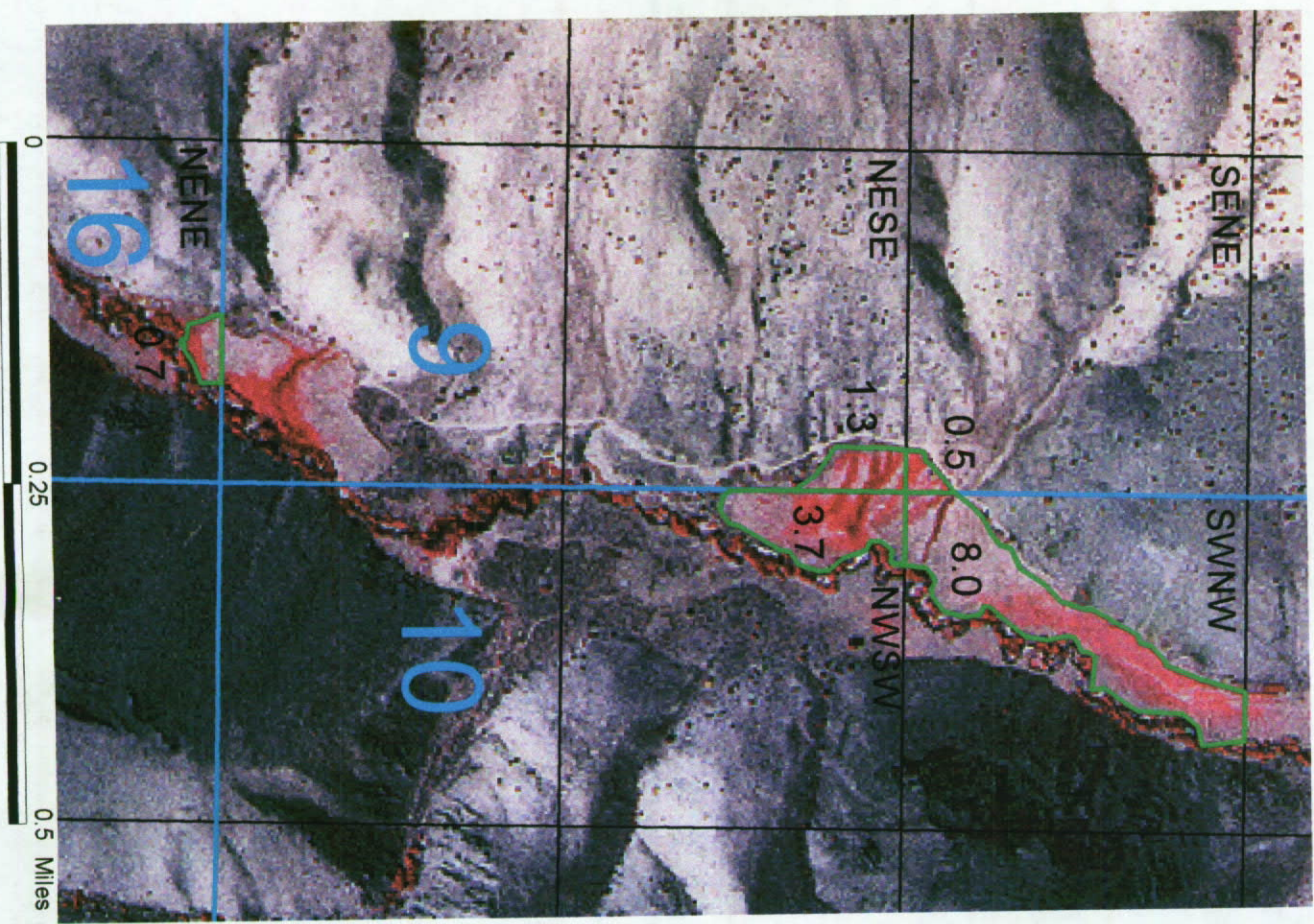


Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 57-00141
Legal: T07S, R01W, S09, 10, 16
Reviewed By:

- Point of Diversion
(Located outside of view)
- 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: A57-00141
Date Received: 1/19/1989
Receipt No: C005201
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ANNETTA J GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE ID 83702
OR
Name: JAMES W GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE ID 83702
OR
Name: JOSEPH L PARKINSON
Address: 123 WEST HIGHLAND VIEW DRIVE
BOISE ID 83702

2. Date of Priority: JUN 1, 1904

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	01W	16	SE	SW	NE		OWYHEE

5. Description of diverting works:
ROCK AND GRAVEL DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/01	0.040		
STOCKWATER	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 700 HD CATTLE, 30 HORSES

MICROFILMED
OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	01W	10	SW		NW		IRR	6.1
			SW		NW		STOCK	
			NW		SW		IRR	4.3
			NW		SW		STOCK	
							Section Acres	10.4
		16	NE		NE		IRR	1.3
			NE		NE		STOCK	
							Section Acres	1.3
							Total Acres	11.7

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:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

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: _____

MICROFILMED
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 _____

MICROFILMED
OCT 07 1992

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: A57-00141A
Date Received: 1/19/1989
Receipt No: C005201
Received By: DE JOL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES W. GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE, ID 83702

AND

Name: ANNETTA J. GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE, ID 83702

AND

Name: JOSEPH L. PARKINSON
Address: 123 WEST HIGHLAND VIEW DRIVE
BOISE, ID 83702

2. Date of Priority: JUN 01, 1904

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	01W	16	SE	SW	NE		OWYHEE

5. Description of diverting works:
ROCK AND GRAVEL DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		
STOCKWATER	04/01	11/01	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 HEAD OF BEEF CATTLE

A57-00141A

Page 1

Date: 05/17/99

MICROFILMED
OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	01W	9	NE	SE		IRR	5.0
			NE	SE		STOCK	
						Section Acres	5.0
		10	NW	SW		IRR	10.0
			NW	SW		STOCK	
						Section Acres	10.0
						Total Acres	15.0

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:
INSTREAM STOCK WATER, 57-00093, 57-00165

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00141A
Date Received: 1/19/89
Receipt No: C005201
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R. T. NAHAS COMPANY 415-538-9600
Address: 20630 PATIO DRIVE
CASTRO VALLEY, CA 94546

2. Date of Priority: JUN 01, 1904

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	01W	16	SE	SW	NE		OWYHEE

5. Description of diverting works:
ROCK AND GRAVEL DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		
STOCKWATER	04/01	11/01	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 HEAD OF BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	01W	9	NE	SE		IRR	5.0
			NE	SE		STOCK	

Section Acres 5.0

A57-00141A

Page 1

Date: 01/18/89

MICROFILMED
OCT 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	01W	10.	NW	SW		IRR	10.0
			NW	SW		STOCK	
						Section Acres	10.0
						Total Acres	15.0

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:

INSTREAM STOCK WATER, 57-00093, 57-00165

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

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: 1

For Organizations:

I do solemnly swear or affirm that I am Atty Title _____ of R.T. Nahas Co. Organization, that I have signed the foregoing document in the space below as Atty Title _____ of R.T. Nahas Co. Organization and that the statements contained in the foregoing document are true and correct.

James W. Puse
Signature of Authorized Agent

Atty - R.T. Nahas Co.
Title and Organization

1/18/89
Date

State of Idaho)
County of Ada) SS.

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

Jeff Peppersack
Notary Public

Seal

Residing at _____

My Commission Expires _____

Jeff Peppersack, Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994

17. Notice of Appearance:

Notice is hereby given that I, J. Kiser will be
Print Name

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

Signature [Signature]

Address 5405 Overland Boise Id. 83705

Date 1/19/89

Water Right Number - 57-00141 Adj. Flag Translation: Standard Water Right Number Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CRILL

AMSEY

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1904 14 D - DECREED
+ - - Source - - - - + + - - Tributary - - - - + + - - Snake RIVER

+ - - - - CASTLE CREEK + - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) + - - - -

Twn Rng Sec Tract Lot Rflg County Stream Index (Blank if no Index Code)

+ - - - - Description Period From Period To Diversion Rate Diversion Volume + - - - -

01 - IRRIGATION
43 - DOMESTIC
04 - STOCKWATER

0.040

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.040

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
07S	01W	9	NE SE			01	IRRIGATION	73
07S	01W	9	NW SE			01	IRRIGATION	73
07S	01W	9	SW SE			01	IRRIGATION	73
07S	01W	9	SE SE			01	IRRIGATION	73
07S	01W	10	NE SW			01	IRRIGATION	73
07S	01W	10	NW SW			01	IRRIGATION	73
07S	01W	10	SW SW			01	IRRIGATION	73
07S	01W	10	SE SW			01	IRRIGATION	73

Total Acres:

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -
+ - - Remarks - - - - - No Remarks found.

