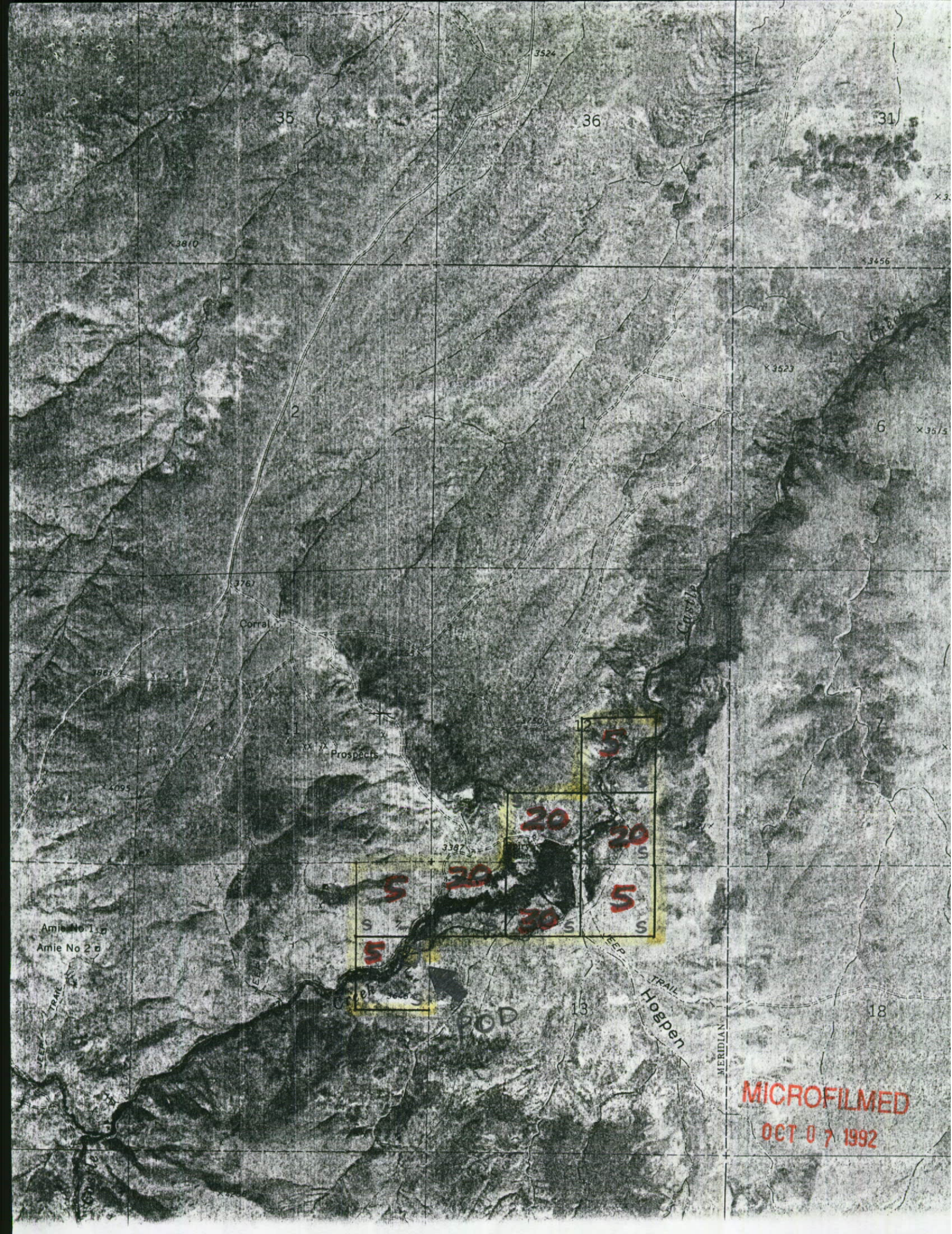


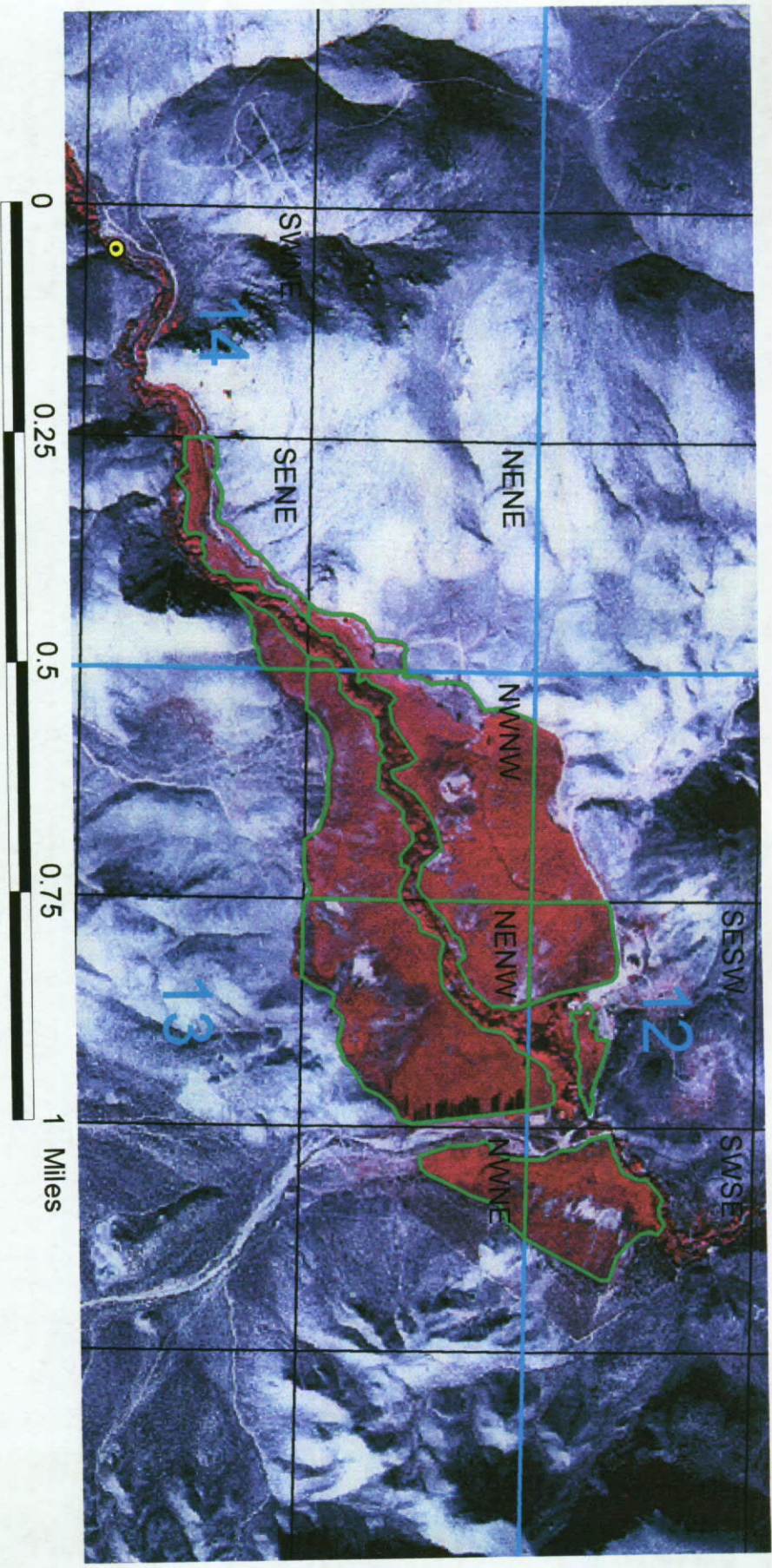


Amie No 1
Amie No 2

MICROFILMED
OCT 07 1992

Idaho Department of Water Resources

1987 Napp Photo



Claim Number: 57-00170
Legal: T06S, R01W, S12, 13, 14
Reviewed By:

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



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00170
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: JOSEPH L PARKINSON
Address: 123 WEST HIGHLAND VIEW DRIVE
BOISE ID 83702
OR
Name: JAMES W GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE ID 83702

2. Date of Priority: JUN 1, 1887

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
06S	01W	14	SW	SW	NE	.	OWYHEE

5. Description of diverting works:
CONCRETE DAM WITH TURN VALVE HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/15	0.400		
STOCKWATER	01/01	12/31	0.160		

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

A.F.A.

MICROFILMED

OCT 07 1992

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 700 HD CATTLE, 30 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	01W	12	SW	SW		IRR	8.0
			SW	SW		STOCK	
			SE	SW		IRR	8.0
			SE	SW		STOCK	
			SW	SE		IRR	8.0
			SW	SE		STOCK	
					Section Acres		24.0
		13	NW	NE		IRR	7.0
			NW	NE		STOCK	
			NE	NW		IRR	30.0
			NE	NW		STOCK	
			NW	NW		IRR	36.0
			NW	NW		STOCK	
					Section Acres		73.0
14	NE	NE		STOCK			
	NE	NE		IRR	7.0		
	SW	NE		IRR	6.0		
	SW	NE		STOCK			
			Section Acres		13.0		
			Total Acres		110.0		

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:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JAMES L. DAVEY
Decree Plaintiff

GEORGE F. BROWN ET. AL.
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): _____ 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

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: A57-00170
Date Received: 1/19/1989
Receipt No: C005201
Received By: DE JAH

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, 1887

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
06S	01W	14	NE	SE	NE		OWYHEE

5. Description of diverting works:
CONCRETE DAM WITH TURN VALVE HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		
STOCKWATER	03/15	11/15	0.070		

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

8. Total consumptive use is 275.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/250 HEAD OF BEEF CATTLE

A57-00170

Page 1

Date: 05/18/99 **MICROFILMED**

OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	01W	12	SE		SW		IRR	20.0
			SE		SW		STOCK	
			NW		SE		IRR	5.0
			NW		SE		STOCK	
			SW		SE		IRR	20.0
			SW		SE		STOCK	
			Section Acres					45.0
		13	NW		NE		IRR	5.0
			NW		NE		STOCK	
			NE		NW		IRR	30.0
			NE		NW		STOCK	
			NW		NW		IRR	20.0
			NW		NW		STOCK	
			Section Acres					55.0
		14	NE		NE		IRR	5.0
			NE		NE		STOCK	
			SE		NE		IRR	5.0
			SE		NE		STOCK	
			Section Acres					10.0
			Total Acres					110.0

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, 57-00167 -00168 -00169 -00166 -00171, WELL

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JAMES L. DAVEY

Decree Plaintiff

vs

GEORGE F. BROWN ET. AL.

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: A57-00170
Date Received: 1/19/89
Receipt No: C005201
Received By: 9

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, 1887

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
06S	01W	14	NE	SE	NE		OWYHEE

5. Description of diverting works:
CONCRETE DAM WITH TURN VALVE HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		
STOCKWATER	03/15	11/15	0.070		

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

8. Total consumptive use is 275.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/250 HEAD OF BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	01W	12	SE	SW		IRR	20.0
			SE	SW		STOCK	

A57-00170

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
06S	01W	12	NW	SE		IRR	5.0
			NW	SE		STOCK	
			SW	SE		IRR	20.0
			SW	SE		STOCK	
			Section Acres				45.0
		13	NW	NE		IRR	5.0
			NW	NE		STOCK	
			NE	NW		IRR	30.0
			NE	NW		STOCK	
			NW	NW		IRR	20.0
			NW	NW		STOCK	
			Section Acres				55.0
		14	NE	NE		IRR	5.0
			NE	NE		STOCK	
			SE	NE		IRR	5.0
			SE	NE		STOCK	
			Section Acres				10.0
			Total Acres				110.0

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, 57-00167 -00168 -00169 -00166 -00171, WELL

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JAMES L. DAVEY

Decree Plaintiff

vs

GEORGE F. BROWN ET. AL.

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 _____ of _____ Title

R.T. Nahas Co. _____, that I have signed the foregoing Organization

document in the space below as Atty _____ of _____ Title

R.T. Nahas Co. _____ and that the statements contained in the Organization
foregoing document are true and correct.

