

**IDAHO DEPARTMENT  
OF WATER RESOURCES**

**T10S, R01E, S28**

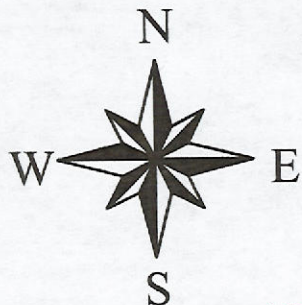
6 ACRES  
 **Section Lines**

 **Place of use**

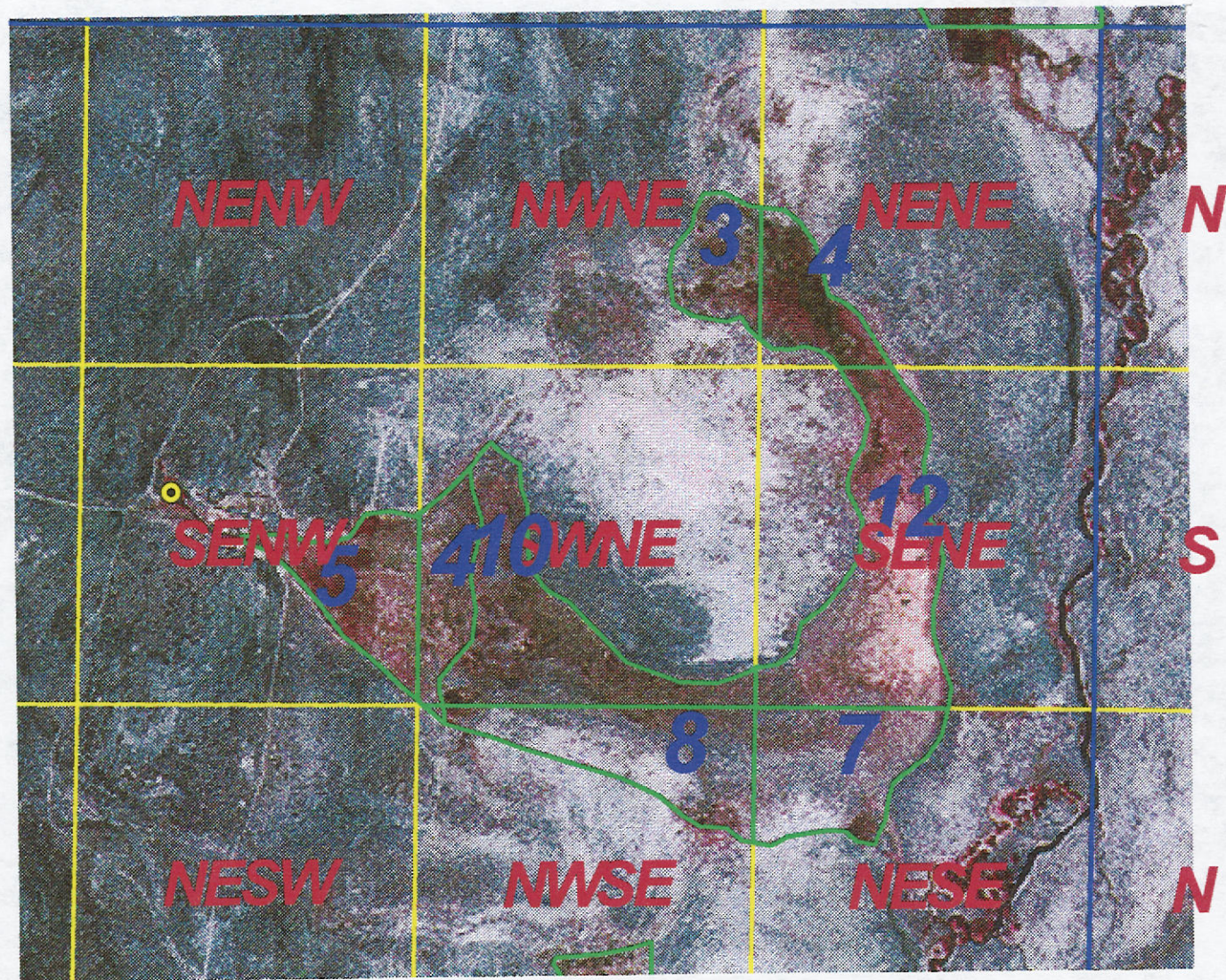
 **1/4 14 Lines**

 **POINT OF DIVERSION**

**Claim(s): 55-10225**  
**Owner(s): SIMPLOT**  
**Prepared by: Ron Howerton**  
**Date: 2/10/1998**  
**Total Acres: 53**



**1987 NAPP**

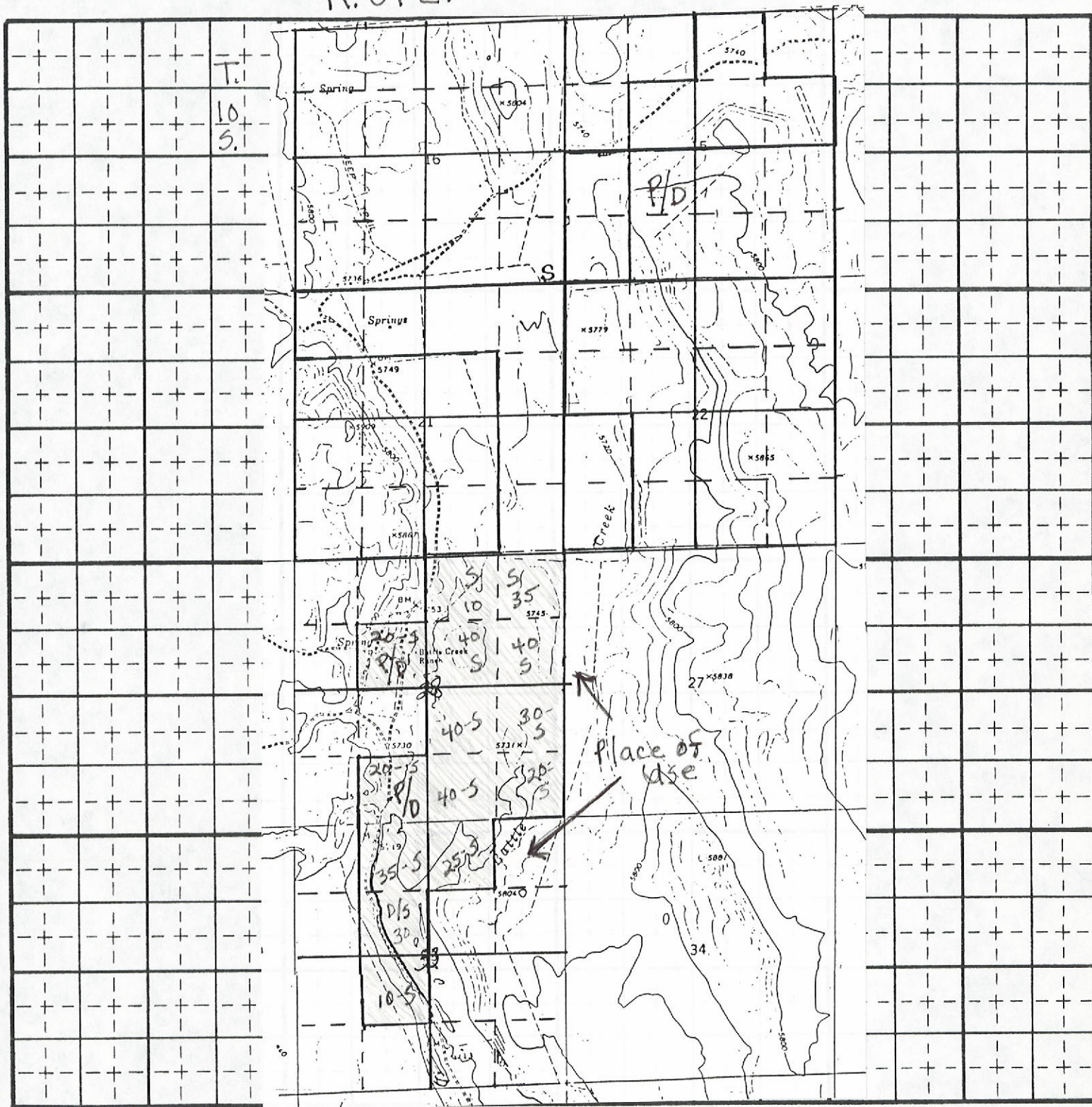


0 0.25 0.5 Miles  


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

Scale: 2 inches equals 1 mile

R. 01 E.



Last Name

Owen

Ident No.

Copies: White-State, Yellow-Claimant

MICROFILMED

SEP 30 1992

PICTURE # 1b

A55-10225

This is the only P/D for this claim, the claim incorrectly had claimed a spring in the location of Dry Creek for the claim A55-04009. This spring is located in the NWSNW, S21, T10S, R1E.

Photo's By  
RDH 11/5/93



PICTURE # 2b

This is the POU for the domestic, water is diverted underground to the house directly from the spring.



PICTURE # 3b & 4b

Photo's By 11/5/93  
RDH

A55-10225

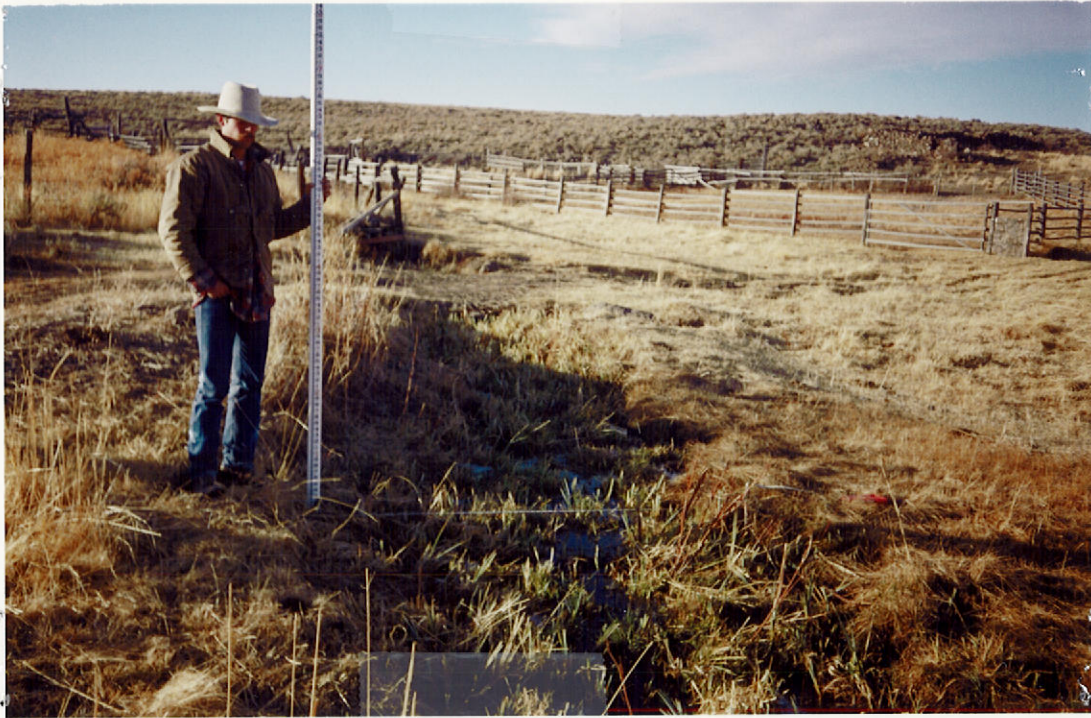
These photo's show the upper POU. Spring ditch is on the right, the cross ditch is shown below and carries water from both this claim and A55-02020 to a shared POU below the cross ditch, see the map in that file for POU explanations.



PICTURE # 5b

A55-10225

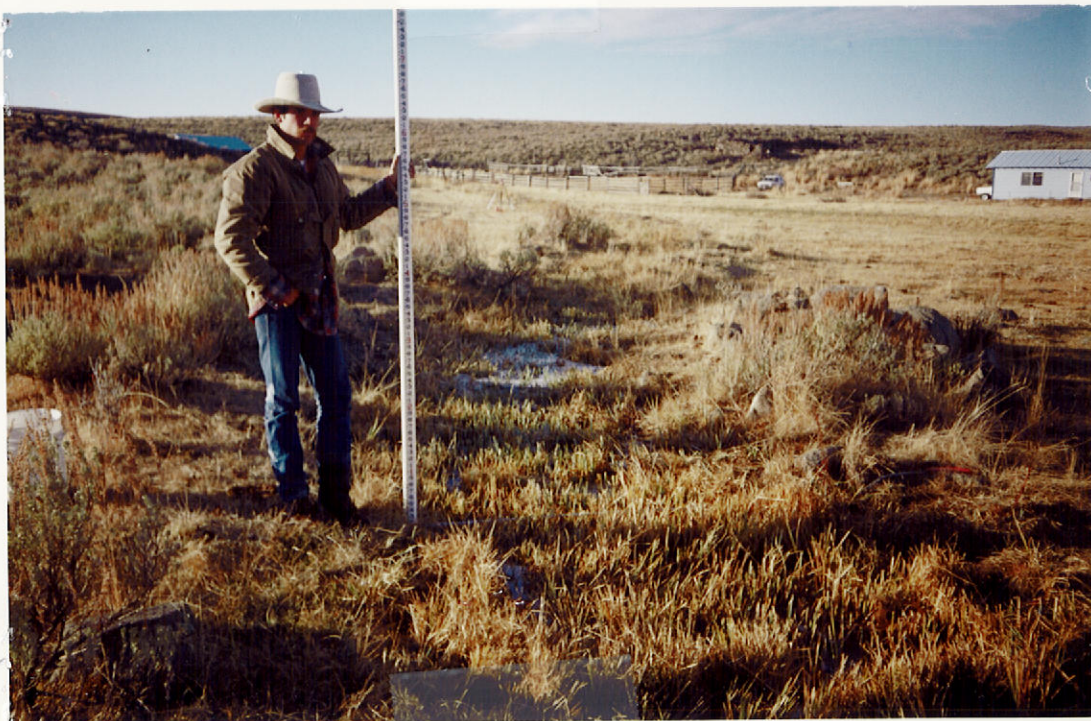
This is the up-stream X-Section from the spring. See map in file A55-02020 for location.



Photo's By  
RDH  
11/5/93

PICTURE # 6b

This is the down-stream X-Section, water still present from spring.



PICTURE # 7b

A55-10225

This is lower POU use shared by this claim and overlapped by A55-02020.  
See map in that file for location.