MICROFILMED
OCT 07 1992

Water right number - 57-00141	Adj. flag translation: Standard Water Right Number
+	- - - - - Old Water Right Numbers - - - - -
+	- - - - - Old Water Right Numbers - - - - -
+	- - - - - No Old Water Right Numbers found.
+	- - - - - Conditions of Approval - - - - -
+	- - - - - No Conditions of Approval found.
+	- - - - - Decree Plaintiff - - - - -
JAMES L. DAVEY	GEORGE F. BROWN ET. AL.
+	- - - - - Audit Fields - 02/11/86
+	- - - - - 05/01/88 CONVERT
+	- - - - - Water Rights Dates and Flags Area - - - - -
	Proof Due Date - 00/00/0000
	Approved/Denied - 00/00/0000
	Proof Made Date - 00/00/0000
	Start Work Date - 00/00/0000
	Order Show Cause - 00/00/0000
	Licensed Date - 00/00/0000
	Decree Date - 05/15/1923
	Field Exam Made - 00/00/0000
	Protested Date - 00/00/0000
	Hearing Date - 00/00/0000
	Verified Date - 00/00/0000
	Receipt Number -
	Appl Received - 00/00/0000
	Presumption Flag -
	Field Exam Fee -
	Swan Falls -
	Temporary Right - P
	DLE/Carey Act -
	Water District - 57C
	Transfer/Amended -
	Microfilm Roll Number -

MICROFILMED
OCT 07 1992

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: A57-00141
Date Received: 1/19/1989
Receipt No: C005201
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JAMES W GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE ID 83702
OR
Name: JOSEPH L PARKINSON
Address: 123 WEST HIGHLAND VIEW DRIVE
BOISE ID 83702
OR
Name: ANNETTA J GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE ID 83702

2. Date of Priority: APR 1, 1904

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	01W	16	SE	SW	NE		OWYHEE

5. Description of diverting works:
ROCK AND GRAVEL DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.040		
STOCKWATER	04/01	10/15	0.040		
	1/1	12/31			

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum

9. Non-irrigation uses:

STOCKWATER, 700 HD CATTLE, 30 HORSES

MICROFILMED
OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	01W	10	SW	NW		IRR	6.1
			SW	NW		STOCK	
			NW	SW		IRR	4.3
			NW	SW		STOCK	
						Section Acres	10.4
		16	NE	NE		IRR	1.3
			NE	NE		STOCK	
						Section Acres	1.3
						Total Acres	11.7

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:
SEE REMARKS

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

MICROFILMED
OCT 07 1992

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): *[Signature]* Date: Sept 18, 1992

Date: _____

State of Idaho)
County of ADA) ss.

Subscribed and sworn (or affirmed) before me this 18 day
of Sept 19 92 Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1994

MICROFILMED
OCT 07 1992

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-9-1997
PAGE: A-21-----
RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00141

NAME & ADDRESS: JOSEPH L PARKINSON
356 SELBY LANE
ATHERTON CA 94027

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT AND RIGHT NOS. 57-00093
& 57-00165 FOR STOCKWATER SHALL NOT EXCEED 13,000 GALLONS PER
DAY.

PRIORITY DATE: 04/01/1904

POINT OF DIVERSION: T07S R01W S16 SESWNE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.04 CFS
	STOCKWATER	Irrigation Season	0.04 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T07S R01W S09	SENE 0.5 NESE 2.0
	S10	SWNW 6.1 NWSW 4.3
	S16	NENE 1.3
	14.2 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT NOS. 57-00093 & 57-00165 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14.2 ACRES IN
A SINGLE IRRIGATION SEASON.

STOCKWATER	Within Owyhee County
T07S R01W S09	SENE NESE
S10	SWNW NWSW
S16	NENE

CONSUMPTIVE USE:

THE CONSUMPTIVE USE VOLUME IS ONLY FOR THE IRRIGATION PORTION
OF THIS WATER RIGHT.USE OF THIS RIGHT WITH RIGHT NOS. 57-00093 & 57-00165 IS
LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
35.5 AF.

RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00141 (CONT)

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
TO IDAHO CODE 42-1416(1).
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 57-00093 AND 57-00165.

RECEIVED

JAN 06 1997

WATER RESOURCES
WESTERN REGION

SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number(s):

57-11502, 57-02157, 57-00093,
57-00141, 57-00165, 57-07570,
57-11504, 57-11505, 57-11503,
57-11495, 57-11501, 55-10344
55-10103

[] Old Mailing Address:

⁶⁷⁵⁸⁴
A57-67584, 57-10494, 57-10493, 57-10496,
57-07186, 57-07222, T3628, T4237, 57-~~00000~~
57-10153, 57-10832, 55-10234, 55-02094,
55-04021, 55-10346, 55-10344, 55-04022,
02-02384, 57-07186, 57-00166, 57-00167,
57-00168, 57-00169, 57-00170, 57-00171
57-02102, 57-11326, 57-11494, 57-10557, 57-00000
57-00225, 57-11496, 57-11506, 57-00110,

Joe Parkinson
123 W Highland View Dr
Boise, ID 83702

[] New Mailing Address:

Joe Parkinson
356 Selby Lane
Arboretum, CA 94027

Telephone Number:

(415) 369 - 2358

[] Signature of Claimant:

Joe Parkinson

Date:

12/27/96

PLEASE SEND YOUR SRBA CHANGE OF ADDRESS TO THE NEAREST
REGION OFFICE:

IDWR WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705-5082
(208) 334-2190

IDWR SOUTHERN REGION
222 SHOSHONE ST EAST
TWIN FALLS ID 83301-6602
(208) 736-3033

IDWR EASTERN REGION
900 N SKYLINE
IDAHO FALLS ID 83402-3653
(208) 525-7161

IDWR NORTHERN REGION
1910 NORTHWEST BLVD #210
COEUR D'ALENE ID 83814-2615
(208) 756-4639

Revised 5/95

IDWR: DATA ENTRY BY AD

DATE 1-9-97

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00141

Date: 3-10-03

	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	75	1W	9				.5									2				2.5
GIS							.5									1.3				1.8
Claim			10							6.1				4.3						10.4
GIS										8				3.7						11.7
Claim			11	1.3																1.3
GIS				.7																.7
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 14.2

Overlapping EOU Claim #'s:

57-00145, 57-00093

Total GIS Acres: 14.2

COMMENTS:

Per overlapping claims

Idaho Department of Water Resources

Claim Number: 57-00141

Legal: T07S, R01W, S09, 10, 16

Reviewed By:



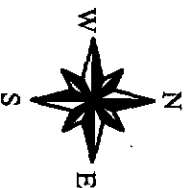
Point of Diversion
(Located outside of view)

Place of Use

Section Lines

Quarter Quarter Lines

Township/Range Lines



3/03

1987 Napp Photo



District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

October 25, 2002

RECEIVED

OCT 28 2002

Joseph L. Parkinson
356 Selby Lane
Atherton, CA 94027

Department of Water Resources

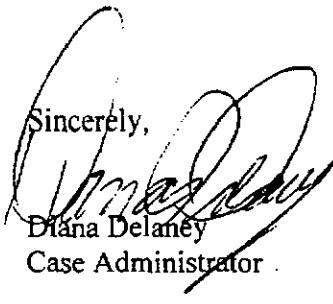
Dear Water Right Claimant(s):

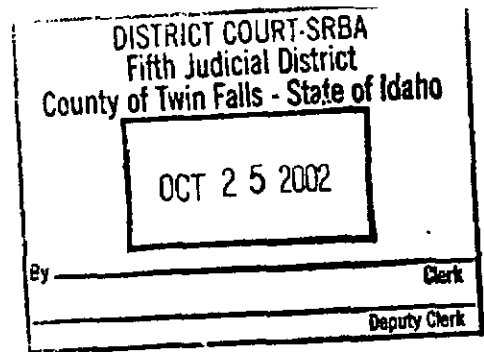
Attached to this letter is a copy of an **Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc** (hereinafter "**Order**") for water right number 57-141. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the **Order** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the **Order**, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This **Order** also incorporates into the **Partial Decree** an express statement that the **Partial Decree** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). September 9, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the **Partial Decree** to show evidence of this water right. The original of this **Order** and the original of the **Partial Decree** for this water right are on file with SRBA Court. If you do not have a copy of the original **Partial Decree**, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the **Order** is entered **Nunc Pro Tunc**, meaning that the **Order** will be treated as if it were issued on the same date that the **Partial Decree** was originally issued.

Sincerely,


Diana Delaney
Case Administrator



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	)	Water Right 57-141
	)	
Case No. 39576	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on September 9, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on July 26, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 2, IDWR Basin 57, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 04-01 to 10-15

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water 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.

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

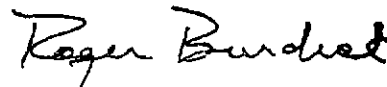
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

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.

Dated October 25, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

RECEIVED

SEP 16 1997

Department of Water Resources
Adjudication Bureau

1997 SEP -9 AM 10:12

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

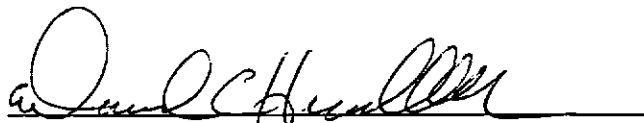
) For Water Right 57-00141

On June 20, 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 14a, 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 57-00141 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

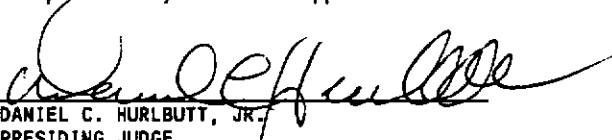
DATED September 9, 1997.


