

Idaho Department of Water Resources

Claim Number: 57-00039
 Legal: T04S, R01E, S30
 Reviewed By:

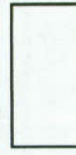
Point of Diversion
 (located outside view)



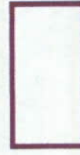
Place of Use



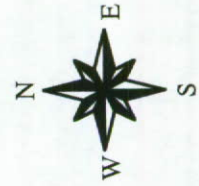
Section Lines



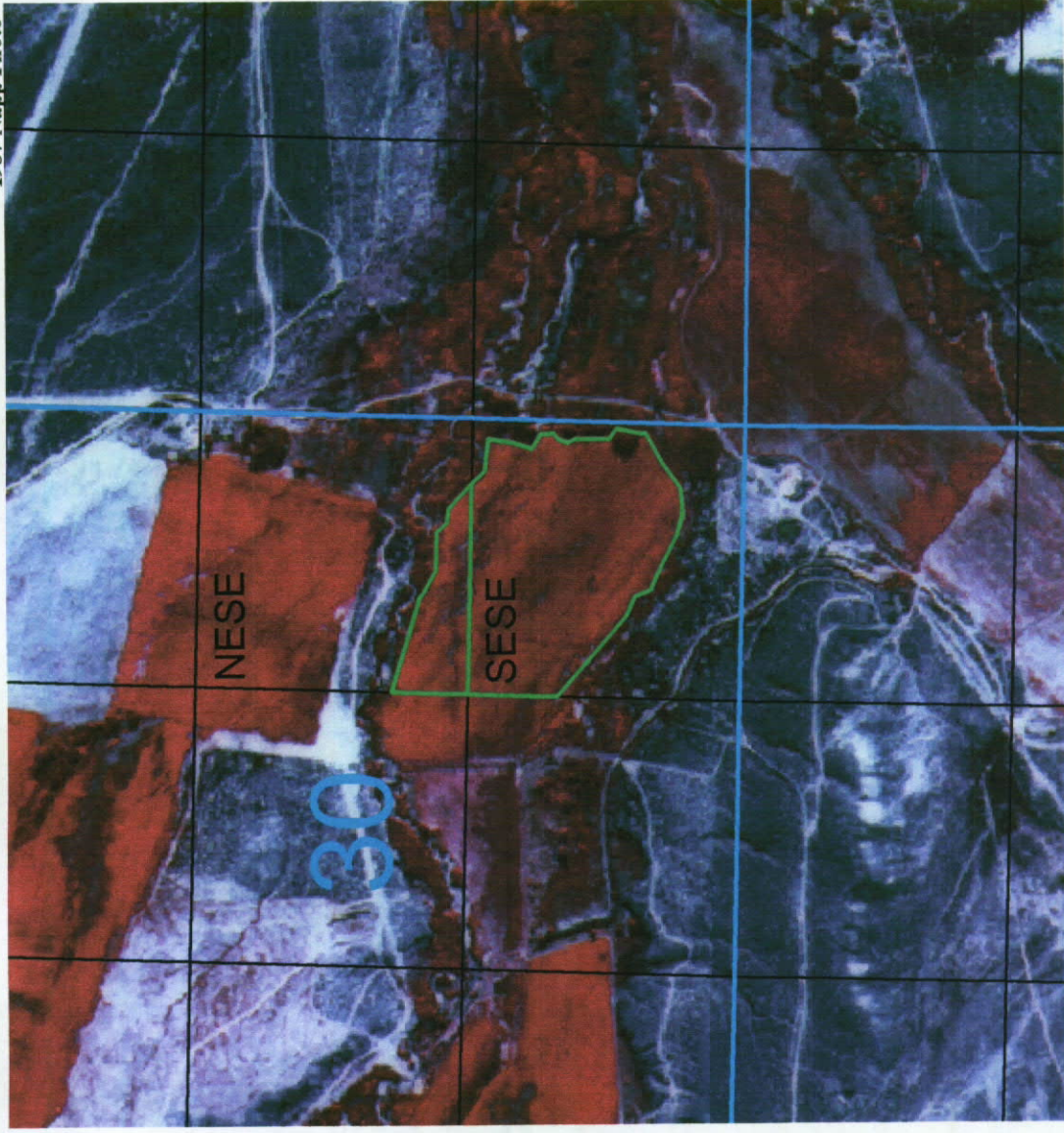
Quarter Quarter Lines



Township/Range Lines



1987 Napp Photo



A57-00039
A57-00058

14

13

18

BM 2979

2898

1W 1E

BOISE

2968

23

24

3021

19

Picket

2996

BM 2828

Oreana

P.O.

26

25

30

3111

3114

P/D

DIRT
DITCH

Oreana School

2805

Cem.

35

36

37

BM

MICROFILMED

OCT 07 1992

GRAND VIEW 16 MI.

GRAND VIEW 18 MI.

T. 4 S.
T. 5 S.

GRAND VIEW 17 MI.

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: A57-00039
Date Received: 1/19/1989
Receipt No: C005201
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: WILLIAM WHITE 208-834-2505
Address: PO BOX 2087
MURPHY ID 83651
AND
Name: BEVERLY WHITE 208-834-2505
Address: PO BOX 2087
MURPHY ID 83651

2. Date of Priority: APR 1, 1868

3. Source: CATHERINE CREEK Trib. to: CASTLE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	01E	30	NW	NW	SW		OWYHEE

5. Description of diverting works:
ROCK AND GRAVEL INSTREAM DAMMING SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.460		

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

8. Total consumptive use is 255.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	30	SW	SE		IRR	33.0
			SE	SE		IRR	40.0
Section Acres							73.0
Total Acres							73.0

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:
57-07043 -02181 -00038

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

J. M. NEIL

Decree Plaintiff

MICHAEL HYDE ET. AL.

vs Decree Defendant

MICROFILMED

OCT 07 1992

CHANGE IN OWNERSHIP

RECEIVED

NOV 29 1991 Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): Those set out on Exhibit B attached hereto.

[] Name and Address of
Former Claimant(s): Hyde Ranch Partnership
20630 Patio Drive
Castro Valley, CA 94546

[] New Claimant(s): William and Beverly White

[] New Mailing Address: HC 79, P.O. Box 2087
Murphy, ID 83651

New Telephone Number: (208) 834-2505

[] Does the change in ownership result in a splitting of the
water right claimed? yes x no
If yes, then describe the portion of the water right that is
now claimed by the new owner:

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

[] Signature of New Claimant(s): William L. White
Beverly L. White
William White
Beverly White

Date: Nov 11-24-91

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OCT 07 1992

ge 2
EXHIBIT D

SRBA WATER RIGHTS FILINGS

HYDE RANCH

A57-

1.	0038	April 1, 1866 (D)	3.0 cfs	96 acres
2.	10548	April 1, 1868 (B)	.19 cfs	stock
3.	0039	April 1, 1868 (D)	1.46 cfs	73 acres
4.	0042	February 14, 1870 (D)	1.98 cfs	73 acres
5.	0041B	February 14, 1870 (D)	3.18 cfs	73 acres
6.	0056A	March 16, 1885 (D)	.72 cfs	31 acres
7.	0058	April 1, 1885 (D)	.70 cfs	35 acres
8.	0060	April 1, 1886 (D)	10.1 cfs	240 acres
9.	10549	April 1, 1945 (B)	.23 cfs	stk/domestic
10.	2181	March 15, 1946 (L)	2.32 cfs	116 acres
11.	7043	October 30, 1970 (P)	6.58 cfs	435 acres
12.	10550	December 8, 1987 (B)	.23 cfs	stk/domestic

(D) = Decree
(L) = License
(P) = Permit
(B) = Beneficial Use

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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: A57-00039

Date Received: 1/19/89

Receipt No: C005201

Received By: 98

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HYDE RANCH PARTNERSHIP 415-538-9600
Address: 20630 PATIO DRIVE
CASTRO VALLEY, CA 94546

2. Date of Priority: APR 01, 1868

3. Source: CATHERINE CREEK Trib. to: CASTLE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	01E	30	NW	NW	SW		OWYHEE

5. Description of diverting works:
ROCK AND GRAVEL INSTREAM DAMMING SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.460		

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

8. Total consumptive use is 255.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	30	SW	SE		IRR	33.0
			SE	SE		IRR	40.0
Section Acres							73.0

10. Place of Use: Continued

Total Acres 73.0

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:
 57-07043 -02181 -00038

14. Remarks:

15. Basis of Claim: DECREED
 Case Number:
 Court :
 Decree date:

J. M. NEIL

Decree Plaintiff

vs

MICHAEL HYDE 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 Adm of
Hyde Ranch Part. Title
Organization that I have signed the foregoing
document in the space below as Adm of
Hyde Ranch Part. Title
Organization and that the statements contained in the
foregoing document are true and correct.