James W. Huser
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

KISER

17. Notice of Appearance:

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

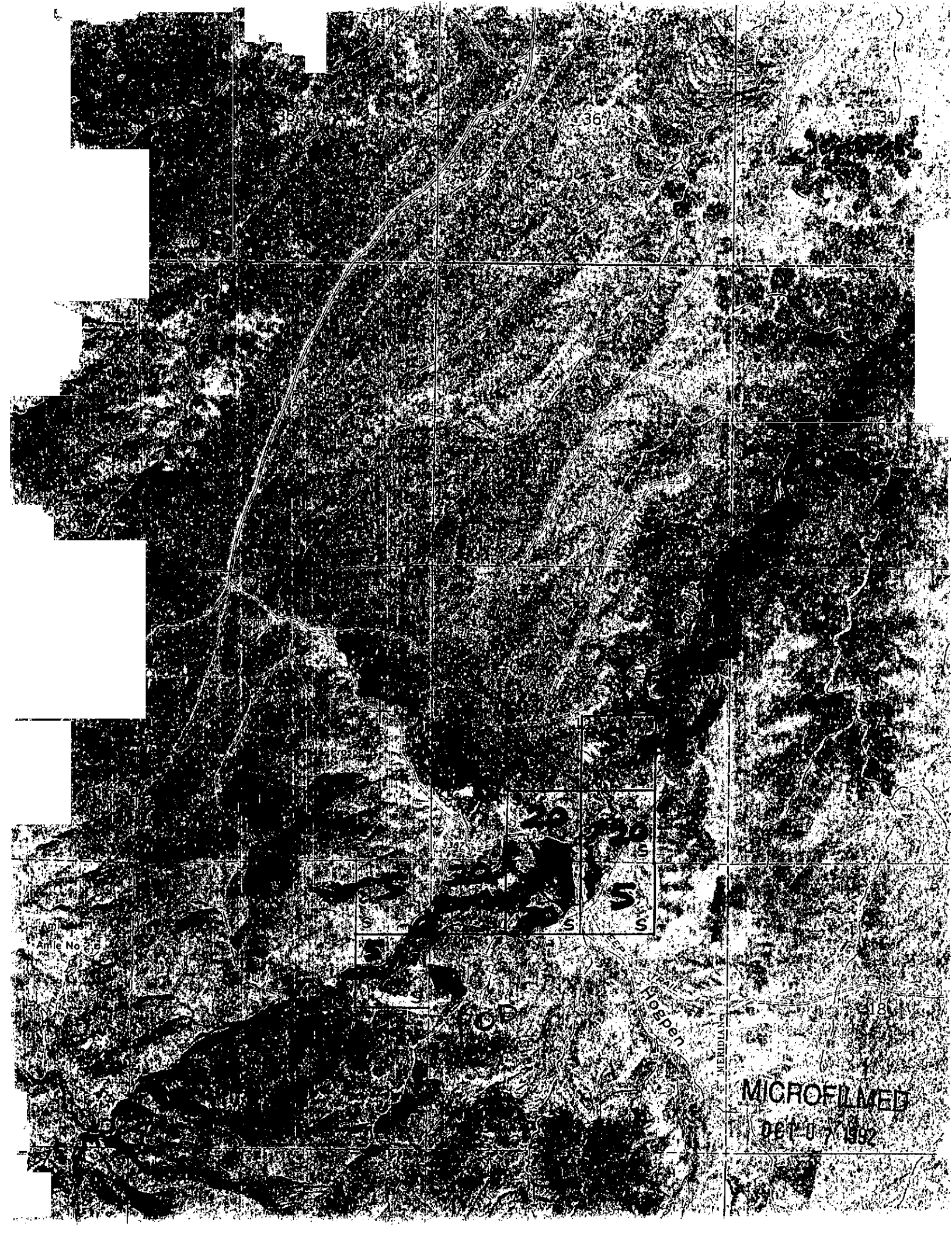
acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature]

Address 5405 Overland Drive

Ed. 83705

Date 1/19/89



9610

36

34

Airfile No. 100



U.S. GEOLOGICAL SURVEY
MERIDIAN

MICROFILMED
DEC 17 1992

Water Right Number - 57-00170 Adj. Flag Translation: Standard Water Right Number Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - - + + - - - - - Address - - - - - + - - - - - +

*** C - CURRENT OWNER *** JAMES L.
DAVEY
1 -
2 -
3 -
City - State - Zip -
Phone -

+ - - Priority Date - - + + - - - Region - - - - + + - - - Stage - - - - + + - - - Status - - - - +
06/01/1887 14 D - DECREED
+ - - - - Source - - - - - + + - - - - - Tributary - - - - - + - - - - - +
CASTLE CREEK SNAKE RIVER

+ - - - - - - - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +
Twn Rng Sec Tract Lot RFlg County

+ - - - - - - - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume - - - - - +
Code Description Period From Period To 04/01 10/15 0.400
01 - IRRIGATION
43 - DOMESTIC
04 - STOCKWATER

+ - - Total Div. Rate - - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.400

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|--------------|
| 06S | 01W | 12 | SE SW | | | 01 | IRRIGATION | (73) OWYHEE |
| 06S | 01W | 12 | NW SE | | | 01 | IRRIGATION | (73) OWYHEE |
| 06S | 01W | 12 | SW SE | | | 01 | IRRIGATION | (73) OWYHEE |
| 06S | 01W | 13 | NW NE | | | 01 | IRRIGATION | (73) OWYHEE |
| 06S | 01W | 13 | NE NW | | | 01 | IRRIGATION | (73) OWYHEE |
| 06S | 01W | 13 | NW NW | | | 01 | IRRIGATION | (73) OWYHEE |
| 06S | 01W | 14 | NE NE | | | 01 | IRRIGATION | (73) OWYHEE |
| 06S | 01W | 14 | SE NE | | | 01 | IRRIGATION | (73) OWYHEE |

Total Acres:

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

MICROFILMED
OCT 10 7 1992

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 A57-00170

Date Received 1/19/1989

Receipt Number C005201

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly Joseph L Parkinson or James W Garrett or Annetta J Garrett
123 W Highland View Dr 4492 Keldoan
Boise, Id 83702 Boise, Id 83702 Phone (208) 338-1412

1. Name of Claimant (s) _____

Mailing Address _____ Zip _____

2. Date of Priority (Only one (1) per claim) APRIL 01, 1987

3. Source of water supply (a) Castle Creek
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 06S Range 01W Section 14,
SW 1/4 of SW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Owyhee

Additional points of diversion if any: _____

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Concrete Dam with turn Valve Headgate

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OCT 07 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irr purposes from 03/00 to 11/15 amount 0.4 or _____

For Stockwater purposes from 01/00 to 12/31 amount 0.16 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.4 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater, 700 Hd Cattle, 30 Horses

10. Description of place of use:

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

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

| TWP | RNG | SEC | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
| | | | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | |
| 06S | 01W | 12 | | | | | | | | | | | 8 S | 8 S | | | 8 S | | 24 |
| | | 13 | | 7 S | | | 30S | 36S | | | | | | | | | | | 73 |
| | | 14 | 7 S | | 6 S | | | | | | | | | | | | | | 13 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated 110

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

12. Do you own the property listed above as place of use? Yes X No _____

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

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

57-00166, -167, -168, -169, 170, -171, -02102 or None ()

14. Remarks:

MICROFILMED

OCT 07 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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

Decree X

If applicable provide IDWR Water Right Number 57-00170

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

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

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of ADA) SS.

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

SEAL

Notary Public Ron Howerton

Residing at Ron Howerton

My Commission Expires Residing at Boise, Idaho

My Commission Expires December 8, 1994

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED
OCT 07 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00170

Date: 3-17-03

| | TNS | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | | Sum |
|-------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
| | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| Claim | 105 | 1W | 12 | | | | | | | | | | | 8 | | | | 8 | | 16 |
| GIS | | | | | | | | | | | | | | | | | | | | |
| Claim | | | 13 | | 7 | | | 30 | 36 | | | | | | | | | | | 73 |
| GIS | | | | | | | | | | | | | | | | | | | | |
| Claim | | | 14 | 7 | | | 6 | | | | | | | | | | | | | 13 |
| GIS | | | | | | | | | | | | | | | | | | | | |
| Claim | | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | | |

Number of POD's 1

Total Claimed Acres: 102

Overlapping POU Claim #'s:

Total GIS Acres: 91.2

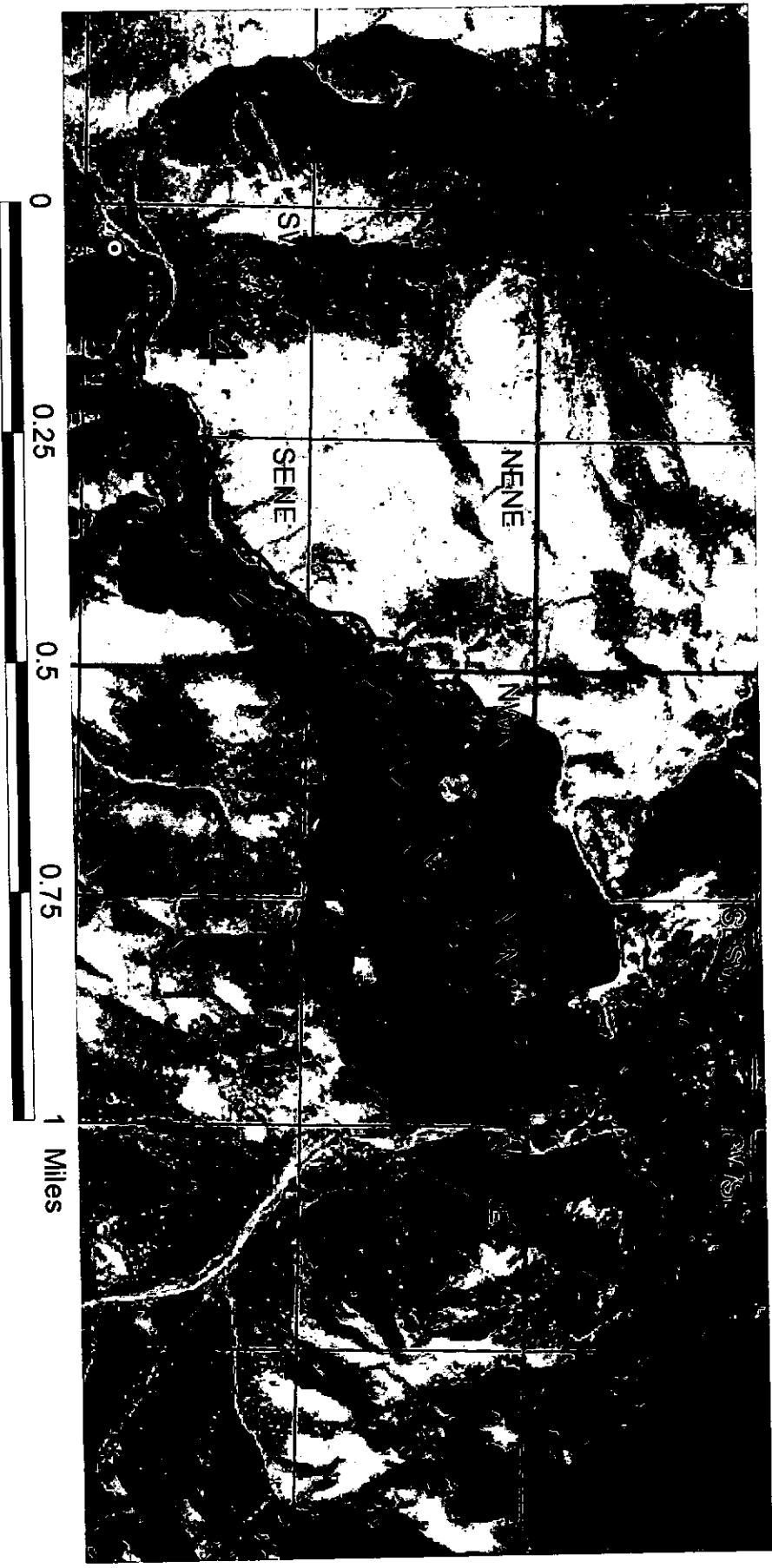
57-00171 57-02102 57-00169 57-00168 57-00166
57-00167

COMMENTS:

See 57-00170 comments

Idaho Department of Water Resources

1987 Napp Photo



Claim Number: 57-00170
Legal: T06S, R01W, S12, 13, 14
Reviewed By:

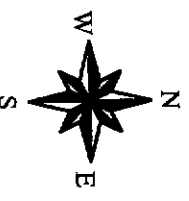
☐ Point of Diversion

☐ Place of Use

☐ Section Lines

☐ Quarter Quarter Lines

☐ Township/Range Lines



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

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

Case No. 57-00170 -0002

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

RESPONSE TO OBJECTION

Petitioner,)

vs.)