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.

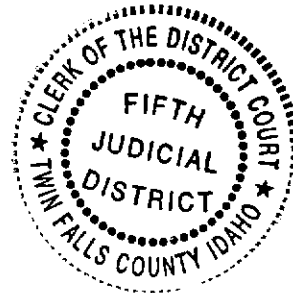
DATED: SEP 09 1997


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

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By 
DEPUTY CLERK



1997 SEP 09 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 57-00141

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 57-00141 was mailed
on September 09, 1997, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

JOSEPH L. PARKINSON
356 SELBY LANE
ATHERTON, CA 94027
Phone: 415-369-2358

JOSEPH L. PARKINSON
356 SHELBY LANE
ATHERTON, CA 94027
Phone: 415-369-2358

CERTIFICATE OF MAILING

PAGE 1
DIANA DELANEY 09/09/97
Chief Deputy Clerk

Water Source:	CASTLE CREEK	Tributary to:	SNAKE RIVER	Stage:	DECREED
Point(s) of Diversion:	107S R01W S16		SESHNE		OWYHEE County

Place of use		Legal Description		for:		STOCKWATER	
		NE		NW		SW	
		SENE		SENM		SESE	
T	R	S	NE NE NE NE NE NE NE NE	SE NE NE NE NE NE NE NE	SE NE NE NE NE NE NE NE	SE NE NE NE NE NE NE NE	SE NE NE NE NE NE NE NE
07S	01W	10	NE NE NE NE NE NE NE NE	SE NE NE NE NE NE NE NE	SE NE NE NE NE NE NE NE	SE NE NE NE NE NE NE NE	SE NE NE NE NE NE NE NE
07S	01W	16	NE NE NE NE NE NE NE NE	SE NE NE NE NE NE NE NE	SE NE NE NE NE NE NE NE	SE NE NE NE NE NE NE NE	SE NE NE NE NE NE NE NE

Remarks: GEN USE OF THIS RIGHT WITH RIGHT NO. 57-00093 AND 57-00165 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 29.3 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 11.7 ACRES IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION

AJ0749NP
No. 57-00141

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

DATE: 01/07/97
PAGE: 2

Remarks:

DESCRIBED ABOVE: 57-00093 AND 57-00165.
USE OF THIS RIGHT WITH RIGHT NO.S 57-00093 AND 57-00165 IS
LIMITED TO THE WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

Dates:

Exam Made Date: 09/04/1990

Verified Date:

Objection Filed Date: 01/08/1993

Misc:

Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments:

Date: 08/24/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 8/19/92. CHANGED NOE FLAG FROM BLANK TO A.

Date: 09/18/1992 User-ID: HOWERTON Subject: CHANGES FROM NOTICE OF ERROR
WANTED TO CLAIM ADDITIONAL STOCKWATER AMOUNTS, AMENDED.
RECOMMENDED ACRES WERE CHANGED AND REDUCED DUE TO DEEDED LAND
INFORMATION NOT PROVIDED AT TIME OF ORIGINAL FIELD EXAM.

Date: 10/21/1993 User-ID: FRAZEE Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGE SUBMITTED BY GARRETT'S TO PARKINSON.

Date: 05/23/1995 User-ID: SSHERMAN Subject: CORRECTED OWNER CODES
GARRETT'S/PARKINSON DIR. REPORT OWNERS INITIALLY; GARRETT'S
CONVEYED INTEREST TO PARKINSON AS SOLE OWNER. ALSO CORRECTED
OWNER CODES.

Date: 01/17/1996 User-ID: DSWITH 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.

*NAME/ADDRESS CORRECTED TO AVOID DUPLICATE MAILING LABELS

Date: 01/07/1997 User-ID: LHARRIS Subject: NAME AND/OR ADDRESS CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
ADDRESS CHANGE.

Audit:

01/07/97 LHARRIS



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

January 13, 1997

JOE PARKINSON
356 SELBY LANE
ATHERTON CA 94027

Dear Mr. Parkinson:

Enclosed are copies of the Notice of Completed Administrative Procedure and pertinent water rights recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water rights after it was filed with the Court in October, 1992.

In addition to these water rights we also changed your address on your claims in Basins 02 and 55 and the Basin 57 rights that have already been decreed by the Court. We have also forwarded the new address information to our Water Allocation Section for your water rights that are not pertinent to the SRBA.

Please contact this office if you have any questions concerning this notification.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

JS:lh

Enclosures

Signature of IDWR Representative

[Handwritten Signature]

DATED: 1-13-97

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

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

been made to the water right: _____
right _____ and all appeal times have run. The following changes have
□ Point of Diversion
□ Place of Use
□ Period of Use
□ Nature of Use

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed for water

I.C. § 42-222 TRANSFERS

To (Claimant/Purchaser):
Name of Claimant: _____
Address: _____
Phone: _____
Name of Claimant: _____
Address: _____
Phone: _____

From (Claimant/Seller):
Name of Claimant: _____
Address: _____
Phone: _____

CERTIFICATE OF MAILING

I certify that on January 13, 1997, I mailed the original and copies of this form, to the following persons, postage prepaid and addressed as follows:

1. Original to:

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

2. One Copy to:

Claimant/Seller for Substitution of Party or attorney of record:

JOSEPH PARKINSON
356 SELBY LANE
ATHERTON CA 94027

3. One Copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

N/A

4. One copy to:

Each party in the subcase, or attorney of record :

N/A

5. One copy to:

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

6. One copy to:

United States Dept. Of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Neri Harrison

Signature of person or attorney mailing the form

DIVERSION
VOLUME

0.04 CFS

OWYHEE County

1

14.2

Other Rights: SEE REMARKS

- USE:

POU1 USE OF THIS RIGHT WITH RIGHT NOS. 57-00093 & 57-00165 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14.2 ACRES IN

NOTE: These have
been amended per
response to objection.
SFS form has been
approved by all
parties to add 2 1/2
more. 9-4-96

Remarks: A SINGLE IRRIGATION SEASON.

CON USE OF THIS RIGHT WITH RIGHT NOS. 57-00093 & 57-00165 IS
LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
35.5 AF.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 57-00093 AND 57-00165.

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

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

Comments: Date: 08/24/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 8/19/92. CHANGED NOE FLAG FROM BLANK TO A.

Date: 09/18/1992 User-ID: HOWERTON Subject: CHANGES FROM NOTICE OF ERROR
WANTED TO CLAIM ADDITIONAL STOCKWATER AMOUNTS, AMENDED.
RECOMMENDED ACRES WERE CHANGED AND REDUCED DUE TO DEEDED LAND
INFORMATION NOT PROVIDED AT TIME OF ORIGINAL FIELD EXAM.

Date: 10/21/1993 User-ID: FRAZEE Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGE SUBMITTED BY GARRETT'S TO PARKINSON.

Date: 05/23/1995 User-ID: SSHERMAN Subject: CORRECTED OWNER CODES
GARRETT'S/PARKINSON DIR. REPORT OWNERS INITIALLY; GARRETT'S
CONVEYED INTEREST TO PARKINSON AS SOLE OWNER. ALSO CORRECTED
OWNER CODES.

Date: 01/17/1996 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.

*NAME/ADDRESS CORRECTED TO AVOID DUPLICATE MAILING LABELS

Date: 07/03/1996 User-ID: RHOWERTO Subject: CONDITION C05
ADDED CONDITION C05 FOR CHANGE IN PLACE OF USE.

Date: 08/15/1996 User-ID: JSBURTE Subject: NON-IRRIGATION USE-COPIED FROM ITEM #9
STOCKWATER, 700 HD CATTLE, 30 HORSES

Date: 09/03/1996 User-ID: JSBURTE Subject: AMENDED PER IDWR RESPONSE TO OBJECTION
IDWR RESPONDED TO AN AMENDED OBJECTION BY ADDING 2.0 ACRES IN THE

AJ0729NP
No. R57-00141

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/04/96
PAGE: 3

Comments:

Date: 09/03/1996 User-ID: JSHURTE Subject: AMENDED PER IDWR RESPONSE TO OBJECTION
NESE, .5 ACRES IN THE SENE, S. 9, T. 7S, R. 1W, PLUS THE SAME TWO
1/41/4'S FOR STOCKWATER. THIS RECOMMENDED/REFORMATTED RIGHT WAS
CHANGED TO INCORPORATE THIS AMENDMENT.

Audit: 07/03/96 RHOMERTO 08/15/96 JSHURTE 09/03/96 JSHURTE

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

DATE: SEP-03-1996

PAGE: A-1

RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00141

NAME AND ADDRESS: JOSEPH L PARKINSON
123 W HIGHLAND VIEW DR
BOISE ID 83702

AMNETTA J BARRETT
JAMES W BARRETT
4492 KEEBORN
BOISE ID 83702

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.04 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USED FOR STOCKWATER, 700 HD CATTLE, 30 HORSES

THE QUANTITY OF WATER UNDER THIS RIGHT AND RIGHT NOS. 57-00093
& 57-00165 FOR STOCKWATER SHALL NOT EXCEED 13,000 GALLONS PER
DAY.

