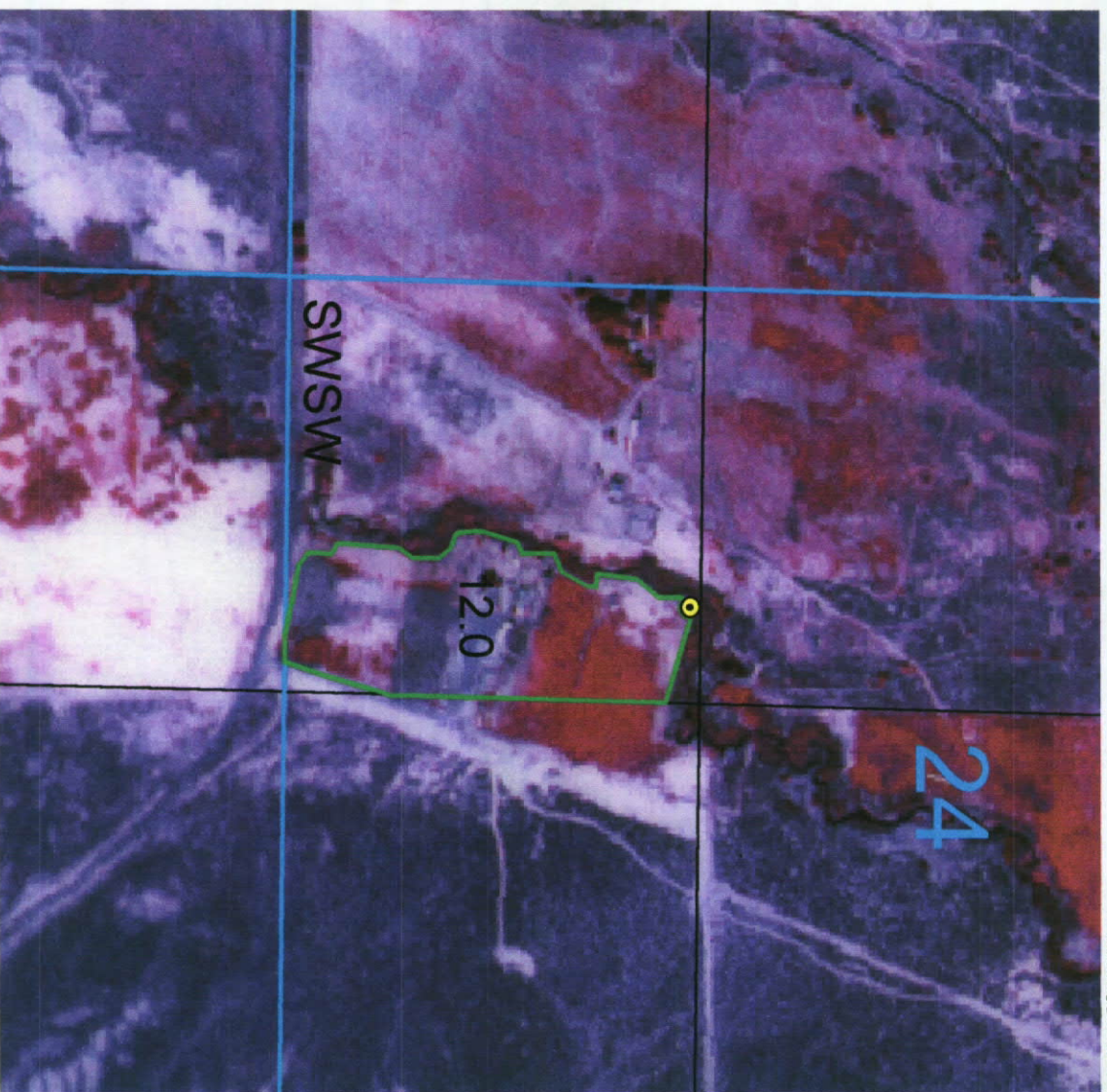
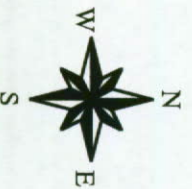


Idaho Department of Water Resources

Claim Number: 57-00106A
Legal: T04S, R01E, S24
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



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: A57-00106A
Date Received: 2/24/1989
Receipt No: W002300
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GISELA SCHAAL
Address: PO BOX 201
GRANDVIEW ID 83624
2. Date of Priority: JUN 1, 1887
3. Source: CASTLE CR. Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	01E	24	SW	SW			OWYHEE

5. Description of diverting works:
RK DAM, HOLDING POND, PUMP, MAINLINE & HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.280		
STOCKWATER	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 49.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME;S/200 HD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	24	SW	SW		IRR	14.0
			SW	SW		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	24	SW	SW		DOMEST	
Section Acres							14.0
Total Acres							14.0

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:
A57-00097A

14. Remarks:

THIS CLAIM IS FOR A PORTION OF THE LANDS DECREED ON CASTLE CREEK.
CHANGE OF OWNERSHIP MADE PER CHANGE OF OWNERSHIP REC'D 4-22-92 JS
OWNERSHIP CHANGED PER CHANGE OF OWNERSHIP REC'D 1/4/96. LH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 5/15/1923

JAMES L. DAVEY
Decree Plaintiff

GEORGE F. BROWN, ET AL
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

NOV 03 2000

Department of Water Resources 08/29/2000

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

RIGHT NUMBER: 57-106A

NAME AND ADDRESS: GISELA SCHAAL
HC 79 BOX 2287
MURPHY, ID 83650

SOURCE: CASTLE CREEK TRIBUTARY: Snake River

QUANTITY: 0.09 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.USE OF THIS RIGHT WITH RIGHT NOS. 57-00097A, 57-00237A AND
02-07274B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.24
CFS

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION: T04S R01E S24 NESWS Within Owyhee County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-15	0.09 CFS
STOCKWATER	4-01 10-15	0.05 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN
AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT

PLACE OF USE:

IRRIGATION Within Owyhee County
T04S R01E S24 SWSW 12
12 ACRES TOTALUSE OF THIS RIGHT WITH RIGHT NOS. 57-00097A, 57-00237A AND
02-07274B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
14 ACRES IN A SINGLE IRRIGATION SEASON

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF DIVERSION IN THE SWSW, S24, T04S, R01E, ONLY THE AMOUNT OF WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S26, T04S, R01E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE MAINTAINED IN CASTLE CREEK AT THE OLD POINT OF DIVERSION AND IN THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER TO WHICH THE RIGHT HOLDER IS ENTITLED

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00097A, 57-00098A, 57-00107A, 57-00129, 57-00137, 57-00151A, 57-00153, 57-00160B, 57-00236 AND 57-00237A

STOCKWATER, 200 HD RANGE CATTLE

RECEIVED

RECEIVED

NOV 03 2000

AUG 14 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

July 18, 2000

DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTORGisela Schaal
HC 79 Box 2287
Murphy ID 83650

Re: Snake River Basin Adjudication (SRBA)
 Water Rights #A02-02261D, A02-07274B, A02-07281, 57-00097A, 57-00098A,
 57-00106A, 57-00107A, 57-00129, 57-00137, 57-00151A, 57-00153,
 57-00160B, 5700236, 57-00237A, and 57-10451*
Change of Address

Dear Claimant:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by August 11, 2000. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
 Sally Sherman
 Technical Records Specialist
 Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Gisela Schaal
 Claimant Signature

208-834-3099

Telephone No.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098**

Return Service Requested

Date: 10/10/2000
 Time: 10:10
 From: [redacted]
 To: [redacted]
 Subject: [redacted]
 Do not remove this

**PRESORTED
FIRST CLASS**

GISELA SCHAAL
PO BOX 201

RECEIVED
JAN 11 1999

HK 79 Box 3387
Murphy, I. 183650

57-00097A	57-00098A	57-00106A	57-00107A	57-00129A	57-00137A	57-00151A	57-00153A	57-00160B	57-00236A
57-00237A	57-10451A	A02-02261D	A02-07274B	A02-07281A	R57-00097A	R57-00098A	R57-00105A	R57-00107A	R57-00129A
R57-00437	R57-00454A	R57-00453	R57-00469A	R57-00236A	R57-00237A	R57-10451A	R57-00105A	R57-00107A	R57-00129A

TOTAL RECORDS IN SELECTION FILE: 27

[illegible][illegible]

RECEIVED

DEC - 1 1997

Department of Water Resources
Adjudication Bureau

1997 NOV 25 PM 4:38

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)
ORDER OF PARTIAL DECREE
For Water Right 57-00106A

On August 19, 1997, 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 57-00106A is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 25, 1997.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

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 57-00106A

1997 NOV 25 PM 4:33
DISTRICT COURT-5th JUDICIAL DISTRICT
TWIN FALLS CO. IDAHO
FILED

NAME & ADDRESS: GISELA SCHAAL
PO BOX 201
GRANDVIEW ID 83624

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.09 CFS

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

USE OF THIS RIGHT WITH RIGHT NOS. 57-00097A, 57-00237A AND
02-07274B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.24
CFS.

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION: T04S R01E S24 NESWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.09 CFS
	STOCKWATER	04-01 10-15	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T04S R01E S24 SWSW 12
12 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00097A, 57-00237A AND
02-07274B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14
ACRES IN A SINGLE IRRIGATION SEASON.

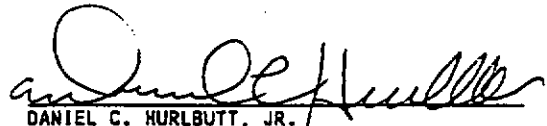
Place of use for STOCKWATER is same as IRRIGATION

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

THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF
DIVERSION IN THE SWSW, S24, T04S, R01E, ONLY THE AMOUNT OF
WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S26,
T04S, R01E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE
MAINTAINED IN CASTLE CREEK AT THE OLD POINT OF DIVERSION AND IN
THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE
IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER
TO WHICH THE RIGHT HOLDER IS ENTITLED.