Photo's By  
RDH

11/5/93

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: A55-10225  
Date Received: 1/19/1989  
Receipt No: W002025  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JUN 20, 1910

3. Source: SPRINGS Trib. to: BATTLE CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 10S      | 01E   | 15      |        | NE     | SW  |     | OWYHEE |
|          |       | 28      |        | SE     | NW  |     | OWYHEE |
|          |       |         |        | SE     | SW  |     | OWYHEE |

5. Description of diverting works:  
CANVAS DAMS, DITCHES, HEADGATES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/01 | 11/30 | 7.900 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.020 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.230 |      |        |

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

8. Total consumptive use is 1185.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
DOMESTIC 1 HOME, STOCKWATER 1,000 HEAD RANGE CATTLE

Uncontested  
Overlap

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 10S      | 01E   | 28      | NE  |    | NE  |     | IRR           | 35.0  |
|          |       |         | NE  |    | NE  |     | STOCK         |       |
|          |       |         | NW  |    | NE  |     | IRR           | 10.0  |
|          |       |         | NW  |    | NE  |     | STOCK         |       |
|          |       |         | SW  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | NE  |     | STOCK         |       |
|          |       |         | SE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SE  |    | NE  |     | STOCK         |       |
|          |       |         | SE  |    | NW  |     | STOCK         |       |
|          |       |         | SE  |    | NW  |     | IRR           | 20.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 20.0  |
|          |       |         | SE  |    | SW  |     | STOCK         |       |
|          |       |         | NE  |    | SE  |     | STOCK         |       |
|          |       |         | NE  |    | SE  |     | IRR           | 30.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SE  |     | STOCK         |       |
|          |       |         | SW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SE  |     | STOCK         |       |
|          |       |         | SE  |    | SE  |     | IRR           | 20.0  |
|          |       |         | SE  |    | SE  |     | STOCK         |       |
|          |       |         |     |    |     |     | Section Acres | 295.0 |
|          |       | 33      | NW  |    | NE  |     | IRR           | 25.0  |
|          |       |         | NW  |    | NE  |     | STOCK         |       |
|          |       |         | NE  |    | NW  |     | IRR           | 35.0  |
|          |       |         | NE  |    | NW  |     | STOCK         |       |
|          |       |         | SE  |    | NW  |     | IRR           | 30.0  |
|          |       |         | SE  |    | NW  |     | STOCK         |       |
|          |       |         | SE  |    | NW  |     | DOMEST        |       |
|          |       |         | NE  |    | SW  |     | IRR           | 10.0  |
|          |       |         | NE  |    | SW  |     | STOCK         |       |
|          |       |         |     |    |     |     | Section Acres | 100.0 |
|          |       |         |     |    |     |     | Total Acres   | 395.0 |

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:  
OWNERSHIP CHANGED 9/20/94 RDH.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

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

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

A55-10225

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

CORPORATE HEADQUARTERS

**HAND DELIVERY**

**September 8, 1994**

David R. Tuthill, Jr., P.E.  
Manager, Western Regional Office  
State of Idaho  
Department of Water Resources  
2735 Airport Way  
Boise, Idaho 83705-5082

**RECEIVED**

**SEP 09 1994**

**WATER RESOURCES  
WESTERN REGION**

**Re: Simplot Trust Purchase of Owen Owyhee County, Idaho Property.**

Dear Mr. Tuthill:

Enclosed for filing are the following fully executed original documents connected with the August 31, 1994, sale of the Owen Family Revocable Trust A and Owen's Ranch Trust Owyhee County, Idaho farm and ranch properties to the J. R. Simplot Self-Declaration of Revocable Trust:

- 1. State of Idaho Department of Water Resources Assignment of Permits and Pending Application for Permit.**
- 2. New Property Owner Notice of Change of Water Right Ownership.**

As I mentioned to you in our telephone conversation yesterday, Owen retained ownership of one of the ranches known as "Pole Creek". The water rights associated with the Pole Creek Ranch are not included in any of the enclosed water right lists.

Please arrange for a photo-copy of the enclosed with your date stamp indicating receipt to be mailed to my attention at the letterhead address.

Sincerely,



Vic Conrad  
Associate, Simplot  
Land and Development

encl. Original Notice of Change of Water Right Ownership  
Original Assignment of Permits and Pending Application for Permit

State of Idaho  
Department of Water Resources  
ASSIGNMENT OF PERMITS AND PENDING APPLICATION FOR PERMIT

We, Richard L. Owen, Trustee of the Owen Family Revocable Trust A Established August 30, 1966, as Amended and Restated on October 12, 1988, and Velma Marie Owen, Successor Trustee of Owen's Ranch Trust Dated May 17, 1967, hereby assign to J. R. Simplot as Trustee, J. R. Simplot Self-Declaration of Revocable Trust, established by Written Instrument Dated December 1, 1989 of Post Office Box 27 Boise, ID, 83707:

All right, title, and interest in and to Permit No's 51-04104, 51-07082, 51-07107, 51-07119, 51-07183, 51-07281, 51-07293 and all right, title, and interest in and to pending Application for Permit No. 51-07346.

Made this 31st day of August, 1994.

Permit Holder and Applicant



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

 - TRUSTEE

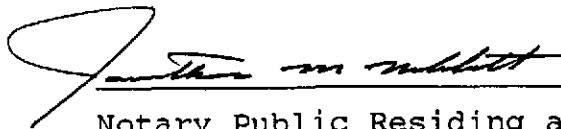
Velma Marie Owen, Successor Trustee  
of Owen's Ranch Trust Dated May 17,  
1967

State of Idaho )

ss

County of Ada )

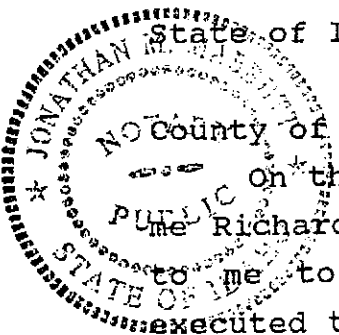
On this 31st day of August, 1994, personally appeared before me Richard L. Owen, Trustee and Velma Marie Owen, Trustee known to me to be the signer(s) of the above instrument and who executed the same.



Notary Public Residing at

Meridian ID

Exp. Date: 4.25.2000



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

**DATE OF CLOSING:** August 31, 1994

**LEGAL DESCRIPTION OF PROPERTY:** See Exhibit A

Water Right Numbers: See Exhibit B

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

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

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

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

Signature of New Owner/Claimant(s) \_\_\_\_\_

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

Signature of Former Owner/Claimant(s): \_\_\_\_\_

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

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

## WARRANTY DEED

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

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

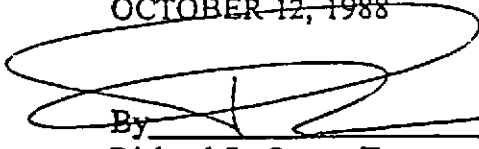
To have and to hold the said premises with their appurtenances unto the said Grantee, its successors and assigns forever. The said Grantor does hereby covenant to and with the said Grantee that it is the owner in fee simple of said premises; that said premises are free from all encumbrances save and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

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

WARRANTY DEED - 1

DATED this 31<sup>st</sup> day of August, 1994.

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

By   
Richard L. Owen, Trustee

TRUSTEE

THE OWENS RANCH TRUST  
DATED MAY 17, 1967

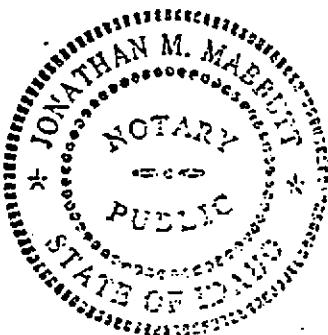
By   
Velma Marie Owen, Trustee

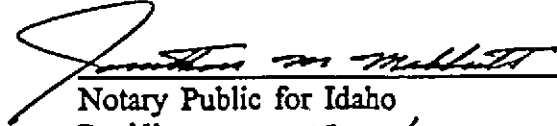
TRUSTEE

STATE OF IDAHO )  
 ) ss.  
County of Ada )

On this 31<sup>st</sup> day of August, 1994, before me, a notary public, personally appeared Richard L. Owen, known or identified to me to be the Trustee of THE OWEN FAMILY REVOCABLE TRUST A ESTABLISHED AUGUST 30, 1966 AS AMENDED AND RESTATED ON OCTOBER 12, 1988, and Velma Marie Owen, known or identified to me to be the Trustee of THE OWENS RANCH TRUST DATED MAY 17, 1967, the Trusts that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of said Trusts and acknowledged to me that such Trusts executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



  
Notary Public for Idaho  
Residing at Meridian, Id  
Commission Expires: 4-25-2000

STATEMENT OF RICHARD L. OWEN - 2

**PARCEL I:**

IN TOWNSHIP 6 SOUTH, RANGE 5 EAST, B. M., OWYHEE COUNTY, IDAHO  
Sections 22 and 23: Those portions of the SE¼NW¼, the SW¼NE¼,  
the NW¼SE¼ and the NE¼SE¼ of Sec. 22; and the NW¼SW¼ of Sec.  
23, lying South of the following described line, to-wit:  
BEGINNING at the Section corner common to Sections 15, 16,  
21 and 22; thence South 42°32' East 1915.0 feet to a point  
on the West line of the SE¼NW¼, Sec. 22, which is the REAL  
POINT OF BEGINNING: thence South 60°43' East 209.2 feet;  
thence South 58°52' East 442.6 feet; thence South 69°05'  
East 226.2 feet; thence South 57°42' East 340.3 feet; thence  
South 29°44' East 293.4 feet; thence South 40°50' East 218.8  
feet; thence South 63°58' East 598.3 feet; thence South  
Continued

FILED - RECORDED  
213665  
94 AUG 31 PM 1 06  
BARBARA JAYO  
OWYHEE COUNTY RECORDER  
BY *G. Schickel*  
DEPUTY  
RECORDED  
INDEXED  
MICROFILMED

*SM* *@*

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

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

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

and

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

and

BEGINNING at the section corner common to Sections 22, 23, 26 and 27, T6S, R5E, B. M.; thence North 37.0 feet to the Northwesterly line of the Bruneau to Grand View Highway, the point being marked by a right of way marker, POC-427+72.3; thence North 89°20' West a distance of 989.95 feet, (formerly South 89°55' West a distance of 990.30 feet) to a point, which is the REAL POINT OF BEGINNING; thence North 89°20'00" West a distance of 300.00 feet; thence North 00°44'43" West a distance of 707.96 feet to a point on the South right of way of County Road; thence South 67°36'28" East along the South right of way of County Road a distance of 450.06 feet; thence South 00°44'43" East a distance of 241.32 feet; thence North 89°20'00" West (formerly south 89°55' West) a distance of 113.98 feet; thence South 00°44'43" East (formerly South) a distance of 300.00 feet to the REAL POINT OF BEGINNING.

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

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

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

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

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

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

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

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

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

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

Section 8: SE½SW½

Section 17: E½NW½, NE½SW½

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

Section 7: SW½SE½

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

Section 33: SW½SE½

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

Section 1: SW½SE½

Section 3: SW½, S½SE½

Section 4: Lot 2, S½NE½, E½SE½, SW½SE½

Section 9: NE½, SE½, E½SW½, that portion of E½NW½ lying  
Easterly of the line described as follows:

BEGINNING at a point on the Section line between Sections 4  
and 9, T10S, R1W, B. M., 23 feet East of the quarter corner  
common to said Sections 4 and 9; thence running South 18°  
West a distance of 2,750.0 feet, more or less, to the South  
boundary line of the E½NW½ of Section 9.

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

EXCEPTING the one-half (½) acre of land in the NW  
corner of NE½SE½, as Reserved in Deed dated April 22, 1916  
and recorded April 26, 1916 in Book 10 of Deeds, page 327,  
Owyhee County Records.

Section 14: SW½SW½

Section 15: W½NE½, E½NW½, E½SE½

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

Section 25: W½NW½, NW½SW½, E½SW½

Section 26: E½NE½

Section 36: E½W½, SW½NW½, NW½SW½

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

Section 24: NW½SW½

Section 35: SW½SE½

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

Section 7: NE½SW½

Section 21: W½E½, E½W½

Section 35: W½SE½

**PARCEL II:**

IN TOWNSHIP 10 SOUTH, RANGE 3 EAST, B. M., OWYHEE COUNTY, IDAHO  
Section 11: SE½SE½  
Section 13: NE½NE½  
Section 14: N½NE½  
Section 33: SE½SE½  
Section 34: NW½SE½, NE½SW½, S½S½  
Section 35: W½W½, NE½SW½, SE½SW½

IN TOWNSHIP 10 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO  
Section 18: Lot 1, NE½NW½  
Section 22: W½NW½, N½SW½

IN TOWNSHIP 11 SOUTH, RANGE 2 EAST, B. M., OWYHEE COUNTY, IDAHO  
Section 11: SE½, W½NE½, SE½NE½  
Section 12: S½SW½, S½SE½  
Section 13: N½NW½, SE½NW½, E½  
Section 14: NE½NE½

IN TOWNSHIP 11 SOUTH, RANGE 3 East, B. M., OWYHEE COUNTY, IDAHO  
Section 2: Lots 2 and 3  
Section 18: Lot 4, SE½SW½  
Section 19: Lots 1 and 2, E½NW½

**PARCEL III:**

IN TOWNSHIP 7 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO  
Section 23: SE½ SAVING AND EXCEPTING the following described  
real property to-wit:

A tract of land located in the NW½SE½ and NE½SE½, bounded and described as follows: BEGINNING at the NW corner of NW½SE½, the TRUE POINT OF BEGINNING; running thence North 89°57' East a distance of 2,056.8 feet to a point; thence South 54°57' West 905 feet to a point; thence South 59°39' West 860 feet to a point; thence North 33°42' West 79 feet to a point; thence South 67°04' West 598.8 feet to a point on the West boundary line of NW½SE½; thence running North a distance of 1165 feet to the POINT OF BEGINNING.

Section 23: S½SW½ and

A tract of land located in the SE½NE½ bounded and described as follows:

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

Section 24: NW $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{4}$ NW $\frac{1}{4}$   
Section 26: N $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$

PARCEL IV:

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

Section 23: E $\frac{1}{4}$ SW $\frac{1}{4}$  EXCEPT the following parcel:

BEGINNING at the south quarter corner, a brass cap properly identified as Sec. 23, T7S, R6E, B. M.; thence North 00°24' West a distance of 1152.6 feet along the north-south center line to an iron pin, the TRUE POINT OF BEGINNING; thence North 13° 31' West a distance of 1020.9 feet to an iron pin; thence North 89°56' West a distance of 405.8 feet to an iron pin; thence North 00°04' East a distance of 359.2 feet to an iron pin; thence North 89°50' West a distance of 677 feet, more or less, to the west boundary line of NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence North 00°04' East along the West boundary line of NE $\frac{1}{4}$ SW $\frac{1}{4}$  a distance of 125 feet to a point; thence South 89°50' East along the north boundary line of NE $\frac{1}{4}$ SW $\frac{1}{4}$  a distance of 1311 feet, more or less, to the north-east corner of NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence South 00°04' West a distance of 1479 feet, more or less, to the POINT OF BEGINNING

Section 23: NW $\frac{1}{4}$ SW $\frac{1}{4}$  EXCEPT the following two (2) parcels of land:

BEGINNING at the west quarter corner of Sec. 23, thence South 89°50' East a distance of 181.5 feet along the north boundary line of NW $\frac{1}{4}$ SW $\frac{1}{4}$  to an iron pin; thence South 02°50'55" West a distance of 1321.5 feet to an iron pin on the south boundary line of NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence North 89°50' West a distance of 115.5 feet to an iron pin on the West boundary line of NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence North 00°22' East a distance of 1320 feet, more or less, to the POINT OF BEGINNING.

Also

BEGINNING at the West quarter corner of Sec. 23, thence South 89°50' East along the North boundary line of NW $\frac{1}{4}$ SW $\frac{1}{4}$  a distance of 320.1 feet to an iron pin, the TRUE POINT OF BEGINNING; thence South 89°50' East along the North boundary of NW $\frac{1}{4}$ SW $\frac{1}{4}$  a distance of 987 feet, more or less, to the NE corner of NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence South 00°04' West a distance of 30 feet along the East boundary line of NW $\frac{1}{4}$ SW $\frac{1}{4}$  to a point; thence North 89°50' West a distance of 987 feet to a point on the East right of way line of a county road; thence North 03°43'40" West a distance of 30.1 feet to the POINT OF BEGINNING.