PRIORITY DATE: 04/01/1904

POINT OF DIVERSION: T07S R01W S16 SESWNE Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		<u>Irrigation Season</u>	0.04 CFS
		04/01 10/15	
STOCKWATER		<u>Irrigation Season</u>	0.04 CFS
		04/01 10/15	0.04 CFS

PLACE OF USE:

IRRIGATION Within Owyhee County

	SENE	NESE
T07S R01W S09	0.5	2.0
S10	6.1	4.3
S16	1.3	
<u>14.2 ACRES TOTAL</u>		

11117 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00093 & 57-00165 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14.2 ACRES IN
A SINGLE IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

STOCKWATER Within Owyhee County

	SENE	NESE
T07S R01W S09		

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

DATE: SEP-03-1996

PAGE: A-2

57-00141 (CONT.)

S10	SNNW	NWSW
S16	NENE	

CONSUMPTIVE USE:

THE CONSUMPTIVE USE VOLUME REPORTED IS ONLY FOR THE IRRIGATION PORTION OF THIS WATER RIGHT.

USE OF THIS RIGHT WITH RIGHT NOS. 57-00093 & 57-00165 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 35.5 AF.

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE FOR THE PURPOSES OF ADMINISTRATION OR CHANGE IN USE OF THIS WATER RIGHT.

USE OF THIS RIGHT WITH RIGHT NOS. 57-00093 AND 57-00165 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 29.3 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 1117 ACRES IN A SINGLE IRRIGATION SEASON.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00093 AND 57-00165.

USE OF THIS RIGHT WITH RIGHT NOS. 57-00093 AND 57-00165 IS LIMITED TO THE WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00093 AND 57-00165.

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

07/27/95 07:59:10
Page 1

Water Right Number - 57-00141 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
PARKINSON

JOSEPH L
1 - 123 WEST HIGHLAND VIEW DRIVE
2 -
3 -
City- BOISE State- ID Zip- 83702
Phone - 208-342-5827

*** D - DIR RPT OWNER ***
GARRETT

ANNETTA J
1 - 4492 KELDOON
2 -
3 -
City- BOISE State- ID Zip- 83702
Phone - 208-338-1412
1 - 4492 KELDOON
2 -
3 -
City- BOISE State- ID Zip- 83702
Phone - 208-338-1412

GARRETT

JAMES W

*** O - ORIGINAL OWNER ***
R T NAHAS COMPANY

1 - 20630 PATIO DRIVE
2 -
3 -
City- CASTRO VALLEY State- CA Zip- 94546
Phone - 415-538-9600

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1904 ERROR IN REGION 0 - DECREED

+ - - Source - - - - - + + - - - - Tributary - - - - - +
CASTLE CREEK SNAKE RIVER

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

07S 01W 16 SE SW NE (73) OWYHEE

+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/15 0.040
04 - STOCKWATER 04/01 10/15 0.040

+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Consumptive Use - - + + - - KW Usage - - +
0.040 0.040 0.0

+ - - - - - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
07S 01W 10 SW NW 6.1 01 IRRIGATION (73) OWYHEE
07S 01W 10 NW SW 4.3 01 IRRIGATION (73) OWYHEE
07S 01W 16 NE NE 1.3 01 IRRIGATION (73) OWYHEE
07S 01W 10 SW NW 04 STOCKWATER (73) OWYHEE
07S 01W 10 NW SW 04 STOCKWATER (73) OWYHEE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)07/27/95 07:59:11
Page 2

Water right number - 57-00141

Prefix Translation: WATER RIGHT

| Trn | Rng | Sec | Tract | Lot | Acres | Place of Use | Description | County |
|-----|-----|-----|-------|-----|-------|--------------|-------------|-------------|
| 07S | 01W | 16 | NE NE | | 04 | STOCKWATER | | (73) OWYHEE |

Total Acres: 11.7

+ - - Diversion Means - ROCK AND GRAVEL DAM AND DITCH

+ - - Non-Irrigation Use - STOCKWATER, 700 HD CATTLE, 30 HORSES

+ - - Other Rights for Same Use - SEE REMARKS

USE OF THIS RIGHT WITH RIGHT NO. 57-00093 AND 57-00165 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 29.3 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 11.7 ACRES IN A SINGLE IRRIGATION SEASON.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00093 AND 57-00165.

USE OF THIS RIGHT WITH RIGHT NO.S 57-00093 AND 57-00165 IS LIMITED TO THE WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

No Old Water Right Numbers Found

C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).

Decree Plaintiff - - - + - - - Decree Defendant - - - + - - - Decree Date - - - 00/00/0000

Date: 08/24/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE) RECEIVED NOE 8/19/92. CHANGED NOE FLAG FROM BLANK TO A.

Date: 09/18/1992 User Id: HOWERTON Subject: CHANGES FROM NOTICE OF ERROR WANTED TO CLAIM ADDITIONAL STOCKWATER AMOUNTS, AMENDED. RECOMMENDED ACRES WERE CHANGED AND REDUCED DUE TO DEEDED LAND INFORMATION NOT PROVIDED AT TIME OF ORIGINAL FIELD EXAM.

Date: 10/21/1993 User Id: FRAZEE Subject: OWNERSHIP CHANGE OWNERSHIP CHANGE SUBMITTED BY GARRETT'S TO PARKINSON.

Date: 05/23/1995 User Id: SHERMAN Subject: CORRECTED OWNER CODES CONVEYED INTEREST TO PARKINSON AS SOLE OWNER. ALSO CORRECTED GARRETT'S/PARKINSON DIR. REPORT OWNERS INITIALLY; GARRETT'S OWNER CODES.

Audit Fields - - + 00/00/00

Adjudication Rights Dates and Flags Area

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-----------------------|---------|
| Court Report Filing | - 10/13/1992 | Field Inspection Made | - 09/04/1990 | Civil Case Number | - 39576 |
| Objection Filed Date | - 01/08/1993 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 06/04/1993 | Verified Date | - 00/00/0000 | Old Judicial District | - |

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Page 3 07/27/95 07:59:11

Prefix Translation: WATER RIGHT

| | | | |
|---------------------|--------------|--------------------|--|
| + - - - - | - - - - - | - - - - - | - - - - - |
| Claim Received Date | - 01/19/1989 | Last Amended Date | - 09/18/1992 |
| | | Receipt Number | - C005201 |
| | | POU Ownership Flag | - Y |
| | | Name Connector | - OR |
| | | | Federal/State Indicator - S |
| | | | Presumption Flag |
| | | | Notice of Error Flag - E |
| | | | Temporary Right - P |
| | | | Water District - |
| | | | Adjudication Rights Dates and Flags Area |
| | | | - - - - - + |



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 25, 1993

Joseph L. Parkinson
123 W. Highland View Dr.
Boise, ID 83702

RE: Snake River Basin Adjudication (SRBA)
Owyhee County - Claim Nos. 57-00166, 57-00167,
57-00168, 57-00169, 57-00170, 57-00171, 57-02102,
57-11499, 57-10557, 57-00204, 57-00225, 57-11496,
57-11506, 57-00110, 57-11502, 57-02157, 57-00093,
57-00141, 57-00165, 57-11504, 57-11505, 57-11503,
57-11495, A57-11501 and A55-10344

Dear Mr. Parkinson:

IDWR has received your notice of the change in ownership of the above-referenced water right claims. Our records have been changed accordingly.

If you have any questions, please contact us.

Sincerely,

Sally Frazee
Secretary, Adjudication Section

SF:region

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OCT 13 1993

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

Case No. 39576

STANDARD FORM 3

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

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

Petitioner,

CONSENT TO SUBSTITUTION OF
PARTY

vs.

The United States; the State of Idaho; and
all Claimants to the Use of Water From
the Snake River Basin Water System,

Respondents.

INSTRUCTIONS FOR USE

This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

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Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) where a water right recommendation is not before the court.

As used in this form, the term "prior claimant/seller" means any person who, pursuant to I.C. § 42-1409(2), (3) and (6), filed a notice of claim asserting the right to the use of water or on whose behalf the right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of a "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party* (Substitution) must be signed by the prior claimant/seller and the new claimant/purchaser. The *Substitution* shall be filed by the new claimant/purchaser.

Check either the *Change in Address* or *Consent to Substitution of Party* box and fill in the requested information. A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here.

Follow the instructions on the form or the court will not accept it for filing. The Verification and the Certificate of Mailing must be completed. The standard form may be obtained from the Idaho Department of Water Resources and the court. You must provide a copy of this form to each party, or to their legal counsel, in any subcase in which you are a party.

☐ CHANGE IN ADDRESS

My name is _____
I am the claimant of _____
(Insert each water right number)

I have filed an objection/response to the following water right(s) _____
(Insert each water right number)

My new mailing address is _____
My phone number is: _____
Work _____
Home _____
001 : 3 000

DEED

FOR VALUE RECEIVED, JAMES W. GARRETT and ANNETTA J. GARRETT, husband and wife

, grantor, does hereby Grant,

Bargain, Sell and Convey unto JOSEPH L. PARKINSON, a married man

grantee whose current address is 123 W Highland View Drive, Boise, ID 83702
AN UNDIVIDED 1/2 INTEREST BEING THE GRANTOR'S ENTIRE REMAINING INTEREST
IN the following described real estate, to-wit:

As more fully set forth in Exhibit "A" attached hereto and by reference thereto made a part hereof.