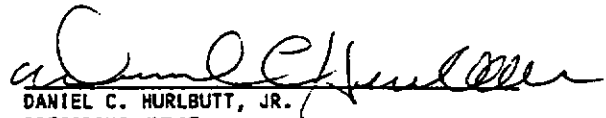
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED
AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN
02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE
DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF
THIS RIGHT AND THE BASIN 02 RIGHTS.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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AUG 2 1997

Department of Water Resources
Adjudication Bureau

1997 AUG 19 AM 9:24

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED SL

**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	)	Subcase 57-00106A
	)	
Case No. 39576	)	SPECIAL MASTER'S REPORT
	)	

FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990) by Gisela Schaal. The director of the State of Idaho Department of Water Resources examined the water system for areas 1, 2, and 3 and investigated and abstracted the notices of claims for those Reporting Areas. The Director of the Idaho Department of Water Resources then filed a *Director's Report* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 57-00106A was filed by United States (BLM). Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court.

A *Preliminary Special Master's Report and Recommendation* for this right was issued. No motion to alter or amend was filed and the time for filing such motions has now expired; therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-00106A be decreed as recommended in the attached *Special Master's Report and Recommendation for Partial Decree*.

DATED August 19, 1997.


FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

SPECIAL MASTER'S REPORT

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

1997 AUG 19 AM 9:24

In Re SRBA
Case No. 39576

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-00106A
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *[Signature]*

NAME & ADDRESS: GISELA SCHAAL
PO BOX 201
GRANDVIEW ID 83624

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.09 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NOS. 57-00097A, 57-00237A AND
02-072748 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.24
CFS.

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION: T04S R01E S24 NESWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.09 CFS
	STOCKWATER	04-01 10-15	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T04S R01E S24 SWSW 12
12 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00097A, 57-00237A AND
02-072748 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14
ACRES IN A SINGLE IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

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

THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF
DIVERSION IN THE SWSW, S24, T04S, R01E, ONLY THE AMOUNT OF
WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S26,
T04S, R01E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE
MAINTAINED IN CASTLE CREEK AT THE OLD POINT OF DIVERSION AND IN
THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE
IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER
TO WHICH THE RIGHT HOLDER IS ENTITLED.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED
AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN
02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE
DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF
THIS RIGHT AND THE BASIN 02 RIGHTS.

DATED: 8/19/97

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-00106A

[Signature]
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

PAGE 1
JUN-25-1997

1997 AUG 19 AM 9: 24

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)
_____)

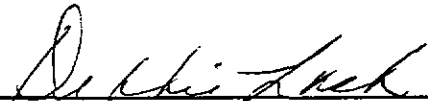
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-00106A

On August 19, 1997, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

Pursuant to SRBA Administrative Order 1, Section 14b, any party to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S REPORT AND RECOMMENDATION within 21 days following the date of publication of the filing of the Special Master's report in the Docket Sheet except parties to the subcase who failed to file a Motion to Alter or Amend before the Special Master (AO1, Section 9f). The Notice of Challenge shall appear on the Docket Sheet and shall be served on parties to the subcase(s) covered by the challenged report and the SRBA Court Reporter.

DATED August 19, 1997.


DEBBIE LASH
Deputy Clerk

1997 AUG 19 AM 9:24

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *AK*

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): 57-00106A

CERTIFICATE OF MAILING

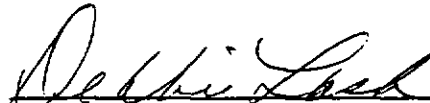
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on August 19, 1997, with sufficient first-class postage prepaid to the following:

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

U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449

GISELA SCHAAL
P.O. BOX 201
GRAND VIEW, ID 83624


DEBBIE LASH

CERTIFICATE OF MAILING

PAGE 1
08/19/97

RECEIVED

JUL 10 1997

Department of Water Resources
Adjudication Bureau

1997 JUL -9 PM 2:22

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED DL

**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

) Subcase 57-00106A

Case No. 39576

)
) PRELIMINARY SPECIAL
) MASTER'S REPORT
)

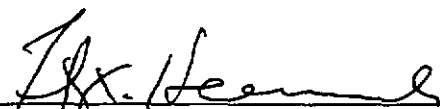
FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990) by Gisela Schaal. The director of the State of Idaho Department of Water Resources examined the water system for areas 1, 2, and 3 and investigated and abstracted the notices of claims for those Reporting Areas. The Director of the Idaho Department of Water Resources then filed a *Director's Report* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 57-00106A was filed by United States (BLM). Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court; now therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-00106A be decreed as recommended in the attached *Preliminary Special Master's Report and Recommendation for Partial Decree*.

DATED July 9, 1997.


FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

PRELIMINARY SPECIAL MASTER'S REPORT

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)
_____)

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-00106A

1997 JUL -9 PM 2:22
DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO
FILED *DL*

NAME & ADDRESS: GISELA SCHAAL
PO BOX 201
GRANDVIEW ID 83624

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.09 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NOS. 57-00097A, 57-00237A AND
02-072748 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.24
CFS.

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION: T04S R01E S24 NESWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	0.09 CFS
STOCKWATER		04-01 10-15	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T04S R01E S24 SWSW 12
12 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00097A, 57-00237A AND
02-072748 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14
ACRES IN A SINGLE IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

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

THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF
DIVERSION IN THE SWSW, S24, T04S, R01E, ONLY THE AMOUNT OF
WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S26,
T04S, R01E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE
MAINTAINED IN CASTLE CREEK AT THE OLD POINT OF DIVERSION AND IN
THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE
IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER
TO WHICH THE RIGHT HOLDER IS ENTITLED.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED
AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN
02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE
DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF
THIS RIGHT AND THE BASIN 02 RIGHTS.

DATED: 7/9/97

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-00106A

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

PAGE 1
JUN-25-1997

1997 JUL -9 PM 2:22

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)
)
_____)

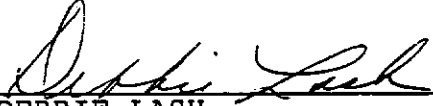
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-00106A

On July 09, 1997, Special Master FRITZ X HAEMMERLE
lodged a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY
SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative
Order 1 section 9 (f).

These documents are served only on parties to the subcase.
They are not served on the Presiding Judge. Parties to this subcase
may file a Motion to Alter or Amend with the Special Master, but
must do so before July 23, 1997.

DATED July 09, 1997.


DEBBIE LASH
Deputy Clerk

1997 JUL -9 PM 2: 22

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED AX

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)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 57-00106A

CERTIFICATE OF MAILING

I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on July 09, 1997, with sufficient first-class postage prepaid to the following:

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

U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449

GISELA SCHAAL
P.O. BOX 201
GRAND VIEW, ID 83624


DEBBIE LASH

CERTIFICATE OF MAILING

PAGE 1
07/09/97

RECEIVED

JUN 11 1997

Department of Water Resources
Adjudication Bureau

**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**

STANDARD FORM 5

SUBCASE NO: 57-00106A

**PROPOSED ELEMENTS OF A
WATER RIGHT**

This form is used to report the proposed elements of one federal reserved water right or one water right acquired under state law. Submission of this form will not result in the automatic 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; and they have been served with sufficient process, according to the law, and have appeared, prosecuted and defended their positions with regard to this water right dispute.

INSTRUCTIONS FOR USE

A copy of this water right as recommended in the director's report shall be submitted with this form. A statement shall accompany each element of a water right.

Elements where there has been no objection should be listed exactly as they appear in the director's report. The statement as to an uncontested element shall state "as recommended in the director's report."

Contested elements that are the result of an objection filed with the court shall be accompanied by a statement fully describing all facts, documents, expert opinions and law which support the element of the water right (attach additional pages if necessary).

1. The name and address of the claimant is:

~~Gisela~~

~~Gisela~~ Schaal

P.O. Box 201

Grand View, ID 83624

Required Statement: IDWR and the parties stipulate that this is the correct description of the name and address of the claimant.

2. The source of water is: Castle Creek, Tributary to Snake River

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

3. The quantity of water used in cubic feet per second or the quantity of water stored in acre-feet per year is:

.09 CFS

Use of this right with right numbers 57-00097A, 57-00237A and 02-07274B is limited to a total combined diversion rate of 0.24 CFS.

The quantity of water for stockwater use under this right shall not exceed 13,000 gallons per day.

Required Statement: IDWR and the parties stipulate that this is the correct description of the quantity of water used.

4. The priority date is: 04/01/1887

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

5. The legal description of point(s) of diversion is; if the claim is for an instream flow, then a legal description of the beginning and ending points of the claimed instream flow:

T04S R01E S24 NESWSW

The right holder is entitled to divert at the present point of diversion in the SWSW, S. 24, T. 4S, R. 1E, only the amount of water at the old point of diversion located in the SESW, S. 26, T. 4S, R. 1E, less a 20 percent loss. Measuring devices shall be maintained in Castle Creek at the old point of diversion and in the ditch at the present point of diversion. Water will not be impounded at the present point of diversion if there is not water to which the right holder is entitled.

Required Statement: IDWR and the parties stipulate that this is the correct description of the point of diversion.

6. The purpose of use is: Irrigation, Stockwater

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

7. The period of year when the water is to be used is:

Irrigation	Irrigation Season	.09 CFS
Stockwater	Irrigation Season	.05 CFS
Total Quantity:		.09 CFS

Required Statement: IDWR and the parties stipulate that this is the correct description of the period of year when the water is to be used.