James D. Mun
Signature of Authorized Agent

Adm - Hyde Ranch Part.
Title and Organization

1/17/89
Date

State of Idaho)
County of Ada) SS.

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

Jeff Petersen
Notary Public

Seal

Residing at _____

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

17. Notice of Appearance:

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

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

Signature [Signature]

Address 5405 Overland Blvd. Ed. 93701

Date 1/19/89

4/1/1868

T4S

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00039

Date: 5-22-03

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	45	1E	30													4			20	24
GIS																5			23	28
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1 (Lot 3)

Total Claimed Acres: 24

Overlapping FOU Claim #'s:

57-00038, 57-07043, 57-02181

Total GIS Acres: 28

COMMENTS:

Per overlapping claims + claim map.

Idaho Department of Water Resources

Claim Number: 57-00039
Legal: T04S, R01E, S30
Reviewed By:

Point of Diversion
(located outside view)



Place of Use



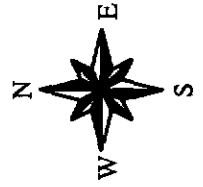
Section Lines



Quarter Quarter Lines



Township/Range Lines



1987 Napp Photo



0 0.25 0.5 0.75 Miles

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 57-00039

1997 SEP 12 AM 10:14
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: WILLIAM WHITE
BEVERLY WHITE
PO BOX 2087
MURPHY ID 83651

SOURCE: CATHERINE CREEK

TRIBUTARY: CASTLE CREEK

QUANTITY: 0.61 CFS

USE OF THIS RIGHT WITH RIGHT NO. 57-00038 AND OTHER RIGHTS
LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
5.72 CFS.

PRIORITY DATE: 04/01/1868

POINT OF DIVERSION: T04S R01E S30 LOT 3 (NWNWSW)

Within Owyhee County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
0.61 CFS

PLACE OF USE: IRRIGATION
T04S R01E S30
24 ACRES TOTAL

Within Owyhee County
NESE 4

SESE 20

USE OF THIS RIGHT WITH RIGHT NO. 57-00038 AND OTHER RIGHTS
LISTED THEREIN IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 286.0 ACRES IN A SINGLE IRRIGATION SEASON.

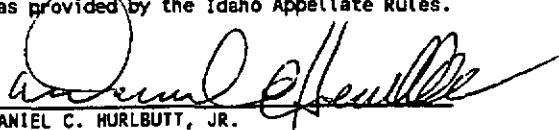
DATED: SEP 12 1997


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 12 1997

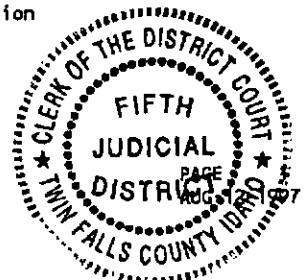

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-00039

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



Important Information About Your Water Right

August 28, 2002

Beverly White
William White
PO Box 2087
Murphy, ID 83651

RECEIVED

AUG 29 2002

Department of Water Resources

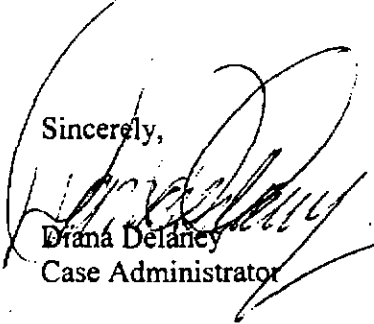
Dear Water Right Claimant(s):

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 57-39. 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). This *Order*, in combination with the *Partial Decree* that was issued for this water right on September 12, 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

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 28 2002	
By _____	Clerk
Deputy Clerk	

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

In Re SRBA	)	Water Right 57-39
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on September 12, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on July 26, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 2, IDWR Basin 57, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

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

PERIOD OF USE: 03-01 to 11-15

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

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 August 28, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

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SEP 15 1997

Department of Water Resources

1997 SEP 12 AM 10:14

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

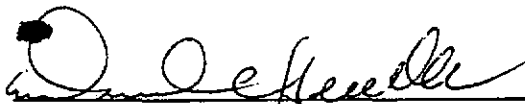
) For Water Right 57-00039

)
)
)
)
On June 20, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-00039 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 12, 1997.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

RECEIVED

SEP 15 1997

Department of Water Resources

1997 SEP 12 AM 10:14

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

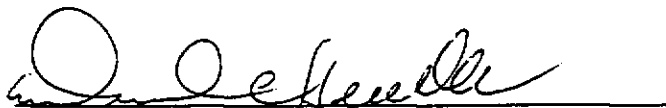
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-00039
_____	)	

On June 20, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-00039 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 12, 1997.


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

MICROFILMED

MAR 2 - 1998

1997 JUN 20 AM 11: 09

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-00039

On June 20, 1997, Special Master FRITZ X HAEMMERLE
issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above
subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

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

DATED June 20, 1997.

Debbie Lash

DEBBIE LASH
Deputy Clerk

MICROFILMED

MAR 2 - 1998

RECEIVED

JUN 23 1997

Department of Water Resources
Adjudication Bureau

1997 JUN 20 AM 11:09

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED LL

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 57-00039

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 William and Beverly White. 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 57-00039 was filed by United States (BLM). Subsequently, the objection was withdrawn by stipulation of the parties.

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

IT IS THEREFORE RECOMMENDED that subcase 57-00039 be decreed as recommended in the attached *Special Master's Report and Recommendation for Partial Decree*.

DATED May 20, 1997.

For

Fritz X. Haemmerle
FRITZ X. HAEMMERLE

Special Master, Reporting Area 2
Snake River Basin Adjudication

MICROFILMED

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 57-00039

1997 JUN 20 AM 11:09
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *DL*

NAME & ADDRESS: WILLIAM WHITE
BEVERLY WHITE
PO BOX 2087
MURPHY ID 83651

SOURCE: CATHERINE CREEK TRIBUTARY: CASTLE CREEK

QUANTITY: 0.61 CFS

USE OF THIS RIGHT WITH RIGHT NO. 57-00038 AND OTHER RIGHTS
LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
5.72 CFS.

PRIORITY DATE: 04/01/1868

POINT OF DIVERSION: T04S R01E S30 LOT 3 (NWNWSW) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.61 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T04S R01E S30	NESE 4.0 SESE 20.0
	24.0 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT NO. 57-00038 AND OTHER RIGHTS
LISTED THEREIN IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 286.0 ACRES IN A SINGLE IRRIGATION SEASON.

DATED: 6/20/97

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

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-00039

MICROFILMED
MAR 2 - 1998

PAGE 1
APR-29-1997

1997 MAY 28 AM 9:14

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

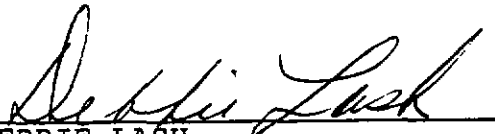
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-00039

On May 28, 1997, Special Master FRITZ X HAEMMERLE
lodged a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY
SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative
Order 1 section 9 (f).

These documents are served only on parties to the subcase.
They are not served on the Presiding Judge. Parties to this subcase
may file a Motion to Alter or Amend with the Special Master, but
must do so before June 11, 1997.

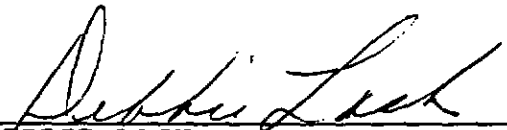
DATED May 28, 1997.


DEBBIE LASH
Deputy Clerk

MICROFILMED

MAR 2 - 1998

JAMES W KISER
5405 OVERLAND RD
BOISE, ID 83705


DEBBIE LASH
Deputy Clerk

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MAR 2 - 1998

CERTIFICATE OF MAILING

PAGE 2
05/28/97

EST NW 28 IN 9:14

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 57-00039

CERTIFICATE OF MAILING

I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 28, 1997, with sufficient first-class postage prepaid to the following:

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

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

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

WILLIAM WHITE
WHITE, BEVERLY
PO BOX 2087
MURPHY, ID 83650

CERTIFICATE OF MAILING

PAGE 1
05/28/97

RECEIVED

MAY 29 1997

Department of Water Resources
Adjudication Bureau

1997 MAY 28 AM 9:14

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED DL

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

In Re SRBA

) Subcase 57-00039

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. § 42-1909(1990) by William and Beverly White. 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 57-00039 was filed by the United States on behalf of the Bureau of Land Management (BLM). Subsequently, the objection was withdrawn by stipulation of the parties; now therefore,

IT IS RECOMMENDED that subcase 57-00039 be decreed as recommended in the *Preliminary Special Master's Report and Recommendation for Partial Decree*.