Together with all water rights, ditch rights, rights of way, tenements, hereditaments and appurtenances thereto belonging or used in connection therein.

Subject to exceptions and reservations contained in patents from the United States.

Subject to all easements, restrictions and reservations of record and of use.

209910
FILED-RECORDED
93 MAR 22 PM 4 10
BARBARA JATO
OWYHEE COUNTY RECORDER
BY *[Signature]*
DEPUTY
REQUEST OF
OCT 6 1993
INDEXED
MICROFILMED

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee heirs and assigns forever

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

And the Grantors do hereby covenant to and with the said Grantee that they are the owner in fee simple as to the one-half (1/2) interest conveyed of said premises; that said premises are free from all incumbrances except taxes and assessments levied for the year 1993 and subsequent years.

Dated: March 22, 1993

[Signature of James W. Garrett]
James W. Garrett

[Signature of Annetta J. Garrett]
Annetta J. Garrett

STATE OF IDAHO, COUNTY OF OWYHEE

On this 22nd day of March, 1993,
before me, a Notary Public in and for said State, personally appeared

James W. Garrett
Annetta J. Garrett

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature of Notary Public]
Notary Public,
Residing at
Boise Idaho.
Comm. Expires 7-10-93

POOR ORIGINAL

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JUL 20 1994

☒ **CONSENT TO SUBSTITUTION OF PARTY**

My name is Joseph L. Parkinson

My address is 123 W. Highland View Drive, Boise, Idaho, 83702

My phone number is: Work 208-368-4029 Home 208-342-5827

The name and address of the party who I wish to be substituted for are:

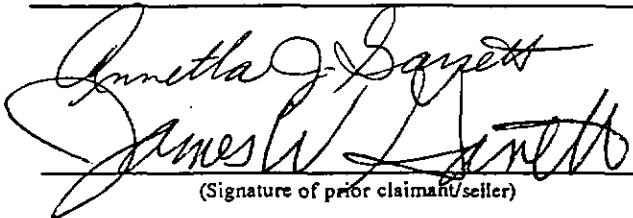
James W. and Annetta J. Garrett

4492 Keldoan Avenue, Boise Idaho, 83702

I am the new claimant/purchaser of 57-00166, 57-00167, 57-00168, 57-00169, 57-00170,
57-00171, 57-02102, 57-11499, 57-10557, 57-00204,
57-00225, 57-11496, 57-11506, 57-00110, and
57-11502, (Insert each water right number) 57-02157, 57-00093,
57-00141, 57-00165, 57-11504, 57-11505, 57-11503, 57-11495, 57-11501 and 57-10344

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my *Substitution*. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

Deed and legal description.


(Signature of prior claimant/seller)


(Signature of new claimant/purchaser)

☐ **ATTORNEY OF RECORD COMPLETING FORM**

My name is _____

I am the attorney of record for _____

(Identify party/claimant)

My address and phone number are _____

VERIFICATION

(Must be completed for either a Notice of Change in Address or for Consent for Substitution of Party)

State of Idaho
County of Ada

Joseph L. Parkinson, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.

Joseph L. Parkinson
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on October 8, 1993
(Insert Date)

Notary Public for Idaho
Residing at: Boise
My Commission expires: 3/28/94

Exhibit "A"
Deed Garrett/Parkinson

PARCEL I:

IN TOWNSHIP 6 SOUTH, RANGE 1 WEST, B.M., OWYHEE COUNTY, IDAHO

Section 12: W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 13: N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 14: E $\frac{1}{4}$ NE $\frac{1}{4}$
Section 15: N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 22: Lot 7
Section 23: SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 26: Lot 4
Section 27: NE $\frac{1}{4}$ NE $\frac{1}{4}$

IN TOWNSHIP 6 SOUTH, RANGE 2 WEST, B.M., OWYHEE COUNTY, IDAHO

Section 24: S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 25: W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

IN TOWNSHIP 7 SOUTH, RANGE 1 WEST, B.M., OWYHEE COUNTY, IDAHO

Section 3: Lot 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$
Section 9: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 10: SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 16: NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 18: Lot 3

IN TOWNSHIP 7 SOUTH, RANGE 2 WEST, B.M., OWYHEE COUNTY, IDAHO

Section 3: E $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 10: E $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$
Section 13: NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 26: E $\frac{1}{4}$ SW $\frac{1}{4}$
Section 34: NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 35: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$

IN TOWNSHIP 8 SOUTH, RANGE 2 WEST, B.M., OWYHEE COUNTY, IDAHO

Section 9: E $\frac{1}{2}$ E $\frac{1}{2}$
Section 10: W $\frac{1}{2}$ W $\frac{1}{2}$

PARCEL II:

IN TOWNSHIP 6 SOUTH, RANGE 1 WEST, B.M., OWYHEE COUNTY, IDAHO

Section 29: W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 30: NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 32: W $\frac{1}{2}$

IN TOWNSHIP 8 SOUTH, RANGE 2 WEST, B.M., OWYHEE COUNTY, IDAHO

Section 10: W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$

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JUL 20 1994

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 October 8, 1993, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

James W. and Annetta J. Garrett, 4492 N. Keldoan Ave., Boise, Idaho
83702

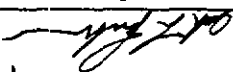
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

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JUL 20 1994

Page 5

(Signature of person or attorney mailing the form)



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

5. One copy to:

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

4. One copy to:

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. 57-00141 -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. §
42-1412(2).

(Over)

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JUL 20 1994

The additional places of use described in this motion were not claimed by the claimant. The claimant improperly seeks to use the objection process to amend his notice of claim. IDWR believes that a claimant must obtain leave of the court to amend a claim after the director's report is filed, just as a party must obtain leave of the court to file a late

follows:
In response to Mr. Parkinson's Motion for Correction of Error and all allegations of this motion IDWR responds as

this portion of the objection not expressly admitted herein. denies this portion of the objection and all allegations of "Reasons Supporting Each Box Checked" section of the objection and therefore denies the allegations of this section. IDWR form a belief as to the truth of the matter asserted in the IDWR is without knowledge or information sufficient to of the director's report. subject to the conditions set forth in general provision 13b may be used for irrigation outside the decreed season of use, right in Davey v. Brown (Ada Co. 3rd Dist. ID. 1923). Water may be used in the irrigation season of use decreed for this as follows: The period of year during which this water right allegations of the objection regarding this item IDWR responds in response to Statement of the objection item 8 and all

REASONS SUPPORTING EACH BOX CHECKED

14. ☒ Other: I respond to the objection concerning: Motion for Correction of Error.
8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.

II. STATEMENT OF THE RESPONSE

3. If this response is filed by an attorney:
- Name: JOSEPH L PARKINSON
Address: 123 W HIGHLAND VIEW DR
BOISE ID 83702
- Attorney Name: DANIEL L. STECKEL
DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900
2. Person who filed objection:

claim after the director's report is filed. Once leave of the court has been granted, IDWR can investigate the amended claim and make an appropriate recommendation. In this instance, however, the use has been confirmed. Two acres in T07S, R01W, S9, NESE were included in the Davey v. Brown decree, and irrigation of this land was confirmed by orthophotoquad map, NAPP photography, and field exam. The 1/2 acre in T07S, R01W, S9, SENE was not included in the Davey v. Brown decree; however, irrigation of this land prior to November 1987 was confirmed by orthophotoquad map and NAPP photography, and continued irrigation was confirmed by field exam. This 1/2 acre could be included in the description of this water right as an expansion in irrigated acres pursuant to Idaho Code section 42-1416(1).

If leave of the court is granted IDWR will recommend these acres to the court as illustrated by the attached proposed recommendation.

CHANGES TO THE DIRECTOR'S REPORT

See attached List of Recommended Water Rights Acquired under State Law.

☒ 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. A57-00141 | 3 |
| Recommended Water Rights Acquired under State Law | 1 |

(Over)

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JUL 20 1994

VERIFICATION (Must be Completed)

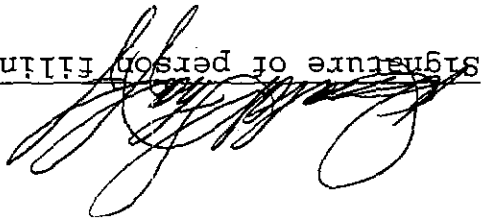
State of IDAHO

County of ADA

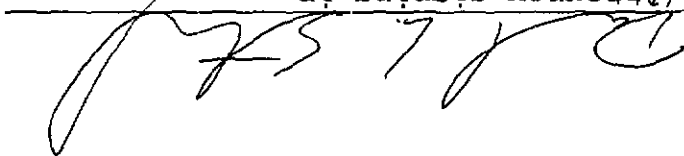
Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

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 I 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

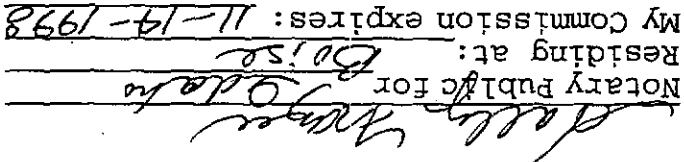


By:



(Attorney signing in representative capacity)

Subscribed and sworn to before me this 3rd day of June, 1993.