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**PARCEL V:**

IN TOWNSHIP 10 SOUTH, RANGE 4 EAST, B. M., OWYHEE COUNTY, IDAHO  
Section 17: S½SW½  
Section 18: S½SE½  
Section 19: NE½, N½SE½  
Section 20: NW½, N½SW½

**PARCEL VI:**

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

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

Continued

**PARCEL VII:**

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

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

**PARCEL VIII:**

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

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

**PARCEL IX:**

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

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

COMMENCING at the NW corner of NW½SW½, Sec. 23, T7S, R6E, B.M., and running thence South 80 rods; thence East 7 rods; thence North along the West bank of the Buckaroo Ditch 80 rods; thence West 11 rods to the PLACE OF BEGINNING.

Section 27: That portion of NE½NE½ described as follows:  
BEGINNING at the Section corner common to Sections 22, 23, 26 and 27, T7S, R6E, B. M., being the REAL POINT OF BEGINNING; thence North 89°04' West on the Section line between said Sections. 22 and 27, a distance of 1320.66 feet to the NW corner of NE½NE½, Sec. 27; thence South 0°14' West along the West sideline of NE½NE½, Sec. 27, a distance of 788.5 feet; thence North 80°41' East a distance of 1291.2 feet; thence North 64°18' East a distance of 53.9 feet to a point on the section line between said Sections 26 and 27; thence North 0°17' East on the Section line between Sections 26 and 27, a distance of 535 feet to the POINT OF BEGINNING.

Continued

**PARCEL X:**

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

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

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

**PARCEL XI:**

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

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

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

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

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

EXCEPT THE FOLLOWING PARCEL OF LAND:

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

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

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

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

AND ALSO,

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

Section 30: Lots 1 and 2, SE½NW½

**PARCEL XII:**

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

Section 10: SW½SE½  
Section 14: SW½NW½, NW½SW½  
Section 15: SE½NE½, W½NE½, S½NW½, N½SE½  
Section 16: S½NE½, SE½NW½, W½W½, E½SW½, SE½

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

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

Continued

**PARCEL XIII:**

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

**PARCEL XIV:**

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

**PARCEL XV:**

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

**PARCEL XVI:**

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

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

\* \* \*

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

**IDWR Water Right Numbers :**

|            |           |            |                                   |
|------------|-----------|------------|-----------------------------------|
| A51-00012  | A51-02238 | A51-10289  | A55-10222                         |
| A51-00013  | A51-04023 | A51-10379  | A55-10223                         |
| A51-00014  | A51-04103 | A51-10380  | A55-10224                         |
| A51-00031  | A51-04104 | A51-12741  | A55-10225                         |
| A51-00032  | A51-04105 | A51-12748  | A55-10226                         |
| A51-00033  | A51-07047 | A51-12749  | A55-10227                         |
| A51-00034A | A51-07058 | A51-12750  | A55-10228                         |
| A51-00035A | A51-07082 | A51-12751  | A55-13460                         |
| A51-00036A | A51-07092 | A51-12752  | A55-13461                         |
| A51-00068A | A51-07093 | A51-12753  | A55-13462                         |
| A51-00069  | A51-07107 | A51-12754  | A55-13463                         |
| A51-00071  | A51-07119 | A55-02020  | A55-13464                         |
| A51-00072  | A51-07281 | A55-02053  | A55-13465                         |
| A51-00073  | A51-10170 | A55-02059  | A55-13466                         |
| A51-00074  | A51-10171 | A55-02061  | A55-13467                         |
| A51-02044A | A51-10211 | A55-02062B | A55-13469                         |
| A51-02044B | A51-10212 | A55-02079B | A55-13470                         |
| A51-02089B | A51-10213 | A55-02173  | A55-13471                         |
| A51-02091  | A51-10272 | A55-04008  | A55-13472                         |
| A51-02108  | A51-10273 | A55-04009  | A55-13474                         |
| A51-02120  | A51-10274 | A55-04010  | A55-13478                         |
| A51-02123  | A51-10275 | A55-04011  | 51-02088                          |
| A51-02126  | A51-10276 | A55-10136  | 51-02074                          |
| A51-02127  | A51-10277 | A55-10137  | 51-07183                          |
| A51-02133  | A51-10278 | A55-10138  | 51-07293                          |
| A51-02138  | A51-10279 | A55-10139  | 51-07346 <i>changed at Wester</i> |
| A51-02150  | A51-10280 | A55-10140  |                                   |
| A51-02152  | A51-10281 | A55-10141  |                                   |
| A51-02165  | A51-10282 | A55-10142  |                                   |
| A51-02167  | A51-10283 | A55-10143  |                                   |
| A51-02169  | A51-10284 | A55-10144  |                                   |
| A51-02170  | A51-10285 | A55-10145  |                                   |
| A51-02178  | A51-10286 | A55-10146  |                                   |
| A51-02196  | A51-10287 | A55-10147  |                                   |
| A51-02213B | A51-10288 | A55-10221  |                                   |



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: **A55-10225**  
Date Received: 1/19/1989  
Receipt No: W002025  
Received By: \_\_\_\_\_

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

1. Name: OWEN FAMILY REVOCABLE TRUST A 208-845-2001  
Address: RICHARD L OWEN TRUSTEE  
PO BOX 590  
BRUNEAU ID 83604

2. Date of Priority: JUN 20, 1910

3. Source: SPRINGS Trib. to: BATTLE CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 10S      | 01E   | 15      |        | NE     | SW  |     | OWYHEE |
|          |       | 28      |        | SE     | NW  |     | OWYHEE |
|          |       |         |        | SE     | SW  |     | OWYHEE |

5. Description of diverting works:  
CANVAS DAMS, DITCHES, HEADGATES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/01 | 11/30 | 7.900 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.020 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.230 |      |        |

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

8. Total consumptive use is 1185.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
DOMESTIC 1 HOME, STOCKWATER 1,000 HEAD RANGE CATTLE

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 10S      | 01E   | 28      | NE  |    | NE  |     | IRR           | 35.0  |
|          |       |         | NE  |    | NE  |     | STOCK         |       |
|          |       |         | NW  |    | NE  |     | IRR           | 10.0  |
|          |       |         | NW  |    | NE  |     | STOCK         |       |
|          |       |         | SW  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | NE  |     | STOCK         |       |
|          |       |         | SE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SE  |    | NE  |     | STOCK         |       |
|          |       |         | SE  |    | NW  |     | STOCK         |       |
|          |       |         | SE  |    | NW  |     | IRR           | 20.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 20.0  |
|          |       |         | SE  |    | SW  |     | STOCK         |       |
|          |       |         | NE  |    | SE  |     | STOCK         |       |
|          |       |         | NE  |    | SE  |     | IRR           | 30.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SE  |     | STOCK         |       |
|          |       |         | SW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SE  |     | STOCK         |       |
|          |       |         | SE  |    | SE  |     | IRR           | 20.0  |
|          |       |         | SE  |    | SE  |     | STOCK         |       |
|          |       |         |     |    |     |     | Section Acres | 295.0 |
|          |       | 33      | NW  |    | NE  |     | IRR           | 25.0  |
|          |       |         | NW  |    | NE  |     | STOCK         |       |
|          |       |         | NE  |    | NW  |     | IRR           | 35.0  |
|          |       |         | NE  |    | NW  |     | STOCK         |       |
|          |       |         | SE  |    | NW  |     | IRR           | 30.0  |
|          |       |         | SE  |    | NW  |     | STOCK         |       |
|          |       |         | SE  |    | NW  |     | DOMEST        |       |
|          |       |         | NE  |    | SW  |     | IRR           | 10.0  |
|          |       |         | NE  |    | SW  |     | STOCK         |       |
|          |       |         |     |    |     |     | Section Acres | 100.0 |
|          |       |         |     |    |     |     | Total Acres   | 395.0 |

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:

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 \_\_\_\_\_

APR 15 1993

Department of Water Resources  
Western Regional Office

### CHANGE IN OWNERSHIP

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

[ ] Water Right Number(s): See Schedule A

[ ] Name and Address of  
Former Claimant(s): Richard L. Owen

P.O. Box 590

Bruneau, ID 83604

[ ] New Claimant(s): Owen Family Revocable Trust A Estab-  
lished August 30, 1966, as Amended  
and Restated October 12, 1988

[ ] New Mailing Address: P.O. Box 590

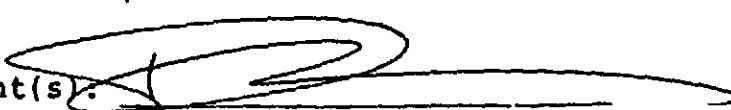
Bruneau, ID 83604

[ ] New Telephone Number: (208) 845 - 2001

[ ] Does the change in ownership result in a spitting of the  
water right(s) claimed? Yes X No  
If yes, then describe the portion of the water right that  
is now claimed by the new owner(s):

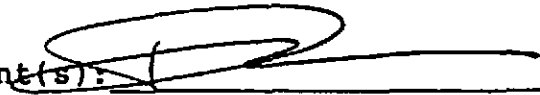
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

CHANGE IN OWNERSHIP

[ ] Signature of Former Claimant(s):

  
Richard L. Owen

Date: 24 Sept. 91

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

\*\*\*\*\*

For IDWR use only:

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

Claim Numbers of Split, if any: \_\_\_\_\_

\*\*\*\*\*

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

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

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

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

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

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

**SCHEDULE A**

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

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A55-10225  
Date Received: 1/19/1989  
Receipt No: W002025  
Received By: DE JDL

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JUN 20, 1910

3. Source: SPRINGS Trib. to: BATTLE CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 10S      | 01E   | 15      |        | NE     | SW  |     | OWYHEE |
|          |       | 28      |        | SE     | NW  |     | OWYHEE |
|          |       |         |        | SE     | SW  |     | OWYHEE |

5. Description of diverting works:  
CANVAS DAMS, DITCHES, HEADGATES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/01 | 11/30 | 7.900  |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.020  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.230  |      |        |

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

8. Total consumptive use is 1185.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
DOMESTIC 1 HOME, STOCKWATER 1,000 HEAD RANGE CATTLE

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 10S      | 01E   | 28      | NE  |    | NE  |     | IRR           | 35.0  |
|          |       |         | NE  |    | NE  |     | STOCK         |       |
|          |       |         | NW  |    | NE  |     | IRR           | 10.0  |
|          |       |         | NW  |    | NE  |     | STOCK         |       |
|          |       |         | SW  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | NE  |     | STOCK         |       |
|          |       |         | SE  |    | NE  |     | IRR           | 40.0  |
|          |       |         | SE  |    | NE  |     | STOCK         |       |
|          |       |         | SE  |    | NW  |     | IRR           | 20.0  |
|          |       |         | SE  |    | NW  |     | STOCK         |       |
|          |       |         | SE  |    | SW  |     | IRR           | 20.0  |
|          |       |         | SE  |    | SW  |     | STOCK         |       |
|          |       |         | NE  |    | SE  |     | IRR           | 30.0  |
|          |       |         | NE  |    | SE  |     | STOCK         |       |
|          |       |         | NW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SE  |     | STOCK         |       |
|          |       |         | SW  |    | SE  |     | STOCK         |       |
|          |       |         | SW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 20.0  |
|          |       |         | SE  |    | SE  |     | STOCK         |       |
|          |       |         |     |    |     |     | Section Acres | 295.0 |
|          |       | 33      | NW  |    | NE  |     | IRR           | 25.0  |
|          |       |         | NW  |    | NE  |     | STOCK         |       |
|          |       |         | NE  |    | NW  |     | IRR           | 35.0  |
|          |       |         | NE  |    | NW  |     | STOCK         |       |
|          |       |         | SE  |    | NW  |     | IRR           | 30.0  |
|          |       |         | SE  |    | NW  |     | STOCK         |       |
|          |       |         | SE  |    | NW  |     | DOMEST        |       |
|          |       |         | NE  |    | SW  |     | IRR           | 10.0  |
|          |       |         | NE  |    | SW  |     | STOCK         |       |
|          |       |         |     |    |     |     | Section Acres | 100.0 |
|          |       |         |     |    |     |     | Total Acres   | 395.0 |

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:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

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

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

ASS-10225

Date Received

1-19-89

Receipt Number

W002025

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

JAN 18 1989

Department of Water Resources  
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Richard L. Owen Phone (208) 845-2001  
Mailing Address P. O. Box 590, Bruneau, ID Zip 83604

2. Date of Priority (Only one (1) per claim) June 20, 1910

3. Source of water supply (a) springs  
which is tributary to (b) Battle Creek

4. a. Location of existing point of diversion is: Township 10S Range 01E Section 15,  
1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Owyhee  
T.10S., R.01E., Sec. 28, SE1/4, NW1/4  
Additional points of diversion if any: T.10S., R.01E., Sec. 28, SE1/4, SW1/4

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

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,  
Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_  
ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_  
\_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

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

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 3/1 to 11/30 amount 7.9 or \_\_\_\_\_

For Domestic purposes from 1/1 to 12/31 amount 0.02 or \_\_\_\_\_

For Stockwater purposes from 1/1 to 12/31 amount 0.23 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 7.9 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 1185 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1,000 head range cattle, 1 household

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4            |                   |                   |                   | NW 1/4            |       |       |                     | SW 1/4            |       |       |                   | SE 1/4            |                   |                   |                   | Totals |
|-----|-----|-----|-------------------|-------------------|-------------------|-------------------|-------------------|-------|-------|---------------------|-------------------|-------|-------|-------------------|-------------------|-------------------|-------------------|-------------------|--------|
|     |     |     | NE1/4             | NW1/4             | SW1/4             | SE1/4             | NE1/4             | NW1/4 | SW1/4 | SE1/4               | NE1/4             | NW1/4 | SW1/4 | SE1/4             | NE1/4             | NW1/4             | SW1/4             | SE1/4             |        |
| 10S | 01E | 28  | 35.0 <sup>S</sup> | 10.0 <sup>S</sup> | 40.0 <sup>S</sup> | 40.0 <sup>S</sup> |                   |       |       | 20.0 <sup>S</sup>   |                   |       |       | 20.0 <sup>S</sup> | 30.0 <sup>S</sup> | 40.0 <sup>S</sup> | 40.0 <sup>S</sup> | 20.0 <sup>S</sup> | 295.0  |
|     |     | 33  |                   | 25.0 <sup>S</sup> |                   |                   | 35.0 <sup>S</sup> |       |       | 30.0 <sup>D/S</sup> | 10.0 <sup>S</sup> |       |       |                   |                   |                   |                   |                   | 100.0  |
|     |     |     |                   |                   |                   |                   |                   |       |       |                     |                   |       |       |                   |                   |                   |                   |                   |        |
|     |     |     |                   |                   |                   |                   |                   |       |       |                     |                   |       |       |                   |                   |                   |                   |                   |        |
|     |     |     |                   |                   |                   |                   |                   |       |       |                     |                   |       |       |                   |                   |                   |                   |                   |        |
|     |     |     |                   |                   |                   |                   |                   |       |       |                     |                   |       |       |                   |                   |                   |                   |                   |        |
|     |     |     |                   |                   |                   |                   |                   |       |       |                     |                   |       |       |                   |                   |                   |                   |                   |        |
|     |     |     |                   |                   |                   |                   |                   |       |       |                     |                   |       |       |                   |                   |                   |                   |                   |        |

Total number of acres irrigated 395.0

11. In which county (ies) are lands listed above as place of use located? Owyhee

12. Do you own the property listed above as place of use? Yes x No \_\_\_\_\_

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

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

or None (X)

14. Remarks:

None

Last Name Owen Ident No. \_\_\_\_\_

Copies: **MICROFILMED**

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

[illegible]

Owen

Ident No.