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

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

MICROFILMED

RESPONSE TO OBJECTION NO. 57-00170 -0002 - PAGE 1

JUL 20 1994

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ Source: I respond to the objection concerning the source of water.
3. ☒ Quantity: I respond to the objection concerning:
4. ☒ Priority Date: I respond to the objection concerning the priority date.
5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
7. ☒ Purposes of Use: I respond to the objection concerning the purpose(s) of use.
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.
9. ☒ Place of Use: I respond to the objection concerning:

II. STATEMENT OF THE RESPONSE

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

10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12a. ☒ This water right being recommended at all.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 2, 3, 4, 5, 7, 8, 9, 10, 12, and 12a and all allegations of the objection regarding these items IDWR responds as follows:

IDWR is informed and therefore believes that some or all of the lands upon which water is diverted, conveyed, or used pursuant to this right are owned by the United States. IDWR admits that the claims listed in the objection are recommended in the director's report. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

There is an error in the description of the place of use of this right in the director's report. The recommendation should be corrected as shown in the attachment entitled "Recommended Water Rights Acquired Under State Law."

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:

(Over)

MICROFILMED

JUL 20 1994

No. of
Pages

1

The notice of claim is attached to IDWR's response
to Objection No. 57-00170-0001
Recommended Water Right Acquired under State Law

JUL 20 1994

MICROFILMED

VERIFICATION (Must be completed)

State of IDAHO

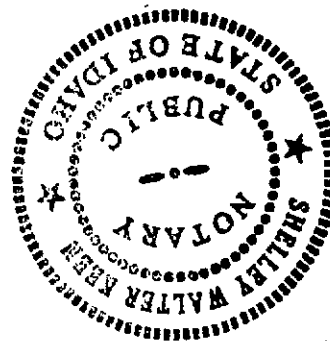
County of ADA

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

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

Signature of person filing response
By: [Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 1st day of July, 1993.



[Signature]
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: July 31, 1997

(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 15 day of July, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

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

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

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

Name: JOSEPH L PARKINSON
Address: 123 W HIGHLAND VIEW DR
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: US DEPT OF JUSTICE
Address: K JACK HAUGRUD & DARIA J ZANE
550 W FORT ST
PO BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

DATE: JUN-30-1993
PAGE: A-5

BASIS OF CLAIM

TRIBUTARY: SNAKE RIVER

4 CFS DECREED

04-01 10-15 .16 CFS

TOTAL QUANTITY: .4 CFS

ENMSWS

| | |
|------|-----|
| SWSW | 8.0 |
| NWNE | 7.0 |
| NENE | 7.0 |

SESW 8.0
NENW 30.0
SWNESENE

| | |
|------|------|
| SWSE | 8.0 |
| NWNW | 36.0 |

1110.0 ACRES TOTAL

T06S R01W S12
S13
S14

SESW
NENW
SWNE

SWSE
NWNW

REMARKS: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00166, 57-00167, 57-00168, 57-00169, 57-00171 AND 57-02102.

USE OF THIS RIGHT WITH RIGHT NO. 57-00166, 57-00167, 57-00168, 57-00169, 57-00171 AND 57-02102 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 275 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 110 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO.S 57-00166, 57-00167, 57-00168, 57-00169 AND 57-00171 IS LIMITED TO THE WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

JUL 20 1954

JUL 20 1994

MICROFILMED

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. 57-00170 -0001

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

RESPONSE TO OBJECTION

Petitioner,)

vs.)

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

Respondents.)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

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

REASONS SUPPORTING EACH BOX CHECKED

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

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

CHANGES TO THE DIRECTOR'S REPORT

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

☒ 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. A57-00170

3

(Over)

MICROFILMED

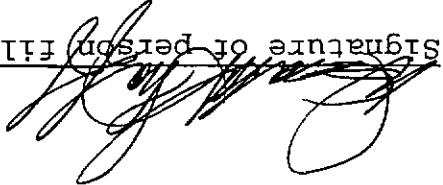
JUL 20 1994

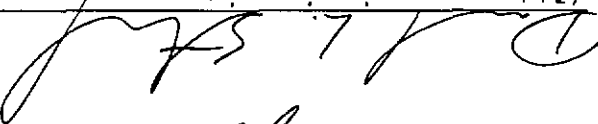
VERIFICATION (Must be completed)

State of IDAHO
County of ADA

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

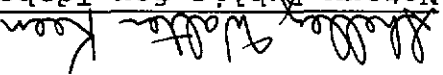
That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director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


Signature of person filing response

By: 
(Attorney signing in representative capacity)

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




Notary Public for Idaho
Residing at: Boise, ID
My Commission expires: July 31, 1997

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 prepared and addressed as follows:

1. Original to:

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

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

See No. 3

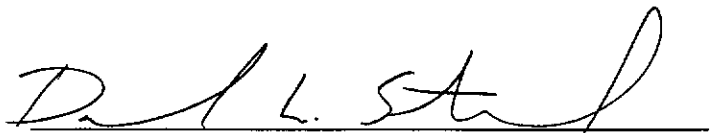
Name: JAMES & ANNETTA GARRETT
Address: 4492 KELDOON
BOISE ID 83702

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. One copy to:

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



Signature of Respondent or attorney
mailing on Respondent's behalf



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

MICROFILMED

JUL 20 1994

4961 0 2 706
MICROFILMED

RECEIVED

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.

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

WATER

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 PMR 22 PM 4 10
BARBARA JAYC
OWYHEE COUNTY RECORDER
BY *[Signature]*
DEPUTY
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,
Boise Idaho.

Residing at
Comm. Expires 7-10-93

POOR ORIGINAL

MICROFILMED

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:

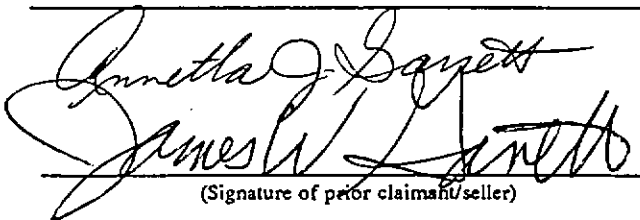
James W. and Annetta J. Garrett

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 55-10344~~

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 _____

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

VERIFICATION

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.

gaf
Signature of person filing form

By: _____
Attorney signing in representative capacity

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

Neil D. ...
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 $\frac{1}{2}$ 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 $\frac{1}{2}$ 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 $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 10: E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$
Section 13: NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 26: E $\frac{1}{2}$ 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:

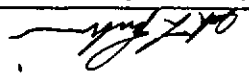
James W. and Annetta J. Garrett, 4492 N. Keldoan Ave., Boise, Idaho
83702

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):

MICROFILMED

JUL 20 1994

(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 4449
Boise, Idaho 83711-4449

4. One copy to:

AJ5809NP
No. 57-00170

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/28/93,
PAGE: 16

Remarks: USE OF THIS RIGHT WITH RIGHT NO.S 57-00166, 57-00167, 57-00168,
57-00169 AND 57-00171 IS LIMITED TO THE WATERING OF A TOTAL OF
700 CATTLE & 30 HORSES.

Dates: Exam Made Date: 08/29/1990 Verified Date: 09/20/1992

Misc: Water District Number: 57C Field Inspection Flag:
Presumption Flag: C

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.
CLAIM VERIFIED 3/5/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 09/20/1992 User-ID: HOWERTON Subject: CHANGES FROM NOTICE OF ERROR
WANTED TO CLAIM ADDITIONAL STOCKWATER AMOUNTS, AMENDED.

Audit: 11/08/91 HOWERTON 11/17/91 HOWERTON 12/15/91 HOWERTON 01/09/92 HOWERTON
03/05/92 HOWERTON 07/29/92 PR-PRODM 07/29/92 PR-PRODM 08/24/92 SCHULTZ
09/20/92 HOWERTON 10/13/92 CP SHAW 12/05/92 ADT-SHAW

MICROFILMED
JUL 20 1994

RECEIVED

APR 20 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 the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 57-00170
(Insert the Case No.
from the Objection
you are responding to)

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.

INSTRUCTIONS

This form must be used to file a response to any objection filed against a water right recommended in a Director's Report. You may respond to objections filed against one water right, using one response form. The water right number listed as the "Case No." on the Objection you are responding to must be inserted above the "Case No." If you choose to file one form to respond to all objections filed against the same water right, your response should cover every issue raised in the objections.

To respond to objections filed against more than one water right, you must file a separate response form for each water right. 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 response by the deadline shown in the notice that IDWR mailed to you. The response must be received by the court on or before the deadline specified. Instructions for filing this response are found on Page 5, and must be strictly followed.

MICROFILMED

JUL 20 1994

(Over)

must make an appointment with the clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

By filing a response form, you are certifying that the response 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 responding to objection:

Name:

Joseph L. Parkinson

Address:

123 W. HIGHLAND VIEW DRIVE

BOISE ID 83702

Briefly describe your interest in this water right:

OWNER

2. Person who filed objection:

Name:

UNITED STATES OF AMERICA, BUREAU OF LAND MANAGEMENT

US DEPARTMENT OF INTERIOR

3380 AMERICANA TERRACE

BOISE ID 83706

3. If this response 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.

RESPONSE TO OBJECTION - 2

II. STATEMENT OF THE RESPONSE

Please check each "box" which identifies your response.

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ Source: I respond to the objection concerning the source of water.
3. ☒ Quantity: I respond to the objection concerning:
 - 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 respond to the objection concerning the priority date.
5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I respond to the objection concerning the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I respond to the objection concerning the purpose(s) of use.
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.
9. ☒ Place of Use: I respond to the objection concerning:
 - 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 respond to the objection concerning the annual volume of consumptive use.

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JUL 20 1994

(Over)

1. Respond to the objection concerning the "remarks" listed with the water right.

12. ☒ Water Right Recommendation: I respond to the objection concerning:

a. ☐ this water right being recommended at all; or

b. ☐ this water right not being recommended.

13. ☐ Description of Reservation: I respond to the objection concerning the legal description of the reservation.

14. ☐ Other: I respond to the objection concerning:

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s), by

number, for each box checked. You may use additional pages if

necessary. 1. S12, SMSW, 8 acres, is not owned by Parkinson and should be deleted from place of use for irrigation and stockwater. 2. The S14, SWNE quadrant was inadvertently marked incorrectly on Dept. of Water Resources maps of actual irrigation use, and on reexamination is S14, SENE for place of use for irrigation and stockwater. This can be verified by calling Ron Howerton of Water Resources (phone 208-334-2190). 3. The Point of Diversion is on BLM but this is historically how it has been used. Also, the Department of Water Resources maps show another Point of Diversion at S14, SENE. 4. Places of use as amended are decided to me. 5. The BLM objection is unclear and ambiguous.

CHANGES TO THE DIRECTOR'S REPORT

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

1. Add a Place of Diversion in 106S, R01W, S14, SENE. 2. Delete on Place of Use: Irrigation 106S, R01W, S12, SMSW, 8.0 acres. 3. Delete on Place of Use: Stockwater 106S, R01W, S12, SMSW. 4. Change Place of Use: Irrigation 106S, R01W, S14, SWNE 6.0 acres to Place of Use: Irrigation 106S, R01W, S14, SENE 6.0 acres. 5. Change Place of Use: Stockwater 106S, R01W, S14, SWNE to Place of Use: Stockwater 106S, R01W, S14, SENE.

Please note that you should attach copies of documents which support your response. Note on each document the "box number" it supports.

☒ 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:

1. "Title Map" showing property owned by Joseph L. Parkinson according to title insured by Ohmyee Title (1 page). 2. "Irrigation Use Map": Incorporated by reference are the color maps in the file on this water right at the Department of Water Resources prepared by Ron Howerton based on his field examination. Attached are xerox copies (2 pages) of the maps. 3. Affidavit of Stan Smith of Ohmyee Title (2 pages).