Notary Public for
Residing at: Boise
My Commission expires: 11-19-1998

CERTIFICATE OF MAILING

I hereby certify that on the 4th 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 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:

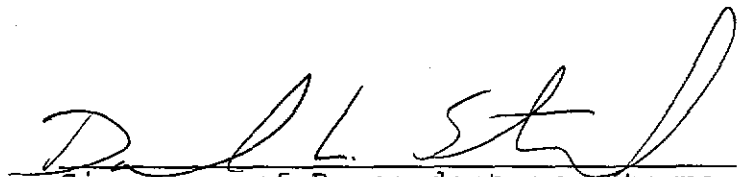
See No. 3

Name: JAMES & ANNETTA GARRETT
Address: 4492 KELDOON
BOISE ID 83702

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: JOSEPH L PARKINSON
Address: 123 W HIGHLAND VIEW DR
BOISE ID 83702

4. U.S. Department of Justice
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

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

 DATE: MAY-18-1993
 PAGE: A-6

| RIGHT
NUMBER | NAME & ADDRESS | PRIORITY
DATE | PURPOSE OF USE | PERIOD OF USE
FROM TO | MAXIMUM
QUANTITY | BASIS OF
CLAIM |
|-----------------|------------------------|------------------|----------------|--------------------------|---------------------|-------------------|
| | SOURCE: CASTLE CREEK | | | | | |
| | TRIBUTARY: SNAKE RIVER | | | | | |

57-00141

 JOSEPH L PARKINSON
 123 WEST HIGHLAND VIEW DRIVE
 BOISE ID 83702

| | | | | | | |
|------------|------------|-------|-------|-----|-----|---------|
| 04/01/1904 | IRRIGATION | 04-01 | 10-15 | .04 | CFS | DECREED |
| | STOCKWATER | 04-01 | 10-15 | .04 | CFS | |

 JAMES W GARRETT
 ANNETTA J GARRETT
 4492 KELDOON
 BOISE ID 83702

TOTAL QUANTITY: .04 CFS

NON-IRRIGATION-USES:

STOCKWATER, 700 HD CATTLE, 30 HORSES

POINT OF DIVERSION:

T07S R01W S16

SESWE

PLACE OF USE: IRRIGATION

| | | | | |
|--------------|------|-----|------|-----|
| T07S R01W S9 | SENE | 0.5 | NESE | 2.0 |
| S10 | SWNW | 6.1 | NWSW | 4.3 |
| S16 | NENE | 1.3 | | |

44-714.2 ACRES TOTAL

PLACE OF USE: STOCKWATER

| | | | | |
|--------------|------|--|------|--|
| T07S R01W S9 | SENE | | NESE | |
| S10 | SWNW | | NWSW | |
| S16 | NENE | | | |

REMARKS:

 THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
 TO IDAHO CODE 42-1416(1).

 USE OF THIS RIGHT WITH RIGHT NO. 57-00093 AND 57-00165 IS
 LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
 29-335.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 41-714.2 ACRES
 IN A SINGLE IRRIGATION SEASON.

 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
 DESCRIBED ABOVE: 57-00093 AND 57-00165.

 USE OF THIS RIGHT WITH RIGHT NO. 57-00093 AND 57-00165 IS
 LIMITED TO THE WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

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JUL 20 1994

1993 MAY 11 PM 3:05

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 the General Adjudication)
of Rights to the Use of Water)
From the Snake River Drainage)
Basin Water System)

Case No. 57-00141-0001

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

ORDER ACCEPTING MOTION FOR
CORRECTION OF ERROR AS
AMENDMENT TO OBJECTION AND
ORDER VACATING HEARING

Petitioner,)

vs.)

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

57-00141 -0001/
93-05-0056

Respondents.)

Joseph Parkinson has filed a motion asking the court to
correct errors in his water right.

The director of the Idaho Department of Water Resources
(IDWR) filed a response to this motion, in which IDWR recommended
that 1) the court accept the motion as an amendment to Mr.
Parkinson's earlier timely filed objection to this water right, and
2) IDWR respond to the amended objection as part of its response to
the original objection. No other responses have been filed to the

ORDER ACCEPTING MOTION FOR CORRECTION OF ERROR AS AMENDMENT TO
OBJECTION AND ORDER VACATING HEARING - 1

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JUL 20 1994

motion.

IT IS ORDERED THAT: 1) The Motion for Correction of Error filed by Joseph Parkinson in the above-numbered sub-case shall be accepted as an amendment to Mr. Parkinson's earlier timely filed objection to this water right.

2) All interested parties shall respond to the amended objection as part of their response to the original objection.

IT IS FURTHER ORDERED that the hearing set for this matter on June 15, 1993, at 1:30 p.m. at the Snake River Basin Adjudication Courthouse, is vacated.

DATED May 11, 1993.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ACCEPTING MOTION FOR CORRECTION OF ERROR AS AMENDMENT TO OBJECTION AND ORDER VACATING HEARING, was mailed on May 11, 1993, in an envelope with sufficient first-class postage to the following:

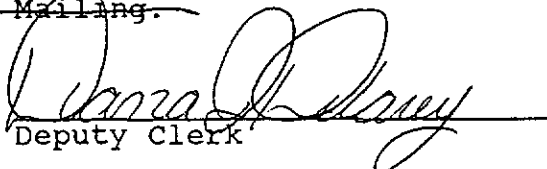
Joseph L. Parkinson
123 West Highland View Drive
Boise, Idaho 83702

U.S. Department of Justice
Environment and Natural Resources Division
550 West Fort Street, Box 33
Boise, ID 83734

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

 ~~One copy to each of the parties identified in the attached Certificate of Mailing.~~

By


Deputy Clerk

ORDER ACCEPTING MOTION FOR CORRECTION OF ERROR AS AMENDMENT TO
OBJECTION AND ORDER VACATING HEARING - 2

MICROFILMED

JUL 20 1994

LARRY ECHOHAWK
Attorney General

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

DANIEL L. STECKEL
Deputy Attorney General
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000
Telephone: (208) 327-7928
FAX: (208) 327-7866

1993 MAY -6 AM 10: 08

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

RECEIVED

MAY 10 1993

Department of Water Resources

ATTORNEY FOR PETITIONER

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 No. 57-00141-0001

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

IDAHO DEPARTMENT OF WATER
RESOURCES' SUPPLEMENTAL
CERTIFICATE OF SERVICE

Petitioner,)

vs.)

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

57-00141 -0001/
93-05-0055

Respondents.)

DESCRIPTIVE SUMMARY

This document certifies mailing of Idaho Department of
Water Resources' Response to Motion for Correction of Error to

IDAHO DEPARTMENT OF WATER RESOURCES' SUPPLEMENTAL
CERTIFICATE OF SERVICE, Page 1

MICROFILMED

JUL 20 1993

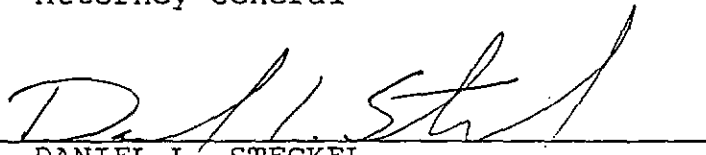
Joseph L. Parkinson.

CERTIFICATE OF SERVICE

I certify that on this the 5th day of May, 1993, I served a true and correct copy of IDWR's RESPONSE TO MOTION FOR CORRECTION OF ERROR by placing a true and correct copy thereof in the United States mail, postage prepaid, addressed as follows:

1. One copy by U.S. Mail to:
Joseph L. Parkinson
123 West Highland View Drive
Boise, ID 83702

LARRY ECHOHAWK
Attorney General



DANIEL L. STECKEL
Deputy Attorney General
Idaho Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. 57-00141

No. 57-00141

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|---|------------------|--------------------------|----------------------------|----------------------|---------------------|
| C | JAMES W GARRETT
4492 KELDOON
BOISE ID 83702 | 04/01/1904 | IRRIGATION
STOCKWATER | 04-01 10-15
04-01 10-15 | 0.04 CFS
0.04 CFS | |
| | | | | TOTAL DIVERSION: | | |
| | | | | | 0.04 CFS | |

JAMES W GARRETT
4492 KELDOON
BOISE ID 83702
(208) 338-1412

C JOSEPH L PARKINSON
123 WEST HIGHLAND VIEW DRIVE
BOISE ID 83702

C ANNETTA J GARRETT
4492 KELDOON
BOISE ID 83702
(208) 338-1412

| | | | | | |
|---------------|--------------|---------------|-------------|--------|---------------|
| Water Source: | CASTLE CREEK | Tributary to: | SNAKE RIVER | Stage: | DECREED |
| | | | | | OWYHEE County |

point(s) of Diversion:

| Place of use | | | | | | Legal Description for: | | | | | | | | IRRIGATION | | | | | | | | | | | | | | | | |
|--------------|---|---|---|---|--|------------------------|-------|-------|-------|-------|-------|-------|-------|------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-----|--|--|
| | | | | | | NE | | | | NW | | | | SW | | | | SE | | | | | | | | | | | | |
| | T | R | S | : | | NENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SENW | NESSW | NWSW | SWSW | SESW | NEWSW | NWSE | Lt AC | Ac | Lt AC | Ac | NEWSE | SWSE | LT AC | AC | SUM | | |
| | | | | | | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | Lt AC | | | |
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[illegible]

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 700 HD CATTLE, 30 HORSES

Other Rights: SEE REMARKS

Conditions of Approval:
C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
TO IDAHO CODE 42-1416(1).