MICROFILMED

DATED May 28, 1997.

MAR 2 - 1998

Fritz X. Haemmerle
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

In Re SRBA)
Case No. 39576)
_____)

PRELIMINARY

1997 MAY 28 AM 9:14
SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
Water Right 57-00039
FILED

NAME & ADDRESS: WILLIAM WHITE
BEVERLY WHITE
PO BOX 2087
MURPHY ID 83651

SOURCE: CATHERINE CREEK TRIBUTARY: CASTLE CREEK

QUANTITY: 0.61 CFS

USE OF THIS RIGHT WITH RIGHT NO. 57-00038 AND OTHER RIGHTS
LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
5.72 CFS.

PRIORITY DATE: 04/01/1868

POINT OF DIVERSION: T04S R01E S30 LOT 3 (NWNWSW) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.61 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T04S R01E S30 NESE 4.0 SESE 20.0
24.0 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 57-00038 AND OTHER RIGHTS
LISTED THEREIN IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 286.0 ACRES IN A SINGLE IRRIGATION SEASON.

DATED: 5/28/97

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

MICROFILMED

MAR 2 - 1998

1997 JUN 20 AM 11:09

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)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-00039

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on June 20, 1997, with sufficient first-class postage prepaid to the following:

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

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

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

WILLIAM WHITE
WHITE, BEVERLY
PO BOX 2087
MURPHY, ID 83650

CERTIFICATE OF MAILING

PAGE 1
06/20/97

JAMES W KISER
5405 OVERLAND RD
BOISE, ID 83705


DEBBIE LASH
Deputy Clerk

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MAR 2 - 1998

CERTIFICATE OF MAILING

PAGE 2
06/20/97

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NOV 14 1996

Department of Water Resources

Movant's Name:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

LOIS J. SCHIFFER
Assistant Attorney General
Environment and Natural Resources Division

R. LEE LEININGER
PAUL F. HOLLEMAN
DARIA J. ZANE
WILLIAM M. FERRY
Attorneys, Department of Justice
General Litigation Section
Environment and Natural Resources Division
P.O. Box 663
Washington, D.C. 20044-0663
(202) 305-0494

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	)	Sub-case No. 57-00039
	)	
Case No. 39576	)	
	)	STIPULATION FOR WITHDRAWAL
_____	)	

DESCRIPTIVE SUMMARY

This is a stipulation to resolve water right number 57-00039. The parties stipulate to the withdrawal of the United States' objection to the water right claimed in this subcase.

STIPULATION

1. Pursuant to I.R.C.P. 41(a)(1), the United States of America and Beverly and William White stipulate that the objection filed by the Bureau of Land Management (BLM) to water right number 57-00039 is hereby withdrawn without prejudice.

MAK 2 - 1998

2. This stipulation was reached through negotiations for the purpose of resolving legal disputes, including pending litigation, and all parties agree that no offers and/or compromises made in the course thereof shall be construed as admissions against interest or be used in any legal proceeding, and that this agreement is not and shall not be used as precedent for any other claim to a water right.

3. All parties agree to bear their own costs and attorney's fees in connection with this matter.

4. This stipulation was entered into and executed voluntarily by all parties in good faith, and without any fraud, misunderstanding, overreaching, misrepresentation, duress, or undue influence whatsoever.

UNITED STATES OF AMERICA

Dated: 11/6/96

by: Paul F. Holleman
R. Lee Leininger
Paul F. Holleman
Attorneys, Department of Justice

Claimant: Beverly and William White

Dated:

by: James W. Kiser
James W. Kiser
Attorney for Claimant

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MAR 2 - 1998

CERTIFICATE OF SERVICE

I certify that on the 12th day of November, 1996 I served a true and correct copy of this Stipulation of Withdrawal upon the following individuals:

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

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

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

A. Lynne Krogh
Deputy Attorney General
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83702

James W. Kiser
5405 Overland Road
Boise, ID 83705


Jamie Gough

MICROFILMED

MAR 2 - 1998

11:00 AM
10/23/96

Subcase No.: 57-00038, 00039, 02181, +0704:

Page 1

C. Partial Settlement

The parties reached agreement on these elements as follows:

38 & 39 settled. Hollman will send stipulation for US
To withdraw US objections by Nov. 8.

2181 & 7043 are unobjected to & unaffected by
settlement.

D. Recommendation for Additional Settlement Conferences

Settlement Moderator, Terrence A. Dolan, recommends this subcase be set for an additional Settlement Conference within 90 days. The parties have represented to the Settlement Moderator that they are available on _____.

The reason(s) an additional Settlement Conference may be beneficial is:

E. Recommendation for Trial Setting:

Settlement Moderator, Terrence A. Dolan, recommends this subcase be set for trial. The parties have been unable to reach a resolution of elements:

1 2 3 4 5 6 7 8 9 10

DATED 10-22, 1996.

MICROFILMED

MAR 2 - 1998

By signing this document, the parties acknowledge receipt of a copy of this document.

Paul F. Hollman
Signature of Parties

Andrew [Signature]
Signature of IDWR

Terrence A. Dolan
Terrence A. Dolan, Settlement Moderator

[Signature]
Signature of Parties

Attorney for
Signature of Parties

Bill & Beverly
White

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. 57-00039
(You must insert the
water right number you
are objecting to)

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

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.

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JUL 20 1994

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)

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: United States of America
Bureau of Land Management
Name: U.S. Department of the Interior
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 land
affected by this claimed water right and
has a senior existing water right.

2. Owner of the water right:
Beverly White
Name: claimant William White
Address: P.O. Box 2087
Murphy, ID 83651
3. If this objection is filed by an attorney:
K. Jack Haugrud
Attorney Name: Daria J. Zane
U. S. Department of Justice
Attorney Address: 500 West Fort Street
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)

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: _____
- _____
- _____

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.

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 affecting 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. BLM specifically objects to the quantity, priority date, point of diversion, and/or purpose of use of the claimed right because granting this right will adversely affect the United States senior water right.

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.

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

Please note: You should attach copies of documents which support your objection. 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. _____

~~CONFIDENTIAL - SECURITY INFORMATION~~

62. Conflicting USDI claims

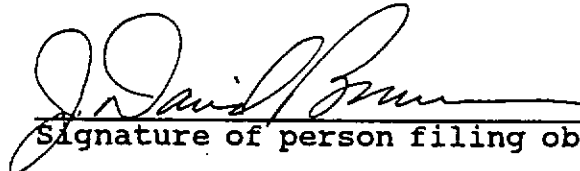
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

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

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


Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 23 day of February,
199 3.


Notary Public for Ada County
Residing at: Boise, Idaho
My Commission expires: April 26, 1992

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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 26 day of February, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Owner name: Beverly White
William White
Owner's address: P.O. Box 2087
Murphy, ID 83651

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

CHANGE IN OWNERSHIP

RECEIVED
NOV 29 1999 Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adijudication claim.

[] Water Right Number(s): Those set out on Exhibit B attached hereto.

[] Name and Address of Former Claimant(s): Hyde Ranch Partnership
20630 Patio Drive
Castro Valley, CA 94546

[] New Claimant(s): William and Beverly White

[] New Mailing Address: HC 79, P.O. Box 2087
Murphy, ID 83651

New Telephone Number: (208) 834 - 2505

[] Does the change in ownership result in a splitting of the water right claimed? yes x no
If yes, then describe the portion of the water right that is now claimed by the new owner:

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

[] Signature of New Claimant(s): William L. White
Beverly L. White
William White
Beverly White

Date: Nov 11-24-91

CHANGE IN OWNERSHIP

Page 2

[] Signature of Former Claimant(s): Hyde Ranch Partnership

by: [Signature]

R.T. Nahas

Date: 11/11/91

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date:
By:

Further Action Needed:
Further Action Taken

Date:
By:

Final Review and Data-Entry

Date:
By:

Claim Numbers of Split, if any:

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

WESTERN REGIONAL OFFICE

2735 AIRPORT WAY

BOISE, IDAHO 83705

(208) 334-2190

EASTERN REGIONAL OFFICE

150 SHOWN SUITE #15

IDAHO FALLS, IDAHO 83402

(208) 525-7161

STATE OFFICE

1301 N. ORCHARD ST.

STATEHOUSE MAIL

BOISE, IDAHO 83720

(208) 327-7906

SOUTHERN REGIONAL OFFICE

222 SHOSHONE STREET EAST

TWIN FALLS, ID 83301

(208) 734-3578

NORTHERN REGIONAL OFFICE

1910 NORTHWEST BLVD. SUITE 210

COEUR D'ALENE, IDAHO 83814

(208) 765-4639

SRBA WATER RIGHTS FILINGS

HYDE RANCH

AS7-

1.	0038	April 1, 1866 (D)	3.0 cfs	96 acres
2.	10548	April 1, 1868 (B)	.19 cfs	stock
3.	0039	April 1, 1868 (D)	1.46 cfs	73 acres
4.	0042	February 14, 1870 (D)	1.98 cfs	73 acres
5.	0041B	February 14, 1870 (D)	3.18 cfs	73 acres
6.	0056A	March 16, 1885 (D)	.72 cfs	31 acres
7.	0058	April 1, 1885 (D)	.70 cfs	35 acres
8.	0060	April 1, 1886 (D)	10.1 cfs	240 acres
9.	10549	April 1, 1945 (B)	.23 cfs	stk/domestic
10.	2181	March 15, 1946 (L)	2.32 cfs	116 acres
11.	7043	October 30, 1970 (P)	6.58 cfs	435 acres
12.	10550	December 8, 1987 (B)	.23 cfs	stk/domestic

(D) = Decree
 (L) = License
 (P) = Permit
 (B) = Beneficial Use

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OCT 07 1992

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. 57-00039

OWNER CODE NAME & ADDRESS
C WILLIAM WHITE
C BEVERLY WHITE
PO BOX 2087
MURPHY ID 83651
(208) 834-2505

PRIORITY DATE

04/01/1868

WATER USE

IRRIGATION

DIVERSION RATE

0.61 CFS

DIVERSION VOLUME

0.61 CFS

USE PERIOD FROM TO

03-15 11-15

TOTAL DIVERSION:

Stage: DECREED
OWYHEE County

Tributary to: CASTLE CREEK

Water Source: CATHERINE CREEK

T04S R01E S30 Lot03(NWNWSW)

Point(s) of Diversion:

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE			
		NENE NWNE SWNE SENE		NENW NWNW SWNW SENW		NESW NWSW SWSW SESW		NESE NWSE SWSE SESE			
		Lt Ac Lt Ac Lt Ac Lt Ac		Lt Ac Lt Ac Lt Ac Lt Ac		Lt Ac Lt Ac Lt Ac Lt Ac		Lt Ac Lt Ac Lt Ac Lt Ac		SUM	
T	R S	---	---	---	---	---	---	---	---	---	---
04S	01E 30	---	---	---	---	---	---	---	---	---	---
										TOTAL ACRES	24.0

POU County: OWYHEE

Other Rights: SEE REMARKS

Remarks: 0.13 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.
USE OF THIS RIGHT WITH RIGHT NO. 57-00038 AND OTHER RIGHTS
LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
3.77 CFS. A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
1001.0 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 286.0
ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: 07/25/1990 Verified Date: 07/14/1992

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

Comments: Date: 12/17/1991 User-ID: MCCARTHY Subject: CHANGE OF OWNERSHIP
PROCESSED 12-17-91 RMC

Audit: 12/12/91 MCCARTHY 12/17/91 MCCARTHY 02/03/92 MCCARTHY 07/07/92 MCCARTHY
07/14/92 MCCARTHY 07/29/92 PR-PROD 10/13/92 CP SHAW 12/05/92 ADT-SHAW

MICROFILMED
JUL 20 1994

POOR ORIGINAL

CASE

VS.

Michael Hyde et al

Defendant

WATER DIST. 57-3

COUNTY

Owyhee

JUDICIAL DIST. 3

JUDGE Charles P. McCarthy

RECORDED IN BOOK NO. 3 AT PAGE NO. 940 FILE NO. 22

DATE OF DECREE 10-7-1915

P.N.	D.N.	DECREED OWNER	NAME	PRESENT OWNER	AMT. SEC. FT. D	PRIORITY	SUBDIV.	SEC.	TWR	R&B	REMARKS, LAND TO BE IRRIGATED, ETC.	C.I.
5735082		Albert Herman Koeppe	See Permit 9857	See Permit 9857	24.59	8-25-08	Brown's Creek				SW 1/4 Sec. 1, NE 1/4 NE 1/4, NE 1/4 NW 1/4 Sec. 12, T. 5S, R. 1E	6599
5735083		John L. Stull	Compliance necessary		50	12-2-13	Pickett				NE 1/4 NE 1/4, SW 1/4 NW 1/4, NE 1/4 SW 1/4 Sec. 32, T. 4S, R. 1E	6599
											Note: In distributing the waters under this decree, there is further provision made by the court that Patrick Hardiman is first entitled before any one else, to the use of 27 inches out of Pickett Creek with the further right to flow 90 inches thru his ditches in order to secure same. Provided he returns 63 in. to creek (?) Then J. W. Keil is entitled to use 340 inches of Catherine & Pickett creek. Balance to be distributed as per decree.	
5		Victor Gabica	Trans #119		100	4-1-74	Hatt's Creek				SE 1/4 SW 1/4 Sec. 25, T. 5S, R. 1W	

LEGEND P.N. PRIORITY NUMBER D.N. DECREE NUMBER C.I. CUMULATIVE TOTAL

MICROFILMED

JUL 20 1994

POOR ORIGINAL

TITLE OF CASE		Co. Ltd.		vs.		Plaintiff		Defendants		DATE OF DECREE		JUDICIAL DIST.		WATER DIST.		Creek, Bates Creek, Brown Creek, Dryden		COUNTY		JUDGE		RECORDED		IN BOOK NO.		AT PAGE NO.		FILE NO.		CT.	
P.N.	D.N.	DEGREED OWNER	NAME	PRESENT OWNER	AMT. SEC. FT. Q.	PRIORITY	SUBDIV.	SEC. TWR.	RG.	REMARKS, LAND TO BE IRRIGATED, ETC.	CT.																				
526	060	B. H. Hyde			505	4-1-86	Pickett Creek			NE 1/4 Sec. 23, NW 1/4 Sec. 24, T. 4 S., R. 1 W.	4130																				
526	061	Alva & Frank Read			211.3	4-1-86	Hart's			SW 1/4 Sec. 25, SE 1/4 Sec. 26, NW 1/4 Sec. 27, NE 1/4 Sec. 28, T. 4 S., R. 1 W.	4341																				
527	062	Thomas Penrose			109.9	4-15-86	Pickett			Sec. 22, T. 4 S., R. 1 W.	4451																				
527	064	Alexander Youngie			175	5-1-86				NE 1/4 Sec. 23, NW 1/4 Sec. 24, T. 4 S., R. 1 W.	4626																				
527	065	Patrick Hardiman			81.45	7-22-86				SE 1/4 Sec. 28, T. 4 S., R. 1 W.	4708																				
528	066	Thomas Penrose			101.25	4-1-87				NE 1/4 Sec. 22, NW 1/4 Sec. 23, NE 1/4 Sec. 24, T. 4 S., R. 1 W.	4909																				
528	067	Alexander Youngie			150	3-1-89				SE 1/4 Sec. 24, T. 4 S., R. 1 W.	5111																				
528	068	Michael Hyde			150	4-1-94				SW 1/4 Sec. 29, NW 1/4 Sec. 32, T. 4 S., R. 1 W.	5235																				
528	069	J. M. Neill			129	4-1-96	Catherine			NE 1/4 Sec. 32, SW 1/4 Sec. 29, T. 4 S., R. 1 W.	5397																				
528	070	" "			153	4-1-97				Sec. 29, T. 4 S., R. 1 W.	553																				
528	071	A. C. Sothern			195	4-1-1901	Hart's			NE 1/4 Sec. 16, T. 4 S., R. 1 W.	5632																				
528	072	James F. Carrothers			45	10-1-01	Brown's			NE 1/4 Sec. 27, T. 4 S., R. 1 W.	5933																				
528	073	George Jess			300	4-1-02	Hart's			SW 1/4 Sec. 34, T. 4 S., R. 1 W.	6023																				
528	074	James F. Carrothers			93.55	4-1-04	Brown's			SE 1/4 Sec. 27, T. 4 S., R. 1 W.	6172																				
528	075	George H. Lewis			145	4-1-05	Hart's			Unsurveyed Sections 13 & 24, T. 4 S., R. 2 W.	629																				
528	076	Elizabeth Jane Penrose			120	5-1-05	Pickett			NE 1/4 Sec. 23, T. 4 S., R. 1 W.	637																				
528	077	Nora Linehan			86.9	4-1-07	Bates			SW 1/4 Sec. 29, T. 4 S., R. 1 W.	639																				
528	078	Thomas Henderson (See Permit No. 2358)			16	5-22-07	Catherine		below	NE 1/4 Sec. 26 from license No. 539, T. 4 S., R. 1 W.	645																				
528	079	William Koeppe (See Permit 3547)			57.6	3-11-08	Brown's			Brown's Creek	646																				
528	080	Thomas Henderson (See Permit 2358)			19	5-22-08	Catherine		below	NE 1/4 Sec. 26 from license N. 787, T. 4 S., R. 1 W.	651																				
528	081	William Koeppe (See Permit 3522)			34.85	7-19-08	Brown's			Brown's Cr.																					