Copies: White-State, Yellow-Glamorous

**MICROFILMED**

SEP 30 1992

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 0

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

Signature of Claimant (s) \_\_\_\_\_ Date 1/17/89

Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

\_\_\_\_\_ Title  
of \_\_\_\_\_, that I have signed the foregoing  
Organization

document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title Organization

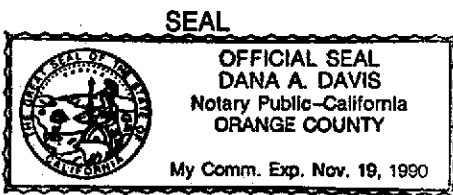
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or California )  
County of Orange ) SS.

Subscribed and sworn (or affirmed) before me this 17th day of January 19 89



Notary Public Dana A. Davis

Residing at 28871 Greenacres Mission Viejo CA 92692

My Commission Expires 11/19/90

Please Print Name

17. Notice of Appearance:

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

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Last Name Owen Ident. Number \_\_\_\_\_

**MICROFILMED**  
Copies White-State, Yellow-Claimant  
**SEP 30 1992**

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME OWEN CLAIM IDENT. NO. A55-10225

DATE RECEIVED 1-19-89 CK # 658 AMOUNT \$ 50+395=445.00 Required

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

\$ 445.00 MICROFILMED

SEP 30 1992

YES

NO

23. Should this claim be receipted and data entered?

Claim checked by: Rdh

Date: 2/9/91

Claim must be returned to claimant:

(Yes) (No)

Claimant must be notified of modifications:

(Yes) (No)

Receipt Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

Claim data entered by: \_\_\_\_\_

Date: \_\_\_\_\_

Checked by: \_\_\_\_\_

Date: \_\_\_\_\_

Sent to claimant by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

In Re SRBA )  
Case No. 39576 )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 55-10225

1999 MAR -5 PM 1:37  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: SIMPLOT SELF DECLARATION REVOC  
J R SIMPLOT AS TRUSTEE  
ATTN RONALD N GRAVES  
PO BOX 27  
BOISE, ID 83707

SOURCE: SPRING TRIBUTARY: BATTLE CREEK

QUANTITY: 1.06 CFS

PRIORITY DATE: 06/20/1913

POINT OF DIVERSION: T10S R01E S28 - NWSNW Within Owyhee County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE  | QUANTITY |
|----------------------------|-----------------|----------------|----------|
|                            | Irrigation      | 04-01 TO 10-31 | 1.06 CFS |
|                            | Domestic 1 HOME | 01-01 TO 12-31 | 0.02 CFS |
|                            | Stockwater      | 01-01 TO 12-31 | 0.23 CFS |

PLACE OF USE: Irrigation T10S R01E S28 NESE 7.0 NWNE 3.0  
SWNE 14.0 SENW 5.0  
NENE 4.0 SENE 12.0  
NWSE 8.0  
53.0 Acres Total

Stockwater T10S R01E S28 NESE NWSE  
NENE NWNE  
SWNE SENE  
SENW

Domestic T10S R01E S28 SENW

USE OF THIS RIGHT WITH RIGHT NO. 55-02020 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 189 ACRES IN A SINGLE  
IRRIGATION SEASON.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Barry Wood  
Administrative District Judge  
Interim Presiding Judge of the  
Snake River Basin Adjudication

RECEIVED

MAR 09 1999

Department of Water Resources

MAR 09 - 5 PM 1:37

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

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

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE

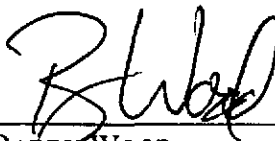
) For Water Right 55-10225

On January 12, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 55-10225 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED March 5, 1999



BARRY WOOD

Administrative District Judge  
Interim Presiding Judge of the  
Snake River Basin Adjudication

1999 MAR 05 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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

In Re SRBA )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 55-10225

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 55-10225 was mailed  
on March 05, 1999, with sufficient first-class postage prepaid  
to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

SIMPLOT SELF DECLARATION REVOC  
J R SIMPLOT AS TRUSTEE  
ATTN RONALD N GRAVES  
PO BOX 27  
BOISE, ID 83707  
Phone: 208-336-2110

DIANA DELANEY  
Chief Deputy Clerk

Department of Water Resources

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

**In Re SRBA**

**Case No. 39576**

**Subcase 55-10225****STANDARD FORM 5**

## STIPULATED ELEMENTS OF A WATER RIGHT

**This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.**

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

Date: Nov 4, 1998

Ronald N. Graves, Attorney-in-Fact  
for the J.R. Simplot Self-Declaration  
of Revocable Trust

**Claimant**

Date: 10-30-98

Carter Fritschle

Carter Fritschle  
IDWR Concurrence

Susan Hamlin

Susan Hamlin  
Attorney for IDWR

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

-----  
RIGHTS FROM: SOURCE: SPRING TRIBUTARY: BATTLE CREEK  
-----

RIGHT NUMBER: 55-10225

NAME AND ADDRESS: J R SIMPLOT SELF DECLARATION REVOC TRUST  
J R SIMPLOT AS TRUSTEE  
ATTN RONALD N GRAVES  
PO BOX 27  
BOISE ID 83707

SOURCE: SPRING TRIBUTARY: BATTLE CREEK

QUANTITY: 1.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

*Self  
CF  
PL*

PRIORITY DATE: 06/20/1913

POINT OF DIVERSION: T10S R01E S28 NWSENW Within Owyhee County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE | QUANTITY |
|----------------------------|-----------------|---------------|----------|
|                            | IRRIGATION      | 04-01 10-31   | 1.06 CFS |
|                            | STOCKWATER      | 01-01 12-31   | 0.23 CFS |
|                            | DOMESTIC 1 HOME | 01-01 12-31   | 0.02 CFS |

PLACE OF USE: IRRIGATION Within Owyhee County  
T10S R01E S28 NENE 4 NWNE 3 SWNE 14 SENE 12  
SENW 5 NESE 7 NWSE 8  
53 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 55-02020 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 189 ACRES IN A SINGLE  
IRRIGATION OF A COMBINED TOTAL OF 201 ACRES IN A SINGLE  
IRRIGATION SEASON.

STOCKWATER Within Owyhee County  
T10S R01E S28 NENE NWNE SWNE SENE  
SENW NESE NWSE  
DOMESTIC Within Owyhee County  
T10S R01E S28 SENW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR

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

DATE: OCT-30-1998  
PAGE: A-2

55-10225 (CONT.)

DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF  
HISTORICAL BENEFICIAL USE.

IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL PROVISION  
FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF WATER  
RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE  
PROVIDED AT THAT TIME TO FILE AN OBJECTION WITH THE DISTRICT  
COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO  
TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF WATER RIGHTS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE  
STOCKWATER; 1,000 RANGE CATTLE  
SOURCE IS ALSO KNOWN AS CAMP SPRING.

*del*  
*CT* *pl*

## CERTIFICATE OF MAILING

I certify that on NOVEMBER 4, 1998, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, 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

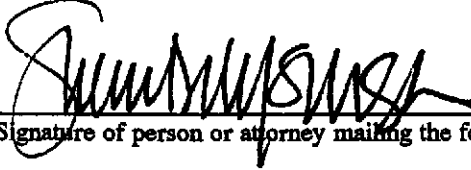
2. Copies to:

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 83720  
Boise, ID 83720-0098

USDI BLM  
U.S. Dept. of Justice  
Environment & Natural Resources  
550 West Fort Street, MSC 033  
Boise, ID 83724

Simplot Self Declaration Revoc  
J R Simplot as Trustee  
Attn: Ronald N. Graves  
P.O. Box 27  
Boise, ID 83707

IDWR Repository  
P.O. Box 83720  
Boise, ID 83720-0098

  
\_\_\_\_\_  
Signature of person or attorney mailing the form



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

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

April 24, 1998

**PHILIP E. BATT**  
GOVERNOR

VIC CONRAD  
SIMPLOT COMPANY  
PO BOX 27  
BOISE ID 83707

**KARL J. DREHER**  
DIRECTOR

REF: NOTICES OF ERROR BASIN 55

Dear Vic:

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

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

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

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

55-02059: N/C to irrigation season.

55-04008 : N/C to irrigation season.

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

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

55-04011: N/C to irrigation season.

55-10225: N/C to irrigation season.

55-10226: N/C to irrigation season.

55-10227: N/C to irrigation season.

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

Sincerely,

Ron Howerton  
SRBA Western Region  
334-2190

CORPORATE HEADQUARTERS

**March 26, 1998**

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

**RECEIVED**

**MAR 27 1998**

WATER RESOURCES  
WESTERN REGION

**Re: Extension of Time to Respond to Preliminary Recommendation.**

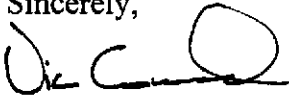
Dear Jan:

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

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

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

Sincerely,



Vic Conrad  
Simplot Land and Development

c: F. Bachman  
S. Ysursa

AJ0749NP  
No. R55-10225

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

DATE: 02/21/98  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS                           | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | J R SIMPLOT SELF DECLARATION REVOC TRUST | 06/20/1913       | IRRIGATION | 04-15 10-15           | 1.06 CFS          |                     |
|               | J R SIMPLOT AS TRUSTEE                   |                  | STOCKWATER | 01-01 12-31           | 0.23 CFS          |                     |
|               | ATTN RONALD N GRAVES                     |                  | DOMESTIC   | 01-01 12-31           | 0.02 CFS          |                     |
|               | PO BOX 27                                |                  |            |                       |                   |                     |
|               | BOISE ID 83707                           |                  |            |                       |                   |                     |
|               | (208) 336-2110                           |                  |            |                       |                   |                     |
|               |                                          |                  |            | TOTAL DIVERSION:      | 1.06 CFS          |                     |

Water Source: SPRING

Tributary to: BATTLE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R01E S28

NWSENN

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 | SUM              |
| 10S | 01E | 28 | : | 04 |    | 03 |    | 14 |    | 12 |    | :  |    |    |    | 05 | :  |                  |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    | 07 | 08 | 53.0             |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES 53.0 |

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 |   |
| 10S | 01E | 28 | : | S  |    | S  |    | S  |    | S  |    | :  |    |    |    | S  | S  | : |

Place of use Legal Description for: DOMESTIC

| NE  |     |    |   | NW |    |    |    | SW |    |    |    | SE |    |    |    |    |    |   |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T   | R   | S  |   | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac |   |
| 10S | 01E | 28 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    | D |

POU County: OWYHEE

Non-Irrigation Uses: 1 HOME

Other Rights: 55-02020

Conditions of Approval:

- N09 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR  
- DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF  
- HISTORICAL BENEFICIAL USE.
- N14 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND  
- STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: POU1 USE OF THIS RIGHT WITH RIGHT NO. 55-02020 IS LIMITED TO THE

AJ0749NP  
No. R55-10225

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

DATE: 02/21/98  
PAGE: 2

Remarks: IRRIGATION OF A COMBINED TOTAL OF 201 ACRES IN A SINGLE  
IRRIGATION SEASON.

EXP STOCKWATER; 1,000 RANGE CATTLE  
SOURCE IS ALSO KNOWN AS CAMP SPRING.

Dates: Exam Made Date: Verified Date: 02/21/1998 Objection Filed Date:

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

Audit: 02/21/98 RHOWERTO

CLAIM NO. 55 - 10225

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

1. ☒ NAME - No change

☐ NEW OWNER: \_\_\_\_\_

(SUPPORTING DOCUMENTATION REQUIRED - ATTACH COPY)

☒ ADDRESS - No change

☐ NEW ADDRESS: \_\_\_\_\_

2. ☒ SOURCE - No change

☐ CHANGE - New source and/or tributary is: \_\_\_\_\_

3. ☒ QUANTITY - No change

☐ CHANGE - New amounts: \_\_\_\_\_ CFS and/or \_\_\_\_\_ AFY

4. ☒ PRIORITY DATE - No change

☐ CHANGE - Priority date to: \_\_\_\_\_

(EVIDENCE OF PRIORITY REQUIRED - ATTACH COPY)

5. ☒ POINT OF DIVERSION - No Change

☐ CHANGE - New point of diversion is: T \_\_\_\_\_, R \_\_\_\_\_, S \_\_\_\_\_, \_\_\_\_\_ 1/4, \_\_\_\_\_ 1/4, \_\_\_\_\_ 1/4

T \_\_\_\_\_, R \_\_\_\_\_, S \_\_\_\_\_, \_\_\_\_\_ 1/4, \_\_\_\_\_ 1/4, \_\_\_\_\_ 1/4  
(LOCATION OF POD(S) SHOULD BE SHOWN ON MAP)

6. ☒ PURPOSE AND PERIOD OF USE - No change

☐ CHANGE New purpose of use

New period of use

New amount(s)

\_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ cfs \_\_\_\_\_ af

\_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ cfs \_\_\_\_\_ af

\_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ cfs \_\_\_\_\_ af

7. ☒ PLACE OF USE - No change

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

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

REMARKS IRRIG SEASON - NO CHG.