MICROFILMED
JUL 20 1994

USE OF THIS RIGHT WITH RIGHT NO. 57-00093 AND 57-00165 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 29.3 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 11.7 ACRES IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION

AJ5809NP
No. 57-00141

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/28/93
PAGE: 10

Remarks: DESCRIBED ABOVE: 57-00093 AND 57-00165.
USE OF THIS RIGHT WITH RIGHT NO.S 57-00093 AND 57-00165 IS
LIMITED TO THE WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

Dates: Exam Made Date: 09/04/1990 Verified Date: 09/18/1992

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

Comments: Date: 08/24/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 8/19/92. CHANGED NOE FLAG FROM BLANK TO A.

Date: 09/18/1992 User-ID: HOWERTON Subject: CHANGES FROM NOTICE OF ERROR
WANTED TO CLAIM ADDITIONAL STOCKWATER AMOUNTS, AMENDED.
RECOMMENDED ACRES WERE CHANGED AND REDUCED DUE TO DEEDED LAND
INFORMATION NOT PROVIDED AT TIME OF ORIGINAL FIELD EXAM.

Audit: 11/05/91 HOWERTON 11/06/91 HOWERTON 11/07/91 HOWERTON 11/17/91 HOWERTON
12/14/91 HOWERTON 02/10/92 HARRIS 07/29/92 PR-PRODM 07/29/92 PR-PRODM
08/24/92 SCHULTZ 09/18/92 HOWERTON 10/13/92 CP SHAW 12/05/92 ADT-SHAW

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. 57-00141
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

JAN 12 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)

OBJECTION - 1

JUL 20 1994

By filing 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: Joseph L. Parkinson
Address: 123 W Highland View Drive
Boise ID 83702, telephone 342-5827 home; 368-4029 work
Briefly describe your interest in this water right:

Co-owner

2. Owner of the water right:

Name: Joseph L. Parkinson Jim and Annetta Garrett
Address: 123 W. Highland View Dr. 4492 Keldoon
Boise ID 83702
Boise ID 83702

3. If this objection is filed by an attorney:

Attorney Name: _____
Attorney Address: _____
Attorney Phone No.: _____

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.

changed to March 1 to November 15.

#8 Period of year for use on all these water rights should be changed. You may use additional pages if necessary. Specifically describe how you want the Director's Report to be

CHANGES TO THE DIRECTOR'S REPORT

for beneficial use in the area has been March 1 to November 15.

#8 I testify that the actual beneficial use and historical reputation 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

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

☐ 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. _____

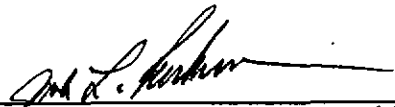
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

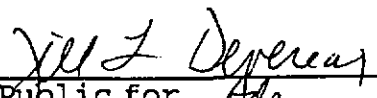
Joseph L. Parkinson, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

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 6 day of January,
1992.


Notary Public for Ada
Residing at: Engle
My Commission expires: 3/94

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 6 day of January, 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: Joseph L. Parkinson Jim and Annetta Garrett

Owner's address:

123 W Highland View Dr. 4492 Kelldon

Boise ID 83702 Boise ID 83702

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General

State of Idaho
P.O. Box 44449

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 of Objector or attorney
mailing on Objector's behalf



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

September 25, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Mr. Joseph L Parkinson
123 W Highland View Drive
Boise, Id 83702

Ref: Water Right Nos: 57-00046A, 57-00046B, 57-00047, 57-00051, 57-00063, 57-00065, 57-00066, 57-00076, 57-00077, 57-00093, 57-00110, 57-00138, 57-00141, 57-00165, 57-00166, 57-00167, 57-00168, 57-00169, 57-00170, 57-00171, 57-00204, 57-00225, 57-00226, 57-00227, 57-00229, 57-02027, 57-02102, 57-02156, 57-02157, 57-02162, 57-04101, 57-07186, 57-07206, 57-07222, 57-07521, 57-10153, 57-10493, 57-10494, 57-10496, 57-10543, 57-10557, 57-10831 and 57-10832.

Dear Joseph Parkinson,

This letter is being written in response to the rights we looked at together on September 11, 1992 and response from the signing of Amended Claims in Western's Regional office September 18, 1992.

All of the above was in response from the notice of error received August 19, 1992.

The Departments standard seasons of use and volume amounts have been recommended for all the rights above with the exception of the prior Castle Creek decreed rights, that were decreed with a season of use of 4-1 to 10-15 in 1923 when the decree was finalized. The Department cannot recommend a longer season than what was previously decreed.

Copies of amended claims are enclosed that you filed Notice of Error on, reflect the Season of Use dates you requested, not the departments in most cases, this was done per your request in order to preserve your right to object to the Departments recommended standards, or to the total volume in which was also left off these amended claims for the same reason. New information that you gave that was not originally provided at the time of original field exams, either reduced or increased the acreage slightly, added or corrected points of diversion and most stockwater amounts that were not claimed by the original owner, in most cases were amended to show those amounts on the claims that you requested in the Notice of Error, received August 19, 1992.

Other claims such as 57-00076, 57-00138, 57-00226, 57-00227, 57-02027 and 57-04101 were recommended for disallowance because senior water rights cover these uses and are in excess and are therefore termed as no-beneficial use.

Claims 57-00229, 57-02156 and 57-02162 were not recommended, because these old rights were abandoned, with much overgrowth of sagebrush on the place of use.

MICROFILMED
OCT 17 1992
NOTICE of
Error Ltr
in 57 00046A

You may file an objection with the court for either season of use or volume amounts of the rights you filed a notice of error on with evidence as to why you feel a longer season of use is needed etc. The objection procedure will be explained completely when you receive copies of your water rights submitted to the court on October 1, 1992. This notification will be mailed at the same time the report is given to the court.

I look forward to completing all future claims with your input for Basin 55. If you have any questions concerning this letter and/or would like to look over or make copies any of the items we had previously amended, please feel free to contact me.

Sincerely,



Ron Howerton
Senior Water Agent
Adjudication Section

Enclosures: Copies of Amended Claims

MICROFILMED
OCT 07 1992

Conditions of Approval:
C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT

MICROFILMED
OCT 07 1992

AJ0749NP
No. R57-00141

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

DATE: 09/18/92
PAGE: 2

Conditions of Approval:

- TO IDAHO CODE 42-1416(1).

Remarks:

USE OF THIS RIGHT WITH RIGHT NO. 57-00093 AND 57-00165 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 29.3 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 11.7 ACRES IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00093 AND 57-00165.
USE OF THIS RIGHT WITH RIGHT NO.S 57-00093 AND 57-00165 IS LIMITED TO THE WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

Dates:

Exam Made Date: 09/04/1990 Verified Date: 09/18/1992

Misc:

Water District Number:
Field Inspection Flag:
Presumption Flag:

Comments:

Date: 08/24/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE) RECEIVED NOE 8/19/92. CHANGED NOE FLAG FROM BLANK TO A.

Date: 09/18/1992 User-ID: HOWERTON Subject: CHANGES FROM NOTICE OF ERROR WANTED TO CLAIM ADDITIONAL STOCKWATER AMOUNTS, AMENDED.
RECOMMENDED ACRES WERE CHANGED AND REDUCED DUE TO DEEDED LAND INFORMATION NOT PROVIDED AT TIME OF ORIGINAL FIELD EXAM.

Audit:

09/18/92 HOWERTON

MICROFILMED
OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:25:43
08/28/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-00141A

LAST: R. T. NAHAS COMPANY
ADDRESS: 20630 PATIO DRIVE
CITY: CASTRO VALLEY
PHONE NUMBER: 415-538-9600

FIRST:

STATE: CA ZIP: 94546

OWNER CODE: O

LAST: GARRETT
ADDRESS: 4492 KELDOON
CITY: BOISE
PHONE NUMBER: 208-338-1412

FIRST: ANNETTA J.

STATE: ID ZIP: 83702

OWNER CODE: C

LAST: GARRETT
ADDRESS: 4492 KELDOON
CITY: BOISE
PHONE NUMBER: 208-338-1412

FIRST: JAMES W.

STATE: ID ZIP: 83702

OWNER CODE: C

LAST: PARKINSON
ADDRESS: 123 WEST HIGHLAND VIEW DRIVE
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST: JOSEPH L.