Cythere

RECORDED

RECORDED
IN BOOK NO. 3 AT PAGE NO. 0

PN. DN.	DECREED OWNER	NAME	PRESENT OWNER	INCHES ² AMT. SEC. F.T.D.	PRIORITY	DIVERSION	REMARKS, LAND TO BE IRRIGATED, ETC.
						SUBDIV. SEC. TWP. RG.	
52.038	J. M. Neil			150	4-1-66	Point of Hart's Creek	not given
52.039	"			159	4-1-68	Catherine Creek	Lot 4, SE ¹ SW ² , SW ² SE ¹ Sec. 30, T. 4 S., R. 1 E.
52.040	"	(Below Brown's Cr.)		402	10-1-69	"	SW ¹ SE ¹ , SE ¹ SE ¹ Section 30, T. 4 S., R. 1 E. SE ¹ SE ¹ , NE ¹ SE ¹ Sec. 29, NW ¹ SW ¹ , NE ¹ SW ¹ SE ¹ NW ¹ SW ¹ Sec. 28, T. 4 S., R. 1 E.
52.041	"			159	2-14-70	Picket	Lot 2-3, NE ¹ SW ¹ Sec. 30 T. 4 S., R. 1 E.
52.042	"			99	2-14-70	Hart's	Lot 3 NE ¹ SW ¹ Sec. 30, T. 4 S., R. 1 E.
52.043	"			48	4-1-74	"	NW ¹ SW ¹ NE ¹ SE ¹ Sec. 25, T. 4 S., R. 1 W.
52.044	R. H. Hyde	Trans. #319		53.55 (153.55)	4-1-74	"	SE ¹ SE ¹ Sec. 25, T. 4 S., R. 1 W. SW ¹ SW ¹ Sec. 22, SE ¹ SW ¹ , SW ¹ NE ¹ Sec. 21, NE ¹ NE ¹ Sec. 28, T. 4 S., R. 1 W.
52.046	Patrick Hardiman			242.6	8-28-75	Picket	SW ¹ NE ¹ Sec. 28, SE ¹ NE ¹ Sec. 29, T. 4 S., R. 1 W.
52.047	Nora Linehan			68.2	4-1-76	Bates	NE ¹ NE ¹ , NW ¹ NE ¹ , NE ¹ NW ¹ Sec. 35, T. 4 S., R. 1 W. SW ¹ SW ¹ , SE ¹ SW ¹ Sec. 29, NW ¹ NW ¹ Sec. 32, NE ¹ NE ¹ Sec. 31, T. 4 S., R. 1 E.
52.048	Alex & Frank Reed			198.1	4-1-76	Hart's	SW ¹ NE ¹ Sec. 28, SE ¹ NE ¹ Sec. 29, T. 4 S., R. 1 W.
52.049	J. M. Neil			318	1-14-79	Catherine	NE ¹ NE ¹ , NW ¹ NE ¹ , NE ¹ NW ¹ Sec. 35, T. 4 S., R. 1 W. SW ¹ SW ¹ , SE ¹ SW ¹ Sec. 29, NW ¹ NW ¹ Sec. 32, NE ¹ NE ¹ Sec. 31, T. 4 S., R. 1 E.
52.050	"	(Below Brown's Cr.)		210	4-5-79	"	SE ¹ SW ¹ , SW ¹ SE ¹ , NW ¹ SE ¹ , NE ¹ SE ¹ Sec. 28, T. 4 S., R. 1 E.
52.051	Nora Linehan			117.25	4-1-80	Picket	NW ¹ SW ¹ Sec. 28, NW ¹ SE ¹ Sec. 29, T. 4 S., R. 1 W.
52.052	Alex & Frank Reed			176.75	4-1-82	Hart's	NW ¹ NW ¹ , SE ¹ NW ¹ , Sec. 35, SE ¹ NE ¹ , SW ¹ NE ¹ Sec. 34, T. 4 S., R. 1 E.
52.053	J. F. Neiss & James Torrance			363.80	4-1-82	Picket	SE ¹ NE ¹ , NE ¹ NE ¹ , NW ¹ NE ¹ Sec. 25, T. 4 S., R. 1 W.
52.054	J. M. Neil	(Below Brown's Creek)		24	1-8-84	Catherine	SW ¹ NW ¹ , SE ¹ NW ¹ Sec. 28, T. 4 S., R. 1 E.
52.055	J. M. Neil			168	3-16-85	Brown's	Lot 4 SE ¹ SW ¹ , NE ¹ SW ¹ Sec. 31, T. 4 S., R. 1 E.
52.056	"			360	3-16-85	Hart's	SE ¹ NW ¹ , SW ¹ NE ¹ , SE ¹ NE ¹ , NE ¹ SW ¹ Sec. 31, Lot 4 Sec. 30 T. 4 S., R. 1 E.
52.057	R. H. Hyde			113.4	3-16-85	"	SW ¹ SE ¹ Sec. 25, T. 4 S., R. 1 E.
52.058	"			35	4-1-85	Catherine	NE ¹ SE ¹ , NE ¹ SE ¹ Sec. 30, T. 4 S., R. 1 E. NW ¹ SW ¹ , SE ¹ SW ¹ Sec. 4, SE ¹ SE ¹ Sec. 5, NE ¹ NE ¹ Sec. 8, T. 5 S., R. 1 W.
52.059	Victor R. Allen			60	3-1-86	Hart's	

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. 57-00039
(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,)

RECEIVED

vs.)

APR 02 1993

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

Department of Water Resources
Adjudication Bureau

Respondents.)

MICROFILMED

JUL 20 1994

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 as 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 at Page 5, and must be strictly followed.

(Over)

Any party physically filing 25 (twenty-five) or more responses 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: William white & Beverly white

Address: Box 2087

Murphy Idaho 83650

Briefly describe your interest in this water right:

We are the Owners of
the land affected by this
water right.

2. Person who filed objection: United States of America
Bureau of land management
U.S. Department of the Interior

Name: _____

Address: 3380 Americana Terrace

Boise, Idaho 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.

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. ☒ ^{OK} 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)

11. ☒ Remarks: I 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.

William & Beverly White responds to the objection concerning name & address, Source, Quantity, priority Date, Points of Diversion Purpose of use, period of year, Consumptive use, Remarks, and water rights recommendation because we are putting the water to beneficial use.

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.

The Directors report should allow this water right as it was decreed in 1915 by Judge Charles P. McCarthy.

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: _____

Co. Ltd Plaintiff VS Michael Hyde etal
Defendants 3 pages

VERIFICATION (Must be Completed)

State of Idaho

County of Owyhee

William White, 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.

William L. White
Signature of person filing response

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 19th day of March,
1993.

Nicholas K. Ishli
Notary Public for Idaho
Residing at: Murphy, Id
My Commission expires: 1/31/94

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 31st day of March, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Name: William L. & Beverly White
Address: HE 79 Box 2089
Murphy Id. 83650

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: K. Jack Haugrad & Daria J. Zane
Address: U.S. Dept. of Justice 500 West Fort. St.
P.O. Box 33

4. One copy to: Boise Id. 83734

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

William L. & Beverly White
Signature of Respondent or attorney
mailing on Respondent's behalf

CERTIFICATE OF MAILING

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

1. Original to:

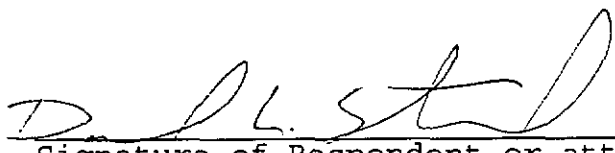
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

Name: BEVERLY & WILLIAM WHITE
Address: PO BOX 2087
MURPHY ID 83650

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

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

Case No. 57-00039 -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)

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

II. STATEMENT OF THE 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:
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 points(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.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.
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, 10, 11, 12 and 12a. and all allegations of the objection regarding these items, IDWR responds as follows:

IDWR lacks sufficient information to form a belief as to whether any or all of the lands upon which water is diverted, conveyed, or used pursuant to this right are owned by the United States. IDWR admits that the claims listed in the objection are recommended in the director's report. IDWR admits that the exercise of rights to water from the same source may impact each other. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

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. A57-00039	8

(Over)

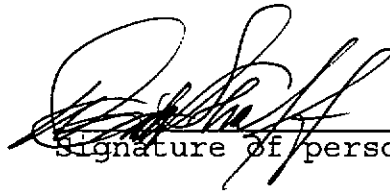
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