8. The legal description of the place of use or of the reservation is:

T04S R01E S24 SWSW 12.0

12.0 Acres Total

All POU's are located in Owyhee County.

Use of this right with right numbers 57-00097A, 57-00237A and 02-07274B is limited to the irrigation of a combined total of 12 acres in a single irrigation season.

Required Statement: IDWR and the parties stipulate that this is the correct description of the place of use.

9. The annual volume of consumptive use is:

Use of this right with right numbers 57-00097A, 57-00237A and 02-07274B is limited to a total combined annual consumptive use volume of 42.0 AF.

Required Statement: IDWR and the parties stipulate that this is the correct description of the annual volume of consumptive use.

10. Other matters necessary to define this water right:

Explanatory Material: Basis of Claim - Decree

Right includes accomplished change in point of diversion pursuant to Idaho code 42-1425A.

Rights have also been claimed to water from Basin 02 for the same purpose of use at the same place of use described above, which will be included in a director's report to be filed as a later date. Any water right recommended in the Basin 02 report for the same purpose of use at the same place of use described above will contain remarks limiting the combined use of this right and the Basin 02 rights.

The following rights are also diverted through point of diversion described above: 57-00097A, 57-00098A, 57-00107A, 57-00129, 57-00137, 57-00151A, 57-00153, 57-00160B, 57-00236 and 57-00237A.

The quantity of water decreed for stockwater purposes is not a determination of historical or beneficial use.

If IDWR has not concurred by signing below, signing parties certify that they have served a copy of this document on the Idaho Department of Water Resources and have made a good faith attempt to obtain IDWR's concurrence, but have failed.

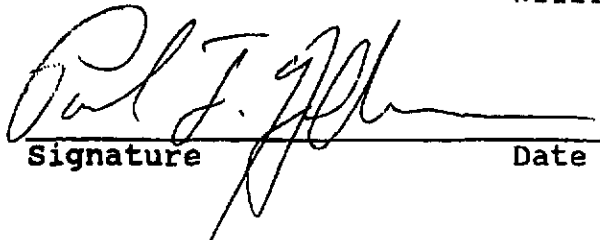
Signature and Address of Parties and their Attorney of Record
(attach additional page if necessary)

I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

Name of Objector:

United States through
Department of Justice for BLM
601 Pennsylvania Ave., NW
Washington, DC 20004

Attorneys of Record: R. Lee Leininger/Paul F. Holleman/
William Ferry

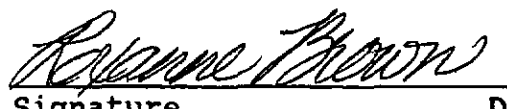
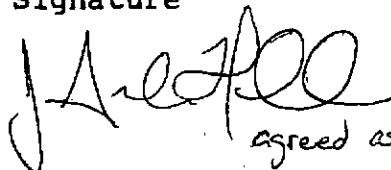

Signature _____ Date 6/10/97

Name of Claimant:

Gisla Schaal
P.O. Box 201
Grand View, ID 83624


Gisla Schaal _____ Date June 10-97
Gisela

IDWR Concurrence:


Signature _____ Date 6/10/97

agreed as to form

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on June 10, 1997, I served the original and copies of this form, including all attachments, to the following persons by hand delivery:

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:

Department of Justice
C/O Boise Adjudication Team
550 West Fort Street
MSC 033
Boise, Idaho 83724

Gisela Schaal
P.O. Box 201
Grandview, ID 83624

Chief
Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

Idaho Department of Water
Resources
1301 N. Orchard St.
Boise, ID 83706

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Paula Clinedinst
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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 5, 1996

GISELA SCHAAL
PO BOX 201
GRANDVIEW ID 83624

RE: Water rights as recommended to the Snake River Basin Adjudication (SRBA)
court
57-00097A, 57-00098A, 57-00106A, 57-00107A, 57-00129, 57-00137
57-00151A, 57-00153, 57-00160B, 57-00236, 57-00237A, 57-10451

Dear Ms. Schaal:

Enclosed please find reports which summarize your water rights as recommended to the SRBA court. The source of most of these water rights is Castle Creek, and one right from ground water for domestic and stockwater use (57-10451).

When this office changed the ownership of the water right claims to your name we sent an acknowledgement letter to you along with copies of the SRBA claims as originally filed with this office. The enclosed reports are for your information; you may want to compare the reports to the original claim.

If you have any questions about the enclosed reports please do not hesitate to contact this office. Information about water rights from the Snake River which are recorded as being appurtenant to your property has been sent under a separate cover. Please refer questions about rights from the Snake River to Cindy Hodges of this office.

Sincerely,

Maria Minicucci
Sr. Water Agent, Adjudication Bureau

MM:m

Enc: Profile reports for recommended water right claims as listed above

MICROFILMED
SEP 25 1996

ADJUDICATION MEMORANDUM

CLAIM NO.: ^{A02-07281}
A02-02261D, A02-07274B
⁰²⁻⁰⁷²⁸¹
 EMPLOYEE: DTTINICUCCI ^{02-07294B}

SUBJECT: Change of Ownership
 DATE: 02/28/1996

Gisela Schaal called this office regarding the letter she received telling her about the change in ownership to her for the above SRBA claims plus some basin 57 claims. She wasn't sure what the letter was saying and we ~~reviewed~~ discussed the differences between a basin 57 claim and what may have been recommended to the court. She indicated that she will review the claims versus what was recommended and call this office or the court if she has any questions. At the time I didn't know if she had been sent copies of the claims or the recommended rights and I said I would call her back. ~~So~~ When I did call back I left a message on her answering machine.

We also discussed the claims to water from the Snake River. Mrs. Schaal indicated that she had no knowledge of water being pumped from the Snake River. Her property is over a mile from the Snake & she thought it very impractical to pump water that distance. She said she knew the property ~~for~~ very well and has never seen any conveyance system from the Snake and had no intention of using Snake River water in the future.

cc: A57-00097A, A57-00098A, A57-00106A, A57-00107A, A57-00129

A57-00137, A57-00151A, A57-00153, A57-00160, A57-00236

A57-00237A, A57-10451

MICROFILMED
 SEP 25 1996

DATE: 02/05/96
PAGE: 1

MICROFILMED
SEP 25 1996

AJ0749NP
No. 57-00106A

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

DATE: 02/05/96
PAGE: 2

Remarks:

THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE
IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER
TO WHICH THE RIGHT HOLDER IS ENTITLED.
RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME
PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH
WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER
DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE
WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND
THE BASIN 02 RIGHTS.

Dates: Exam Made Date: 10/18/1990 Verified Date:

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

Comments: Date: 05/18/1992 User-ID: SHURTE Subject: OWNERSHIP CHANGED PER FORM REC'D 4-22-92. JS

Date: 01/16/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.

*CONFORMED NAME/ADDRESS TO AVOID DUPLICATE MAILING LABELS

Date: 02/05/1996 User-ID: LHARRIS Subject: NAME CHANGE
NAME CHANGED PER NOTICE OF OWNERSHIP CHANGE RECEIVED 1/4/96.

Audit: 02/05/96 LHARRIS

MICROFILMED
SEP 25 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 5, 1996

Re: Notices of Claim to a Water Right Nos. A02-02261D, A02-07274B,
A02-07281, A57-00097A, A57-00098A, A57-00106A, A57-00107A,
A57-00129, A57-00137, A57-00151A, A57-00153, A57-00160, A57-00236,
A57-00237A, A57-10451

Gisela Schaal
P.O. Box 201
Grandview, ID 83624

Dear Claimant:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

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

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1
Enclosure

MICROFILMED

SEP 23 1996

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.

in case follow-up is needed.

Tom Nicholson

57-00097A

57-00106A

57-00237A

2. SUBJECT OF INQUIRY: Mr. Nicholson spoke to me by telephone. He had received copies of objections filed on the above rights by BLM and wanted to know if he is required to file a response.

3. RESPONSE TO INQUIRY: I told Mr. Nicholson that IDWR is required to file a response, but that we will represent our Agency. If he wishes to file in his own best interest, he may but is not required to file a response.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

Roxanne McCarthy
Roxanne McCarthy

3-8-93
March 8, 1993

as above

MICROFILMED

SEP 25 1996

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 the Rights to the Use of Water)
from the Snake River Basin)
Water System)
_____)

Case No. 57-00106A -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

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

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

MICROFILMED

JUL 20 1994

The director proposes no changes to the description of this claim in the Director's Report.

CHANGES TO THE DIRECTOR'S REPORT

In response to Statement of the Objection item 11 and all allegations of the objection regarding this item, IDWR responds as follows:
IDWR lacks sufficient information to form a belief as to whether any or all of the lands upon which water is diverted, conveyed, or used pursuant to this right are owned by the United States. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

REASONS SUPPORTING EACH BOX CHECKED

11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.

II. STATEMENT OF THE RESPONSE

2. Person who filed objection:
Name: US BUREAU OF LAND MANAGEMENT
Address: IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706-2544
3. If this response is filed by an attorney:
Attorney Name(s): DANIEL L. STECKEL
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

	No. of Pages
Notice of Claim No. A57-00106A	7

(Over)

MICROFILMED

JUL 20 1994

VERIFICATION (Must be Completed)

State of IDAHO
County of ADA

Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Signature of person filing response

By:

(Attorney signing in

representative capacity)

Subscribed and sworn to before me this 23rd day of June, 1993.