CONDITIONS \_\_\_\_\_

Reviewer Ron Howerton

Date 4/21/98

March 6, 1998

**NOTICE OF ERROR  
REPLY**

RECEIVED

APR 15 1998

WATER RESOURCES  
WESTERN REGION

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

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

**NOTICE OF ERROR REPLY IS:** April 15, 1998

Water Right Number: **55-10225**

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

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

Evening Telephone Number:

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

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

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

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

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

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

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

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

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

J. R. Simplot Self-Declaration of Revocable Trust

DATE: 4-14-1998 SIGNATURE: by: \_\_\_\_\_

Ronald N. Graves, Attorney-in-fact

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



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

CORPORATE HEADQUARTERS

**April 15, 1998**

**HAND DELIVERY**

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

**RECEIVED**  
**APR 15 1998**  
WATER RESOURCES  
WESTERN REGION

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

Dear Jan:

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

|                 |                 |
|-----------------|-----------------|
| <b>55-02020</b> | <b>55-04011</b> |
| <b>55-02059</b> | <b>55-10225</b> |
| <b>55-04008</b> | <b>55-10226</b> |
| <b>55-04009</b> | <b>55-10227</b> |
| <b>55-04010</b> |                 |

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

**A55-13688    A55-13686**

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

Sincerely,

Vic Conrad  
Simplot Land and Development

Enclosures

c:    F. Bachman  
      S. Ysursa

CORPORATE HEADQUARTERS

**March 26, 1998**

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

RECEIVED

**MAR 27 1998**

WATER RESOURCES  
WESTERN REGION

**Re: Extension of Time to Respond to Preliminary Recommendation.**

Dear Jan:

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

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

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

Sincerely,



Vic Conrad  
Simplot Land and Development

c: F. Bachman  
S. Yursa

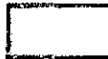
**IDAHO DEPARTMENT  
OF WATER RESOURCES**

**T10S, R01E, S28**

**6 ACRES**

 **Section Lines**

 **Place of use**

 **1/4 14 Lines**

 **POINT OF DIVERSION**

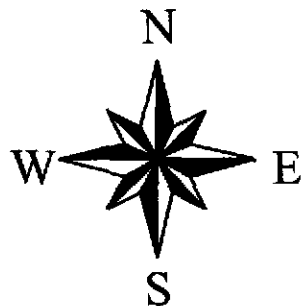
**Claim(s): 55-10225**

**Owner(s): SIMPLOT**

**Prepared by: Ron Howerton**

**Date: 2/10/1998**

**Total Acres: 53**



**1987 NAPP**



0 0.25 0.5 Miles



AJ0749NP  
No. R55-10225

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

DATE: 02/21/98  
PAGE: 1

| OWNER CODE | NAME & ADDRESS                                                                                                                              | PRIORITY DATE | WATER USE                            | USE PERIOD FROM TO                        | DIVERSION RATE                   | DIVERSION VOLUME |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------|-------------------------------------------|----------------------------------|------------------|
| C          | J R SIMPLOT SELF DECLARATION REVOC TRUST<br>J R SIMPLOT AS TRUSTEE<br>ATTN RONALD N GRAVES<br>PO BOX 27<br>BOISE ID 83707<br>(208) 336-2110 | 06/20/1913    | IRRIGATION<br>STOCKWATER<br>DOMESTIC | 04-15 10-15<br>01-01 12-31<br>01-01 12-31 | 1.42 CFS<br>0.23 CFS<br>0.02 CFS |                  |
|            |                                                                                                                                             |               |                                      | TOTAL DIVERSION:                          | 1.42 CFS                         |                  |

Water Source: SPRING

Tributary to: BATTLE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R01E S28

NWSENW

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  |
| 10S | 01E | 28 | : | 05 |    | 05 |    | 26 |    | 18 |    | 06 |    | 04 |    | 06 |    | 8  |    | :           | 71.0 |
|     |     |    |   | 4  |    | 3  |    | 14 |    | 12 |    | 5  |    | 7  |    |    |    |    |    | :           | 71.0 |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES |      |

(53)(.02) =  
1.06  
CFS

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 | : |
| 10S | 01E | 28 | : | S  |    | S  |    | S  |    | S  |    |    |    |    |    | S  |    | S  |    | : |

Place of use Legal Description for: DOMESTIC

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |   |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : |
| 10S | 01E | 28 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |

POU County: OWYHEE

Non-Irrigation Uses: 1 HOME

Other Rights: 55-02020

Conditions of Approval:

- N09 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N14 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: POU1 USE OF THIS RIGHT WITH RIGHT NO. 55-02020 IS LIMITED TO THE

ACRES PER  
GIS MAP  
DATED 10 FEB 98

AJ0749NP  
No. R55-10225

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

DATE: 02/21/98  
PAGE: 2

Remarks: IRRIGATION OF A COMBINED TOTAL OF 228 ACRES IN A SINGLE  
IRRIGATION SEASON.

EXP STOCKWATER; 1,000 RANGE CATTLE  
SOURCE IS ALSO KNOWN AS CAMP SPRING.

201 ACRES

Dates: Exam Made Date: Verified Date: 01/16/1998 Objection Filed Date:

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

Audit: 02/21/98 RHOWERTO

| RIGHT<br>NO                 |     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |    |
|-----------------------------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
|                             | TNS | RNG | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |    |
| A55-10225                   | 10S | 1E  | 28  | 4  | 3  | 14 | 12 |    |    |    | 5  |    |    |    |    | 7  | 8  |    |    | 53 |
| A55-02020<br>* OVER-<br>LAP |     |     | 28  | 4  | 3  | 10 | 12 |    |    |    |    |    |    |    |    | 7  | 8  |    |    | 44 |
|                             |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| TOTAL<br>ACRES              |     |     |     | 4  | 3  | 14 | 12 |    |    |    | 5  |    |    |    |    | 7  | 8  |    |    | 53 |
|                             |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 0  |
|                             |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 0  |
|                             |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 0  |

| RIGHT<br>NO           |     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |     |
|-----------------------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
|                       | TNS | RNG | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |     |
| A55-02020             | 10S | 1E  | 21  | 9  | 21 | 12 | 16 |    |    |    |    |    |    |    |    | 23 |    |    | 23 | 104 |
| * SEE<br>OVER-<br>LAP |     |     | 28  | 4  | 3  | 10 | 12 |    |    |    |    |    |    |    |    | 7  | 8  |    |    | 44  |
| TOTAL                 |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 148 |
| A55-10225             | 10S | 1E  | 28  | 4  | 3  | 14 | 12 |    |    |    | 5  |    |    |    |    | 7  | 8  |    |    | 53  |
| A55-02059             | 10S | 1E  | 15  |    |    |    |    |    |    |    |    |    | 7  |    |    |    |    |    |    | 7   |
|                       |     |     | 16  |    |    |    |    |    |    |    |    |    |    |    |    | 9  |    |    | 22 | 31  |
|                       |     |     | 21  | 11 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 11  |

ACRES CALC. BY RDH:

1. Found BLM irrigated tracts in T10s, R01e, S21, SWNE & NWSE. (A55-02020)
2. Found State irrigated tracts in T10S, R01E, S16. (A55-02059) no longer state per Vic Conrad & Frank Bockman January 14, 1998
3. Checked our BLM 1978 Triangle 1/100,000 map, to confirm original BLM tracts and State land.
4. New owners do not want to claim BLM.

## COMMUNICATION DOCUMENTATION

Claim No. see below:

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Ron Howerton

DATE

January 14, 1998

CUSTOMER

Vic Conrad & Frank Bockman

**SUBJECT:** B55 Claim Problems

Claims: A55-02020, A55-02059, A55-04009, A55-10225, A55-10227

1. Met with Vic & Frank, amended claims per ownership of land problems, Vic took amended claims back to his office to get official signatures.

From: DWR06::"vconrad@simplot.com" 7-JAN-1998 17:33:07.67  
To: "'rhowerto@dwr06.idwr.state.id.us'" <dwr06::rhowerto>  
CC:  
Subj: RE: RESPONSE DUE

Ron,  
Thank you for the heads up. I can be available on Friday Jan. 9 but if it can wait until next week I can be available most anytime. Please let me know what time suits you. If we can defer until next week I can do some work on this end. Thanks again Ron - I appreciate the final heads-up.

> -----  
> From:  
> rhowerto@dwr06.idwr.state.id.us[SMTP:rhowerto@dwr06.idwr.state.id.us]  
> Sent: Wednesday, January 07, 1998 3:24 PM  
> To: mvic@dwr06.idwr.state.id.us  
> Cc: RHOWERTO@dwr06.idwr.state.id.us; "RON  
> HOWERTON"@dwr06.idwr.state.id.us  
> Subject: RESPONSE DUE  
>  
> VIC,  
>  
> HI, IT'S TIME NOW!!!  
>  
> \* I'M PUTTING THE FINAL RECOMMENDATIONS FOR BASIN 55.  
>  
> \* I HAVE 5 SIMPLOT CLAIMS THAT I DO NEED YOUR INPUT ON:  
>  
> \* LETTERS WERE SENT OUT IN AUGUST 1996 FOR RESPONSE NEEDED WITHIN  
> 30 DAYS...  
>  
> NOTHING HAS BEEN RECEIVED,  
>  
> THESE ARE THE #'S:  
> A55-02020/  
> A55-02059/  
> A55-04009/  
> A55-10225/  
> A55-10227/  
>  
> PLEASE CALL ME ASAP FOR AN APPOINTMENT,  
>  
> RON HOWERTON  
>  
> 334-2190  
>  
>

## ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. ASS-10225

| WR ELEMENT            | FIELD EXAM<br>Y/N-IF NO,<br>DO OFFICE<br>VERIFICATION | FIELD EXAM<br>OR IN-OFFICE<br>VERIFICATION<br>WHOM/DATE | CLAIM<br>VERIFIED BY<br>CODE<br>(SEE BELOW) | CHANGE<br>CLAIM<br>Y/N | CLAIMANT CONTACT<br>NEEDED - Y/N** | REVIEW<br>COMPLETED<br>WHOM/DATE | "R" RECORD                                  |
|-----------------------|-------------------------------------------------------|---------------------------------------------------------|---------------------------------------------|------------------------|------------------------------------|----------------------------------|---------------------------------------------|
| PRIORITY*             | Y                                                     | Rdh 11/5/93                                             | 5                                           | Y                      | NA                                 |                                  |                                             |
| PT. OF DIV.           |                                                       |                                                         | 5                                           | Y                      |                                    |                                  | DATA ENTRY COMPLETED<br>BY _____ DATE _____ |
| SOURCE                |                                                       |                                                         | 5                                           | N                      |                                    |                                  |                                             |
| PL. OF USE            |                                                       |                                                         | 5                                           | Y                      |                                    |                                  | FINAL RECOMMENDATION<br>BY _____ DATE _____ |
| DIV. AMOUNT<br>CFS/AF |                                                       |                                                         | 5                                           | Y                      |                                    |                                  |                                             |
| CONSUMPTIVE<br>USE    |                                                       |                                                         | NA                                          | NA                     |                                    |                                  |                                             |
| NATURE OF<br>USE      |                                                       |                                                         | 5                                           | N                      |                                    |                                  |                                             |
| PERIOD OF<br>USE      |                                                       |                                                         | 5                                           | Y                      |                                    |                                  |                                             |
| BASIS OF<br>CLAIM     |                                                       |                                                         | Same                                        | N                      |                                    |                                  |                                             |
| REMARKS               |                                                       |                                                         |                                             |                        |                                    |                                  |                                             |

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

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

COMMENTS: MAPS IN FILE ASS-02020

+ Amended claims 1/14/98

## VERIFICATION CODES

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

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

08:57:48  
03/06/92

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A55-10225

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

FIRST: RICHARD L.  
STATE: ID ZIP: 83604

OWNER CODE: 0

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

FIRST: SCOTT L.  
STATE: ID ZIP: 837011539

OWNER CODE: A

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

FIRST:  
STATE: ID ZIP: 83604

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE  
N

FIELD  
EXAMINER

JR SIMPLOT

CONTACT PERSON: CHARLES LYONS

PHONE NUMBER: ( ) -

DATE OF FIELD EXAM: 11/5/93

APPOINTMENT MADE: Y( ☒ ) N( )

TIME: : A( ) P( )

ACCOMPANIED BY: ABOVE

PHONE NUMBER: ( ) -

RELATIONSHIP TO CLAIMANT: EMPLOYEE

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A55-10225 PRIORITY DATE: 06-20-1910 STAGE: J

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

REH

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

REMARKS: AFFIDAVIT ALBERT BLAKE SHOWS 1913

RECOMMENDED PRIORITY DATE:

REVIEWED BY 5-06/20/1913

DATE 1/16/90

PER - AFFIDAVIT

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A55-10225 | 10S  | 01E  | 15   |     | NE  | SW  |     | OWYHEE |
| A55-10225 | 10S  | 01E  | 28   |     | SE  | NW  |     | OWYHEE |
| A55-10225 | 10S  | 01E  | 28   |     | SE  | SW  |     | OWYHEE |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX R PREFIX  
A55-02020 NONE  
A55-02059

WR RECORDS IN SAME 40 ACRE TRACT  
55-02020  
55-02059

SOURCE: SPRINGS

TRIB: BATTLE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

|  | DUE TO POD DISCREPANCY? (Y/N) | DUE TO SOURCE DISCREPANCY? (Y/N) | DATABASE | FIELD EXAMINER |
|--|-------------------------------|----------------------------------|----------|----------------|
|  | Y                             | Y                                | Y        | 12th           |

REMARKS:

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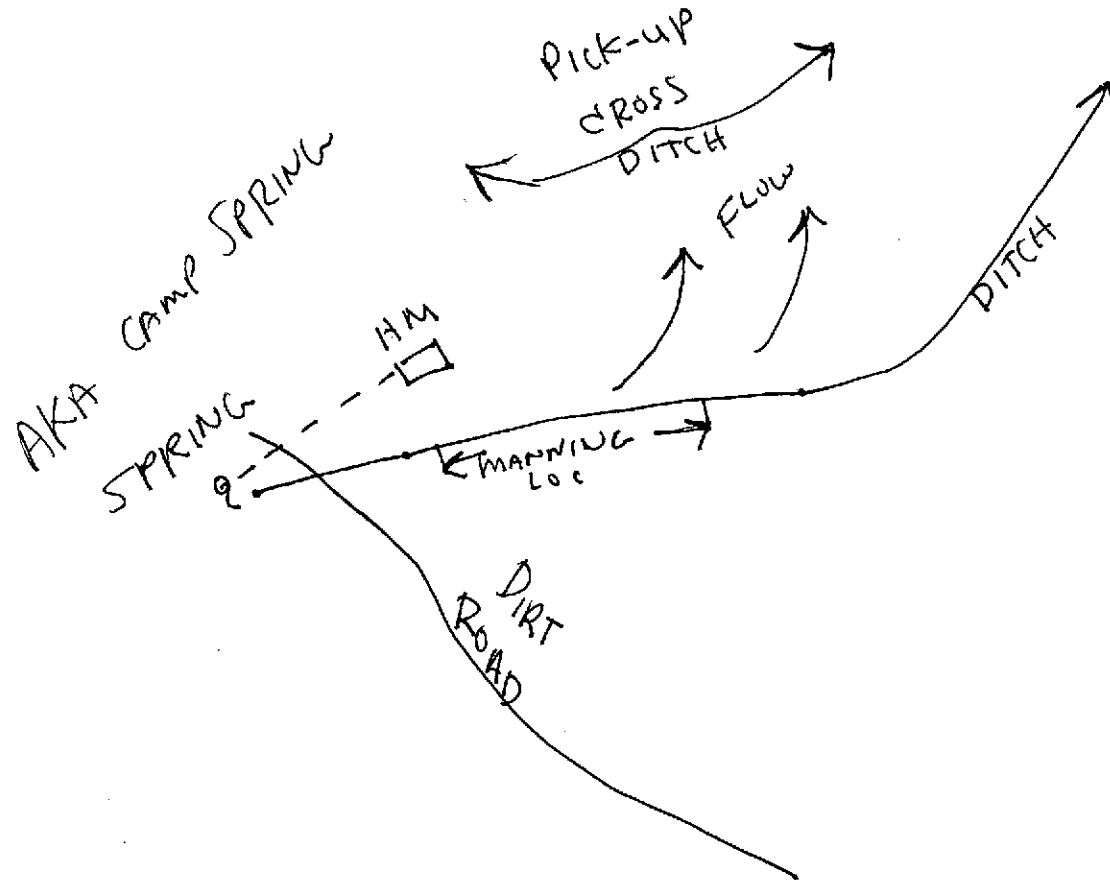
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| RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: |      |      |     |     |     |     |                      |
|-----------------------------------------------|------|------|-----|-----|-----|-----|----------------------|
| TWP.                                          | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY               |
| 10S                                           | 1E   | 28   | NW  | SE  | NW  |     | Dwy                  |
| SOURCE: <u>SPRING</u>                         |      |      |     |     |     |     | TRIB: <u>BATTLE</u>  |
| REVIEWED BY: <u>RSH</u>                       |      |      |     |     |     |     | DATE: <u>1/16/98</u> |

AKA CAMP SPRING BOZ (EXP)



