

POD

JOHN & BARBARA JONES
A57-00041A

EXAM CONDUCTED 1-5-96
AGENT: ROXANNE MCCARTHY

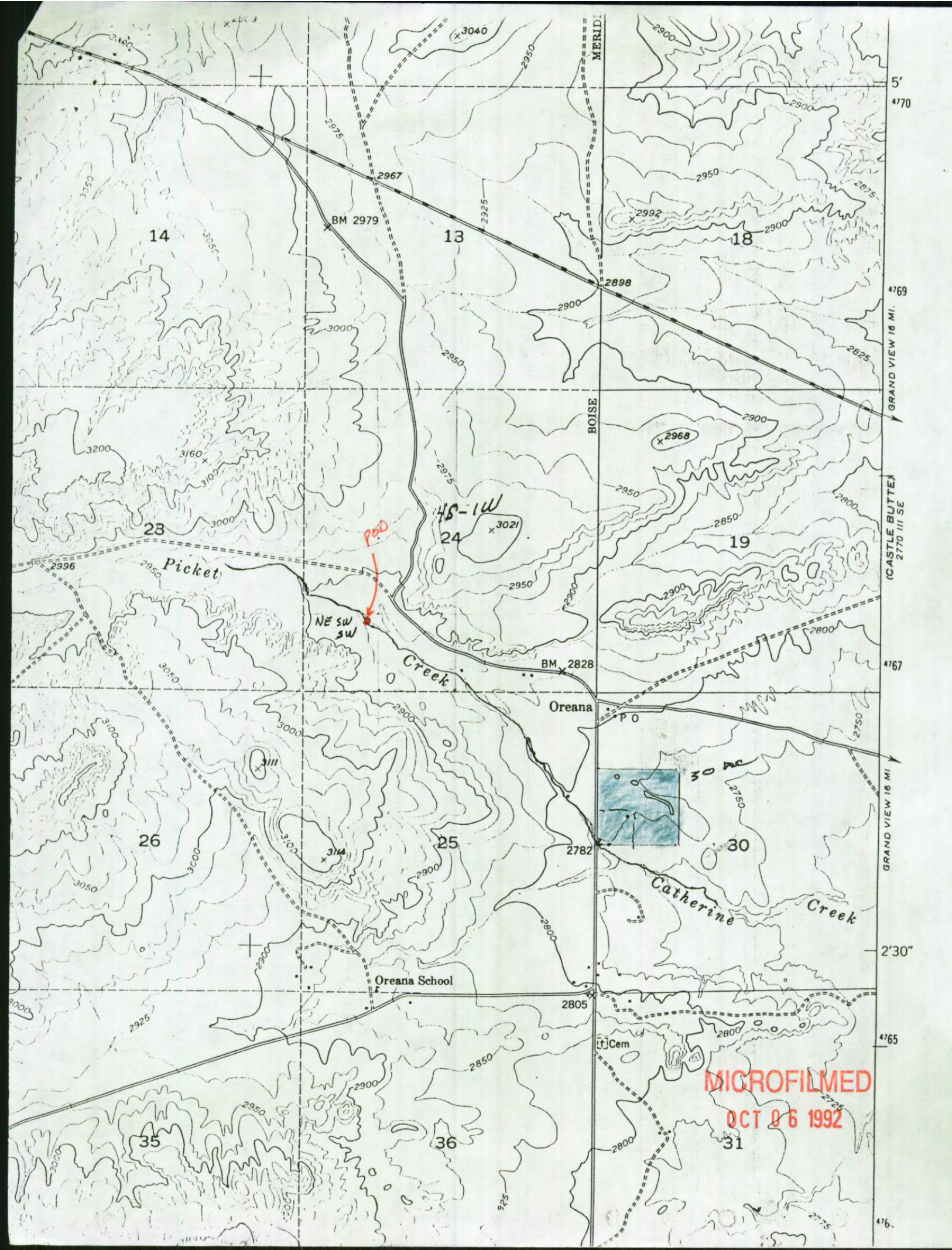
MICROFILMED
MAR 2 - 1998

57-00041A

57-00060

57-00041A

57-00041E



R I W
R I E

CLAIM
PERMIT A57-00041A INIT L.W.
T. R. S. Q/Q
P/D 4S 1E 30 SWNW
SCALE
PHOTO ID. _____

285.8
ac

24/19
25/30

791