Notary Public for Idaho

Residing at: Boise

My Commission expires: 11-14-1998

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of June, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

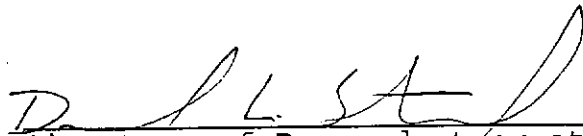
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Name: DAVID L PUTNAM
Address: THOMAS T NICHOLSON
DIANE RAE NICHOLSON
10330 W STARDUST DR
BOISE ID 83709

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: US DEPT OF JUSTICE
Address: ENVT & NAT RESOURCES DIV
K JACK HAUGRUD & DARIA J ZANE
550 W FORT ST BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

MICROFILMED

JUL 20 1994

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

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

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

Respondents.

Case No. 57-00106A
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

JUL 20 1993

By filling an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: United States of America
Bureau of Land Management
U.S. Department of the Interior
Idaho State Office
Address: 3380 Americana Terrace
Boise, Idaho 83706

Briefly describe your interest in this water right:
The United States, through the Bureau of Land
Management (BLM), is the owner of the land
upon which this water right is claimed, and
claimant does not have a valid water right.

2. Owner of the water right:

Name: Claimant: David L. Putnam
Thomas T. Nicholson
Diane Rae Nicholson
Address: 10330 W. Stardust Dr.
Boise, Idaho 83709

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice
550 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: (202) 272-8351

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☒ Remarks: I object to the "remarks" listed with the water right.

MICROFILMED

JUL 20 1994

(Over)

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

The Director's Report should be changed to recommend disallowance of this claim.

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

CHANGES TO THE DIRECTOR'S REPORT

and water source.
that other members of the public have had access to this land has not been the exclusive beneficial user of this water given objects to the recommendation in its entirety because claimant period of use, place of use, and consumptive use. BLM also quantity, priority date, points of diversion, purpose of use, facts, including the recommended name and address, source, States objects to all aspects of the right because of these water right appurtenant to federally owned lands. The United no property interest in the claimed water right or any other the beneficial use of the American public. The claimant has United States, has managed and controlled this property for right on public domain lands. The BLM, on behalf of the because the claimant is a private individual claiming a water Land Management, objects to this water right recommendation The United States of America, acting through the Bureau of necessary.

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

REASONS SUPPORTING EACH BOX CHECKED

14. ☐ Other: I object to:
13. ☐ Description of Reservation: I object to the legal description of the reservation.
12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.

☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. _____

VERIFICATION (Must be Completed)

State of Idaho

County of Ada

J. DAVID BRUNNER, BOISE DISTRICT MANAGER, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

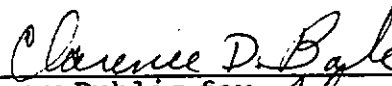
That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 23 day of February,
1993.


Notary Public for Ada County
Residing at: Boise Idaho
My Commission Expires: April 26, 1997

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of February, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct 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. One copy to the owner of the water right, and you must fill in the following information:

Owner name:

David L. Putnam

Thomas T. Nicholson

Diane Rae Nicholson

Owner's Address:

10330 W. Stardust Dr.

Boise, Idaho 83709

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 4449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

[Signature]
Signature of objector or attorney
mailing on objector's behalf

POOR ORIGINAL

CLAIM NUMBER 5700106A

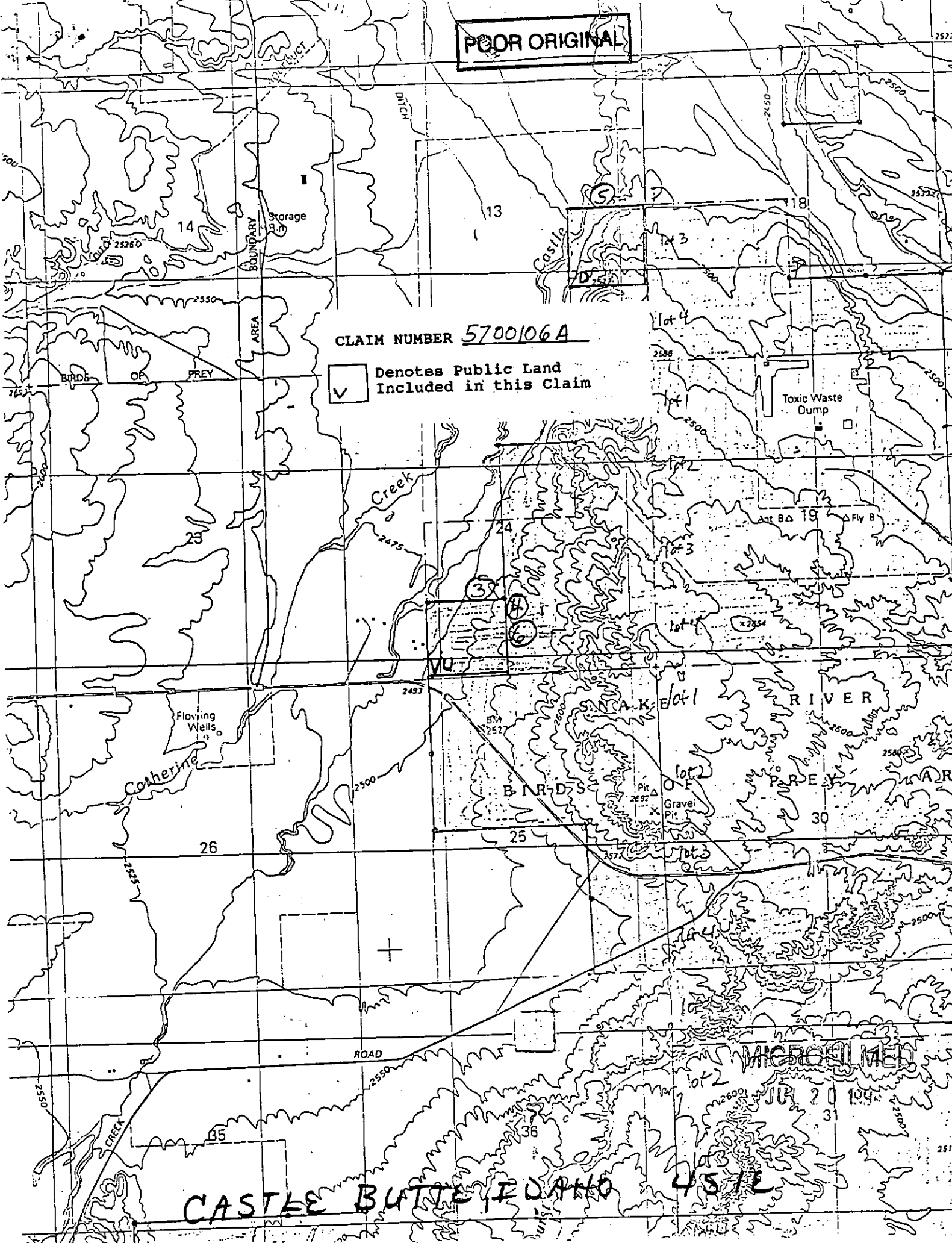
☒ Denotes Public Land
Included in this Claim

CASTLE BUTTE RUANO 4512

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JR 20 194

31



Remarks:

DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE
WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND
THE BASIN 02 RIGHTS.

Dates:

Exam Made Date: 10/18/1990 Verified Date:

Misc:

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

Comments:

Date: 05/18/1992 User-ID: SHURTE Subject: OWNERSHIP CHANGED PER FORM REC'D 4-22-92. JS

Audit:

08/01/91 WHITNEY 09/30/91 HARRIS 12/03/91 SHURTE 05/18/92 SHURTE
06/04/92 SHURTE 07/29/92 PR-PRODM 07/29/92 PR-PRODM 10/13/92 CP SHAW
12/05/92 ADT-SHAW

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JUL 20 1993

AJ0729NP
No. R57-00106A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/19/92
PAGE: 2

Remarks:

DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE
WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND
THE BASIN 02 RIGHTS.

Dates:

Exam Made Date: 10/18/1990 Verified Date:

Misc:

Water District Number:

Field Inspection Flag: C
Presumption Flag:

Audit:

08/01/91 WHITNEY 09/30/91 HARRIS 12/03/91 SHURTE 05/18/92 SHURTE
06/04/92 SHURTE 07/29/92 PR-PROD 07/29/92 PR-PROD

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OCT 07 1992

17:14:19
12/02/91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-00106A

LAST: PETROLEUM COMPANY INC.
ADDRESS: C/O RUSSELL FOX
P.O. BOX 592
CITY: SANTA PAULA
PHONE NUMBER: 805-525-2144

FIRST:

STATE: CA ZIP: 93060

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE Y FIELD EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THIS CLAIM IS FOR A PORTION OF THE LANDS DECREED ON CASTLE CREEK. - delete

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER: () - -
DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE: Y() N() TIME: ____:____ A() P()
ACCOMPANIED BY: _____ PHONE NUMBER: () - -
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / REMARKS:

See memo in 57-00098A.

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OCT 07 1992

A. AJ CLAIM: # A57-00106A PRIORITY DATE: 06-01-1987 STAGE: D

B. WR RECORD: # 57-00106 PRIORITY DATE: 06-01-1987 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

N

FIELD

EXAMINER

NO

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

REMARKS:

Decreed priority was 1987 with no month
or day - arbitrarily picked June 1 when
filing claims. Have now decided to make
all Cattle Co. Decreed its. w/o a month
& day show the beginning day of the Decreed
season of use - April 1, 1987.

RECOMMENDED PRIORITY DATE: 4-1-1987

06-01-1987

REVIEWED BY

DATE

12-3-91

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OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-00106A	D4S	01E	24		SW	SW		ONYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX	WR RECORDS IN SAME 40 ACRE TRACT
A57-00097A	NONE	
A57-00098A		57-00098A
A57-00107A		57-00107A
A57-00129		
A57-00137		
A57-00151A		
A57-00153		
A57-00160B		

SOURCE: CASTLE CR.