VERIFICATION (Must be Completed)

State of Idaho

County of Ada

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

That I am the person or entity filing this response, 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 response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Joseph L. Parkinson
Signature of person filing response

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 16 day of April,
1993.

Jul L. Deveraux
Notary Public for Idaho
Residing at: Eagle
My Commission expires: 3/28/94

INSTRUCTIONS FOR MAILING

You must mail the response, 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 you responded to, if other than yourself; to the party who filed the objection to which you are responding, if different from the owner of the water right; 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.

MICROFILMED

JUL 20 1994

(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 16 day of April, 1995, 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:

Joseph L. Parkinson
123 West Highland View Drive
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:

United States of America
Bureau of Land Management
US Department of Interior
3380 Americana Terrace
Boise ID 83706

4. One copy to:

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

5. One copy to:

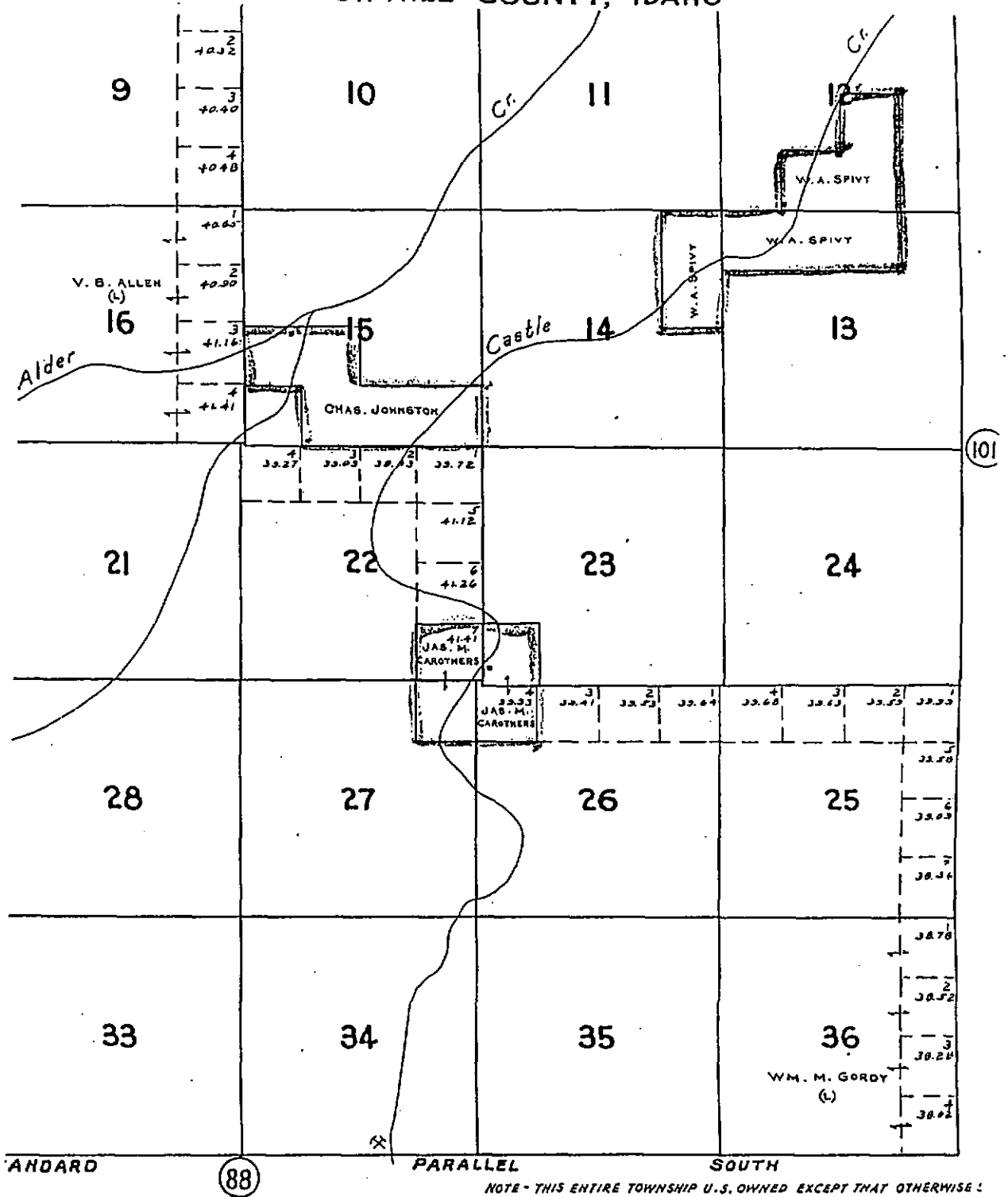
United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

Signature of Respondent or attorney
mailing on Respondent's behalf

RESPONSE TO OBJECTION - 6

TOWNSHIP 6 S., RANGE 1 W. B. M.

OWYHEE COUNTY, IDAHO



Water Right # 57-00170

TITLE MAP

MICROFILMED
JUL 20 1994

STATE OF IDAHO
COUNTY OF OWYHEE

Stan Smith, after being duly sworn, upon oath, deposes and says:

I have reviewed the property owned by Joseph L. Parkinson in Owyhee County, Idaho and I verify he owns the property attached hereto, and having examined the records as of this date, verify he is currently the owner of said land to the best of my knowledge and belief.

I am the President of Owyhee Title Company and I have rendered title opinions as an expert for over five years.

I have previously insured title to the attached properties as vested in fee simple to Joseph L. Parkinson and there has been no record of change of ownership as of this date of the 24th day of March, 1993.

Stan Smith
Stan Smith

Subscribed and sworn to before me this 24 day of March, 1993.

Notary Public for Idaho
Residing at 3094
My Commission Expires 3/28/94

Water Right # 57-00170

AFFIDAVIT OF STAN SMITH
Page 1

COMMITMENT FOR TITLE INSURANCE

SCHEDULE C

File Number: 6495

The land referred to in this Commitment is described as follows:

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: $E\frac{1}{2}NE\frac{1}{4}$
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, $SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$
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: $E\frac{1}{2}SW\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}$
Section 10: $E\frac{1}{2}$, $E\frac{1}{2}W\frac{1}{2}$
Section 13: $NE\frac{1}{4}SE\frac{1}{4}$
Section 26: $E\frac{1}{2}SW\frac{1}{4}$
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 8 SOUTH, RANGE 2 WEST, B. M., OWYHEE COUNTY, IDAHO

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

Water Right # 57-00170

AFFIDAVIT OF STAN SMITH
Page 2

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. 57-00170
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

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

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

(Over)

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.

1. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting: United States of America

Bureau of Land Management

U.S. Department of the Interior

Name:

Address: 3380 Americana Terrace

Boise, Idaho 83706

Briefly describe your interest in this water right:

The United States, through the Bureau of

Land Management, is the owner of the land

upon which this water right is claimed,

and claimant does not have a valid water

right.

2. Owner of the water right:

James W. &

Name: claimant Joseph L. Parkinson Annetta J. Garrett

Address: 123 W. Highland View Dr. 4492 Keldoon

Boise, ID 83702 Boise, ID 83702

3. If this objection is filed by an attorney:

K. Jack Haugrud

Daria J. Zane

Attorney Name:

U. S. Department of Justice

500 West Fort Street

Attorney Address:

P.O. Box 33

Boise, Idaho 83734

Attorney Phone No.: 202-272-4134/8351

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

II. STATEMENT OF THE OBJECTION

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

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

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JUL 20 1994

(Over)

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

The Directors report should be changed to recommend disallowance of this claim.

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

CHANGES TO THE DIRECTOR'S REPORT

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

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

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:

(Over)

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

Clarence D. Bole

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

(Attorney signing in representative capacity)

By:

Signature of person filing objection

David Brunner

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.

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

State of Idaho
 County of Ada

VERIFICATION (Must be completed)

1. Map of claim on public land
2. Conflicting USDI claims

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.

MICROFILMED
 JUL 20 1994

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 26 day of February, 1993, I ~~mailed~~^{certified} the original and ~~copies~~^{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:

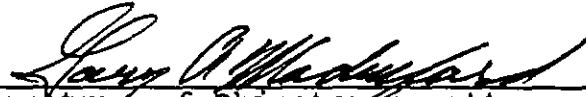
Owner name: Joseph L. Parkinson James W. & Annetta J. Garrett
Owner's address: 123 W. Highland View Dr. 4492 Keldoan
Boise, ID 83702 Boise, ID 83702

3. One copy to:

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

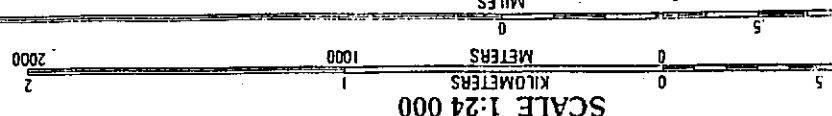
4. One copy to:

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

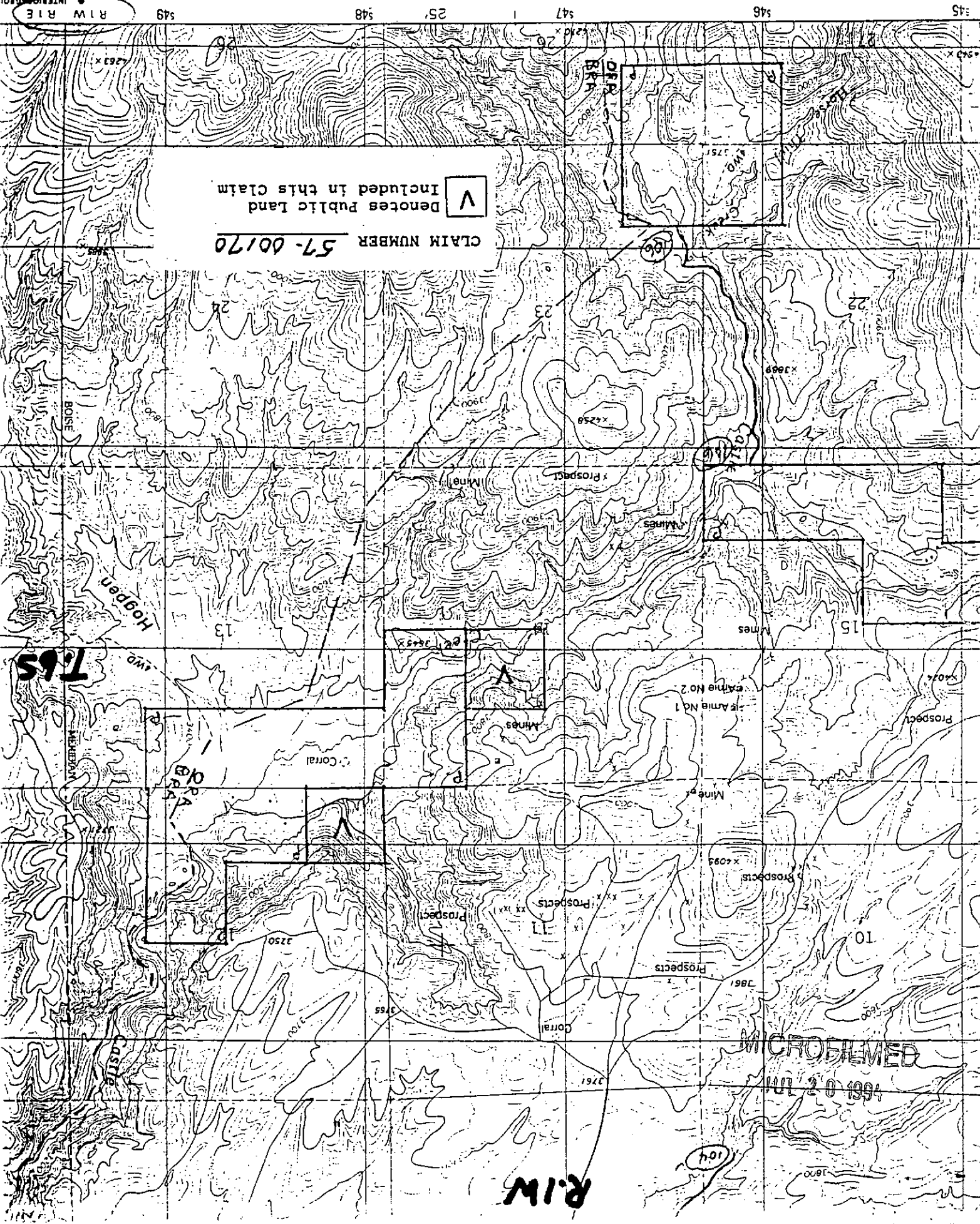


Signature of Objector or attorney
mailing on Objector's behalf

POOR ORIGINAL



ROAD
Primary highway
hard surface
R1W R1E



CLAIM NUMBER 57-00170
Denotes Public Land
V Included in this claim

MICROFILMED
JUL 20 1994

R1W

104

1800

1850

1900

1950

2000

2050

2100

2150

2200

2250

2300

2350

2400

2450

2500

2550

2600

2650

2700

2750

2800

2850

2900

2950

3000

3050

3100

3150

3200

3250

3300

3350

3400

3450

3500

3550

3600

3650

3700

3750

3800

3850

3900

3950

4000

4050

4100

4150

4200

4250

4300

4350

4400

4450

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4850

4900

4950

5000

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5100

5150

5200

5250

5300

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5650

5700

5750

5800

5850

5900

5950

6000

6050

6100

6150

6200

6250

6300

6350

6400

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6500

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6650

6700

6750

6800

6850

6900

6950

7000

7050

7100

7150

7200

7250

7300

7350

7400

7450

7500

7550

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7700

7750

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7900

7950

8000

8050

8100

8150

8200

8250

8300

8350

8400

8450

8500

8550

8600

8650

8700

8750

8800

8850

8900

8950

9000

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9100

9150

9200

9250

9300

9350

9400

9450

9500

9550

9600

9650

9700

9750

9800

9850

9900

9950

10000

CLAIM NUMBER: 57-00170

CONFLICTING CLAIMS FOUND IN THE DIRECTORS REPORT

57-11326

57-11106

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 Keldoan

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.