A T474
9.7

B131 T486
60B

2
8
15.6

B74 412
468

3.1 A

A 40.7

354

B 20.0

C D
17.9

27.9 Ac.
total

91B

B 8.5

E 12.7

55.3

L 27.5

C 10.3

35.1

G 19.7

25/30
36/31

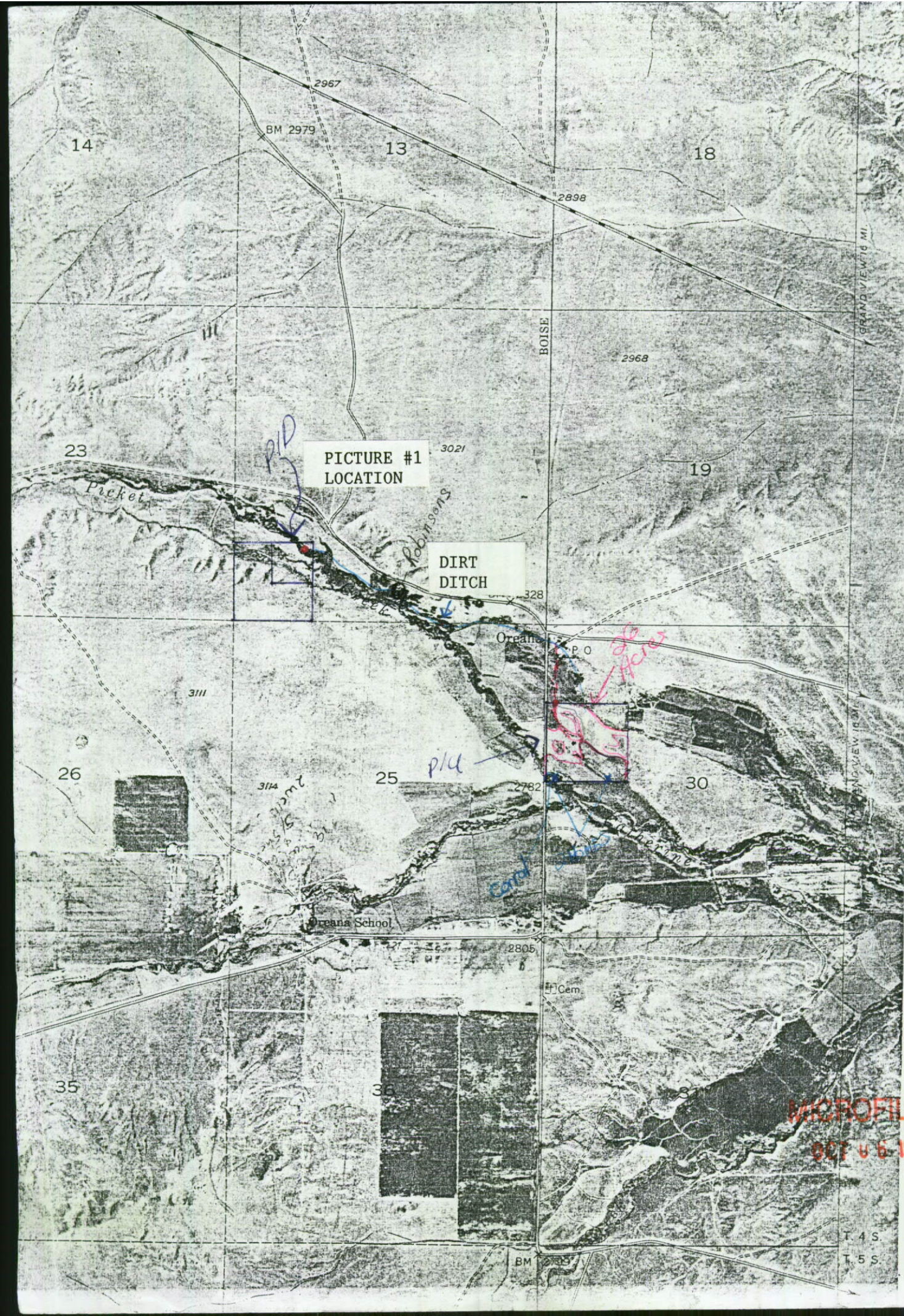
30/29
31/32

B 26.4

D 12.4

E 9.1

G 10.7



T 4 S, R 14 E, Sec. 30

Map used to determine conveyance loss.

