WAYNE BERRETT	07/01/1963	STOCKWATER ✓	01-01.12-31	0.09 CFS ✓	
C	RUTH BERRETT PO BOX 166 JORDAN VALLEY OR 97910 (503) 586-2408					
				TOTAL DIVERSION:	0.09 CFS ✓	
Water Source: SPRINGS SPRINGS		Tributary to: POLE BRIDGE CREEK WILLIAMS CREEK			Stage: BENEFICIAL USE	

Point(s) of Diversion: T07S R05W S28 ✓ NWNW ✓ SENE ✓ NWSW ✓ SWSE ✓ Owyhee County
S29 ✓ Owyhee County

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
07S	05W	28	✓																
07S	05W	29	✓																

POU County: Owyhee

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A55-10110

Conditions of Approval:

- ~~N12~~ - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
- ~~N12~~ - ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
- ~~N12~~ - USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.
- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- N11 - DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- N13 - GALLONS PER DAY.

Remarks: EXP PARCEL NOS RP0122006, G6068
STOCKWATER, 400 HEAD RANGE ✓

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

04/18/1997

No b/lr Overlap

AJ5809NP
No. R55-10110

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/04/97
PAGE: 24

Comments: Date: 01/28/1992 User-ID: SMITH Subject: COPIED FROM REMARKS
PRIVATE AND STATE-POLE BRIDGE ALLOTMENT. SAME CATTLE, SAME AREA.
LOCATION MAP, SEE POND WATER, RIGHT VA.

Date: 06/12/1992 User-ID: HOWERTON Subject: INCORRECT ADDRESS
WE INCORRECTLY LISTED HIS ADDRESS AS PO BOX 66, CORRECTED IT TO
PO BOX 166, PER CONVERSATION WITH MR BERRETT, BY RDH 6/9/92.

Date: 07/19/1995 User-ID: RMCCARTH Subject: CORRECTION
ADDED CONDITION L12

Date: 04/03/1997 User-ID: STK-DSHA Subject: D&S STK-BLM UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 01/28/92 SMITH 01/28/92 SMITH 06/12/92 HOWERTON 03/30/95 POST-STD
07/19/95 RMCCARTH 04/03/97 STK-DSHA

AJ5809NP
No. R55-10110

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/12/95
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WAYNE BERRETT	07/01/1963	STOCKWATER	01-01 12-31	0.09 CFS	
C	RUTH BERRETT					
	PO BOX 166			TOTAL DIVERSION:	0.09 CFS	
	JORDAN VALLEY OR 97910					
	(503) 586-2408					
	Water Source: SPRINGS		Tributary to: POLE BRIDGE CREEK			Stage: BENEFICIAL USE
	SPRINGS		WILLIAMS CREEK			

Point(s) of Diversion: T07S R05W S28 NWNW Owyhee County
S29 SENE NWSW Owyhee County
SWSE

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE							
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
07S	05W	28	:					:			S		:					:					:
07S	05W	29	:				S	:					:		S			:			S		:

POU County: Owyhee

Non-Irrigation Uses: STOCKWATER, 400 HEAD RANGE

Other Rights: NONE

Conditions of Approval:

- L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks: PARCEL NOS RP0122006, G6068

Dates: Exam Made Date: Verified Date:

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

Comments: Date: 01/28/1992 User-ID: SMITH Subject: COPIED FROM REMARKS
PRIVATE AND STATE-POLE BRIDGE ALLOTMENT. SAME CATTLE, SAME AREA.
LOCATION MAP, SEE POND WATER RIGHT VA.

Date: 06/12/1992 User-ID: HOWERTON Subject: INCORRECT ADDRESS
WE INCORRECTLY LISTED HIS ADDRESS AS PO BOX 66, CORRECTED IT TO

SEP 24 1996
MICROFILMED

AJ5809NP
No. R55-10110

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/12/95
PAGE: 5

Comments: Date: 06/12/1992 User-ID: HOWERTON Subject: INCORRECT ADDRESS
PO BOX 166, PER CONVERSATION WITH MR BERRETT, BY RDH 6/9/92.

Date: 07/19/1995 User-ID: RMCCARTH Subject: CORRECTION
ADDED CONDITION L12

Audit: 01/28/92 SMITH 01/28/92 SMITH 06/12/92 HOWERTON 03/30/95 POST-STD
07/19/95 RMCCARTH

MICROFILMED
SEP 24 1996

JUL-19-1995
0030

1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
55-10110	WAYNE BERRETT RUTH BERRETT PO BOX 166 ~~BOX 66~~ JORDAN VALLEY OR 97910	07/01/1963	STOCKWATER	01-01 12-31	0.09	CFS BENEFICIAL USE
				TOTAL QUANTITY:	0.09	CFS
	NON-IRRIGATION USES: STOCKWATER, 400 HEAD RANGE ~~8/400 HEAD RANGE~~					
	SOURCE: SPRINGS		TRIBUTARY: POLE BRIDGE CREEK			
	SPRINGS		WILLIAMS CREEK			
	POINT OF DIVERSION:					
	T07S R05W S28	NWNW				
	S29	SENE				
		NWSW				
		SWSE				
	PLACE OF USE: STOCKWATER					
	T07S R05W S28	NWNW				
	S29	SENE	NWSW	SWSE		
	REMARKS: PARCEL NOS RP0122006, G6068 (STATE)					