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

Case No. - 57-00170-0001
water
are of

OBJECTION

RECEIVED

JAN 12 1993

Department of Water Resources
Adjudication Bureau

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 Higinson 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.

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)

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.

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(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.

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 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.

JLP
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 6 day of January,
1993.

Joe L. Devereaux
Notary Public for Ada
Residing at: Engle
My Commission expires: 3/94

MICROFILMED

JUL 20 1994

(Over)

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, 1992, 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 and Annetta Garrett

Owner's address:

123 W Highland View Dr. 4492 Keldoon

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 4449
Boise, Idaho 83711-4449

4. One copy to:

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

Signature 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.

NOTICE of
Error Ltr
57-00046A

OCT 07 1992

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

AJ0749NP
NO. R57-00170

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

DATE: 09/20/92
PAGE: 1

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|------------------|---|------------------|--------------------------|----------------------------|----------------------|---------------------|
| C | ANNEITA J GARRETT
4492 KELDOON
BOISE ID 83702
(208) 338-1412 | 04/01/1887 | IRRIGATION
STOCKWATER | 04-01 10-15
04-01 10-15 | 0.40 CFS
0.16 CFS | |
| TOTAL DIVERSION: | | | | | 0.40 CFS | |

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

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

Water Source: CASTLE CREEK Tributary to: SNAKE RIVER Stage: DECREED
Point(s) of Diversion: T06S R01W S14 SWSWNE OMYHEE County

Place of Use Legal Description for: IRRIGATION

| NE | | NW | | SW | | SE | | SUM | | |
|-------------|-----|----|----|----|----|----|----|-----|----|-------|
| T | R | S | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac |
| 06S | 01W | 12 | : | : | : | : | : | : | : | : |
| 06S | 01W | 13 | : | 30 | 36 | : | : | : | : | : |
| 06S | 01W | 14 | : | 07 | 06 | : | : | 08 | : | : |
| TOTAL ACRES | | | | | | | | | : | 110.0 |

Place of Use Legal Description for: STOCKWATER

| NE | | NW | | SW | | SE | | SUM | | |
|-----|-----|----|----|----|----|----|----|-----|----|----|
| T | R | S | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac |
| 06S | 01W | 12 | : | : | : | : | : | : | : | : |
| 06S | 01W | 13 | : | S | S | : | : | : | : | : |
| 06S | 01W | 14 | : | S | S | : | : | S | : | : |

POU County: OMYHEE

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

Other Rights: SEE REMARKS

Other Water Rights with Same Point(s) of Diversion and Source:
R57-00166 R57-00167 R57-00168 R57-00169 R57-00171 R57-02102 R57-11326.

Other Water Rights Listing Overlapping Place(s) of use:
A57-00166 A57-00166A A57-00167 A57-00167A A57-00168 A57-00168A A57-00169 A57-00169A A57-00170 A57-00170A

MICROFILMED
OCT 07 1992

AJ0749NP
No. R57-00170

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

DATE: 09/20/92
PAGE: 2

Other Water Rights Listing Overlapping Place(s) of use:

A57-00171 A57-00171A A57-02102 R57-00166 R57-00166A R57-00167 R57-00167A R57-00168 R57-00168A R57-00169
R57-00169A R57-00170A R57-00171 R57-00171A R57-02102

Remarks:

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00166, 57-00167, 57-00168, 57-00169,
57-00171 AND 57-02102.
USE OF THIS RIGHT WITH RIGHT NO. 57-00166, 57-00167, 57-00168,
57-00169, 57-00171 AND 57-02102 IS LIMITED TO A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 275 AF, AND TO THE IRRIGATION OF
A COMBINED TOTAL OF 110 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO.S 57-00166, 57-00167, 57-00168,
57-00169 AND 57-00171 IS LIMITED TO THE WATERING OF A TOTAL OF
700 CATTLE & 30 HORSES.

Dates: Exam Made Date: 08/29/1990 Verified Date: 09/20/1992

Misc: Water District Number: 57C Field Inspection Flag: C
Presumption Flag: C

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.
CLAIM VERIFIED 3/5/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 09/20/1992 User-ID: HOWERTON Subject: CHANGES FROM NOTICE OF ERROR
WANTED TO CLAIM ADDITIONAL STOCKWATER AMOUNTS, AMENDED.

Audit: 09/20/92 HOWERTON

MICROFILMED
OCT 07 1992

A57-00170

"R" - RECORD

VERIFICATION CODES

| | |
|-----|---------------------|
| 1 | TOPO MAP/ORTHO |
| 2 | PHOTO |
| 3 | ASCS MAP |
| 4 | WATERMASTER RECORDS |
| 5 | WATERMASTER RECORDS |
| 6 | WATERMASTER RECORDS |
| 7 | WATERMASTER RECORDS |
| 8 | WATERMASTER RECORDS |
| 9 | WATERMASTER RECORDS |
| 10 | WATERMASTER RECORDS |
| 11 | WATERMASTER RECORDS |
| 12 | WATERMASTER RECORDS |
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| 97 | WATERMASTER RECORDS |
| 98 | WATERMASTER RECORDS |
| 99 | WATERMASTER RECORDS |
| 100 | WATERMASTER RECORDS |

NO
SUBMITTED - YES

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

COMMENTS: MISSING AS CHAIR

SEE FILE 57-00166 FOR MAPS.

OF 07

FILMED
1992

10:34:49
08/28/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-00170

LAST: DAVEY
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000
OWNER CODE: O

FIRST: JAMES L.
STATE: ID ZIP: 0

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

FIRST:
STATE: CA ZIP: 94546

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

FIRST: JAMES W..
STATE: ID ZIP: 83702

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

FIRST: ANNETTA J.
STATE: ID ZIP: 83702

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?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE N
FIELD EXAMINER

MICROFILMED
OCT 01 1992

CONTACT PERSON: SKETTER CLARK

DATE OF FIELD EXAM: 8/29/90

ACCOMPANIED BY: SKETTER/VAL

RELATIONSHIP TO CLAIMANT: MGR / WIFE MGR

DIRECTIONS TO PROPERTY / REMARKS:

APPOINTMENT MADE: Y() N()

PHONE NUMBER: () - -

TIME: : A() P()

PHONE NUMBER: () - -

MICROFILMED
OCT 07 1992

STAGE: D

PRIORITY DATE: 06-01-1887

A. AJ CLAIM: # A57-00170

STAGE: D

PRIORITY DATE: 06-01-1887

B. WR RECORD: # 57-00170

FIELD

EXAMINER

DATABASE

N

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

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

IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:

06-01-1887

REN

REVIEWED BY

DATE

11-6-91

MICROFILMED
OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY | OWYHEE |
|-----------|------|------|------|-----|-----|-----|-----|------|--------|
| A57-00170 | 06S | 01W | 14 | NE | SE | NE | | | |

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
 A57-00166 NONE
 A57-00167
 A57-00168
 A57-00169
 A57-00171
 A57-02102

WR RECORDS IN SAME 40 ACRE TRACT
 57-02102

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

5700170 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

DEGREE DIDN'T LIST PID, WASN'T CLAIMED CORRECT ON
 CLAIMS. FOUND EASY ON MAP

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|------|------|------|-----|-----|-----|-----|--------|
| 6S | 1W | 14 | SW | SW | NE | | Dwy |

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

REVIEWED BY: Rdh

DATE: 11-6-91

SEE 166 FOR DESCRIPTION

MICROFILMED
OCT 07 1992

A. ROOT WATER RIGHT NUMBERS:
A57-00170
A57-00170A

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-----|-----|-----|-----|-----|-----|----------------------|------------------|---------------|-----------------|----------------|------------------|
| 06S | 01W | 12 | SE | SW | | GARRETT, JAMES W. | A57-00170 /20.0 | 57-00170 / | 19.0 | 8 | 8 |
| | | | | | | GARRETT, JAMES W. | A57-00169 / | 57-00169 / | | | |
| | | | | | | GARRETT, JAMES W. | A57-00171 /20.0 | 57-00171 / | | | |
| | | | | | | GARRETT, JAMES W. | A57-10557 / | - | | | |
| | | | | | | MILETTE, MARIE | A57-00166A /13.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00167A /13.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00168A /13.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00169A /13.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00170A /13.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00171A /13.0 | - | | | |
| | | | | | | PARKINSON, JOSEPH L. | A57-00166 /20.0 | 57-00166 / | | | |
| | | | | | | GARRETT, JAMES W. | A57-00167 /20.0 | 57-00167 / | | | |
| | | | | | | GARRETT, JAMES W. | A57-00168 /20.0 | 57-00168 / | | | |
| 06S | 01W | 12 | NW | SE | | GARRETT, JAMES W. | A57-00170 / 5.0 | 57-00170 / | SW | 8 | 8 |
| | | | | | | GARRETT, JAMES W. | A57-00169 / | 57-00169 / | | | |
| | | | | | | GARRETT, JAMES W. | A57-00171 / 5.0 | 57-00171 / | | | |
| | | | | | | MILETTE, MARIE | A57-00166A / 5.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00167A / 5.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00168A / 5.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00169A / 5.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00170A / 5.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00171A / 5.0 | - | | | |
| | | | | | | PARKINSON, JOSEPH L. | A57-00166 / 5.0 | 57-00166 / | | | |
| | | | | | | GARRETT, JAMES W. | A57-00167 / 5.0 | 57-00167 / | | | |
| | | | | | | GARRETT, JAMES W. | A57-00168 / 5.0 | 57-00168 / | | | |
| 06S | 01W | 12 | SW | SE | | GARRETT, JAMES W. | A57-00170 /20.0 | 57-00170 / | 15.0 | 8 | 8 |
| | | | | | | GARRETT, JAMES W. | A57-00169 / | 57-00169 / | | | |
| | | | | | | GARRETT, JAMES W. | A57-00171 /20.0 | 57-00171 / | | | |
| | | | | | | GARRETT, JAMES W. | A57-10557 / | - | | | |
| | | | | | | MILETTE, MARIE | A57-00166A /15.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00167A /15.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00168A /15.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00169A /15.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00170A /15.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00171A /15.0 | - | | | |
| | | | | | | PARKINSON, JOSEPH L. | A57-00166 /20.0 | 57-00166 / | | | |
| | | | | | | GARRETT, JAMES W. | A57-00167 /20.0 | 57-00167 / | | | |
| | | | | | | GARRETT, JAMES W. | A57-00168 /20.0 | 57-00168 / | | | |
| 06S | 01W | 13 | NW | NE | | GARRETT, JAMES W. | A57-00170 / 5.0 | 57-00170 / | 5.0 | 7 | 7 |
| | | | | | | GARRETT, JAMES W. | A57-00169 / | 57-00169 / | | | |
| | | | | | | GARRETT, JAMES W. | A57-00171 / 5.0 | 57-00171 / | | | |
| | | | | | | GARRETT, JAMES W. | A57-10557 / | - | | | |
| | | | | | | MILETTE, MARIE | A57-00166A / 9.0 | - | | | |
| | | | | | | MILETTE, MARIE | A57-00167A / 9.0 | - | | | |