A 57-00041A

MICROFILMED
OCT 6 1952

Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 57-00041A
 Legal: T04S, R01E, S30
 Reviewed By:

Point of Diversion
 (Located outside of view)



Place of Use



Section Lines



Quarter Quarter Lines



Township/Range Lines

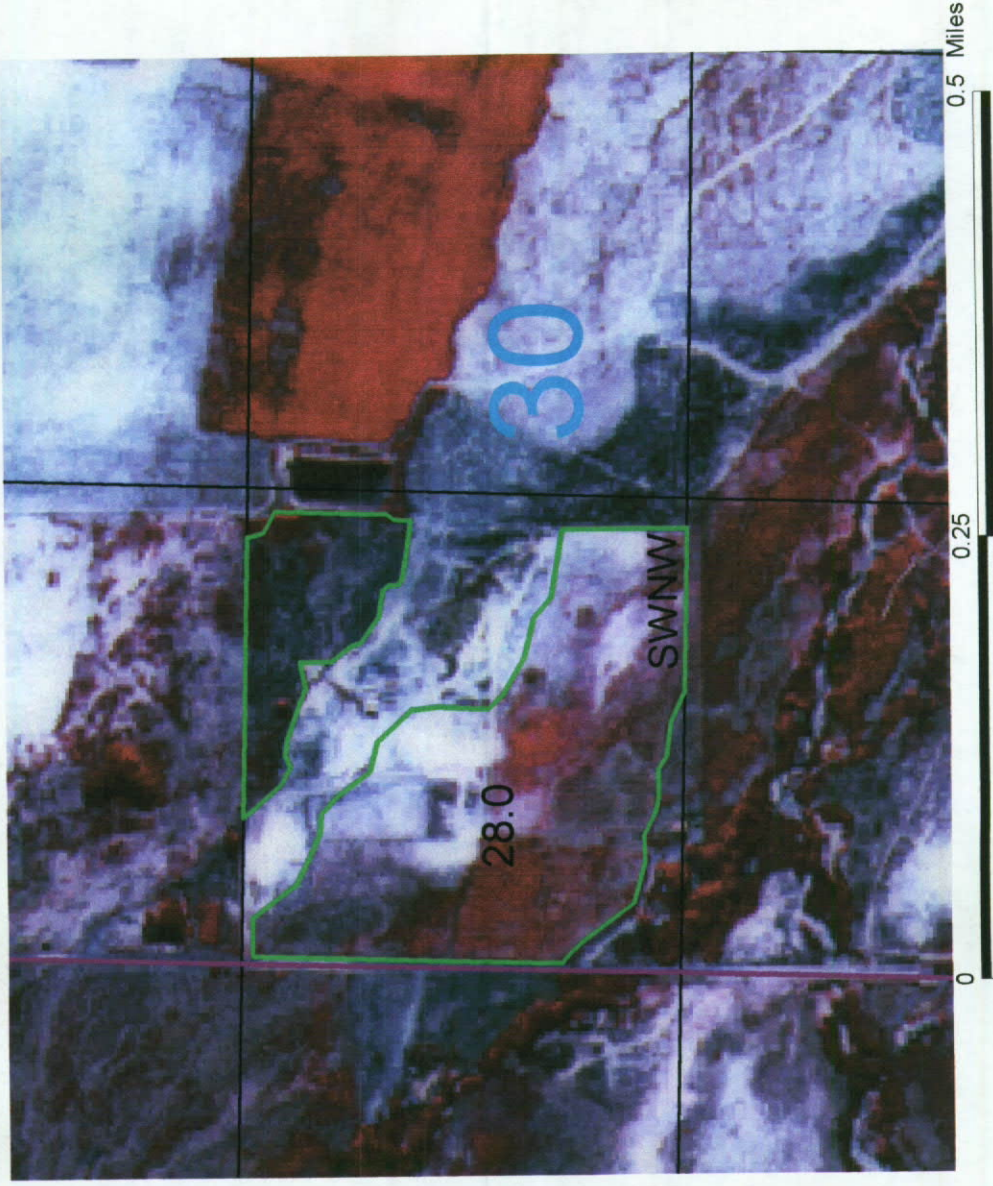


Photo No. 1
This was taken looking N/NW
across the main field toward the
well.

MAKROFILMED
MAR 2 - 1998



Photo No. 2
Photo was taken looking east along
the fenceline at the additional 3.5
acres.