SYSTEM  
DIAGRAM

A. ROOT WATER RIGHT NUMBERS: A55-10225

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                | AJ<br>#/ACRES   | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|---------------------|-----------------|---------------|-----------------|----------------|------------------|
| 10S | 01E | 28  | NE  | NE  |     | CAMPBELL , SCOTT L. | A55-10225 /35.0 | - /           |                 |                |                  |
| 10S | 01E | 28  | NE  | NE  |     | CAMPBELL , SCOTT L. | A55-10225 /     | - /           |                 |                |                  |
| 10S | 01E | 28  | NW  | NE  |     | CAMPBELL , SCOTT L. | A55-10225 /10.0 | - /           |                 |                |                  |
| 10S | 01E | 28  | NW  | NE  |     | CAMPBELL , SCOTT L. | A55-10225 /     | - /           |                 |                |                  |
| 10S | 01E | 28  | SW  | NE  |     | CAMPBELL , SCOTT L. | A55-10225 /40.0 | - /           |                 |                |                  |
| 10S | 01E | 28  | SW  | NE  |     | CAMPBELL , SCOTT L. | A55-10225 /     | - /           |                 |                |                  |
| 10S | 01E | 28  | SE  | NE  |     | CAMPBELL , SCOTT L. | A55-10225 /40.0 | - /           |                 |                |                  |
| 10S | 01E | 28  | SE  | NE  |     | CAMPBELL , SCOTT L. | A55-10225 /     | - /           |                 |                |                  |
| 10S | 01E | 28  | SE  | NW  |     | CAMPBELL , SCOTT L. | A55-10225 /     | - /           |                 |                |                  |
| 10S | 01E | 28  | SE  | NW  |     | CAMPBELL , SCOTT L. | A55-10225 /20.0 | - /           |                 |                |                  |
| 10S | 01E | 28  | SE  | SW  |     | CAMPBELL , SCOTT L. | A55-10225 /20.0 | - /           |                 |                |                  |
| 10S | 01E | 28  | SE  | SW  |     | CAMPBELL , SCOTT L. | A55-10225 /     | - /           |                 |                |                  |
| 10S | 01E | 28  | NE  | SE  |     | CAMPBELL , SCOTT L. | A55-10225 /     | - /           |                 |                |                  |
| 10S | 01E | 28  | NE  | SE  |     | CAMPBELL , SCOTT L. | A55-10225 /30.0 | - /           |                 |                |                  |
| 10S | 01E | 28  | NW  | SE  |     | CAMPBELL , SCOTT L. | A55-10225 /40.0 | - /           |                 |                |                  |
| 10S | 01E | 28  | NW  | SE  |     | CAMPBELL , SCOTT L. | A55-10225 /     | - /           |                 |                |                  |
| 10S | 01E | 28  | SW  | SE  |     | CAMPBELL , SCOTT L. | A55-10225 /40.0 | - /           |                 |                |                  |
| 10S | 01E | 28  | SW  | SE  |     | CAMPBELL , SCOTT L. | A55-10225 /     | - /           |                 |                |                  |
| 10S | 01E | 28  | SE  | SE  |     | CAMPBELL , SCOTT L. | A55-10225 /20.0 | - /           |                 |                |                  |
| 10S | 01E | 28  | SE  | SE  |     | CAMPBELL , SCOTT L. | A55-10225 /     | - /           |                 |                |                  |
| 10S | 01E | 33  | NW  | NE  |     | CAMPBELL , SCOTT L. | A55-10225 /25.0 | - /           |                 |                |                  |
| 10S | 01E | 33  | NW  | NE  |     | CAMPBELL , SCOTT L. | A55-10225 /     | - /           |                 |                |                  |

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                | AJ<br>#/ACRES   | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|---------------------|-----------------|---------------|-----------------|----------------|------------------|
| 10S | 01E | 33  | NE  | NW  |     | CAMPBELL , SCOTT L. | A55-10225 /35.0 | -             | /               |                |                  |
| 10S | 01E | 33  | NE  | NW  |     | CAMPBELL , SCOTT L. | A55-10225 /     | -             | /               |                |                  |
| 10S | 01E | 33  | SE  | NW  |     | CAMPBELL , SCOTT L. | A55-10225 /30.0 | -             | /               |                |                  |
| 10S | 01E | 33  | SE  | NW  |     | CAMPBELL , SCOTT L. | A55-10225 /     | -             | /               |                |                  |
| 10S | 01E | 33  | SE  | NW  |     | CAMPBELL , SCOTT L. | A55-10225 /     | -             | /               |                |                  |
| 10S | 01E | 33  | NE  | SW  |     | CAMPBELL , SCOTT L. | A55-10225 /10.0 | -             | /               |                |                  |
| 10S | 01E | 33  | NE  | SW  |     | CAMPBELL , SCOTT L. | A55-10225 /     | -             | /               |                |                  |

TOTAL ACRES A55-10225 395.00

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

SEE POU TABLE  
ATTACHMENT

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE  
Y

FIELD  
EXAMINER

POU COUNTY: OWYHEE

PRESUMPTION FLAG:

REMARKS:

SEE GIS  
MAP  
DATED 10 FEB 98

RECOMMENDATIONS:

TOTAL ACRES:

53

REVIEWED BY:

REH

DATE:

1/16/98

A. AJ CLAIMED USES:

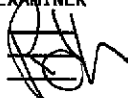
| PURPOSES                            | MONTH/DAY           | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A55-10225 IRRIGATION                | FROM 03-01 TO 11-30 | 7.900 CFS          |
| A55-10225 DOMESTIC                  | FROM 01-01 TO 12-31 | .020 CFS           |
| A55-10225 STOCKWATER                | FROM 01-01 TO 12-31 | .230 CFS           |
| TOTAL DIVERSION RATE/VOLUME CLAIMED |                     | 7.900 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 remarks, below.

REMARKS:

DEPT STANDARDS = 04/15 - 10/15

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y( ) N( )

AJ TOTAL CLAIMED DIVERSION RATE: 7.900 CFS  
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

NA

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

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

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

FLOW MEASUREMENT REQUIRED?

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

FIELD  
DATABASE EXAMINER

Y

RA

B.

FLOW MEASUREMENT

MEASUREMENT METHOD MANNING, 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 POI AND IRRIGATION USAGE

NO RIGHTS WITH SAME POI BUT NOT USED FOR IRRIGATION

SEE TABLE

SS-02020 overlap

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 53 x 0.02 CFS/ACRE = 1.06 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 = 1185.0 AF/A

ACRES \_\_\_\_\_ x CONSUMPTIVE VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL CONSUMPTIVE USE \_\_\_\_\_ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = \_\_\_\_\_ AF/A

ACRES \_\_\_\_\_ x DIVERSION VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL DIVERSION VOLUME \_\_\_\_\_ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ) N( )

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

209, 214

Pou 1 comb Acres with 02020 = 228

53 + 148 = 201 ACRES

MANNING EQUATION CHANNEL CAPACITY RESULTS

11-06-1993

File Number: A55-10225

Claimant: OWEN RANCHES/ACCOMPANIED BY EMPLOYEE CHARLIE LYONS

Channel measured: SPRING

Date of measurement: 11/5/93 AT 16:00

Measurement location:

SENW S28 T10S R1E

JUST BELOW DIRT ROAD NR DOMESTIC HOME

Calculation prepared by: RON HOWERTON

Comments about the measurement:

The results of the calculation are:

The channel cross section is 3.34 ft-sq.

The wetted perimeter is 7.56 feet.

The hydraulic radius is 0.44 feet.

The slope is 0.0137

The roughness coefficient is 0.0600

The flow velocity is 1.683 ft/sec.

The rate of flow is 5.61 cfs.

CROSS SECTION NUMBER 1

For File Number A55-10225 for the SPRING

| Number | Rod<br>Reading | Water<br>Depth | Distance |
|--------|----------------|----------------|----------|
| 1      | 0.00           | 0.00           | 0.00     |
| 2      | 0.25           | 0.25           | 1.00     |
| 3      | 0.35           | 0.35           | 2.00     |
| 4      | 0.55           | 0.55           | 3.00     |
| 5      | 0.60           | 0.60           | 4.00     |
| 6      | 0.35           | 0.35           | 5.00     |
| 7      | 0.35           | 0.35           | 6.00     |
| 8      | 0.00           | 0.00           | 7.00     |

The area for this cross section is 2.45 square feet  
and the wetted perimeter is 7.15 feet.

CROSS SECTION NUMBER 2

For File Number A55-10225 for the SPRING

| Number | Rod<br>Reading | Water<br>Depth | Distance |
|--------|----------------|----------------|----------|
| 1      | 0.00           | 0.00           | 0.00     |
| 2      | 0.30           | 0.30           | 1.00     |
| 3      | 0.55           | 0.55           | 2.00     |
| 4      | 0.85           | 0.85           | 3.00     |
| 5      | 1.15           | 1.15           | 4.00     |
| 6      | 0.90           | 0.90           | 5.00     |
| 7      | 0.35           | 0.35           | 6.00     |
| 8      | 0.15           | 0.15           | 7.00     |
| 9      | 0.00           | 0.00           | 7.60     |

The area for this cross section is 4.22 square feet  
and the wetted perimeter is 7.97 feet.

Claim No(s).: ASS-10225  
 Name of Claimant: OWEN RANCHES ACCOMPANIED BY CHARLEY LYONS - COWBOY EMPLOYEE  
 Name of Ditch, Canal, or Stream Name: SPRING  
 Date of Measurement: 11/5/93/16:00 Data Collected By: R. Howerton  
 Measurement Location: SE 1/4 NW 1/4 Section 28 T 10S R 1E

### General Description and Comments

LOCATED JUST BELOW DIRT ROAD NR DOMESTIC HOME  
HIGH VEGETATION USED AT

### Cross-section Data

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

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

| Depth or<br>Rod Reading | Dist. from<br>Initial Point | Depth or<br>Rod Reading | Dist. from<br>Initial Point |
|-------------------------|-----------------------------|-------------------------|-----------------------------|
| 1. <u>0</u>             | <u>0</u>                    | 11. <u>0</u>            | <u>0</u>                    |
| 2. <u>.25</u>           | <u>1.0</u>                  | 12. <u>.3</u>           | <u>1.0</u>                  |
| 3. <u>.35</u>           | <u>2.0</u>                  | 13. <u>.55</u>          | <u>2.0</u>                  |
| 4. <u>.55</u>           | <u>3.0</u>                  | 14. <u>.85</u>          | <u>3.0</u>                  |
| <u>.6</u>               | <u>4.0</u>                  | 15. <u>1.15</u>         | <u>4.0</u>                  |
| 6. <u>.35</u>           | <u>5.0</u>                  | 16. <u>.9</u>           | <u>5.0</u>                  |
| 7. <u>.35</u>           | <u>6.0</u>                  | 17. <u>.35</u>          | <u>6.0</u>                  |
| 8. <u>0</u>             | <u>7.0</u>                  | 18. <u>.15</u>          | <u>7.0</u>                  |
| 9. <u></u>              | <u></u>                     | 19. <u>0</u>            | <u>7.6</u>                  |
| 10. <u></u>             | <u></u>                     | 20. <u></u>             | <u></u>                     |

### Slope Data

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

Channel length from cross section: Upstream 128 Downstream 144

Total channel length used for slope measurement: 272

Rod reading at engineers level:

Upstream rod reading 2.16 - High Water Mark(if taken from channel bottom)  =

Downstream rod reading 6.48 - High Water Mark(if taken from channel bottom)  =

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

Are maps and/or photos attached? Yes (X)

MANNING'S "n" (roughness coefficient)

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

RECOMMENDATIONS:

| REC.<br>PURPOSES        | REC. PERIOD<br>FROM TO    | REC. DIV<br>RATE CFS               | REC. DIV<br>VOL. AF/A | REC. CONS.<br>USE |
|-------------------------|---------------------------|------------------------------------|-----------------------|-------------------|
|                         |                           | DATABASE EXAMINER                  | DATABASE EXAMINER     | DATABASE EXAMINER |
| <u>IRR</u>              | <u>4-15</u> <u>10-15</u>  | <u><del>1.42</del></u> <u>1.06</u> |                       |                   |
| <u>STK</u>              | <u>01-01</u> <u>12-31</u> | <u>0.23</u>                        |                       |                   |
| <u>Dom</u>              | <u>01-01</u> <u>12-31</u> | <u>6.02</u>                        |                       |                   |
| TOTAL FOR THIS RIGHT    |                           | <u><del>1.42</del></u> <u>1.06</u> |                       |                   |
| REVIEWED BY: <u>REL</u> | DATE: <u>1/16/98</u>      |                                    |                       |                   |

A. CHECK ONLY THE FOLLOWING THAT APPLY:

|                              | ACCEPTED<br>AS CLAIMED | NEEDS<br>REVIEW |
|------------------------------|------------------------|-----------------|
| OWNERSHIP _____              | (X)                    | ( )             |
| FORFEIT/ABANDON _____        | ( )                    | ( )             |
| ADDITIONAL DIV. AMOUNT _____ | ( )                    | ( )             |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-10225

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A55-10225                | 7.900             | -                         |                  | -                   |                   |
| TOTAL CFS            |                          | 7.900             |                           |                  |                     |                   |

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  
*[Signature]*

REMARKS:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

*[Signature: Ron Howerton]*  
1/14/98  
Ron Howerton SR WA AGENT

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

08:57:48  
03/06/92

PAGE: 13  
QUICKLOOK INFORMATION

CLAIM NUMBER: A55-10225

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

"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.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

10:06:03  
03/06/92

PAGE: 14  
PROFILE REPORT

CLAIM NUMBER: A55-10225

| OWNER<br>CODE | NAME & ADDRESS                                                                                              | PRIORITY<br>DATE | WATER USE                            | USE PERIOD<br>FROM TO                     | DIVERSION<br>RATE                    | DIVERSION<br>VOLUME    |
|---------------|-------------------------------------------------------------------------------------------------------------|------------------|--------------------------------------|-------------------------------------------|--------------------------------------|------------------------|
| C             | OWEN FAMILY REVOCABLE TRUST A<br>RICHARD L OWEN TRUSTEE<br>PO BOX 590<br>BRUNEAU ID 83604<br>(208) 845-2001 | 06/20/1910       | IRRIGATION<br>STOCKWATER<br>DOMESTIC | 03-01 11-30<br>01-01 12-31<br>01-01 12-31 | 7.90 CFS<br>0.23 CFS<br>0.02 CFS     |                        |
|               |                                                                                                             |                  |                                      |                                           | TOTAL DIVERSION:<br>CONSUMPTIVE USE: | 7.90 CFS<br>1185.0 AFA |

Water Source: SPRINGS

Tributary to: BATTLE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R01E S15  
S28

NESW  
SESW

SESW

OWYHEE County  
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   |
| 10S | 01E | 28 | : | 35 |    | 10 |    | 40 |    | 40 |    |    |    |    |    | 20 |    |    |    | :           | 295.0 |
| 10S | 01E | 33 | : |    |    | 25 |    |    |    | 35 |    | 30 |    | 10 |    |    |    |    |    | :           | 100.0 |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES | 395.0 |

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 | : |
| 10S | 01E | 28 | : | S  |    | S  |    | S  |    | S  |    |    |    | S  |    |    |    | S  |    | : |
| 10S | 01E | 33 | : |    |    | S  |    |    |    | S  |    | S  |    |    |    |    |    |    |    | : |

Place of use Legal Description for: DOMESTIC

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |   |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : |
| 10S | 01E | 33 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |

POU County: OWYHEE

Non-Irrigation Uses: DOMESTIC 1 HOME, STOCKWATER 1,000 HEAD RANGE CATTLE

Other Rights: NONE

Non-Irrigation Use: DOMESTIC 1 HOME, STOCKWATER 1,000 HEAD RANGE CATTLE

Dates: Exam Made Date: Verified Date:

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

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

| TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)                    | IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION | COPY INCLUDED<br>IN FILE?                             |
|--------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------|
| <input checked="" type="checkbox"/> ORTHOPHOTOQUAD           | DATE OF PHOTO <u>1979</u> IDWR ID NO. <u>BB-58</u>     | Y( ) N( <input checked="" type="checkbox"/> ) IN 2020 |
| <input type="checkbox"/> TOPOGRAPHIC                         | DATE FIELD CHECKED _____ IDWR ID NO. _____             | Y( ) N( )                                             |
| <input checked="" type="checkbox"/> NAPP                     | DATE OF PHOTO <u>1987</u> IDWR ID NO. _____            | Y( ) N( <input checked="" type="checkbox"/> )         |
| <input checked="" type="checkbox"/> ASCS AERIAL PHOTO        | DATE OF PHOTO <u>1988</u>                              | Y( ) N( <input checked="" type="checkbox"/> ) IN 2020 |
| <input type="checkbox"/> ASCS COLOR SLIDE                    | DATE OF PHOTO _____                                    | Y( ) N( )                                             |
| <input checked="" type="checkbox"/> BLM OR USFS AERIAL PHOTO | DATE OF PHOTO <u>1978</u>                              | Y( ) N( <input checked="" type="checkbox"/> ) IN 2020 |
| <input type="checkbox"/> TOWNSHIP SURVEY (GOVERNMENT PLAT)   | DATE OF SURVEY _____                                   | Y( ) N( )                                             |
| <input type="checkbox"/> SCS SOIL SURVEY MAP                 | DATE ISSUED _____                                      | Y( ) N( )                                             |
| <input type="checkbox"/> SUBDIVISION PLAT MAP                | DATE OF MAP _____                                      | Y( ) N( )                                             |
| <input type="checkbox"/> OTHER _____                         | DATE _____                                             | Y( ) N( )                                             |
| <input type="checkbox"/> OTHER _____                         | DATE _____                                             | Y( ) N( )                                             |
| <input type="checkbox"/> OTHER _____                         | DATE _____                                             | Y( ) N( )                                             |

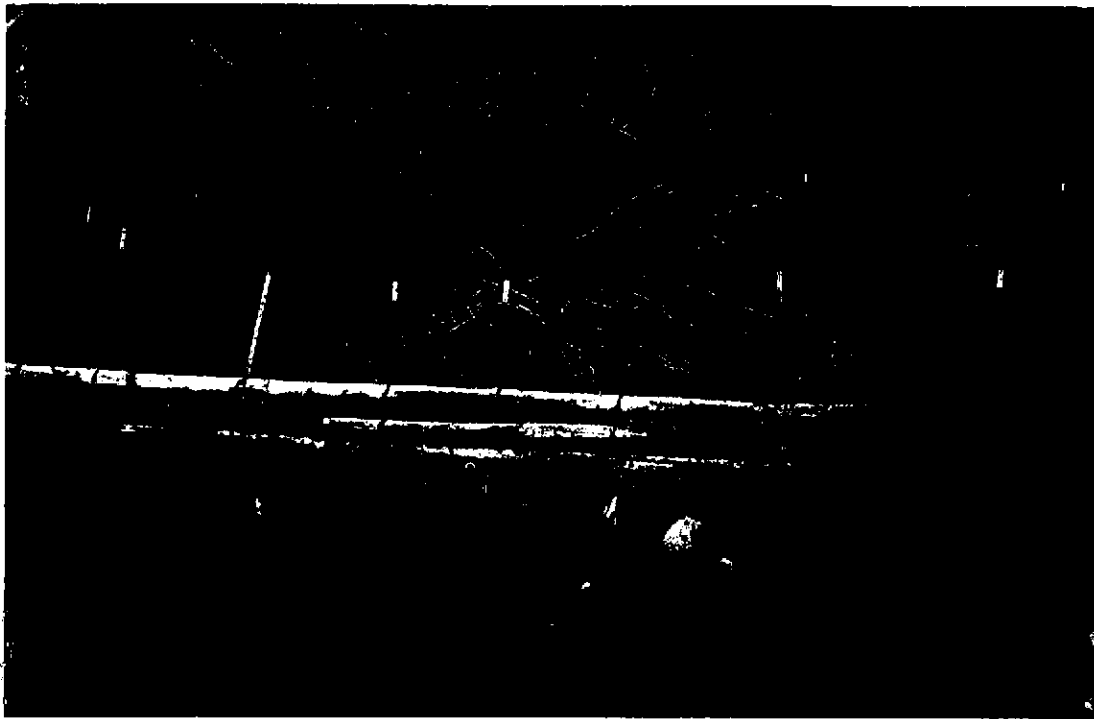
| LIST OF ATTACHMENTS (CHECK IF ATTACHED)                | IF ATTACHED, SUPPLY APPROPRIATE INFORMATION | NO. OF<br>PAGES | NOTES |
|--------------------------------------------------------|---------------------------------------------|-----------------|-------|
| <input type="checkbox"/> LICENSING FIELD EXAM          | DATE OF FIELD EXAM _____                    | _____           | _____ |
| <input type="checkbox"/> WATER RIGHT LICENSE           | DATE LICENSE SIGNED _____                   | _____           | _____ |
| <input type="checkbox"/> IDWR APPROVED TRANSFER        | DATE TRANSFER APPROVED _____                | _____           | _____ |
| <input type="checkbox"/> SYSTEM DESCRIPTION            | DATE DRAWN _____                            | _____           | _____ |
| <input checked="" type="checkbox"/> PHOTOGRAPHS        | DATE(S) PHOTOS TAKEN <u>11/5/93</u>         | _____           | _____ |
| <input type="checkbox"/> SPLIT RIGHT REVIEW            | DATE REVIEW COMPLETED _____                 | _____           | _____ |
| <input type="checkbox"/> HUBBLE ANALYSIS               | DATE ANALYSIS COMPLETED _____               | _____           | _____ |
| <input type="checkbox"/> CONVEYANCE LOSS ANALYSIS      | DATE ANALYSIS COMPLETED _____               | _____           | _____ |
| <input type="checkbox"/> FLOW MEASUREMENT CALCULATIONS | DATE SYSTEM MEASURED _____                  | _____           | _____ |
| <input type="checkbox"/> OTHER _____                   | DATE _____                                  | _____           | _____ |
| <input type="checkbox"/> OTHER _____                   | DATE _____                                  | _____           | _____ |

PICTURE # 1b

A55-10225

This is the only P/D for this claim, the claim incorrectly had claimed a spring in the location of Dry Creek for the claim A55-04009. This spring is located in the NWSENW, S21, T10S, R1E.

Photo's By  
RDH 11/5/93



PICTURE # 2b

This is the POU for the domestic, water is diverted underground to the house directly from the spring.



PICTURE # 3b & 4b

Photo's By 11/5/93  
RDH

A55-10225

These photo's show the upper POU. Spring ditch is on the right, the cross ditch is shown below and carries water from both this claim and A55-02020 to a shared POU below the cross ditch, see the map in that file for POU explanations.



PICTURE # 5b

A55-10225

This is the up-stream X-Section from the spring. See map in file A55-02020 for location.



Photo's By  
RDH  
11/5/93

PICTURE # 6b

This is the down-stream X-Section, water still present from spring.



PICTURE # 7b

A55-10225

This is lower POU use shared by this claim and overlapped by A55-02020.  
See map in that file for location.



Photo's By

RDH

11/5/93



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

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

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

**RECEIVED**

**FEB 04 1994**

February 4, 1994

WATER RESOURCES  
WESTERN REGION

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

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

A55-10225

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

Dear Scott:

Following your letter request to David Shaw of December 10, 1993, attached is an adjudication report denoting the claims filed by your clients referenced above that have been changed. We have also updated water right 57-00040 for Pioneer Irrigation as you requested.

Please note water rights claims showing Richard L. Owen as claimant were not changed in our database. You may wish to file another Notice to the court if you are representing Richard L. Owen as well as Owen Ranches, each of whom have filed claims as if they were unrelated parties.

Call me if you have questions.

Sincerely,

Donald V. Shaff  
Manager, Adjudication Section

DVS:sf:regions

Enclosures:

Adjudication Report

AJ5514NP

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION ATTORNEY NAME ADD/UPDATE

DATE: 02/02/94  
TIME: 23:49:41.6  
PAGE: 1

INPUT: AJ\_SELECTION:SHAFF-CAMPBELL-CAN.SEL

TYPE OF ACTION: MODIFY

MODIFY ALL FIELDS FLAG: N

LAST NAME:

ADDRESS LINE 1: ELAM & BURKE

ADDRESS LINE 3: PO BOX 1539

CITY: BOISE

FIRST NAME:

ADDRESS LINE 2:702 W IDAHO FL 10

STATE: ID ZIP: 837011539

PHONE NUMBER: (208) 343-5454

A51-00012 SUCCESSFULLY CHANGED ON HOST  
A51-00013 SUCCESSFULLY CHANGED ON HOST  
A51-00014 SUCCESSFULLY CHANGED ON HOST  
A51-00031 SUCCESSFULLY CHANGED ON HOST  
A51-00032 SUCCESSFULLY CHANGED ON HOST  
A51-00033 SUCCESSFULLY CHANGED ON HOST  
A51-00034A SUCCESSFULLY CHANGED ON HOST  
A51-00035A SUCCESSFULLY CHANGED ON HOST  
A51-00036A SUCCESSFULLY CHANGED ON HOST  
A51-00068A SUCCESSFULLY CHANGED ON HOST  
A51-00069 SUCCESSFULLY CHANGED ON HOST  
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A51-00073 SUCCESSFULLY CHANGED ON HOST  
A51-00074 SUCCESSFULLY CHANGED ON HOST  
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A51-02044B SUCCESSFULLY CHANGED ON HOST  
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A51-10170 SUCCESSFULLY CHANGED ON HOST

AJ5514NP

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION ATTORNEY NAME ADD/UPDATE

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

INPUT: AJ\_SELECTION:SHAFF-CAMPBELL-CAN.SEL

TYPE OF ACTION: MODIFY

MODIFY ALL FIELDS FLAG: N

LAST NAME:

ADDRESS LINE 1: ELAM & BURKE

ADDRESS LINE 3: PO BOX 1539

CITY: BOISE

FIRST NAME:

ADDRESS LINE 2:702 W IDAHO FL 10

STATE: ID ZIP: 837011539

PHONE NUMBER: (208) 343-5454

A51-10171 SUCCESSFULLY CHANGED ON HOST  
A51-10210 SUCCESSFULLY CHANGED ON HOST  
A51-10211 SUCCESSFULLY CHANGED ON HOST  
A51-10212 SUCCESSFULLY CHANGED ON HOST  
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A51-10278 SUCCESSFULLY CHANGED ON HOST  
A51-10279 WATER RIGHT HAS NO ATTORNEY OWNER CODE - NOT UPDATED  
A51-10280 SUCCESSFULLY CHANGED ON HOST  
A51-10281 SUCCESSFULLY CHANGED ON HOST  
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A55-10147 SUCCESSFULLY CHANGED ON HOST  
A55-10221 SUCCESSFULLY CHANGED ON HOST

Previously conveyed to Idaho Fish & Game

AJ5514NP

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION ATTORNEY NAME ADD/UPDATE

DATE: 02/02/94  
TIME: 23:50:04.4  
PAGE: 3

INPUT: AJ\_SELECTION:SHAFF-CAMPBELL-CAN.SEL

TYPE OF ACTION: MODIFY

MODIFY ALL FIELDS FLAG: N

LAST NAME:

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PHONE NUMBER: (208) 343-5454

A55-10222 SUCCESSFULLY CHANGED ON HOST  
A55-10223 SUCCESSFULLY CHANGED ON HOST  
A55-10224 SUCCESSFULLY CHANGED ON HOST  
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A63-00231 SUCCESSFULLY CHANGED ON HOST  
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A63-02276 SUCCESSFULLY CHANGED ON HOST  
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A63-02529 SUCCESSFULLY CHANGED ON HOST  
A63-02891 SUCCESSFULLY CHANGED ON HOST  
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A63-21739 SUCCESSFULLY CHANGED ON HOST  
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R55-10138 SUCCESSFULLY CHANGED ON HOST  
R55-10139 SUCCESSFULLY CHANGED ON HOST

Record will be corrected to Idaho Fish & Game

AJ5514NP

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION ATTORNEY NAME ADD/UPDATE

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

INPUT: AJ\_SELECTION:SHAFF-CAMPBELL-CAN.SEL

TYPE OF ACTION: MODIFY

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

RECEIVED

FEB 04 1994

WATER RESOURCES  
WESTERN REGION

SCOTT L. CAMPBELL

**ELAM & BURKE**

*A Professional Association*  
ATTORNEYS AND COUNSELORS AT LAW  
*Established in 1928*

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

RECEIVED

DEC 14 1993

Department of Water Resources

TELEPHONE  
208-343-5454

FACSIMILE  
208-384-5844

December 10, 1993

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

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

Dear David:

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

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

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

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

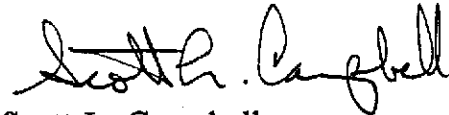
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objection to Water Right No. 57-00040. This, too, will need to be updated with my new firm information.

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

Very truly yours,

ELAM & BURKE  
*A Professional Association*

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

Scott L. Campbell

SLC:ma  
Enclosure

RECEIVED

FEB 04 1994

WATER RESOURCES  
WESTERN REGION

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

RECEIVED

DEC 09 1993

Department of Water Resources  
Adjudication Bureau

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

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

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

Case No. 39576

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

NOTICE OF CHANGE OF FIRM AND  
ADDRESS

vs. )

*changes made by  
Don Shaff.*

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

Respondents. )

*- of 2-4-94*

**DESCRIPTIVE SUMMARY**

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

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

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

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

DATED this 6<sup>th</sup> Day of December, 1993.

ELAM & BURKE

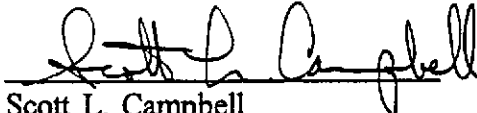
By Scott L. Campbell  
Scott L. Campbell

CERTIFICATE OF SERVICE

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

All Parties of Record

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

  
\_\_\_\_\_  
Scott L. Campbell

\*Jeanette Wolfley  
Candy L. Jackson  
Tribal Attorneys Office  
Shoshone-Bannock Tribes  
P. O. Box 306  
Fort Hall, ID 83203

\*Dana Hofstetter, Esq.  
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P.O. Box 2527  
Boise, Idaho 83701

\*Albert P. Barker, Esq.  
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Hawley Troxell Ennis & Hawley  
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\*Raymond D. Givens, Esq.  
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Michael C. Creamer, Esq.  
Christopher H. Meyre, Esq.  
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Pocatello, ID 83204-1391

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

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

\*Kent W. Foster  
Holden Kidwell Hahn \* Crapo  
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Idaho Falls, Idaho 83405

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

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

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

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

Carl F. Bianchi  
Administrative Director  
Administrator of the Courts  
451 West State Street  
Boise, Idaho 83720

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

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

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

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

Richard Smith, Esq.  
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Rigby, Idaho 83440

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

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

\*Cecil D. Hobdey, Esq.  
Hobdey & Hobdey  
P.O. 176  
Gooding, Idaho 83330

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

\*Randall C. Fredricks, Esq.  
Cosho, Humphrey, Greener & Welsh  
815 West Washington  
Boise, Idaho 83702

\*Richard L. Cummings, Esq.  
960 Broadway, Suite 400  
P.O. Box 955  
Boise, Idaho 83701

\*Gray Young, Esq.  
J.R. Simplot Company  
999 Main Street, Suite 1300  
Boise, Idaho 83707

Steven L. Herndon  
Assistant General Counsel  
Idaho Power Company  
P.O. Box 70  
Boise, Idaho 83707

Jay Doyle Jenson  
Route 1, Box 43  
Moore, ID 83255

Young Harvey Walker  
Route 1, Box 200  
Arco, ID 83213

Mitchell D. Sorenson  
Route 1, box 63-A  
Moore, ID 83255

Herman Aikele  
Route 1, Box 61  
Moore, Idaho 83255

Kirby A. Jensen  
Route 1, Box 50  
Moore, Idaho 83255

Don Aikele  
Rt. 1, Box 60  
Moore, ID 83255

Sunset Trust Organization  
c/o Arthur W. Quist, Mgr.  
Rt. 1, Box 203  
Arco, ID 83213

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FEB 11 1992

Department of Water Resources  
Western Regional Office

## DAVIS WRIGHT TREMAINE

LAW OFFICES

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

SCOTT L. CAMPBELL  
(208) 338-8219

February 7, 1992

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

Re: Your Correspondence of July 1, 1991, Concerning Adjudication Claim Nos.  
A55-04008, 04009, 04010, 04011, 10221, 10222, 10223, 10224, 10225,  
10226, 10227 and 10228

Dear Jan:

I am replying to your correspondence of July 1, 1991, to me and your correspondence of June 28, 1991, to Mr. Richard L. Owen, regarding the above-referenced claim numbers in the Snake River Basin Adjudication. Your correspondence requested additional evidence to support the "statutory claim" or "beneficial use" status of the water right claim.