MICROFILMED
OCT 07 1992

OVERLAP REVIEW FOR A57-00166, 167, 168, 169, 170, 171 & 2102

| 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 | | |
| A 57-00166 | | 6S | 1W | 12 | | | | | | | | | | 8 | 8 | | | 8 | | 24 | |
| 167, 168, 169, | | | | 13 | | 7 | | 30 | 36 | | | | | | | | | | | 73 | |
| 170, & 171 | | | | 14 | 7 | | 6 | | | | | | | | | | | | | 13 | 110 |

| 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 | | |
| * 2102 | 6S | 1W | 13 | | | | | 30 | 20 | | | | | | | | | | | 50 | 50 |

| 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 | | |

| 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 | | |

MICROFILMED

* LIC. ORIGINALLY claimed 50 ACRES
NOW RECOMMEND AS THE SAME

OCT 07 1992

POW as ALL DECREE'S, But Limited to 1816-50 ACRES/P.POW

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

C. FIELD EXAM REQUIRED?

FIELD EXAMINER
DATABASE Y

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG: "C"

REMARKS:

SEE 166

RECOMMENDATIONS:

TOTAL ACRES: 110

REVIEWED BY: RSL

DATE: 11-6-91

A. AJ CLAIMED USES:

PURPOSES
A57-00170 IRRIGATION
A57-00170 STOCKWATER

MONTH/DAY
FROM 03-15 TO 11-15
FROM 03-15 TO 11-15
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
.400 CFS
.070 CFS
.400 CFS

B. WR RECORDED USES:

PURPOSES
57-00170 IRRIGATION
57-00170 DOMESTIC
57-00170 STOCKWATER

MONTH/DAY
FROM 04-01 TO 10-15
TO
TO

DIVERSION QUANTITY
.400 CFS
.400 CFS
.400 CFS
.400 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

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
Rch
Rch
Rch

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(X)
Y(X) N()

Explain in remarks, below.

REMARKS:

DEGREE STATES 04-01 to 10-15

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 0.400 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.400 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

RLL

FLOW MEASUREMENT

MEASUREMENT METHOD NONE, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: INSTREAM STOCK, 57-00167 -00168 -00169 -00171, WELL

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM | SOURCE | NAME | DIV. RATE | RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|--------------|----------------------|-----------|-----------|-----------|----------------|
| A57-00170 | CASTLE CREEK | GARRETT, JAMES W. | 0.400 | 0.003 | | |
| A57-00171 | CASTLE CREEK | GARRETT, JAMES W. | 0.400 | 0.003 | | |
| A57-00168A | CASTLE CREEK | MILETTE, MARIE | 0.200 | 0.001 | | |
| A57-00169A | CASTLE CREEK | MILETTE, MARIE | 0.200 | 0.001 | | |
| A57-00170A | CASTLE CREEK | MILETTE, MARIE | 0.400 | 0.003 | | |
| A57-00171A | CASTLE CREEK | MILETTE, MARIE | 0.400 | 0.003 | | |
| A57-00166 | CASTLE CREEK | PARKINSON, JOSEPH L. | 0.500 | 0.004 | | |
| A57-00167 | CASTLE CREEK | GARRETT, JAMES W. | 0.100 | | | |
| A57-00168 | CASTLE CREEK | GARRETT, JAMES W. | 0.200 | 0.001 | | |
| A57-00169 | CASTLE CREEK | GARRETT, JAMES W. | 0.200 | 0.001 | | |
| A57-02102 | CASTLE CREEK | GARRETT, JAMES W. | 0.600 | 0.012 | | |

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

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|------------|----------------------|---------------------|----------|--------|
| A57-00170 | STOCKWATER | GARRETT, JAMES W. | FROM 03-15 TO 11-15 | .070 CFS | |
| A57-00169 | STOCKWATER | GARRETT, JAMES W. | FROM 03-15 TO 11-15 | .070 CFS | |
| A57-10557 | DOMESTIC | GARRETT, JAMES W. | FROM 01-01 TO 12-31 | .040 CFS | |
| A57-10557 | STOCKWATER | GARRETT, JAMES W. | FROM 01-01 TO 12-31 | .070 CFS | |
| A57-00166 | STOCKWATER | PARKINSON, JOSEPH L. | FROM 03-15 TO 11-15 | .070 CFS | |
| A57-00167 | STOCKWATER | GARRETT, JAMES W. | FROM 03-15 TO 11-15 | .070 CFS | |
| A57-00168 | STOCKWATER | GARRETT, JAMES W. | FROM 03-15 TO 11-15 | .070 CFS | |

NOT FILMED

OCT 07 1992

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION) 1b. CALCULATIONS

1a. IRRIGATION RATE x 0.02 CFS/ACRE = 2.2 CFS
ACRES 110 (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 = 275.0 AF/A

ACRES 110 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 275 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y () N ()

.16 cfs State

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

When Comb. w/ 166, 167, 168, 169, 171 & 2102 = 275 cfs Vol

110 ac

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RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | DATABASE EXAMINER | REC. DIV
VOL. AF/A | DATABASE EXAMINER | REC. CONS.
USE |
|------------------|------------------------|----------------------|-------------------|-----------------------|-------------------|-------------------|
| 12R16 | 04-01 10-15 | .4 | | | | |
| STRENGTH | 04-01 10-15 | .16 | | | | |
| | | .4 | | | | 275
(combined) |

TOTAL FOR THIS RIGHT

REVIEWED BY: Rdh DATE: 11-6-91

MICROFILMED
OCT 07 1992

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: 57-00170

TOTAL DIVERSION RATE OF WR SPLITS

| | | |
|----------|------------|-----|
| DATABASE | EXAMINER | CFS |
| 0.400 | <u>REN</u> | |

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A57-00170 | 0.400 | - | | 57-00170 | 0.400 |
| - | A57-00170A | 0.400 | - | | | |
| TOTAL CFS | | 0.800 | | | | 0.400 |

DIVERSION RATE REVIEW

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

| | |
|-------------------|----------|
| FIELD
EXAMINER | DATABASE |
| _____ | N |

REMARKS:

NO - CLAIM ON 170A NOW.

AUTHENTICATION:

SIGNATURE: Ron Howerton DATE: 11-6-91
NAME OF FIELD EXAMINER: Ron Howerton TITLE: SR. WATER AGENT

MICROFILMED
1992

AJ0749NP
No. R57-00170

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

DATE: 07/31/92
PAGE: 1

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME

C JAMES W GARRETT 04/01/1887 IRRIGATION 04-01 10-15 0.40 CFS

C ANNETTA J GARRETT 4492 KELDOON STOCKWATER 04-01 10-15 0.07 CFS

BOISE ID 83702

(208) 338-1412

TOTAL DIVERSION: 0.40 CFS

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

Water Source: CASTLE CREEK Tributary to: SNAKE RIVER Stage: DECREED

Point(s) of Diversion: T06S R01W S14 SWSNE OMWHEE County

Place of use Legal Description for: IRRIGATION

| NE | | NW | | SW | | SE | | |
|------|------|------|------|------|------|------|-------------|-------|
| NENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SESW | |
| T | R | S | Lt | Ac | Lt | Ac | Lt | Ac |
| 06S | 01W | 12 | : | : | : | : | : | : |
| 06S | 01W | 13 | : | 07 | 06 | : | : | : |
| 06S | 01W | 14 | : | : | : | : | : | : |
| | | | | | | | 08 | 08 |
| | | | | | | | TOTAL ACRES | 110.0 |

Place of use Legal Description for: STOCKWATER

| NE | | NW | | SW | | SE | | |
|------|------|------|------|------|------|------|------|----|
| NENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SESW | |
| T | R | S | Lt | Ac | Lt | Ac | Lt | Ac |
| 06S | 01W | 12 | : | : | : | : | : | : |
| 06S | 01W | 13 | : | S | S | : | : | : |
| 06S | 01W | 14 | : | S | S | : | : | : |

POU County: OMWHEE

Non-Irrigation Uses: STOCKWATER, 250 HD CATTLE

Other Rights: SEE REMARKS

Other Water Rights with Same Point(s) of Diversion and Source:
R57-00166 R57-00167 R57-00168 R57-00169 R57-00171 R57-02102

Other Water Rights Listing Overlapping Place(s) of use:
A57-00166 A57-00166A A57-00167 A57-00167A A57-00168 A57-00168A A57-00169 A57-00169A A57-00170 A57-00170A
A57-00171 A57-00171A A57-02102 R57-00166 R57-00166A R57-00167 R57-00167A R57-00168 R57-00168A R57-00169 R57-00169A
R57-00169A R57-00170A R57-00171 R57-00171A R57-02102

Remarks: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00166, 57-00167, 57-00168, 57-00169,

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OCT 07 1992

AJ0749NP
No. R57-00170

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

DATE: 07/31/92
PAGE: 2

Remarks: 57-00171 AND 57-02102.
USE OF THIS RIGHT WITH RIGHT NO. 57-00166, 57-00167, 57-00168,
57-00169, 57-00171 AND 57-02102 IS LIMITED TO A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 275 AF, AND TO THE IRRIGATION OF
A COMBINED TOTAL OF 110 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: 08/29/1990 Verified Date: 03/05/1992

Misc: Water District Number: 57C Field Inspection Flag: C
Presumption Flag:

Audit: 00/00/00

MICROFILMED
OCT 07 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
Adjudication Section

LH
Enclosures

cc: Files

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

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

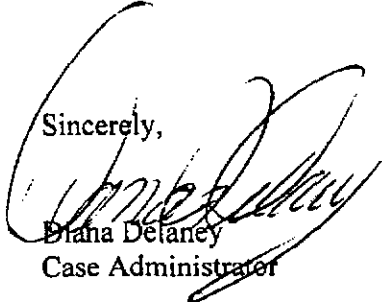
Dear Water Right Claimant(s):

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 57-170. 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

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

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-00170

1997 SEP -9 AM 9:54
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.4 CFS

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

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION: T06S R01W S14 SWSWNE Within Owyhee County

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 57-00166, 57-00167, 57-00168,
57-00169, 57-00171, 57-02102 AND 57-11326.

| PURPOSE AND
PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|-------------------------------|----------------|-------------------|----------|
| | IRRIGATION | Irrigation Season | 0.4 CFS |
| | STOCKWATER | Irrigation Season | 0.16 CFS |

| PLACE OF USE: | IRRIGATION | Within Owyhee County |
|---------------|-----------------|----------------------|
| | T06S R01W S12 | SESW 8 |
| | S13 | NWNE 7 |
| | S14 | NENE 7 |
| | | SENE 6 |
| | 102 ACRES TOTAL | |

NWNW 36

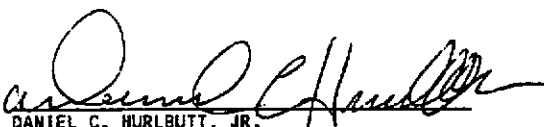
USE OF THIS RIGHT, IN COMBINATION WITH 57-00166, 57-00167,
57-00168, 57-00169, 57-00171 AND 57-02102, IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 102 ACRES IN A SINGLE
IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

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

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

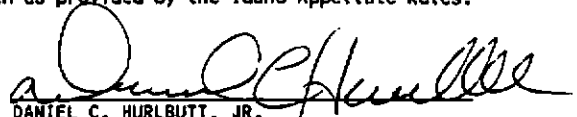
DATED: SEP -9 1997


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.