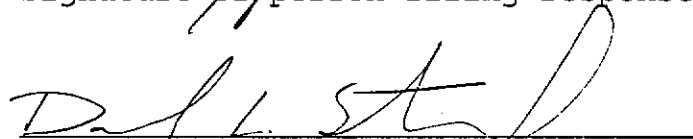
Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

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

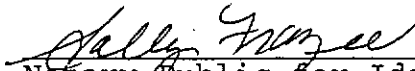


Signature of person filing response

By:


(Attorney signing in
representative capacity)

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



Notary Public for Idaho

Residing at: Boise

My Commission expires: 11-14-1998

CLAIM NUMBER: 57-00039

CONFLICTING CLAIMS FOUND IN THE DIRECTORS REPORT

57-07330
57-11109
57-11115
57-11116
57-11117
57-11119
57-11120
57-11122
57-11123
57-11142
57-11143
57-11327
57-11328
57-11329
57-11333
57-11335
57-02386
57-11029A
57-11029
57-11209
57-11354
57-11038A
57-11038
57-11039A
57-11039
57-11121
57-11144
57-11145
57-11146
57-11255
57-11334
57-11347
57-11348

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JUL 20 1994

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

DATE: 07/16/92
PAGE: 1

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

DIVERSION
VOLUME

WILLIAM WHITE
BEVERLY WHITE
PO BOX 2087
MURPHY ID 83651
(208) 834-2505

04/01/1868 IRRIGATION

03-15 11-15

0.61 CFS

PO BOX 2087
MURPHY ID 83651
(208) 834-2505

TOTAL DIVERSION:

0.61 CFS

Water Source: CATHERINE CREEK

Tributary to: CASTLE CREEK

Stage: DECREED

Point(s) of Diversion:

OWYHEE County

Place of use Legal Description for: IRRIGATION
NE

MS

35

[illegible]

POU County: OUYHÉE

Other Rights: SEE REMARKS

Remarks: 0.13 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
USE OF THIS RIGHT WITH RIGHT NO. 57-00038 AND OTHER RIGHTS LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.72 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1001.0 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 286.0 ACRES IN A SINGLE IRRIGATION SEASON.

Dates:	Exam Made Date:	07/25/1990	Verified Date:	07/14/1992
--------	-----------------	------------	----------------	------------

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

Comments: Date: 12/17/1991 User-ID: MCCARTHY Subject: CHANGE OF OWNERSHIP
PROCESSED 12-17-91 RMC

Audit: 07/14/92 MCCARTHY

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OCT 07 1992

Claim No.: A57-00037

CVR CORRECTIONS

Season of Use, Consumptive Use, Diversion Volume

[] Change season of Use

Use Code ____ From ____/____ to ____/____

Use Code ____ From ____/____ to ____/____

Use Code ____ From ____/____ to ____/____

☒ Change Consumptive Use Volume

286.0 acres x 3.5 af/a (for area) = 1001.0 af/a

[] Change Diversion Volume

____ acres x ____ af/a (for area) = ____ af/a

[] Change Remarks

Code

Recommended Change

☒ Corrections Made 2-3-92
(date)

Data-entry Complete 2-3-92
(date)

Reviewing Agent R. M. Crotty
(signature)

MICROFILMED

OCT 07 1992

08:50:18
05/01/91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-00039

LAST: NEIL

ADDRESS:

CITY: X

PHONE NUMBER: 208-000-0000

OWNER CODE: O

FIRST: J. M.

STATE: ID

ID

ZIP: 0

LAST: HYDE RANCH PARTNERSHIP

ADDRESS: 20630 PATIO DRIVE

CITY: CASTRO VALLEY

PHONE NUMBER: 415-538-9600

OWNER CODE: C

FIRST:

STATE: CA

CA

ZIP: 94546

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE

N

FIELD

EXAMINER

/

MICROFILMED

OCT 07 1992

CONTACT PERSON: _____

PHONE NUMBER: () - -

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y() N()

TIME: __: __ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

See Memo in A57-00038.

MICROFILMED

OCT 07 1992

A. AJ CLAIM: # A57-00039 PRIORITY DATE: 04-01-1868 STAGE: D

B. WR RECORD: # 57-00039 PRIORITY DATE: 04-01-1868 STAGE: D

C. FIELD EXAM REQUIRED?

DOE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE EXAMINER
N N

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

REMARKS:

claimed as decreed.

RECOMMENDED PRIORITY DATE:
04-01-1868

REVIEWED BY

RM

DATE

8/23/91

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-00039	04S	01E	30	NW	NW	SW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
A57-00058
R PREFIX
NONE
WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: CATHERINE CREEK TRIB: CASTLE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

5700039 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: CATHERINE CREEK TRIB: CASTLE CREEK

C. FIELD EXAM REQUIRED?

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

REMARKS:

POD found as claimed; see map in this file.
Add gov't lot number.
Original decree did not describe POD.

COUNTY

↓

TRIB: CASTLE CREEK

DATE:

8/23/91

OCT 07 1992

A. ROOT WATER RIGHT NUMBERS: A57-00039

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	01E	30	SW	SE		HYDE RANCH PARTNERSHIP	A57-00039 /33.0	57-00039 /	26.0	20.0	0
			SW	SE		HYDE RANCH PARTNERSHIP	A57-00038 /33.0	57-00038 /			
			SW	SE		HYDE RANCH PARTNERSHIP	A57-02181 /7.0	57-02181 /			
			SW	SE		HYDE RANCH PARTNERSHIP	A57-07043 /33.0	57-07043 /			
			SW	SE		HYDE RANCH PARTNERSHIP	A57-10548 /	- /			
			SW	SE		HYDE RANCH PARTNERSHIP	A57-10549 /	- /			
			SW	SE		HYDE RANCH PARTNERSHIP	R57-10548 /	- /			
			SW	SE		HYDE RANCH PARTNERSHIP	R57-10549 /	- /			
04S	01E	30	SE	SE		HYDE RANCH PARTNERSHIP	A57-00039 /40.0	57-00039 /	33.0	23.0	20.0
			SE	SE		HYDE RANCH PARTNERSHIP	A57-02181 /23.0	57-02181 /			
			SE	SE		HYDE RANCH PARTNERSHIP	A57-07043 /17.0	- /			
			SE	SE		HYDE RANCH PARTNERSHIP	A57-10548 /	- /			
			SE	SE		HYDE RANCH PARTNERSHIP	A57-10549 /	- /			
			SE	SE		COX, SHIRLEY	R57-10641 /	- /			
			SE	SE		COX, SHIRLEY	A57-10641 /	- /			
			SE	SE		HYDE RANCH PARTNERSHIP	R57-10548 /	- /			
			SE	SE		HYDE RANCH PARTNERSHIP	R57-10549 /	- /			
TOTAL ACRES							A57-00039	73.00	59.00		

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

FIELD EXAMINER

DATABASE Y

acres found in 45, 1E, Sec. 30 NESE : 4.0

457-00058

18

14

13

BM 2979

2895

1W 1E

ROISE

19

24

302

23

2999

BM 2828

Exp. C

26

25

3

P/D

DIRT
DITCH

Alfred Schön

1981

354

311

In 1991,

39

37

RM

CENTAL

001 07 1992

*Hydrocarbon Partnership
Overlaps*

Catherine Cr.

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		
00039	45	1E	30															4	20	24.0	24.
00058	<i>forfeit</i>																				0

Hart Cr.

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		
00038	45	1E	30									12	6	23	21	10	11	19	23	125.0	125.
00042	<i>forfeit</i>																				0
00056	<i>forfeit</i>																				0

Pickett Cr.

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		
00041(2)	45	1E	30									10	5							15.0	0
00060	45	1E	30	5	16	38	35	22			30					15				161.0	161.

Groundwater

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		
02181	45	1E	30			22	5				13	3	4	31	8			7	23	116.0	—
07043	45	1E	30	5	16	16	30	22			17	9	2		13	25	11	12		178.0	286.
<i>total irr.</i>				5	16	38	35	22			30	12	6	23	21	25	11	19	23	286.0	286.

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PRESUMPTION FLAG:

REMARKS:

Acres mapped are irrigated under A57-00039
and A57-00058.

A57-00058 disallowed; no beneficial use.

RECOMMENDATIONS:

TOTAL ACRES:

24.0

REVIEWED BY:

RME

DATE:

8/23/91

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-00039 IRRIGATION	FROM 03-15 TO 11-15	
	TOTAL DIVERSION RATE/VOLUME CLAIMED	1.460 CFS
		1.460 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-00039 IRRIGATION	FROM TO	
57-00039 DOMESTIC	FROM TO	
57-00039 STOCKWATER	FROM TO	
	TOTAL DIVERSION RATE/VOLUME CLAIMED	3.180 CFS
		3.180 CFS
		3.180 CFS
		3.180 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(✓) N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

Season of use not previously decided; LOWR standard used.