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

5700106 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

This right was orig. decreed with the p.d. in the SEW, J.26 & then transferred to the SubW J.24 along with all the Castle Creek rights when the transfer was on 000884 x 00107A was approved in 1977. This right was not mentioned in that transfer, however, the p.d. was moved & it was removed from the same p.d. as was orig. decreed much 000884 x 00107A. Therefore, per Dave Thaw & Lynne Hoag-Hamper we are putting the same transfer codulation as was attached to those rights in naming the old p.d. as the new p.d. since they're both the same.

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC.

1/4

1/4

1/4

LOT

COUNTY

AS 1E 2N

NE 1/4

NE 1/4

NONE

Dwyer

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

REVIEWED BY:

DATE:

12-3-91

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OCT 07 1992

A. ROOT WATER RIGHT NUMBERS: A57-00106A
R57-00106A

A57-10857

R57-10857

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	01E	24	SW	SW		PETROLEUM COMPANY INC.	A57-00106A /14.0	-	33.0	12	12
			SW	SW		COX, GLADYS J.	A57-00123 /20.0	-			
			SW	SW		COX, GLADYS J.	A57-00160A /20.0	-			
			SW	SW		COX, GLADYS J.	A57-00220 /20.0	-			
			SW	SW		COX, GLADYS J.	A57-02300 /20.0	57-02300 /25.0			
			SW	SW		COX, GLADYS J.	A57-02260 /20.0	57-02260 /25.0			
			SW	SW		COX, GLADYS J.	A57-02378 /20.0	-			
			SW	SW		PETROLEUM CONSTRUCTION INC.	A02-072748 /14.0	02-072748 /14.0			
			SW	SW		COX, GERALDINE	R57-00160A /17.0	-			
			SW	SW		COX, GLADYS J.	R57-002378 /17.0	-			
			SW	SW		COX, GERALDINE	R57-10855 /17.0	-			
			SW	SW		COX, GLADYS J.	R57-10859 /17.0	-			
			SW	SW		COX, GLADYS J.	A57-10859 /20.0	-			
			SW	SW		PETROLEUM COMPANY, INC.	A57-00237A /12.0	-			
			SW	SW		COX, GERALDINE	A57-10855 /20.0	-			
			SW	SW		PETROLEUM COMPANY INC.	R57-00097A /12.0	-			
			SW	SW		PETROLEUM COMPANY INC.	R57-00237A /12.0	-			
			SW	SW		PETROLEUM COMPANY INC.	A57-00097A /14.0	-			
			SW	SW		PETROLEUM COMPANY INC.	R57-00106A /12.0	-			
			SW	SW		HENDERSON, THOMAS D.	57-00097 /	57-00097 /			
			SW	SW		HENDERSON, THOMAS D.	57-00106 /	57-00106 /			
			SW	SW		HENDERSON, FRED D.	57-00237 /25.0	57-00237 /25.0			
			SW	SW		COX, WILLIAM E.	57-02259 /25.0	57-02259 /25.0			
04S	01E	24	SW	SW		PETROLEUM COMPANY INC.	A57-00106A /	-	33.0		
			SW	SW		COX, GLADYS J.	A57-00123 /20.0	-			
			SW	SW		COX, GLADYS J.	A57-00160A /20.0	-			
			SW	SW		COX, GLADYS J.	A57-00220 /20.0	-			
			SW	SW		COX, GLADYS J.	A57-02300 /20.0	57-02300 /25.0			
			SW	SW		COX, GLADYS J.	A57-02260 /20.0	57-02260 /25.0			
			SW	SW		COX, GLADYS J.	A57-002378 /20.0	-			
			SW	SW		PETROLEUM CONSTRUCTION INC.	A02-072748 /14.0	02-072748 /14.0			
			SW	SW		COX, GERALDINE	R57-00160A /17.0	-			
			SW	SW		COX, GLADYS J.	R57-002378 /17.0	-			
			SW	SW		COX, GERALDINE	R57-10855 /17.0	-			
			SW	SW		COX, GLADYS J.	R57-10859 /17.0	-			
			SW	SW		COX, GLADYS J.	A57-10859 /20.0	-			
			SW	SW		PETROLEUM COMPANY, INC.	A57-00237A /12.0	-			

other area covered under Gladys Cox etc.

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OCT 07 1992

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
SW	SW	SW	SW	SW	SW	COX, GERALDINE	A57-10855 /20.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY INC.	R57-00097A /12.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY, INC.	R57-00237A /12.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY INC.	A57-00097A /14.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY INC.	R57-00106A /12.0	-	/		
SW	SW	SW	SW	SW	SW	HENDERSON, THOMAS D.	57-00097 /	57-00097 /			
SW	SW	SW	SW	SW	SW	HENDERSON, THOMAS D.	57-00106 /	57-00106 /			
SW	SW	SW	SW	SW	SW	HENDERSON, FRED D.	57-00237 /25.0	57-00237 /25.0			
SW	SW	SW	SW	SW	SW	COX, WILLIAM E.	57-02259 /25.0	57-02259 /25.0			
04S	01E	24	SW	SW	SW	PETROLEUM COMPANY INC.	A57-00106A /	-	/	33.0	
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	A57-00123 /20.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	A57-00160A /20.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	A57-00220 /20.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	A57-02300 /20.0	57-02300 /25.0			
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	A57-02260 /20.0	57-02260 /25.0			
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	A57-00237B /20.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM CONSTRUCTION INC.	A02-07274B /14.0	02-07274B /14.0			
SW	SW	SW	SW	SW	SW	COX, GERALDINE	R57-00160A /17.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	R57-00237B /17.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GERALDINE	R57-10855 /17.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	R57-10859 /17.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	A57-10859 /20.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY, INC.	A57-00237A /12.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GERALDINE	A57-10855 /20.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY INC.	R57-00097A /12.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY, INC.	R57-00237A /12.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY INC.	A57-00097A /14.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY INC.	R57-00106A /12.0	-	/		
SW	SW	SW	SW	SW	SW	HENDERSON, THOMAS D.	57-00097 /	57-00097 /			
SW	SW	SW	SW	SW	SW	HENDERSON, THOMAS D.	57-00106 /	57-00106 /			
SW	SW	SW	SW	SW	SW	HENDERSON, FRED D.	57-00237 /25.0	57-00237 /25.0			
SW	SW	SW	SW	SW	SW	COX, WILLIAM E.	57-02259 /25.0	57-02259 /25.0			
TOTAL ACRES							A57-00106A	14.00	99.00	2 2	14 14 TOTAL

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(N) ☒ (N) ☐

IF YES SEE ATTACHED SHEET:

See FSW added in above

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y
FIELD EXAMINER *Y*

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OCT 07 1992

PRESUMPTION FLAG:

REMARKS:

See attached Memo dated 12-3-91 explaining the splits & rights covering the 14 acres & under this org. right number.

RECOMMENDATIONS:

TOTAL ACRES: 14REVIEWED BY: [Signature]DATE: 12-3-91

No change in place of use - only a correction concerning the 2 acres in the FESW - just fall over the 1/4 line.

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OCT 07 1992

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-00106A IRRIGATION	FROM 04-01 TO 10-15	.280 CFS
A57-00106A STOCKWATER	FROM 01-01 TO 12-31	.050 CFS
A57-00106A DOMESTIC	FROM 01-01 TO 12-31	.040 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.280 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-00106 IRRIGATION	FROM 04-01 TO 10-15	.700 CFS
57-00106 DOMESTIC	FROM TO	.700 CFS
57-00106 STOCKWATER	FROM TO	.700 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.700 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

☒ (X) N()

☐ () N() Explain in remarks, below.

REMARKS:

Decred season of use 4-1 to 10-15 as claimed.

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OCT 07 1992

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 0.280 CFS
 WR ROOT RIGHT TOTAL DIVERSION RATE: 0.700 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***

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

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

Y() N(X)

*split right
 by orig. right - see
 memo*

FLOW MEASUREMENT REQUIRED?

FIELD

DATABASE EXAMINER

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

NO

B.

FLOW MEASUREMENT

Theoretical
 MEASUREMENT METHOD *See 57-00097A for theoretical calculations*

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

OTHER RIGHTS LISTED IN CLAIM: A57-00097A, A57-00237A + 02-07274B.

LIST ALL RIGHTS WITH A SAME POJ AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-00106A	CASTLE CR.	PETROLEUM COMPANY INC.	0.280	0.020		
A02-07274B	SNAKE RIVER	PETROLEUM CONSTRUCTION INC.	0.270	0.019		
A57-00097A	CASTLE CR.	PETROLEUM COMPANY INC.	0.280	0.020		
R57-00097A	CASTLE CREEK	PETROLEUM COMPANY INC.	0.050	0.003		
R57-00106A	CASTLE CREEK	PETROLEUM COMPANY INC.	0.090	0.006		
A57-00123	CASTLE CREEK	COX, GLADYS J.	0.140	0.001		
R57-00160A	CASTLE CREEK	COX, GERALDINE	0.140			
A57-00160A	CASTLE CREEK	COX, GLADYS J.	0.140			
A57-00220	CASTLE CREEK	COX, GLADYS J.	1.040	0.004		
R57-00237A	CASTLE CREEK	PETROLEUM COMPANY, INC.	0.140	0.010		
A57-00237A	CASTLE CREEK	PETROLEUM COMPANY, INC.	0.140	0.010		
R57-00237B	CASTLE CREEK	COX, GLADYS J.	0.670	0.007		
A57-00237B	CASTLE CREEK	COX, GLADYS J.	1.500	0.006		
A57-02260	CASTLE CREEK	COX, GLADYS J.	0.530	0.004		
A57-02300	GROUNDWATER	COX, GLADYS J.	1.660	0.007		
A57-10855	CASTLE CREEK	COX, GERALDINE	0.500	0.002		
R57-10855	CASTLE CREEK	COX, GERALDINE	0.450	0.004		
A57-10859	CASTLE CREEK	COX, GLADYS J.	0.833	0.003		

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OCT 07 1992

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
R57-10859	CASTLE CREEK	COX, GLADYS J	0.740	0.008		

NO RIGHTS WITH SAME POB BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE 14 x 0.02 CFS/ACRE = 28 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 49.0 AF/A

ACRES 14 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =TOTAL CONSUMPTIVE USE 49 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A AF/AACRES x DIVERSION VOL. AF/A FOR AREA =TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

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

See next pg. for conditions & explanations

Theoretical shows ample water to cover all rights from Castle Creek can be diverted. See Memo attached for further info. on cfs rate recommended.