STATE: ID ZIP: 83702

OWNER CODE: C

FIELD EXAM REQUIRED?

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
N

NO REMARKS IN CLAIM

MICROFILMED
OCT 07 1992

CONTACT PERSON: SKEETER CLARK

DATE OF FIELD EXAM: 9/4/90

ACCOMPANIED BY: SKEETER CLARK

RELATIONSHIP TO CLAIMANT: MANAGER

APPOINTMENT MADE: Y() N()

PHONE NUMBER: () - -

TIME: : A() P()

PHONE NUMBER: () - -

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
OCT 07 1992

A. AJ CLAIM: # A57-00141A PRIORITY DATE: 06-01-1904 STAGE: D
B. WR RECORD: # 57-00141 PRIORITY DATE: 06-01-1904 STAGE: D

C. FIELD EXAM REQUIRED? DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE EXAMINER FIELD
N Rch

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

REMARKS:

RECOMMENDED PRIORITY DATE:
06-01-1904

REVIEWED BY Rch DATE 11-5-91

MICROFILMED
OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|------------|------|------|------|-----|-----|-----|-----|--------|
| A57-00141A | 07S | 01W | 16 | SE | SW | NE | | OWYHEE |

OTHER AJ CLAIMS WITH SAME AJ POD
 A PREFIX R PREFIX
 A57-00093A NONE
 A57-00165A

WR RECORDS IN SAME 40 ACRE TRACT
 NONE

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

5700141 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

| FIELD EXAMINER | DUE TO POD DISCREPANCY? (Y/N) | DUE TO SOURCE DISCREPANCY? (Y/N) | DATABASE |
|----------------|-------------------------------|----------------------------------|----------|
| <u>rdh</u> | Y | N | |

REMARKS:

P/D WAS CORRECT ON CLAIM

MICROFILMED
OCT 07 1992

| RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: | | |
|---|------|------|
| TWP. | RGE. | SEC. |
| 7S | 1W | 16 |
| SE | SW | NE |
| SOURCE: CASTLE CREEK | | |
| TRIB: SNAKE RIVER | | |
| REVIEWED BY: Rch | | |
| DATE: 11-5-91 | | |

SEE 93 FOR SYSTEM DESCRIPTION

MICROFILMED
OCT 07 1992

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1

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

5w NW 6.1 Ac
SEC 10

MICROFILMED
OCT 07 1992

OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s: 57 - 00093 57 - 00141

AGENT Row H DATE 57 - 00165

| USE/SOURCE | NUMBER | TNS | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | | TOTAL | SYSTEM TOTAL |
|------------|--------|-----|-----|-----|-----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|----|-------|--------------|
| | | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | |
| | 93 | 75 | 1W | 10 | | | | | 4.3 | 6.1 | | | | | | | | | | | 10.4 | |
| | | | | 16 | 1.3 | | | | | | | | | | | | | | | | 1.3 | 11.7 |
| | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |

| USE/SOURCE | NUMBER | TNS | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | | TOTAL | SYSTEM TOTAL |
|------------|--------|-----|-----|-----|-----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|----|-------|--------------|
| | | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | |
| | 141 | 75 | 1W | 10 | | | | | 4.3 | 6.1 | | | | | | | | | | | 10.4 | |
| | | | | 16 | 1.3 | | | | | | | | | | | | | | | | 1.3 | 11.7 |
| | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |

| USE/SOURCE | NUMBER | TNS | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | | TOTAL | SYSTEM TOTAL |
|------------|--------|-----|-----|-----|-----|----|----|----|-----|-----|----|----|----|----|----|----|----|----|----|----|-------|--------------|
| | | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | |
| | 165 | 75 | 1W | 10 | | | | | 4.3 | 6.1 | | | | | | | | | | | 10.4 | |
| | | | | 16 | 1.3 | | | | | | | | | | | | | | | | 1.3 | 11.7 |
| | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |

| USE/SOURCE | NUMBER | TNS | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | | TOTAL | SYSTEM TOTAL |
|------------|--------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|--------------|
| | | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |

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PRESUMPTION FLAG:

REMARKS:

ACRES WERE DETERMINED BY ENLARGED USGS MAP, GRID

RECOMMENDATIONS:

TOTAL ACRES:

11.7

REVIEWED BY:

REN

DATE:

11-5-91

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A. AJ CLAIMED USES:

PURPOSES
A57-00141A IRRIGATION
A57-00141A STOCKWATER

MONTH/DAY
FROM 04-01 TO 11-01
FROM 04-01 TO 11-01
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
.040 CFS
.040 CFS
.040 CFS

B. WR RECORDED USES:

PURPOSES
57-00141 IRRIGATION
57-00141 DOMESTIC
57-00141 STOCKWATER

MONTH/DAY
FROM 04-01 TO 10-15
FROM TO
FROM TO
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
.040 CFS
.040 CFS
.040 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

FIELD EXAMINER
DATABASE Y Y Y
Rah

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(X)
Y(X) N() Explain in remarks, below.

REMARKS:

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Y(X) N()

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 0.040 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.040 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. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

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

FLOW MEASUREMENT

MEASUREMENT METHOD NONE, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: INSTREAM STOCK WATER, 57-00093, 57-00165

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM | SOURCE | NAME | DIV. RATE | RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|--------------|---------------------|-----------|-----------|-----------|----------------|
| A57-00141A | CASTLE CREEK | GARRETT, ANNETTA J. | 0.040 | 0.002 | | |
| A57-00093A | CASTLE CREEK | GARRETT, JAMES W. | 0.160 | 0.010 | | |

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

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|------------|------------|---------------------|---------------------|----------|--------|
| A57-00141A | STOCKWATER | GARRETT, ANNETTA J. | FROM 04-01 TO 11-01 | .040 CFS | |
| A57-00093A | STOCKWATER | GARRETT, JAMES W. | FROM 04-01 TO 11-01 | .160 CFS | |
| A57-00165A | STOCKWATER | GARRETT, JAMES W. | FROM 04-01 TO 11-01 | .040 CFS | |

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS
LIMIT TO .04 CFS
WITH COMBINED
WITH #93 & 165

1a. IRRIGATION RATE
ACRES 11.7 x 0.02 CFS/ACRE = 0.23 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 = AF/A

ACRES 11.7 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 29.3 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

STK 0.04

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

COMBINED WITH 57-00093 & 57-00165

" ACRES = 11.7

" CFS = .23

" CU VOL = 29.3

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RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD | | REC. DIV
RATE CFS | | REC. DIV
VOL. AF/A | | REC. CONS.
USE | |
|------------------|-------------|-------|----------------------|----------|-----------------------|----------|-------------------|----------|
| | FROM | TO | DATABASE | EXAMINER | DATABASE | EXAMINER | DATABASE | EXAMINER |
| IRP | 04/01 | 10/15 | | 0.04 | | | | |
| STK | 04/01 | 10/15 | | 0.04 | | | | |
| | | | | 0.04 | | | | |

TOTAL FOR THIS RIGHT

REVIEWED BY: Rch DATE: 11-5-91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

| | |
|------------------------|-----------------|
| ACCEPTED
AS CLAIMED | NEEDS
REVIEW |
| (X) | () |
| () | () |
| () | () |

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-00141

| | | |
|----------|----------|-----|
| DATABASE | EXAMINER | CFS |
| 0.040 | | |

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A57-00141A | 0.040 | - | | 57-00141 | 0.040 |

TOTAL CFS 0.040

FIELD
EXAMINER

DIVERSION RATE REVIEW

DATABASE

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)

REMARKS:

RECOMMENDED ACRES WERE CHANGED DUE TO DEEDED LAND INFORMATION NOT
PROVIDED AT TIME OF ORIGINAL FIELD EXAM.
STOCKWATER AMOUNTS WERE ALSO CHANGED & AMENDED.

AUTHENTICATION:

SIGNATURE: Ray Howerton DATE: 11-5-91
NAME OF FIELD EXAMINER: Ray Howerton TITLE: SR WATER AGENT

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OCT 20 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 21, 1990

Owyhee County Title Co.
P.O. Box 8
Murphy, ID 83650

Re: Garrett-Parkinson/Nahas

Dear Sirs:

This letter is acknowledgement of receipt of the Change of Ownership forms for the following claims:

| | |
|------------|------------|
| A57-00093A | A57-00141A |
| A57-00165A | A57-02157 |
| A57-02162 | A57-02156 |
| A57-00138 | A57-00110 |
| A57-00204 | A57-00225 |
| A57-00226 | A57-00227 |
| A57-00166 | A57-00167 |
| A57-00168 | A57-00169 |
| A57-00170 | A57-00171 |
| A57-02102 | A57-10557 |

Enclosed are copies of these claims for your records. The Assignment of Permit has been forwarded to our State office. Please note water right No. 57-00229 is not included in the above list. In researching our records we cannot locate an Adjudication claim filed for this water right number.

If you have any further information concerning this right, please contact us.

Sincerely,

Lori Harris

Lori Harris
Adjudication Section

LH
Enclosures

cc: Files

Change in ownership forms Filed in A57-00093A
MICROFILMED
OCT 07 1992