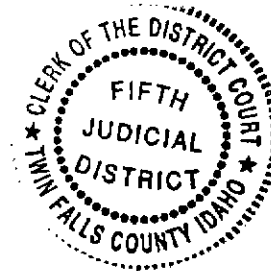
DATED: **SEP 09 1997**


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



RECEIVED

SEP 16 1997

Department of Water Resources
Adjudication Bureau

1997 SEP -9 AM 9: 54

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

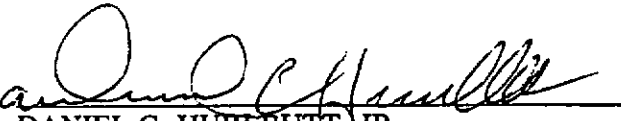
| | | |
|----------------|---|--------------------------|
| In Re SRBA |) | ORDER OF PARTIAL DECREE |
| |) | |
| Case No. 39576 |) | For Water Right 57-00170 |
| _____ |) | |

On June 23, 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 57-00170 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

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): 57-00170 |

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 57-00170 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

USDI BLM
Represented by:
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

CERTIFICATE OF MAILING

PAGE 1
09/09/97

JOSEPH L. PARKINSON
123 W HIGHLAND VIEW DR
BOISE, ID 83702

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

DIANA DELANEY
Chief Deputy Clerk

RECEIVED

SEP 16 1997

Department of Water Resources
Adjudication Bureau

1997 SEP -9 AM 9:54

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

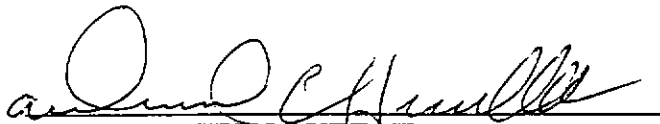
) For Water Right 57-00170

On June 23, 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 57-00170 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

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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-00170

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 57-00170 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

USDI BLM
Represented by:
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

MICROFILMED
MAR 2 - 1998

JOSEPH L. PARKINSON
123 W HIGHLAND VIEW DR
BOISE, ID 83702

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

DIANA DELANEY
Chief Deputy Clerk

NOT RECORDED

MAR 2 - 1998

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-00170

1997 SEP -9 AM 9:54
DISTRICT COURT-5TH JUD
TWIN FALLS CO., IDAHO
FILED -

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

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.4 CFS

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

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION: T06S R01W S14 SWSWNE Within Owyhee County

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 57-00166, 57-00167, 57-00168,
57-00169, 57-00171, 57-02102 AND 57-11326.

| PURPOSE AND
PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|-------------------------------|----------------|-------------------|----------|
| | IRRIGATION | Irrigation Season | 0.4 CFS |
| | STOCKWATER | Irrigation Season | 0.16 CFS |

| PLACE OF USE: | IRRIGATION | Within Owyhee County | |
|---------------|-----------------|----------------------|---------|
| | T06S R01W S12 | SESW 8 | SWSE 8 |
| | S13 | NWNE 7 | NENW 30 |
| | S14 | NENE 7 | SENE 6 |
| | 102 ACRES TOTAL | | NWNW 36 |

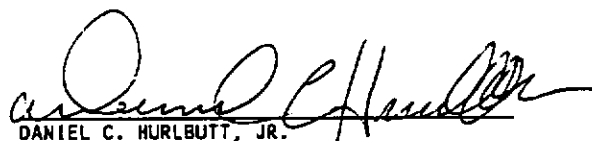
USE OF THIS RIGHT, IN COMBINATION WITH 57-00166, 57-00167,
57-00168, 57-00169, 57-00171 AND 57-02102, IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 102 ACRES IN A SINGLE
IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

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

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

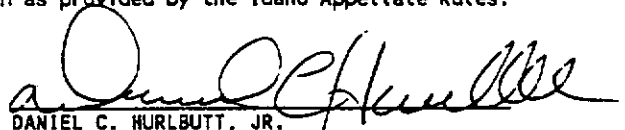
DATED: SEP 9 1997


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.

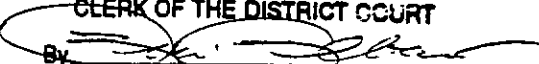
DATED: SEP 09 1997


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

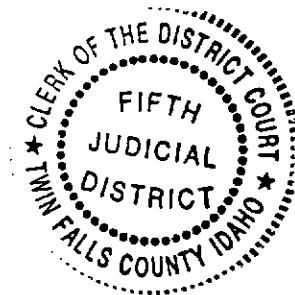
State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT

CLERK OF THE DISTRICT COURT

By 

DEPUTY CLERK



RECORDED

MAR 2 - 1998

RECEIVED

SEP 15 1997

Department of Water Resources
Adjudication Bureau

1997 SEP -9 AM 9: 54

DISTRICT COURT-SRBA
TWINFALLS 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

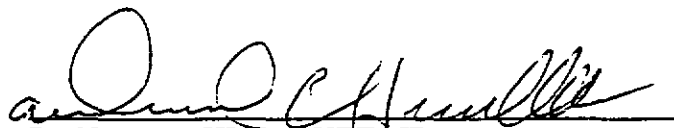
| | | |
|----------------|---|--------------------------|
| In Re SRBA |) | ORDER OF PARTIAL DECREE |
| |) | |
| Case No. 39576 |) | For Water Right 57-00170 |
| _____ |) | |

On June 23, 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 57-00170 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

MAR 2 - 1998

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)
_____)

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-00170

1997 JUN 23 AM 9:29
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED DL

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

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.4 CFS

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

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION: T06S R01W S14 SWSNE Within Owyhee County

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 57-00166, 57-00167, 57-00168,
57-00169, 57-00171, 57-02102 AND 57-11326.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION
STOCKWATER

PERIOD OF USE
Irrigation Season
Irrigation Season

QUANTITY
0.4 CFS
0.16 CFS

PLACE OF USE:

| IRRIGATION | Within Owyhee County | | | |
|---------------|----------------------|-----|------|------|
| T06S R01W S12 | SESW | 8.0 | SWSE | 8.0 |
| S13 | NWNE | 7.0 | NENW | 30.0 |
| S14 | NENE | 7.0 | SENE | 6.0 |
| 102.0 | ACRES TOTAL | | | |

NWNW 36.0

USE OF THIS RIGHT, IN COMBINATION WITH 57-00166, 57-00167,
57-00168, 57-00169, 57-00171 AND 57-02102, IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 102.0 ACRES IN A SINGLE
IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

CONSUMPTIVE USE:

~~USE OF THIS RIGHT, IN COMBINATION WITH 57-00166, 57-00167,
57-00168, 57-00169, 57-00171 AND 57-02102, IS LIMITED TO A TOTAL
COMBINED ANNUAL CONSUMPTIVE VOLUME OF 255.0 AF.~~ *RRH*

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.

DATED: 6/23/97

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

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-00170

RRH
MAR 2 - 1997

RECEIVED

JUN 24 1997

Department of Water Resources
Adjudication Bureau

1997 JUN 23 AM 9:29

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED SL

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

In Re SRBA

) Subcase 57-00170

Case No. 39576

)
) SPECIAL MASTER'S REPORT
)
)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

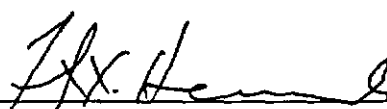
A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990) by Joseph L. Parkinson. The director of the State of Idaho Department of Water Resources examined the water system for areas 1, 2, and 3 and investigated and abstracted the notices of claims for those Reporting Areas.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

An objection to the *Director's Report* for water right 57-00170 was filed by the claimant and United States (BLM). Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court.

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

IT IS THEREFORE RECOMMENDED that subcase 57-00170 be decreed as recommended in the attached *Special Master's Report and Recommendation for Partial Decree*.

DATED 6/23/1997.


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

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

1997 MAY 13 AM 9:55

In Re SRBA)
Case No. 39576)
_____)

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR AT-SRBA
PARTIAL DECREE FOR TWIN FALLS CO., IDAHO
Water Right 57-00170 FILED *OK*

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

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.4 CFS

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

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION: T06S R01W S14 SWSNE Within Owyhee County

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 57-00166, 57-00167, 57-00168,
57-00169, 57-00171, 57-02102 AND 57-11326.

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------------------|----------------|-------------------|----------|
| IRRIGATION | STOCKWATER | Irrigation Season | 0.4 CFS |
| | | Irrigation Season | 0.16 CFS |

| PLACE OF USE: | IRRIGATION | Within Owyhee County |
|-------------------|------------|----------------------|
| T06S R01W S12 | SESW | 8.0 |
| | NWNE | 7.0 |
| | SENE | 6.0 |
| | SWSE | 8.0 |
| S13 | NWNE | 7.0 |
| S14 | SENE | 6.0 |
| 102.0 ACRES TOTAL | | |

USE OF THIS RIGHT, IN COMBINATION WITH 57-00166, 57-00167,
57-00168, 57-00169, 57-00171 AND 57-02102, IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 102.0 ACRES IN A SINGLE
IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

CONSUMPTIVE USE: ~~USE OF THIS RIGHT, IN COMBINATION WITH 57-00166, 57-00167,
57-00168, 57-00169, 57-00171 AND 57-02102, IS LIMITED TO A TOTAL
COMBINED ANNUAL CONSUMPTIVE VOLUME OF 255.0 AF.~~ *FIX*

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.

DATED: 5/16/97

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

MAY 13 1997
MAR 2 - 1998

RECEIVED

MAY 19 1997

Department of Water Resources
Adjudication Bureau

FEB 16 11 9:55

DISTRICT 7-SRBA
TWIN FALLS, IDAHO

FILED P.L.

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

In Re SRBA

) Subcase 57-00170

Case No. 39576

)
) PRELIMINARY SPECIAL
) MASTER'S REPORT
)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

An objection to the *Director's Report* for water right was filed on February 26, 1993, by the United States Bureau of Land Management (BLM) an objection was also filed by Joseph L Parkinson. Subsequently, a settlement was reached as to how the elements of this water right could be decreed, and on January 6, 1996, the parties, filed a *Standard Form 5* in subcase 57-00170. IT IS THEREFORE RECOMMENDED that subcase 57-00170 be decreed as recommended in the attached *Preliminary Special Master's Report and Recommendation for Partial Decree*.

DATED May 16, 1997.

RECORDED

MAR 2 - 1998

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

RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00170

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

RECEIVED

JAN 15 1997

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.4 CFS

Department of Water Resources

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

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION: T06S R01W S14 SWSWNE Within Owyhee County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------------------|----------------|-------------------|----------|
| | IRRIGATION | Irrigation Season | 0.4 CFS |
| | STOCKWATER | Irrigation Season | 0.16 CFS |

| PLACE OF USE: | IRRIGATION | Within Owyhee County | |
|---------------|-------------------|----------------------|-----------|
| | T06S R01W S12 | SESW 8.0 | SWSE 8.0 |
| | S13 | NWNE 7.0 | NENW 30.0 |
| | S14 | NENE 7.0 | SWNE 6.0 |
| | 102.0 ACRES TOTAL | | NWNW 36.0 |

USE OF THIS RIGHT WITH RIGHT NO. 57-00166, 57-00167, 57-00168,
57-00169, 57-00171 AND 57-02102 IS LIMITED TO A COMBINED TOTAL OF
102.0 ACRES IN A SINGLE IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

CONSUMPTIVE USE:

USE OF THIS RIGHT WITH RIGHT NO. 57-00166, 57-00167, 57-00168,
57-00169, 57-00171 AND 57-02102 IS LIMITED TO A TOTAL COMBINED
ANNUAL CONSUMPTIVE VOLUME OF 255.0 AF.

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

RECORDED
MAR 2 - 1998

AJ5856NP

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

DATE: JAN-9-1997
PAGE: A-17

RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00170 (CONT)

EXPLANATORY MATERIAL: (CONT)

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 57-00166, 57-00167, 57-00168,
57-00169, 57-00171 AND 57-02102.

RECEIVED
MAR 2 - 1998

MAR 2 - 1998

Signature of IDWR Representative
MICROFILMED

DATED: 1-13-97

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

IDWR has served copies of the *Notice of Completed Administrative Transfer and Amended Director's 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.