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OCT 07 1992

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	4-1 10-15	.09	N/A	49
		.09	N/A	49

TOTAL FOR THIS RIGHT

DATE: 12-3-91

REVIEWED BY:

Domestic use is covered under the 14 acres irrigation - no in-house use, only small area around sheds, included in the 14 acres total. Stockwater use is limited to 1/4" season per decree and is only being used in non-irrig. Uses for info. purposes since decree automatically covers stockwater, incidental to irrig. during the irrig. season.

COMMENTS/REMARKS

FOI - Limit div. rate since Castle Cr Rts. Combined with the Snake River Rts. total over 1" per acre. Castle Cr Rts = 14 inches & Snake R. Rts. = 13.5 inches, limit to 14" or .28 cfs saved on 14 acres total & cons. use for 14 acres total.

FILED
2001
2001
2001
1992

FOI - All Castle Cr. Rts. Divert from same p.d. - Dubu, J. 24.
FOI - P.S. change in 1977.
FOI - Partial forfeiture due to reduction of expenditures & decreed.
FOI - See memo attached for reasons on reduction.
FOI - Transfer condition - taken from approved transfer on 000884-0006A
Copies of transfer in

See back of the page.

THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF DIVERSION IN THE SWSW, S. 24, T. 4S, R. 1E, ONLY THE AMOUNT OF WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S. 26, T. 4S, R. 1E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE MAINTAINED IN CASTLE CK. AT THE OLD POINT OF DIVERSION AND IN THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER TO WHICH THE APPLICANT IS ENTITLED.

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP

FORFEIT/ABANDON

ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMEDNEEDS
REVIEW☒☐☐*reviewed & limited - see memo*

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-00106

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.180

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-00106A	0.280	R57-00106A	0.090	-	-
57-00094	A57-10857	0.480	R57-10857	0.480	57-00094	0.300
57-00103	A57-10857	0.480	R57-10857	0.480	57-00103	0.080
57-00113	A57-10857	0.480	R57-10857	0.480	57-00113	0.100
-	-	-	-	-	57-00106	0.700

TOTAL CFS

1.720

1.530

1.180

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
NFIELD
EXAMINER

NO

See memo of 12-3-91

REMARKS:

See attached memo.

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OCT 07 1992

AUTHENTICATION:

SIGNATURE:

Jan Thurnte

DATE:

12-3-91

NAME OF FIELD EXAMINER:

JAN THURTE

TITLE:

Wm. R. F. FURERSON

Map, pictures & system description all
filed in 57-00098A.

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12-2-91

TO: CLAIM FILE NO.'S 57-00097A, 57-00106A & 57-00237A

FROM: JAN SHURTE

SUBJECT: ATTACHED COPIES

THE ATTACHED DOCUMENTS SHOW THAT 130 ACRES WERE BEING IRRIGATED UNDER DECREED RIGHTS NO.'S 57-00097, 57-00106 & 57-00237 FOR THE PLACE OF USE DECREED IN 1923 - W1/2SW1/4, SEC. 24 & THE E1/2SE1/4, SEC. 23. RUSSELL FOX, PETROLEUM, INC. CLAIMED 14 ACRES IN THE SW1/4SW1/4, SEC. 24, ON A PORTION OF EACH OF THESE RIGHTS UNDER THE ABOVE CLAIM NO.'S. GLADYS COX ALSO CLAIMED THESE RIGHTS, HOWEVER, SHE CLAIMED THE ENTIRE RIGHT FOR EACH ONE, RATHER THAN A PORTION. THEREFORE, IT BECAME NECESSARY TO DETERMINE WHETHER THE ACRES CLAIMED IN THE SWSW, SEC. 24 BY PETRO. INC., WERE IN FACT A PART OF THESE OLD WATER RIGHTS WHEN THEY WERE DECREED IN 1923. THE DOCUMENTS ATTACHED ARE COPIES FROM RIGHT NO. 9895/57-02064 WHICH IS THE RIGHT 57-00237 WAS BASED ON IN THE DECREE. IN OTHER WORDS 57-02064 WAS SUPERCEDED BY 57-00237. THE DEPOSITION OF WITNESS COPIES SHOW THAT A TOTAL OF 130 ACRES WERE BEING IRRIGATED UNDER BOTH RIGHTS WHEN THE EXAM FOR 57-02064/57-00237 WAS DONE. 57-00097 & 57-00106 COVERED 55 ACRES AND THEN 57-02064/57-00237 COVERED THE REMAINING 75 ACRES. THESE DEPOSITIONS SHOW THAT RATHER THAN ONLY 75 ACRES BEING IRRIGATED OF WHICH THE 55 ACRES WITH EARLIER PRIORITY DATES WERE A PART OF, THERE WAS ACTUALLY A TOTAL OF 130 ACRES WITH 55 BEING EARLIER DATES THAN THE OTHER 75. THEN, THE COPY OF THE FIELD EXAM REPORT FOR 57-02064/57-00237 SHOWS THAT THE WATER WAS FLUMED ACROSS CASTLE CREEK TO THE EASTSIDE (WHICH IS WHERE PETRO'S 14 ACRES LIE) AND THE LAND ON THE EASTSIDE OF THE CREEK WAS IRRIGATED AS A PART OF THE 130 ACRES.

THEREFORE, PETRO IS ENTITLED TO CLAIM AND RECEIVE A PORTION OF EACH OF THESE 3 RIGHTS, AND THE CLAIMS FILED BY GLADYS COX SHOULD BE REDUCED ACCORDINGLY SO THAT SHE RECEIVES THE REMAINING PORTIONS OF EACH RIGHT FOR THE OTHER LANDS SHE IRRIGATES UNDER THESE RIGHTS. SINCE THE CASTLE CREEK DECREE WAS DECREED AT 1" PER ACRE IT IS FAIR TO PROPORTION THESE RIGHTS OUT AT 1" FOR THE ACRES PRESENTLY BEING IRRIGATED UNDER THE SAME PLACE OF USE - 14 FOR PETRO & 92 FOR GLADYS COX TOTALING 106 ACRES PRESENTLY IRRIGATED USING THE CFS DECREED. SEE NEXT PAGE FOR EXPLANATION OF PRO-RATED CFS ALLOWED, CLAIMED CFS AND CFS THAT IS BEING RECOMMENDED.

Document Copies are filed in 57-00097A

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RIGHT NO.	CFS DECREED	PRO-RATED CFS	CLAIMED CFS	RECOMMENDED CFS
57-00097	.40 CFS	.40 106		
57-00097A		.05 FOR 14AC	.28	.05
57-00097B		.35 FOR 92AC	.40	.35
57-00106	.70 CFS	.70 106	(UNDER 57-10855)	
57-00106A		.09 FOR 14AC	.28	.09
57-00106B		.61 FOR 92AC	.70	.61
57-00237	1.5 CFS	1.5 106	(UNDER 57-10859)	
57-00237A		.19 FOR 14AC	.14	.14
57-00237B		1.31 FOR 92AC	1.50	.67
TOTAL CFS RECOMMENDED FOR 14 ACRES UNDER A PORTIONS IS .28 CFS				
TOTAL CFS RECOMMENDED FOR 92 ACRES UNDER B PORTIONS IS 1.63 CFS				
NOTE: RIGHT NO.'S 57-10855 & 57-10859 ALSO INCLUDE .10 CFS OF 57-00098B AND .13 CFS OF 57-00107B. ALSO RIGHT NO. 57-00160A COVERS THE SAME 92 ACRES FOR A TOTAL OF .14 CFS. TOTAL CFS FOR THE 92 ACRES IS 2.0 CFS WITH .20 CFS FOR DITCH LOSS UNDER 57-00237B LEAVING 1.8 CFS FOR THE 92 ACRES.				

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Water Right Number - 57-00106

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***
HENDERSON

THOMAS D.