In response to this request for additional evidence, I have enclosed copies of the Affidavit of Albert Black and the Affidavit of Joe Black. These two affidavits provide eye witness testimony which should satisfy your request for additional evidence.

Please be advised that we may submit additional evidence to support a priority date earlier than the ones described in the affidavits. Consequently, please still provide the second notice to be sent out at least sixty (60) days prior to completion of the Director's Sub-basin Report which affects these water right claims. This time period was referred in my correspondence of July 16, 1991.

MICROFILMED

AUG 10 1992

FAX: (208) 338-8299

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

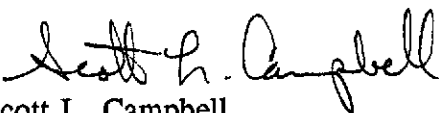
**Davis Wright Tremaine**

Jan Shurte  
February 7, 1992  
Page 2

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

Very truly yours,

DAVIS WRIGHT TREMAINE

  
Scott L. Campbell

SLC:md  
Enclosures

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

**MICROFILMED**

**AUG 10 1992**

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

Attorneys for Claimant  
Owen Ranches

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

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

CASE NO. 39576

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

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

Petitioner,

v.

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

Defendants.

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

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

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

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

#### BIG SPRINGS RANCH

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### BATTLE CREEK RANCH

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

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

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

21. Under Water Right No. A55-04009, the points of diversion -- for the water diverted from Scrappy Creek, Scrappy Reservoir and Lower Butte Reservoir for use as irrigation, stock and domestic water -- have been located in Township 10 South, Range 1 East, Section 29, Northeast Quarter of the Northwest Quarter, Township 11 South, Range 1 East, Section 3, Northwest Quarter of the Northwest Quarter, Section 4, Northeast Quarter of the Northeast Quarter, and Section 10, Northwest Quarter of the Southeast Quarter in Owyhee County since at least 1933.

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

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

24. Under Water Right No. A55-10225, the points of diversion -- for the water diverted from springs for use as irrigation, domestic and stock water -- have been Township 10 South, Range 1 East, Section 15, Northeast Quarter of the Southwest Quarter, Section 28 Southeast Quarter of the Northwest Quarter, and Section 28, Southeast Quarter of the Southwest Quarter in Owyhee County since at least 1933.

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

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

#### WYLIE RANCH

27. On the property known as the Wylie Ranch which was formerly owned by Clyde Wylie, I personally observed that the ditches on the Wylie Ranch were in place when Clyde Wylie sold the property in 1950.

28. The Wylie Ranch has been continuously irrigated since I first went there in 1950.

29. The Wylie Ranch has one water right which is identified as Water Right No. A55-10228.

30. Under Water Right No. A55-10228, the point of diversion -- for water diverted from the North Fork of the Owyhee River for use as irrigation, stock and domestic water -- has been Township 14 South, Range 2 West, Section 2, Northwest Quarter of the Southwest Quarter in Owyhee County since at least 1950.

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

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

## SCATTERED WATER RIGHTS

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

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

35. Under Water Right No. A55-10221, the point of diversion -- for the water diverted from Battle Creek for use as irrigation, stock and domestic water -- has been Township 13 South, Range 1 West, Section 16, Southwest Quarter of the Southwest Quarter in Owyhee County since at least the 1933.

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

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

38. Under Water Right No. A55-10222, the point of diversion -- for the water diverted from springs for use as irrigation, domestic and stock water -- has been Township 11 South, Range 1 East, Section 27, Southwest Quarter of the Southwest Quarter in Owyhee County since at least 1933.

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

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

41. Under Water Right No. A55-10223, the point of diversion -- for water diverted from a spring for use as irrigation, stock and domestic water -- have been Township 12 South, Range 1 West, Section 35, Northwest Quarter of the Southeast Quarter and Section 35 Southwest Quarter of the Southeast Quarter in Owyhee County since at least 1933.

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

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

44. Under Water Right No. A55-10224, the point of diversion -- for water diverted from a spring for use as irrigation, stock, storage and domestic water -- has been Township 12 South, Range 1 West, Section 7, Northeast Quarter of the Southwest Quarter in Owyhee County since at least 1933.

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

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

47. Under Water Right No. A55-10226, the point of diversion -- for water diverted from a spring for use as irrigation, stock, storage and domestic water -- has been Township 12 South, Range 1 West, Section 21, Southeast Quarter of the Northwest Quarter in Owyhee County since at least 1933.

48. The property (commonly known as Squaw Meadows) whose water uses I have described above is that property owned by Owen Ranches which is located in Township 12 South, Range 1 West, Section 21.

49. The water diverted to the above property provides irrigation water to approximately 25.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

DATED this 22 day of ~~December, 1991.~~

*January 1992*

*Joe E. Black*  
\_\_\_\_\_  
Joe Black

SUBSCRIBED AND SWORN TO before me this 22 day of

January, 1991.  
1992

Monica J. Bick  
Notary Public for Idaho  
Residing at Idaho Falls  
My Commission Expires: 4/10/97

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

Attorneys for Claimant  
Owen Ranches

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

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

CASE NO. 39576

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

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

Petitioner,

v.

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

Defendants.

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

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

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

#### BIG SPRINGS RANCH

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## BATTLE CREEK RANCH

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

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

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

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

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

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

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

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

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

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

#### WYLIE RANCH

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

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

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

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

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

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

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

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

#### SCATTERED WATER RIGHTS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

53. The property (commonly known as Squaw Meadows) whose water uses I have described above is that property owned by Owen Ranches which is located in Township 12 South, Range 1 West, Section 21.

54. The water diverted to the above property provides irrigation water to approximately 25.0 acres of land, domestic water to 1 home, and stock water to roughly 1,000 head of range cattle.

DATED this 22 day of <sup>January, 1992</sup> ~~December~~, 1991.

Albert Black  
Albert Black

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

Morris J. Beck  
Notary Public for Idaho  
Residing at Burton, Idaho  
My Commission Expires: 4/10/97



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

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

May 22, 1992

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

MAY 23 1992

Department of Water Resources  
Western Regional Office

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

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

Dear Scott:

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

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

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

Sincerely,

Donald V. Shaff  
Manager, Adjudication Section

DVS:sf:region(s)

Enclosures:

Five Computer Reports

DAVIS WRIGHT TREMAINE

LAW OFFICES

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

**RECEIVED**  
FEB 25 1992

Department of Water Resources

SCOTT L. CAMPBELL  
(208) 338-8219

February 24, 1992

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

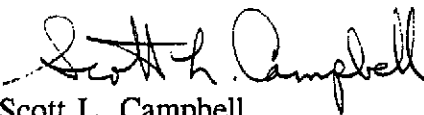
Re: Notice of Change in Address and Firm Affiliation

To Whom it May Concern:

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

Very truly yours,

DAVIS WRIGHT TREMAINE

  
Scott L. Campbell

SLC:md

FAX: (208) 338-8299

ANCHORAGE, ALASKA • BELLEVUE, WASHINGTON • HONOLULU, HAWAII • LOS ANGELES, CALIFORNIA  
NEW YORK, NEW YORK • OAKLAND, CALIFORNIA • SAN FRANCISCO, CALIFORNIA • SEATTLE, WASHINGTON • WASHINGTON, D.C.

# DAVIS WRIGHT TREMAINE

LAW OFFICES

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

SCOTT L. CAMPBELL  
(208) 338-8219

February 13, 1992

**RECEIVED**  
FEB 14 1992

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

Department of Water Resources

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

Dear David:

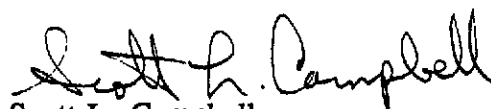
Pursuant to a prior telephone conversation with Ms. Lynne Krogh-Hampe, I am providing this correspondence to notify the Idaho Department of Water Resources of my change of address and affiliation. I am presently a partner with the law firm of Davis Wright Tremaine at the above-referenced address.

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

Thank you very much for your cooperation.

Very truly yours,

DAVIS WRIGHT TREMAINE

  
Scott L. Campbell

SLC:md  
Enclosures

FAX: (208) 338-8299

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

JUL 13 1991

Department of Water Resources  
Western Regional Office

SCOTT L. CAMPBELL

**ELAM, BURKE AND BOYD**  
ATTORNEYS AND COUNSELORS AT LAW

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

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

July 16, 1991

Ms. Jan Shurte  
Water Rights Supervisor  
Adjudication Section  
Western Region  
IDAHO DEPARTMENT OF WATER RESOURCES  
2735 Airport Way  
Boise, Idaho 83705

RE: Claim Numbers A55-04008, 04009, 04010, 04011,  
04012, 10221, 10222, 10223, 10224, 10225, 10226,  
10227, and 10228

Dear Jan:

This is to document the content of our telephone conversation of July 16, 1991, concerning the above referenced notices of claim in the Snake River Basin Adjudication, as well as your correspondence dated July 1, 1991.

As I indicated to you during our conversation, due to vacation conflicts and other delays, it was impossible to meet with Mr. and Mrs. Richard Owen and Mr. Scott Benowitz of James Montgomery Engineers concerning your July 1, 1991 correspondence until today. While we are working to gather the additional information which you have requested in your correspondence, it will not be possible to submit this data to you by the August 1, 1991 date set forth in your correspondence.

This is to confirm your response to my request for an extension of the August 1, 1991 date. You indicated that this deadline was very preliminary in nature and can be exceeded without formal approval. Additionally, you informed me that an additional notification would be delivered by the Department of Water Resources prior to the completion of the Director's sub-basin report. This second notification will request the same information concerning documentation. You indicated that this second notice will not be sent out for at least 60-days and

**MICROFILMED**

**SEP 30 1992**

Ms. Jan Shurte  
July 16, 1991  
Page 2

perhaps longer. Consequently, you indicated that in reality a 60 to 90-day extension of time from the August 1, 1991 date existed.

I indicated to you during our conversation that I would confirm this information in a letter to you so that the files would properly reflect my response on behalf of Richard Owen to your correspondence of July 1, 1991. This letter also indicates our intent to provide you with the information requested in your correspondence prior to issuance of the second notice letter referred to by you.

Please contact me if you have any questions, or if you disagree with my description of the content of our conversation.

Very truly yours,

ELAM, BURKE AND BOYD

  
Scott L. Campbell

SLC:jm

cc: Richard L. Owen  
Scott Benowitz

MICROFILMED

SEP 30 1992



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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

July 1, 1991

CECIL D. ANDRUS

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

GOVERNOR

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

04011, 10221, 10222,

R. KEITH HIGGINSON

10223, 10224, 10225,

DIRECTOR

Dear Claimant(s):

10226, 10227, 10228

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

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

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

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

Sincerely,

Jan Shurte  
Water Rights Supervisor  
Adjudication Section

JS:lh  
Enclosures

MICROFILMED

SEP 30 1992



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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

February 15, 1991

CECIL D. ANDRUS

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

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Ref: Adjudication Claims

Dear Mr. Owen:

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

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

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

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

S U M M A R Y

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

Truly yours,

Ron Howerton  
Sr. Water Resource Agent

Attachments: A

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

CLAIM NO.

MODIFICATION

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

A51-00034-----These claims are split into A & B

A51-00035 "A" Claims for Richard L. Owen

A51-00036 "B" Claims for State of Idaho

A51-00068 (Department of Fish and Game)

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

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

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

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

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

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

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

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

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

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



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 14, 1990

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

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

Dear Mr. <sup>Scott</sup> Campbell:

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

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

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

Yours truly,

David B. Shaw  
Adjudication Bureau Chief

DBS;dms

OWEN RANCHES  
Snake River Basin Adjudication

Notice of Claim to Water Right:

| <u>Number</u>         | <u>Priority Date</u> |
|-----------------------|----------------------|
| A51-00002             |                      |
| A51-00003             |                      |
| A51-00004 - A51-10350 |                      |
| A51-00005             |                      |
| A51-00006             |                      |
| A51-00007             |                      |
| A51-00008             |                      |
| A51-00012             |                      |
| A51-00013             |                      |
| A51-00014             |                      |
| A51-00015             |                      |
| A51-00031             |                      |
| A51-00032             |                      |
| A51-00033             |                      |
| A51-00034             |                      |
| A51-00034A            |                      |
| A51-00035             |                      |
| A51-00035A            |                      |
| A51-00036             |                      |
| A51-00036A            |                      |
| A51-00039             |                      |
| A51-00068             |                      |
| A51-00068A            |                      |
| A51-00069             |                      |
| A51-00071             |                      |
| A51-00072             |                      |
| A51-00073             |                      |
| A51-00074             |                      |
| A51-02044A            |                      |
| A51-02044B            |                      |
| A51-02089B            |                      |
| A51-02091             |                      |
| A51-02108             |                      |
| A51-02120             |                      |
| A51-02123             |                      |
| A51-02126             |                      |
| A51-02127             |                      |
| A51-02133             |                      |
| A51-02138             |                      |
| A51-02150             |                      |
| A51-02152             |                      |
| A51-02165             |                      |
| A51-02167             |                      |

ELAM, BURKE AND BOYD  
ATTORNEYS AND COUNSELORS AT LAW

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

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

January 10, 1991

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

RECEIVED  
JAN 11 1991

Department of Water Resources

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

Dear Mr. Shaw:

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

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

Very truly yours,

*Teresa E. Teevan*

Teresa E. Teevan  
Legal Assistant

**ELAM, BURKE AND BOYD**  
ATTORNEYS AND COUNSELORS AT LAW

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

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

SCOTT L. CAMPBELL

January 8, 1991

**RECEIVED**  
JAN 09 1991

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

Department of Water Resources

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

Dear David:

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

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

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

Mr. David Shaw  
January 8, 1991  
Page 2

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

Thank you for your assistance in this matter.

Very truly yours,

ELAM, BURKE AND BOYD

  
Scott L. Campbell

SLC:jm  
Enclosure

cc: Mr. and Mrs. Richard L. Owen

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

**Basin 51:**

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

**Basin 55:**

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

Basin 65:

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