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

I.C. § 42-222 TRANSFERS

| | | | |
|--------------------------|-------------------------|----------------|--------------|
| From (Claimant/Seller): | Name of Claimant: _____ | Address: _____ | Phone: _____ |
| | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| To (Claimant/Purchaser): | 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

MAR 2 - 1993

Neri Harris

Signature of person or attorney mailing the form



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

MAR 13 1997

MAR 2 - 1998

AJ0749NP
No. 57-00170

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

DATE: 01/07/97
PAGE: 1

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|---|------------------|--------------------------|----------------------------|----------------------|---------------------|
| C | JOSEPH L PARKINSON
356 SELBY LANE
ATHERTON CA 94027
(415) 369-2358 | 04/01/1887 | IRRIGATION
STOCKWATER | 04-01 10-15
04-01 10-15 | 0.40 CFS
0.16 CFS | |
| | | | | | TOTAL DIVERSION: | 0.40 CFS |

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

Water Source: CASTLE CREEK Tributary to: SNAKE RIVER Stage: DECREED

Point(s) of Diversion: T06S R01W S14 SWSNE OWYHEE County

Place of use Legal Description for: IRRIGATION

| | NE | NW | SW | SE | SUM |
|---------------|-------|-------|-------|-------|-------------|
| T R S : Lt Ac | NE NE | NE NE | NE NE | NE NE | |
| S : Lt Ac | SW NE | SW NE | SW NE | SW NE | |
| 06S 01W 12 : | SE NE | SE NE | SE NE | SE NE | |
| 06S 01W 13 : | SE NE | SE NE | SE NE | SE NE | |
| 06S 01W 14 : | SE NE | SE NE | SE NE | SE NE | |
| 07 | 06 | 30 | 36 | 08 | 08 |
| | | | | | TOTAL ACRES |
| | | | | | 110.0 |

Place of use Legal Description for: STOCKWATER

| | NE | NW | SW | SE | SUM |
|---------------|-------|-------|-------|-------|-------------|
| T R S : Lt Ac | NE NE | NE NE | NE NE | NE NE | |
| S : Lt Ac | SW NE | SW NE | SW NE | SW NE | |
| 06S 01W 12 : | SE NE | SE NE | SE NE | SE NE | |
| 06S 01W 13 : | SE NE | SE NE | SE NE | SE NE | |
| 06S 01W 14 : | SE NE | SE NE | SE NE | SE NE | |
| S | S | S | S | S | |
| | | | | | TOTAL ACRES |
| | | | | | 110.0 |

POU County: OWYHEE

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

Other Rights: SEE REMARKS

Remarks: GEN THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00166, 57-00167, 57-00168, 57-00169, 57-00171 AND 57-02102.
USE OF THIS RIGHT WITH RIGHT NO. 57-00166, 57-00167, 57-00168, 57-00169, 57-00171 AND 57-02102 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 275 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 110 ACRES IN A SINGLE IRRIGATION SEASON.

AJ0749NP
No. 57-00170

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

DATE: 01/07/97
PAGE: 2

Remarks:

USE OF THIS RIGHT WITH RIGHT NO.S 57-00166, 57-00167, 57-00168,
57-00169 AND 57-00171 IS LIMITED TO THE WATERING OF A TOTAL OF
700 CATTLE & 30 HORSES.

Dates:

Exam Made Date: 08/29/1990 Verified Date: Objection Filed Date: 01/08/1993

Misc:

Water District Number: 57C Field Inspection Flag:
Presumption Flag: C

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.
CLAIM VERIFIED 3/5/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 09/20/1992 User-ID: HOWERTON Subject: CHANGES FROM NOTICE OF ERROR
WANTED TO CLAIM ADDITIONAL STOCKWATER AMOUNTS, AMENDED.

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: 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

FILED 2 - 1993

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
A57-07584, 57-10494, 57-10493, 57-10496,
57-07186, 57-07222, T3628, T4237, 57-07186,
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, 57-00225,
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
Atherton, 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

RECEIVED

MAR 2 - 1997

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 January 3, 1997, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

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

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

Department of Justice
c/o Boise Adjudication Team
380 Park Center Blvd. - Suite 330
Boise, Idaho 83706

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

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

Paula Cleveland
Signature of person or attorney
mailing the form

MAR 2 - 1998

IN Re SRBA
Case No. 39576

STANDARD FORM 5

SUBCASE NO: 57-00170

PROPOSED ELEMENTS OF A WATER RIGHT

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

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

INSTRUCTIONS FOR USE

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

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

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

1. The name and address of the claimant is:

Joseph Parkinson
123 West Highland View Drive
Boise, ID 83702

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

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

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

| | |
|------------|------------|
| Irrigation | Stockwater |
| .4 CFS | .16 CFS |

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

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

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

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

T06S R01W S14 SWSWNE Within Owyhee County

The following rights are also diverted through point of diversion described above: 57-00166, 57-00167, 57-00168, 57-00169, 57-00171, 57-02102 and 57-11326.

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

6. The purpose of use is: Irrigation, Stockwater

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

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

| | | |
|------------|-------------------|---------|
| Irrigation | Irrigation Season | .4 CFS |
| Stockwater | Irrigation Season | .16 CFS |

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

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

| Irrigation and Stockwater | | | | | |
|---------------------------|------|-----|----------|-----------|-----------|
| T06S | R01W | S12 | SESW 8.0 | SWSE 8.0 | |
| T06S | R01W | S13 | NWNE 7.0 | NENW 30.0 | NWNW 36.0 |
| T06S | R01W | S14 | NENE 7.0 | SENE 6.0 | |

102.0 acres total

All POU's are located in Owyhee County.

Use of this right, in combination with 57-00166, 57-00167, 57-00168, 57-00169, 57-00171 and 57-02102, is limited to the irrigation of a combined total of 102.0 acres in a single irrigation season.

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

9. The annual volume of consumptive use is:

Use of this right, in combination with 57-00166, 57-00167, 57-00168, 57-00169, 57-00171 and 57-02102, is limited to a total combined annual consumptive use volume of 255 AF.

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

10. Other matters necessary to define this water right:

Explanatory Material - Basis of Claim: Decree

The quantity decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

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

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

Name of Objector:

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

Attorneys of Record: R. Lee Leininger\Daria Zane\William
Ferry\Paul F. Holleman

Paul F. Holleman 11/21/96
Signature Date

Name of Claimant:

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

Joseph L. Parkinson 12/27/96
Party's Signature Date

IDWR Concurrence:

Andrew Peltinger Jan. 2 1997
Signature Date

MAR 2 - 1993

AJ5856NP

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

DATE: NOV-6-1996

PAGE: A-5

RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00170

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

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.4 CFS

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION: T06S R01W S14 SWSWNE Within Owyhee County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION Irrigation Season 0.4 CFS
STOCKWATER ~~04-01-10-15~~ 0.16 CFS
NO5/NO8 *1.5*

PLACE OF USE: IRRIGATION Within Owyhee County
T06S R01W S12 ~~SWSW~~ 8.0 SESW 8.0 SWSE 8.0
S13 NWN 7.0 NENW 30.0 NWNW 36.0
S14 NENE 7.0 SWNE 6.0

~~110.0~~ ACRES TOTAL*102.0*

STOCKWATER Within Owyhee County
T06S R01W S12 ~~SWSW~~ SESW SWSE
S13 NWN NENW NWNW
S14 NENE SWNE

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00166, 57-00167, 57-00168, 57-00169,
57-00171 AND 57-02102. *EXP*

USE OF THIS RIGHT WITH RIGHT NO. 57-00166, 57-00167, 57-00168,
57-00169, 57-00171 AND 57-02102 IS LIMITED TO A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 275 AF, AND TO THE IRRIGATION OF *CON*
253.0 *102.0* A COMBINED TOTAL OF 110 ACRES IN A SINGLE IRRIGATION SEASON. *POUT*

USE OF THIS RIGHT WITH RIGHT NO.S 57-00166, 57-00167, 57-00168,
57-00169 AND 57-00171 IS LIMITED TO THE WATERING OF A TOTAL OF
700 CATTLE & 30 HORSES.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

MICROFILMED

MAR 2 - 1993

Water Right Number - 57-00170

| | | | |
|---------------------|-------------------------|-----------------------------|----------------|
| + - Total Div. Rate | + + - Total Div. Volume | + + - Total Consumptive Use | + + - KW Usage |
| 0.400 | | 0.0 | |

MICROFILMED
MAR 2 - 1993

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

AJ0743NP
(OD-124)

Prefix Translation: WATER RIGHT

Water right number - 57-00170

| Town | Range | Section | Tract | Lot | Acres | Place of Use | Description | County |
|------|-------|---------|-------|-----|-------|--------------|-------------|-------------|
| 06S | 01W | 12 | SW SW | | 8.0 | 01 | IRRIGATION | (73) Owyhee |
| 06S | 01W | 12 | SE SW | | 8.0 | 01 | IRRIGATION | (73) Owyhee |
| 06S | 01W | 12 | SW SE | | 8.0 | 01 | IRRIGATION | (73) Owyhee |
| 06S | 01W | 13 | NW NE | | 7.0 | 01 | IRRIGATION | (73) Owyhee |
| 06S | 01W | 13 | NE NW | | 30.0 | 01 | IRRIGATION | (73) Owyhee |
| 06S | 01W | 13 | NW NW | | 36.0 | 01 | IRRIGATION | (73) Owyhee |
| 06S | 01W | 14 | NE NE | | 7.0 | 01 | IRRIGATION | (73) Owyhee |
| 06S | 01W | 14 | SW NE | | 6.0 | 01 | IRRIGATION | (73) Owyhee |
| 06S | 01W | 12 | SW SW | | | 04 | STOCKWATER | (73) Owyhee |
| 06S | 01W | 12 | SE SW | | | 04 | STOCKWATER | (73) Owyhee |
| 06S | 01W | 12 | SW SE | | | 04 | STOCKWATER | (73) Owyhee |
| 06S | 01W | 13 | NW NE | | | 04 | STOCKWATER | (73) Owyhee |
| 06S | 01W | 13 | NE NW | | | 04 | STOCKWATER | (73) Owyhee |
| 06S | 01W | 13 | NW NW | | | 04 | STOCKWATER | (73) Owyhee |
| 06S | 01W | 14 | NE NE | | | 04 | STOCKWATER | (73) Owyhee |
| 06S | 01W | 14 | SW NE | | | 04 | STOCKWATER | (73) Owyhee |

Total Acres: 110.0

+ . . . Diversion Means - CONCRETE DAM WITH TURN VALVE HEADGATE

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

+ - - Other Rights for Same Use - SEE REMARKS

| Remarks |
|--|
| <p>THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00166, 57-00167, 57-00168, 57-00169, 57-00171 AND 57-02102.</p> <p>USE OF THIS RIGHT WITH RIGHT NO. 57-00166, 57-00167, 57-00168, 57-00169, 57-00171 AND 57-02102 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 275 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 110 ACRES IN A SINGLE IRRIGATION SEASON.</p> <p>USE OF THIS RIGHT WITH RIGHT NO.S 57-00166, 57-00167, 57-00168, 57-00169 AND 57-00171 IS LIMITED TO THE WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.</p> |

| | | | | | |
|-----------|----------------------------------|-----------|----------------------------------|-----------|---|
| + - - - - | No Old Water Right Numbers Found | - - - - - | Old Water Right Numbers | - - - - - | + |
| + - - - - | | - - - - - | Conditions of Approval | - - - - - | + |
| | | - - - - - | No Conditions of Approval found. | - - - - - | |

```
+ - - - Decree Plaintiff - - +  
JAMES L. DAVEY  
+ - - - Decree Defendant - - +  
GEORGE F. BROWN ET AL.  
00/00/0000
```

MAR 2 - 1938

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)07/27/95 08:03:59
Page 3

Prefix Translation: WATER RIGHT

Water right number - 57-00170

+ - - - - - 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. CLAIM VERIFIED 3/5/92. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 09/20/1992 User Id: HOWERTON Subject: CHANGES FROM NOTICE OF ERROR
WANTED TO CLAIM ADDITIONAL STOCKWATER AMOUNTS, AMENDED.
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
GARRETT'S/PARKINSON DIR. REPORT OWNERS INITIALLY; GARRETT'S CONVEYED INTEREST TO PARKINSON AS SOLE OWNER. ALSO CORRECTED
OWNER CODES.

+ - - Audit Fields - - +
00/00/00

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +
Count Report Filing - 10/13/1992 Field Inspection Made - 08/29/1990 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 -
Claim Received Date - 01/19/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - C005201 Water District - 57C
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - OR Presumption Flag - C
Notice of Error Flag - E

MICROFILMED
MAR 2 - 1998