1 -

2 -

3 -

City-

Phone -

1 -

2 -

3 -

City-

Phone -

State- Zip-

HENDERSON

DONALD

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1987 14 D - DECREED+ - - - - Source - - - - + + - - - - Tributary - - - - - - - - - +
CASTLE CREEK SNAKE RIVER+ - - - - Tract - Lot RPlg County - - - - Point of Diversion - - - - - - - - - +
Stream Index (Blank if no Index Code)

+ - - - - Code Description - - - - Period From - - - - Water Use - - - - Diversion Rate Diversion Volume

01 - IRRIGATION

43 - DOMESTIC

04 - STOCKWATER

04/01 10/15

0.700

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.700

+ - - - - Tract Sec Rng - - - - Place of Use - - - - Description - - - - County

04S 01E 23 NE SE

04S 01E 23 SE SE

04S 01E 24 NW SW

04S 01E 24 SW SW

01 IRRIGATION

01 IRRIGATION

01 IRRIGATION

01 IRRIGATION

73 OWYHEE

73 OWYHEE

73 OWYHEE

73 OWYHEE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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-		Paid Exam Fee	-	00/00/0000
-		Suan Falls	-	00/00/0000
p		Temporary Right	-	00/00/0000
-		DUE/Carey Act	-	00/00/0000
-		Water District	-	00/00/0000
-		Transfer/Amended	-	00/00/0000
-		Appl Received	-	00/00/0000

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OCT 07 1992

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00106A

Date: 2-17-03

	TNS	RNG	SEC	NE				NW				SW				SE				SUM
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	45	1E	24											12						12
GIS														12						12
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 12

Overlapping POU Claim #'s:

Total GIS Acres: 12

57-00097A, 57-00237A

COMMENTS:

per image interpretation & County data

Idaho Department of Water Resources

Claim Number: 57-00106A

Legal: T04S, R01E, S24

Reviewed By:

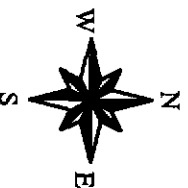
⊙ Point of Diversion

☐ Place of Use

☐ Section Lines

☐ Quarter Quarter Lines

☐ Township/Range Lines



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

JAN 04 1996

LEGAL DESCRIPTION OF PROPERTY: Township 4 South Range 2 East Department of Water Resources
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____.
 If you have additional legal descriptions, please attach separate sheet.

SEP 25 1996

2077

WARRANTY DEED

RECEIVED

JAN 04 1996

FOR VALUE RECEIVED, DAVID L. PUTNAM, a single man;
 THOMAS T. NICHOLSON and DIANE RAE NICHOLSON, husband and
 wife, The Grantors, do hereby grant, bargain, sell and convey unto

Department of Water Resources

GISELA SCHAAL, a single person, the Grantee, whose current
 address is HC 79 Box 2087, Murphy, Idaho 83650

RECEIVED

JAN 08 1996

the following described real property, located in Owyhee
 County, Idaho, to-wit:

WATER RESOURCES
WESTERN REGION

PARCEL NO. 1:
 IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY,
 IDAHO

Section 13: SE1NW1, SW1NE1, E1SW1, W1SE1

Section 24: NE1SW1, E1NW1, NW1NE1, that part of the
 SW1SW1 lying East of Castle Creek.

Section 25: Lot 4 (NW1NW1) LESS a strip of land 100 feet
 wide lying in the SW1SW1, Sec. 24, and the
 NW1NW1, Section 25, T4S, R1E, B. M., the
 center line of which is described as follows:
 Beginning at a point which is 32 feet North
 of the SW corner of said SW1SW1, Sec. 24,
 thence N 89°25' E 527.8 feet to a point of
 curvature, thence along a curve right which
 has a radius of 1432.40 feet approximately
 727.2 feet to the East line of said NW1NW1,
 Sec. 25.

PARCEL NO. 2:
 IN TOWNSHIP 4 SOUTH, RANGE 2 EAST, B. M., OWYHEE COUNTY,
 IDAHO

Section 7: SW1SE1

Together with all and singular the tenements, hereditaments
 and appurtenances thereunto belonging or in anywise
 appertaining, including all water and ditch rights and
 rights of way for water and ditches.

TO HAVE AND TO HOLD the said premises, with their
 appurtenances unto said Grantee, her heirs and assigns
 forever. And the said Grantors do hereby covenant to and
 with the said Grantee, that they are the owners in fee
 simple of said premises; that said premises are free from
 all encumbrances except: NONE

MICROFILMED

INDEXED

JAN 10 1996

Diane R. Nicholson

FEB 10 1996

MICROFILMED

SEP 25 1996

21631796

Subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises.

Taxes and assessments of all taxing units not yet due and payable.

Reservations in patents or state grants or in acts authorizing the issuance thereof.

All repayment contracts between any irrigation district within which the premises are situated and any government or agency.

The bonded debt of all taxing units within which said premises are located.

Restrictions imposed by law, ordinance, or regulation imposed by any governmental entity, department or agency.

Restrictions contained in any covenants of record affecting the premises.

All rights of way or easements affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not.

DATED: 8-1-95

David L. Putnam
David L. Putnam

Thomas T. Nicholson
Thomas T. Nicholson

Diane Rae Nicholson
Diane Rae Nicholson

STATE OF IDAHO, COUNTY OF OWYHEE

On this 1 day of August, 1995 before me, a Notary Public in and for the State, personally appeared David L. Putnam, a single man; Thomas T. Nicholson and Diane Rae Nicholson, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



David L. Putnam
Notary Public for Idaho
Residing at Burien, Idaho
Commission Expires: 8-1-98

24. T.H.

MICROFILMED
SEP 25 1996

216317

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: A57-00106A
Date Received: 2/24/1989
Receipt No: W002300
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID L PUTNAM 208-375-5255
Address: 10330 W STARDUST DR
BOISE ID 83709
AND
Name: THOMAS T NICHOLSON 208-375-5255
Address: 10330 W STARDUST DR
BOISE ID 83709
AND
Name: DIANE RAE NICHOLSON 208-375-5255
Address: 10330 W STARDUST DR
BOISE ID 83709

2. Date of Priority: JUN 1, 1887

3. Source: CASTLE CR. Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	01E	24	SW	SW			OWYHEE

5. Description of diverting works:
RK DAM, HOLDING POND, PUMP, MAINLINE & HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.280		
STOCKWATER	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 49.0 Acre Feet Per Annum.

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9. Non-irrigation uses:

D/1 HOME;S/200 HD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	24	SW	SW		IRR	14.0
			SW	SW		STOCK	
			SW	SW		DOMEST	

Section Acres 14.0

Total Acres 14.0

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:

A57-00097A

14. Remarks:

THIS CLAIM IS FOR A PORTION OF THE LANDS DECREED ON CASTLE CREEK.
CHANGE OF OWNERSHIP MADE PER CHANGE OF OWNERSHIP REC'D 4-22-92 JS

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 5/15/1923

JAMES L. DAVEY
Decree Plaintiff

GEORGE F. BROWN, ET AL
vs Decree 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: _____

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OCT 07 1992

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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OCT 07 1992

CHANGE IN OWNERSHIP

Department of Water Resources

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

[] Water Right Number(s): 57-00097; 57-00106; 57-00129; 57-00151;
57-00153; 57-00160; 57-00236; 57-00237;
57-00098A; 57-00107A; A57-00098A, A57-00107A, A57-00236, A57-00129;
 [] Name and Address of Former Claimant(s): A57-00153
Petroleum Construction, Inc.

P. O. Box 592

Santa Paula, CA 93060

[] New Claimant(s): David L. Putnam, Thomas T. Nicholson and
Diane Rae Nicholson

[] New Mailing Address: 10330 W. Stardust Dr., Boise, ID 83709

[] New Telephone Number: (208) 375 - 5255

[] Does the change in ownership result in a spitting of the water right(s) claimed? Yes 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: Corporate Warranty Deed
 (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): David L. Putnam

Date April 10, 1992

Recorded ☐ Platted ☐ Key Punched ☐ To Treasurer ☐
Microfilmed ☐ Deed Card ☐ Master File ☐
Indexed ☐ Compared ☐ Abstracted ☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

(CORPORATE FORM)

PETROLEUM CONSTRUCTION, INC. Calif.
organized and existing under the laws of the State of ~~XXXX~~, with its principal office at
Santa Paula of County of Ventura, a corporation
grantor, hereby CONVEYS or GRANTS and WARRANTS TO, State of ~~Idaho~~,
David L. Putnam, an individual, a single man
Thomas T. Nicholson and Diane Rae Nicholson, husband and wife
of 10330 W. Stardust Dr., Boise, Idaho 83709 grantee
for the sum of

Three Hundred ~~XXXXXXX~~ Thousand and No/100----- DOLLARS,
the following described tract(s) of land in Owyhee County,
State of Idaho:

EXHIBIT "A", Attached hereto:

Location of above described property n/a
House No. Street

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was
duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meet-
ing duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its
duly authorized officers this third day of April, A. D. 19 92

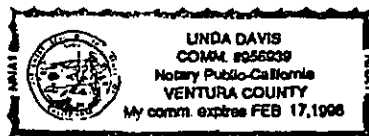
(CORPORATE SEAL)
By Doris C. Fox (CORPORATE NAME)
PRESIDENT
Attest: SECRETARY

CAT. NO. NN00832
TO 1948 CA (1-83)
(Agent of Corporation)

 **TICOR TITLE INSURANCE**

STATE OF CALIFORNIA
COUNTY OF Ventura } ss.
On April 3, 1992 before me, the undersigned, a Notary Public in and for
said State, personally appeared Doris C. Fox
personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed
the within instrument as the agent of the corporation, and acknowledged
to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board
of directors.
WITNESS my hand and official seal.

Signature Linda Davis



(This area for official notarial seal)

Address _____
City & State _____ Zip _____

, A. D. 19

the secretary
the within and
n of its board
affixed is the

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OCT 07 1992

EXHIBIT "A", Corporate Deed

PARCEL NO. 1:

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY,
IDAHO

Section 13: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$

Section 24: NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, that part of the
SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying East of Castle Creek.

Section 25: Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) LESS a strip of land 100 feet
wide lying in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, and the
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, T4S, R1E, B. M., the
center line of which is described as follows:
Beginning at a point which is 32 feet North
of the SW corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24,
thence N 89°25' E 527.8 feet to a point of
curvature, thence along a curve right which
has a radius of 1432.40 feet approximately
727.2 feet to the East line of said NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 25.