Right was claimed at 1" per acre on 73.0 acres; recommend 1" per acre plus conveyance loss and send Exposure flow form.

12-12-91: Exposure flow form incomplete, unable to analyze.

IRRIGATION FLOW RATE QUESTIONNAIRE

THIS INFORMATION IS REQUIRED FOR ANY ADJUDICATION CLAIM(S) FOR WHICH THE IRRIGATION FLOW RATE CLAIMED IS MORE THAN 0.02 CFS PER ACRE (ONE EXCEPTION IS THAT 0.03 CFS PER ACRE MAY BE ALLOWED FOR IRRIGATION OF UP TO 5 ACRES).

CLAIM NO(S) A57-00039 A57-00058
 NAME Hyde Ranch Partnership
 ADDRESS Hc 79 Box 2087 Murphy Id. 83450
 PHONE 834 2505

1. TOTAL IRRIGATED ACRES SHOWN ON CLAIM(S) REFERENCED ABOVE 110 ACRES.
2. SHOW THE NUMBER OF ACRES OF CROPS GROWN FOR YOUR IRRIGATION SYSTEM(S) DURING A TYPICAL SEASON

	Border	Furrow	Corrugation	Sprinkler	Contour Ditch	Other
Alfalfa			35			
Beans						
Field Corn						
Silage						
Spring Grain						
Winter Wheat						
Orchard						
Pasture			15	60		
Potatoes						
Sugar Beets						
Other						

PLEASE COMPLETE ITEMS 3 THROUGH 8 FOR EACH OF THE IRRIGATION SYSTEM TYPES SPECIFIED ABOVE

INSTRUCTIONS FOR IRRIGATION FLOW RATE QUESTIONNAIRE

RECEIVED
NOV 28 1991
Department of Water Resources
Western Regional Office

The information required in this questionnaire will describe your water delivery system and irrigation methods. This information is essential in order for staff of IDWR to evaluate your irrigation water requirements. Much of the information is technical, and you may wish to contact the Soil Conservation Service or other professionals for assistance with this form.

Please provide your name, address, and phone number where you may be contacted for further information or clarification. Include the claim number(s) for those claims where the irrigation flow rate is more than 0.02 cfs (1 miner's inch) per acre.

1. provide the total number of acres irrigated for the claims listed.
2. provide a breakdown in acres of the types of crops grown in a typical irrigation season for each of your irrigation system types.

Items 3 through 8 must be completed for each of the irrigation system types you specified in item 2. This information must be completed as accurately as possible. All information must be based on peak water use during the irrigation season.

inflow -

this is the flow of water applied to an individual furrow, border, ditch, etc.; proper evaluation requires good accuracy

spacing or width -

this is the distance between individual furrows, border ridges, sprinkler laterals, etc.

length -

this is the maximum length of run of furrows, corrugations, borders etc.

field slope -

this is the slope of the field in the direction of the run of furrows, borders, etc.; specify in percent or give units if specified otherwise

set time -

this is the number of hours that water is applied during an irrigation set

frequency -

this is the number of days between irrigation start times of the same set of furrows or border(s) etc.

9. complete the appropriate items for the main ditch from the point of diversion to the farm; if this ditch is shared by other water users a more complete description of the system will be required

Items 10, 11, 12, and 13 see questionnaire.

3. **BORDER (COMPLETE BELOW BASED ON PEAK USE)**

inflow to border (cfs)	border width (feet)	border length (feet)
field slope (%)	set time (hours)	number of borders per set
frequency (days)		

4. **FURROW (COMPLETE BELOW BASED ON PEAK USE)**

inflow to furrow (gpm)	furrow spacing (inches)	furrow length (feet)
field slope (%)	set time (hours)	number of furrows per set
frequency (days)		

5. **CORRUGATION (COMPLETE BELOW BASED ON PEAK USE)**

inflow to corr. (gpm)	corr. spacing (inches) <u>30"</u>	corr. length (feet) <u>Aug 800'</u>
field slope (%)	set time (hours) <u>12 hours</u>	number of corrugations per set
frequency (days) <u>25 days</u>		

6. **SPRINKLER (COMPLETE BELOW BASED ON PEAK USE)**

average nozzle flow (gpm) <u>4 (gpm)</u>	nozzle spacing (feet) <u>40'</u>
lateral length (feet) <u>800' 1000' 1000' 500' 500'</u>	lateral spacing (feet) <u>50'</u>
number of laterals per set <u>5</u>	set time (hrs.) <u>24 hrs</u>
frequency (days) <u>14</u>	

7. **CONTOUR DITCH (COMPLETE BELOW BASED ON PEAK USE)**

inflow to ditch (cfs)	field slope (%)
ditch length (feet)	distance between ditches (feet)
number of ditches per set	set time (hours)
frequency (days)	

8. **OTHER IRRIGATION SYSTEM TYPE (specify)**
(COMPLETE BELOW BASED ON PEAK USE)

inflow (cfs)	total area irrigated per set (acres)
field slope (%)	set time (hrs.)
frequency (days)	

9.

CONVEYANCE FROM SOURCE TO FARM

UNLINED DITCH-SPECIFY SOIL TYPE

Sandy loam & gravel
30"
ave. depth from land surface (Inches)

5280
length (feet)

24"
ave. top width of water surface (inches)

LINED DITCH-SPECIFY TYPE OF LINING

length (feet)

ave. depth from land surface (inches)

ave. top width of water surface (inches)

PIPELINE

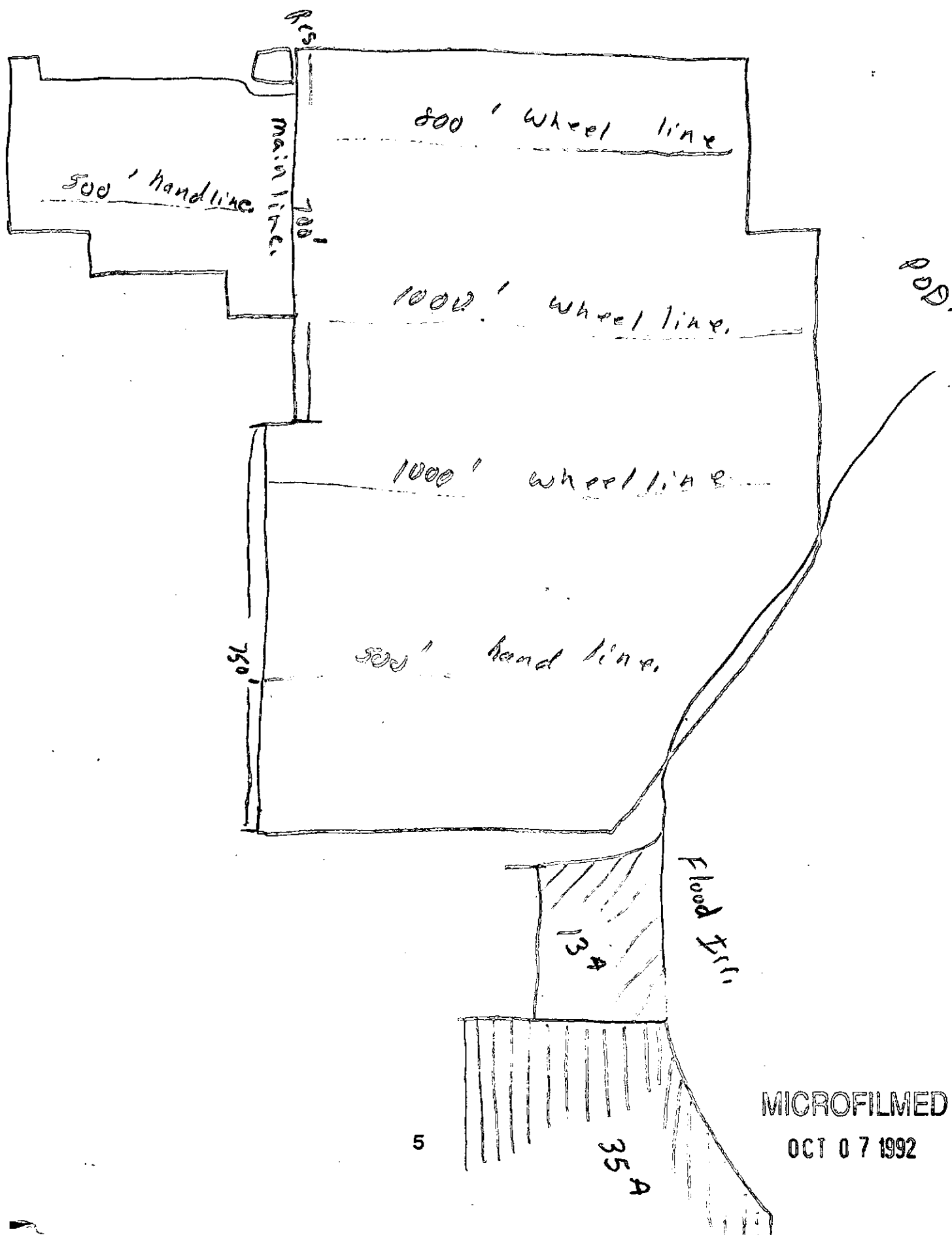
length (feet)

diameter (inches)

IS THIS CONVEYANCE SYSTEM SHARED BY OTHER WATER USERS? _____

IF YES, PLEASE DESCRIBE OR SKETCH THE SYSTEM SHOWING THE NUMBER OF WATER USERS, LOCATION OF HEADGATES, LENGTHS ETC.