*added Cond. 412
7-19-95 RWF*

MICROFILMED
SEP 24 1996

OLD (D) NUMBER -

+ - - - - - - - - LAST NAME - - - - - +	+ - FIRST NAME - - +	+ - - - - - - - - - - - - - ADDRESS - - - - - - - - - - - - - +
1	2	3
4	5	6
7	8	9
10	11	12
13	14	15
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19	20	21
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28	29	30
31	32	33
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55	56	57
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203	204	203
204	205	204
205	206	205
206	207	206
207	208	207
208	209	208
209	210	209
210	211	210
211	212	211
212	213	212
213	214	213

*** C - CURRENT OWNER ***
BEKRETT

WAYNE

1 - BOX 66

2 -

3 -

CITY- JORDAN VALLEY

STATE- OR ZIP- 97910

PHONE - 503-586-2408

BERRETT

RUTH

1 - BOX 66

2 -

3 -

CITY- JORDAN VALLEY

STATE- OR ZIP- 97910

PHONE - 503-586-2408

PRIORITY DATE	REGION	STAGE	STATUS
07/01/1963	ERROR IN REGION	J - BENEFICIAL USE	

+ - - - - - SOURCE - - - - - + SPRINGS SPRINGS	+ - + TRIBUTARY POLE BRIDGE CREEK WILLIAMS CREEK
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510	

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	STREAM INDEX (BLANK IF NO INDEX CODE)
07S	05W	28	NW NW			(73)	OWYHEE	
07S	05W	29	SE NE			(73)	OWYHEE	
07S	05W	29	NW SW			(73)	OWYHEE	
07S	05W	29	SW SE			(73)	OWYHEE	

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
04	STOCKWATER	01/01	12/31	0.090	

+ - TOTAL DIV. RATE - +		+ - TOTAL DIV. VOLUME - +		+ - TOTAL DIV. CAPACITY - +		+ - TOTAL CONSUMPTIVE USE - +		+ - KW USAGE - +	
	0.090								

TWN	RNG	SEC	TRACT	LOT	ACRES	CODE	DESCRIPTION	COUNTY
07S	05W	28	NW NW	66068		04	STOCKWATER	(73) DWYHEE
07S	05W	29	SE NE	"		04	STOCKWATER	(73) DWYHEE
07S	05W	29	NW SW	0122006		04	STOCKWATER	(73) DWYHEE
07S	05W	29	SW SE	0122006		04	STOCKWATER	(73) DWYHEE

+ - - DIVERSION MEANS - SPRINGS, TROUGHS, DUGOUTS.

+ - - NON-IRRIGATION USE - S/400 HEAD RANGE

+ - - OTHER RIGHTS FOR SAME USE - NONE

MICROFILMED

JUL 19 1994

WATER RIGHT NUMBER - A55-10110

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - REMARKS - - - - -
PRIVATE AND STATE-POLE BRIDGE ALLOTMENT. SAME CATTLE, SAME AREA.
LOCATION MAP, SEE POND WATER RIGHT VA.

+ - - - - OLD WATER RIGHT NUMBERS - - - - -
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 01/30/89 HARRIS 10/24/89 REFUNDML

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING - 00/00/0000	FIELD INSPECTION MADE - 00/00/0000	CIVIL CASE NUMBER - 39576
OBJECTION FILED DATE - 00/00/0000	FIELD INSPECTION FLAG -	OLD CASE NUMBER -
RESPONSE FILED DATE - 00/00/0000	VERIFIED DATE - 00/00/0000	OLD JUDICIAL DISTRICT -
CLAIM RECEIVED DATE - 01/28/1989	LAST AMENDED DATE - 00/00/0000	TEMPORARY RIGHT - P
PROOF DUE DATE - 00/00/0000	PROOF MADE DATE - 00/00/0000	WATER DISTRICT -
LICENSED DATE - 00/00/0000	RECEIPT NUMBER - W002114	FEDERAL/STATE INDICATOR - S
CLAIMS TAPE ERROR FLG -	POU OWNERSHIP FLAG - N	PRESUMPTION FLAG -
FEE EXEMPT FLAG -	NAME CONNECTOR - AND/OR	

G 6068 shk

RR

RP 0722006

MICROFILMED

JUL 19 1994

PROOF
JUN 01 1991

DATA ENTRY

ENTERED 1-28-92 DMS

CHECKED 7/3/92 AD

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
JUL - 1991

CERTIFIED

JUL 27 1991

WATER EXAMINER