PARCEL NO. 2:

IN TOWNSHIP 4 SOUTH, RANGE 2 EAST, B. M., OWYHEE COUNTY,
IDAHO

Section 7: Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 18: Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$

207591

FILED-RECORDED

92 APR 9 PM 2

BARBARA JAYO
OWYHEE COUNTY RECORDER
BY *Co. Shewman*
DEPUTY

REQUEST OF
Mr. J. H. & Co. Inc.
FEE *6.00*

NOT RECORDED

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OCT 07 1992

Microfilmed ☐ Indexed ☐ Linted ☐ Dead Card ☐ Compared ☐ Key Punched ☐ Master File ☐ Abstracted ☐ To Treasurer ☐

WARRANTY DEED
(CORPORATE FORM)

PETROLEUM CONSTRUCTION, INC. Calif.
organized and existing under the laws of the State of ~~XXXX~~ with its principal office at
Santa Paula of County of Ventura
grantor, hereby CONVEYS or GRANTS and WARRANTS TO

David L. Putnam, an individual, a single man.
Thomas T. Nicholson and Diane Rae Nicholson, husband and wife
of 10330 W. Stardust Dr., Boise, Idaho 83709
Three Hundred ~~XXXXXXX~~ Thousand and No/100-----
the following described tract(s) of land in Owyhee
State of Idaho:

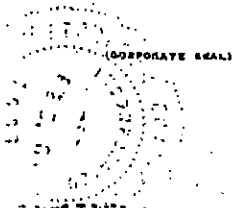
, a corporation
Calif.
State of Idaho,
grantee
for the sum of
DOLLARS,
County,

EXHIBIT "A", Attached hereto:

Location of above described property n/a
House No. Street

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was
fully authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meet-
ing duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its
fully authorized officers this third day of April, A. D. 19 92



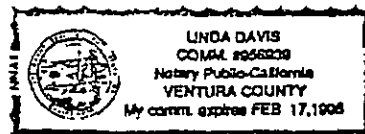
(CORPORATE NAME)
By Linda Davis
PRESIDENT
Attest: _____
SECRETARY

NN00532
CA (1-83)
(Corporation)

TICOR TITLE INSURANCE

, A. D. 19

STATE OF CALIFORNIA
COUNTY OF Ventura } ss.
April 3, 1992 before me, the undersigned, a Notary Public in and for
State, personally appeared Linda Davis
personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed
within instrument as the agent of the corporation
executed the within instrument, and acknowledged
that such corporation executed the within instru-
ment pursuant to its by-laws or a resolution of its board
of directors.
I attest my hand and official seal.



the secretary
the within and
n of its board
affixed is the

(This area for official notarial seal)

Address _____
City & State _____ Zip _____

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OCT 07 1992

EXHIBIT "A", Corporate Deed

PARCEL NO. 1:

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY,
IDAHO

Section 13: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$

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center line of which is described as follows:
Beginning at a point which is 32 feet North
of the SW corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24,
thence N 89°25' E 527.8 feet to a point of
curvature, thence along a curve right which
has a radius of 1432.40 feet approximately
727.2 feet to the East line of said NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 25.

PARCEL NO. 2:

IN TOWNSHIP 4 SOUTH, RANGE 2 EAST, B. M., OWYHEE COUNTY,
IDAHO

Section 7: Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 18: Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$

NOT RECORDED

REQUEST OF
FEE 6.00
BY *John J. & Lucille*

BARBARA JAYO
OWYHEE COUNTY RECORDER
BY *Barbara Jayo*
DEPUTY

1992 APR 9 PM 2 42

FILED-RECORDED

207591
MICROFILMED
OCT 07 1992

RECEIVED
APR 22 1992

CHANGE IN OWNERSHIP

Department of Water Resources

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

[] Water Right Number(s): 57-00097; 57-00106; 57-00129; 57-00151;
57-00098A; 57-00107A; A57-00098A; A57-00107A; A57-00236; A57-00129;
[] Name and Address of A57-00153
Former Claimant(s): Petroleum Construction, Inc.

P. O. Box 592

Santa Paula, CA 93060

[] New Claimant(s): David L. Putnam, Thomas T. Nicholson and
Diane Rae Nicholson

[] New Mailing Address: 10330 W. Stardust Dr., Boise, ID 83709

[] New Telephone Number: (208) 375 - 5255

[] Does the change in ownership result in a spitting of the water right(s) claimed? Yes 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: Corporate Warranty Deed
(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): David L. Putnam

Date April 10, 1992

Revised 01/91

OVER
(Over Please)
MICROFILMED
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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: A57-00106A
Date Received: 1/19/1989
Receipt No: W2300
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PETROLEUM COMPANY, INC. 805-525-2144
Address: C/O RUSSELL FOX
PO BOX 592
SANTA PAULA, CA 93060

2. Date of Priority: JUN 01, 1887

3. Source: CASTLE CR. Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	01E	24	SW	SW			OWYHEE

5. Description of diverting works:
RK DAM, HOLDING POND, PUMP, MAINLINE & HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.280		
STOCKWATER	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME;S/200 HD CATTLE

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10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
04S	01E	24	SW	SW		IRR	14.0
			SW	SW		STOCK	
			SW	SW		DOMEST	

Section Acres 14.0

Total Acres 14.0

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:
A57-00097A

14. Remarks:

THIS CLAIM IS FOR A PORTION OF THE LANDS DECREED ON CASTLE CREEK.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 5/15/1923

JAMES L. DAVEY

Decree Plaintiff

VS

GEORGE F. BROWN, ET AL

Decree Defendant

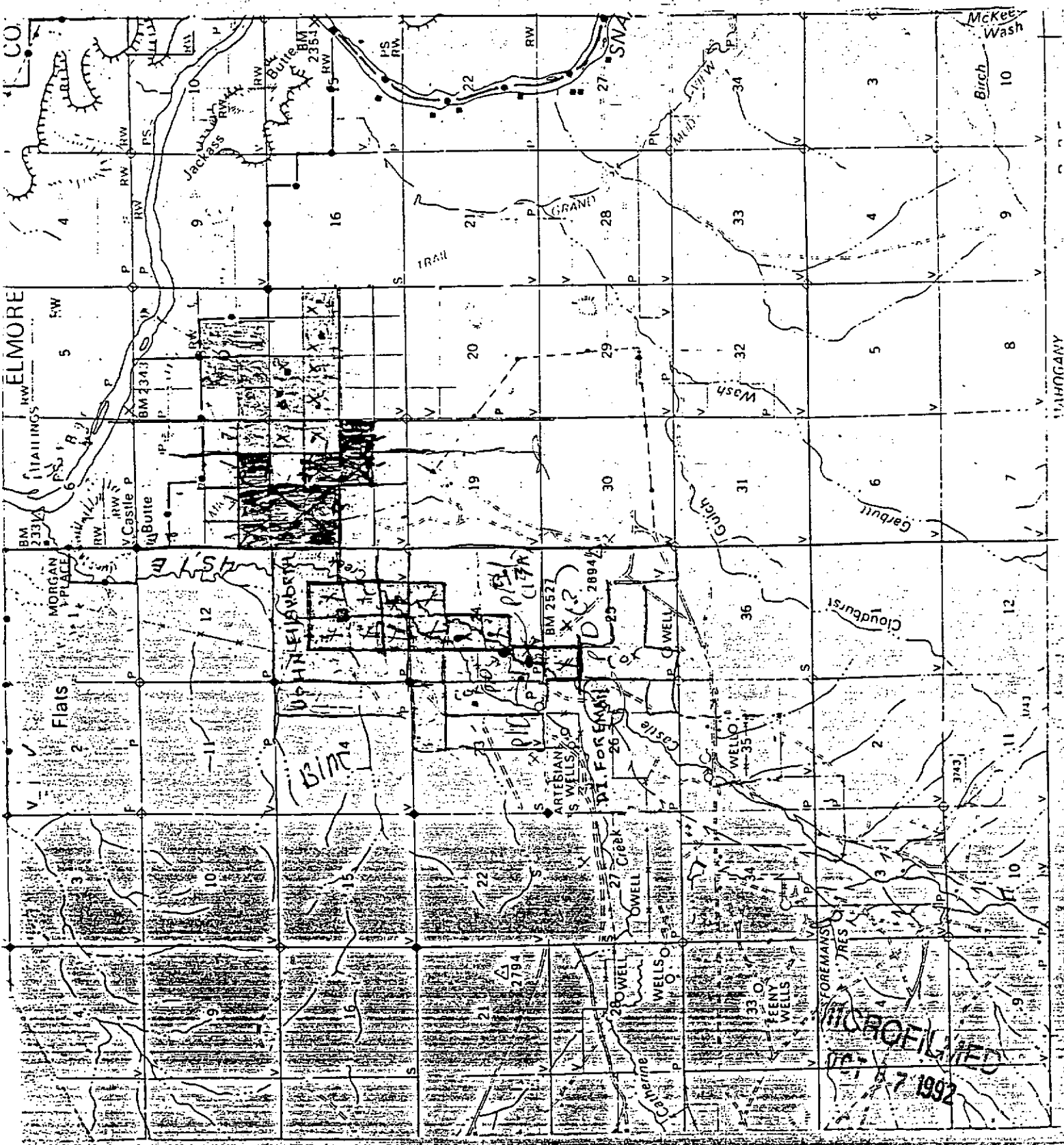
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(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly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

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OCT 07 1992

A 57-00106A
 02-1340
 X 07-1151

A 57-00106A
 T 4 S
 R 1 E
 S 24
 SW. SW



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 1992