10. ON-FARM DISTRIBUTION SYSTEM-DRAW A SIMPLE SKETCH OF YOUR ON-FARM WATER DISTRIBUTION SYSTEM. AN AERIAL PHOTO/FARM PLAN WITH THE IRRIGATION SYSTEM SKETCHED ON IT MAY BE USED. THIS SKETCH MUST INCLUDE THE FOLLOWING INFORMATION FOR EACH REACH: LENGTH, TOP WIDTH OF WATER SURFACE, DEPTH FROM LAND SURFACE, SOIL TYPE OR LINING, AND PERCENT OF TOTAL FLOW DURING USE.



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11. HAVE YOU CHANGED YOUR IRRIGATION SYSTEM FROM THE ONE HISTORICALLY USED? (FOR EXAMPLE, LAND LEVELING, CHANGING LENGTH OF RUNS, CHANGE FROM FURROW TO SPRINKLER, ETC.)

IF YES, PLEASE DESCRIBE: Have been changing from flood irrigation with furrows to sprinkler because of lack of water.

12. HAVE YOU HAD ANY IRRIGATION SYSTEM DESIGN/EVALUATIONS OR FARM SOIL SURVEYS COMPLETED BY THE SOIL CONSERVATION SERVICE, PRIVATE CONSULTANTS, OR IRRIGATION EQUIPMENT DEALERS?

IF YES, PLEASE DESCRIBE OR ATTACH COPIES

yes soil conservation was going to help level ground but it was too costly, so sprinkler irrigation designed the sprinkler system that I am installing year by year.

13. PLEASE INCLUDE ANY FURTHER COMMENTS WHICH WILL AID IN THE EVALUATION OF YOUR WATER REQUIREMENTS.

we have installed sprinklers and will continue to work in that direction a little each year to help conserve water and to make the Farm produce.

Most of the soils in the Oreama Valley is sandy with a lot of gravel in it that has been washed off the hills. It take more water than normal to push the water across a field because of this,

PLEASE RETURN FORMS TO:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 1.460 CFS
 WR ROOT RIGHT TOTAL DIVERSION RATE: 3.180 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?

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD see below, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 57-07043 -02181 -00038

LIST ALL RIGHTS WITH A SAME POI AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-00039	CATHERINE CREEK	HYDE RANCH PARTNERSHIP	1.460	0.020		
A57-00038	HART CREEK	HYDE RANCH PARTNERSHIP	3.000	0.031		
A57-07043	GROUNDWATER	HYDE RANCH PARTNERSHIP	6.580	0.015		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A57-10548	STOCKWATER	HYDE RANCH PARTNERSHIP	FROM 01-01 TO 12-31	.190 CFS	
A57-10549	DOMESTIC	HYDE RANCH PARTNERSHIP	FROM 01-01 TO 12-31	.040 CFS	
A57-10549	STOCKWATER	HYDE RANCH PARTNERSHIP	FROM 01-01 TO 12-31	.190 CFS	
R57-10548	STOCKWATER	HYDE RANCH PARTNERSHIP	FROM 01-01 TO 12-31	.190 CFS	
R57-10549	DOMESTIC	HYDE RANCH PARTNERSHIP	FROM 01-01 TO 12-31	.040 CFS	
R57-10549	STOCKWATER	HYDE RANCH PARTNERSHIP	FROM 01-01 TO 12-31	.190 CFS	
R57-10641	DOMESTIC	COX, SHIRLEY	FROM 01-01 TO 12-31	.040 CFS	
A57-10641	DOMESTIC	COX, SHIRLEY	FROM 01-01 TO 12-31	.040 CFS	

Flow measurement was impossible due to lack of water and lack of suitable site for manure equation. Ditch appeared capable of delivery of 1"/acre on 240 acres irrigated: 0.48 cfs

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 24.0 x 0.02 CFS/ACRE = 0.48 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 255.5 AF/A
ACRES 24.0 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =
TOTAL CONSUMPTIVE USE 84.0 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()

Conveyance loss

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

E09: 2187, 7043, 00038

D02: 0.125

ESTIMATING CONVEYANCE LOSS

Formula: $S = (W)(i)(0.0667)$ where: S is loss in cfs per mile
 W is the top width of the high water mark in feet
 i is the loss rate in feet per day (see Table)
 0.0667 is a factor used to convert to cfs per mile

Type of soil	Loss rate i (ft/day)
medium clay loam	0.5 to 1.5
impervious clay	0.5
medium soils	1.0
somewhat pervious soils	1.5 to 2.0
gravel	2.5 to 5.0

Worksheet: $S = (\underline{3} \text{ ft})(\underline{1.0} \text{ ft/day})(0.0667)$
 $S = \underline{0.20} \text{ cfs/mi}$
 Conveyance loss = $(S)(\text{length of ditch in miles})$
 Conveyance loss = $(\underline{0.20} \text{ cfs/mi})(\underline{0.625} \text{ mi})$
 Conveyance loss = $\underline{0.125} \text{ cfs}$

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
<i>irrigation</i>	<i>3/15 11/15</i>	<i>0.605</i>	<i>0.605</i>	<i>84.0</i>
TOTAL FOR THIS RIGHT		<i>0.605</i>		<i>84.0</i>

REVIEWED BY: *RMF*DATE: *8/23/91*

*total Q : 0.48 cfs
+ 0.125 cfs for conveyance
0.605 cfs*

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP	ACCEPTED AS CLAIMED	NEEDS REVIEW
FORFEIT/ABANDON	()	()
ADDITIONAL DIV. AMOUNT	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-00039

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-00039	1.460	-	-	57-00039	3.180

TOTAL CFS

1.460

3.180

DIVERSION RATE REVIEW

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

REMARKS:

No splits.

AUTHENTICATION:

SIGNATURE:

Deanne McCarthy

DATE:

8/23/91

NAME OF FIELD EXAMINER:

Deanne McCarthy

TITLE:

Sr. Wtr. Rtg. Agent

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NOTICE OF CLAIM NO. A57-00039

ADJUDICATION CLAIM CHECKLIST

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANCE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	Y	RMF 7/35/90 5, 6*		N	N	RMF 7/23/91	
PT. OF DIV.				Y	N		
SOURCE				N	N		
PL. OF USE				Y	Y		
DIV. AMOUNT CFS/AF				Y	Y		
CONSUMPTIVE USE				Y	Y		
NATURE OF USE				N	N		
PERIOD OF USE				N	N		
BASIS OF CLAIM				N	N		
REMARKS				N	N		

VERIFICATION CODES

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

IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN

SUBMITTED - YES NO

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

COMMENTS: * I own records & standards.

October 4, 1991

Hyde Ranch Partnership
Mr. James W. Kiser
5405 Overland Rd.
Boise, ID 83705

Re: Snake River Basin Adjudication (SRBA)
Owyhee County - Claim No(s). A57-00039, A57-00058

Dear Mr. Kiser,

These rights were originally decreed for the use of 194.0 inches of water from Catherine Creek for irrigation. During our field examination in July of 1990, it was determined that your client currently irrigates 24.0 acres from this source.

Under Idaho law, the duty of water is one inch of water per acre, unless it can be shown that more water is needed. This would limit these rights to 24.0 inches (0.48 cfs) to be used on 24.0 acres.

In order to determine if more water is necessary, the enclosed Irrigation Flow Rate Questionnaire must be completed. Once this form is complete and returned, the Department can determine if more than 1 inch per acre is justified. The local ASCS office may be able to help you with the form.

If we do not receive this form by October 15, 1991, we will assume that you agree with the inch per acre rule and these rights will be recommended as noted above.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RMC:rm:west
Enclosures:
flow rate questionnaire

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