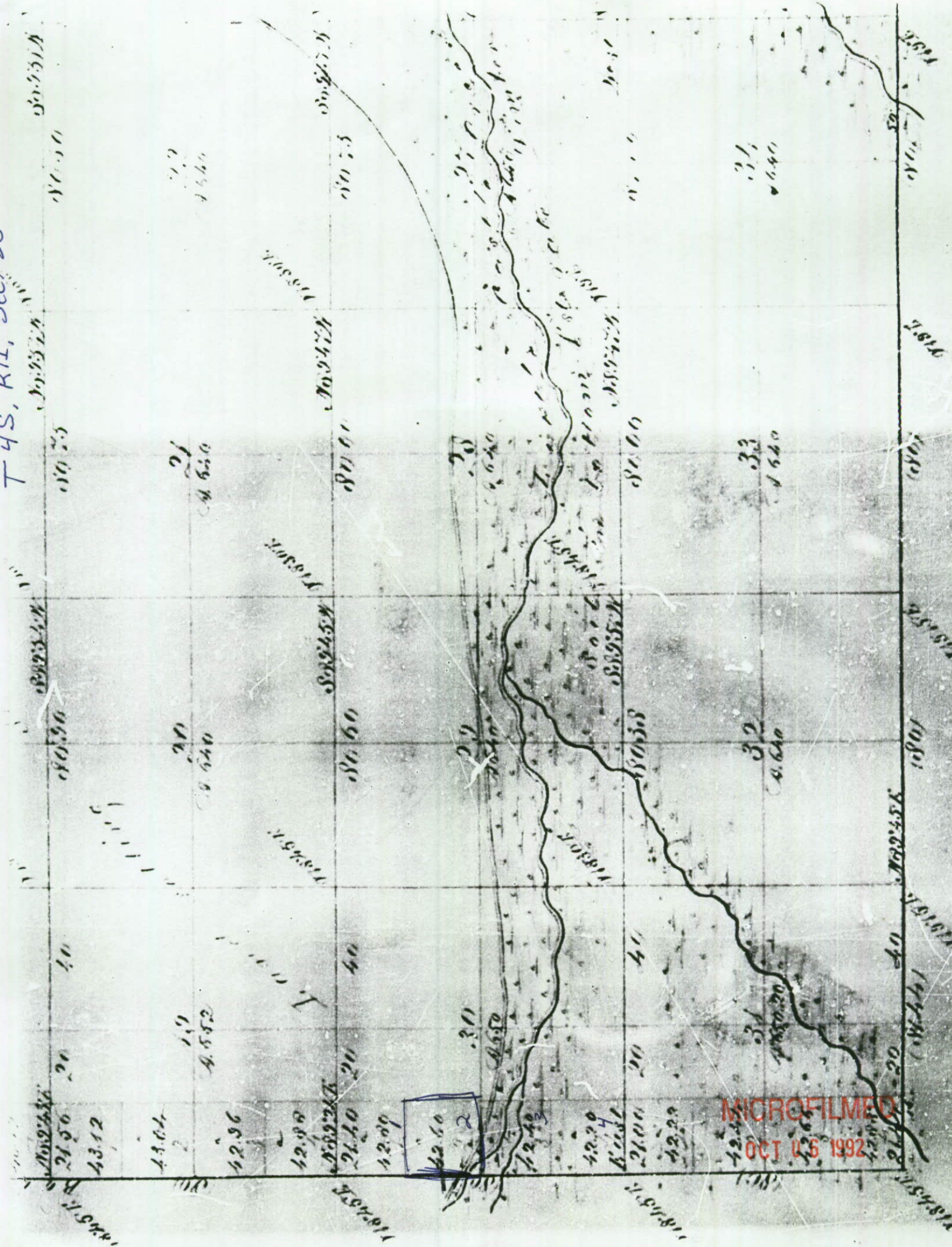


Photo No. 3
Photo taken looking southwest
across main field at ditch.

MICROFILMED
MAR 2 - 1998



T-4S, R1E, Sec. 30



A57-00041A

Picture #1



Diversion Pipeline from
Pickett Creek

Picture #2

Area approx. 70' above diversion
dammed up by beavers. (UPstream)



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OCT U 6 1992

A57-00041A

Picture #3



Gravity Flow ditch from diversion
looking West

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OCT 06 1992

RECEIVED

APR 6 1995

WATER RESOURCES
WESTERN REGION

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: A57-00041A
Date Received: 1/18/1989
Receipt No: C005169
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JOHN W JONES 208-834-2155
Address: HC 79 BOX 2135
OREANA ID 83650
OR
Name: BARBARA SUSAN JONES 208-834-2155
Address: HC 79 BOX 2135
OREANA ID 83650

2. Date of Priority: FEB 14, 1870

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

4. Point of Diversion:

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

5. Description of diverting works:
DIVERSION DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.720		

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

8. Total consumptive use is 150.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 HOUSEHOLDS, 150 HEAD BEEF CATTLE, 10 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	30	SW	NW		IRR	43.0
Section Acres							43.0
Total Acres							43.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 6/17/91.
*SECOND CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 10/4/91.
SF3 OWNERSHIP CHANGE, BOEGER TO JONES, 03/30/95 SS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

J. M. NEIL

Decree Plaintiff

MICHAEL HYDE ET. AL.

vs Decree Defendant

MICROFILMED

MAR 2 - 1998

FDD

JOHN & BARBARA JONES

157 000 41A

EXAM CONDUCTED 1-5-96

AGENT: ROXANNE MCCARTHY

MICROFILMED

MAR 2 - 1996

57-00041A

57-00041A

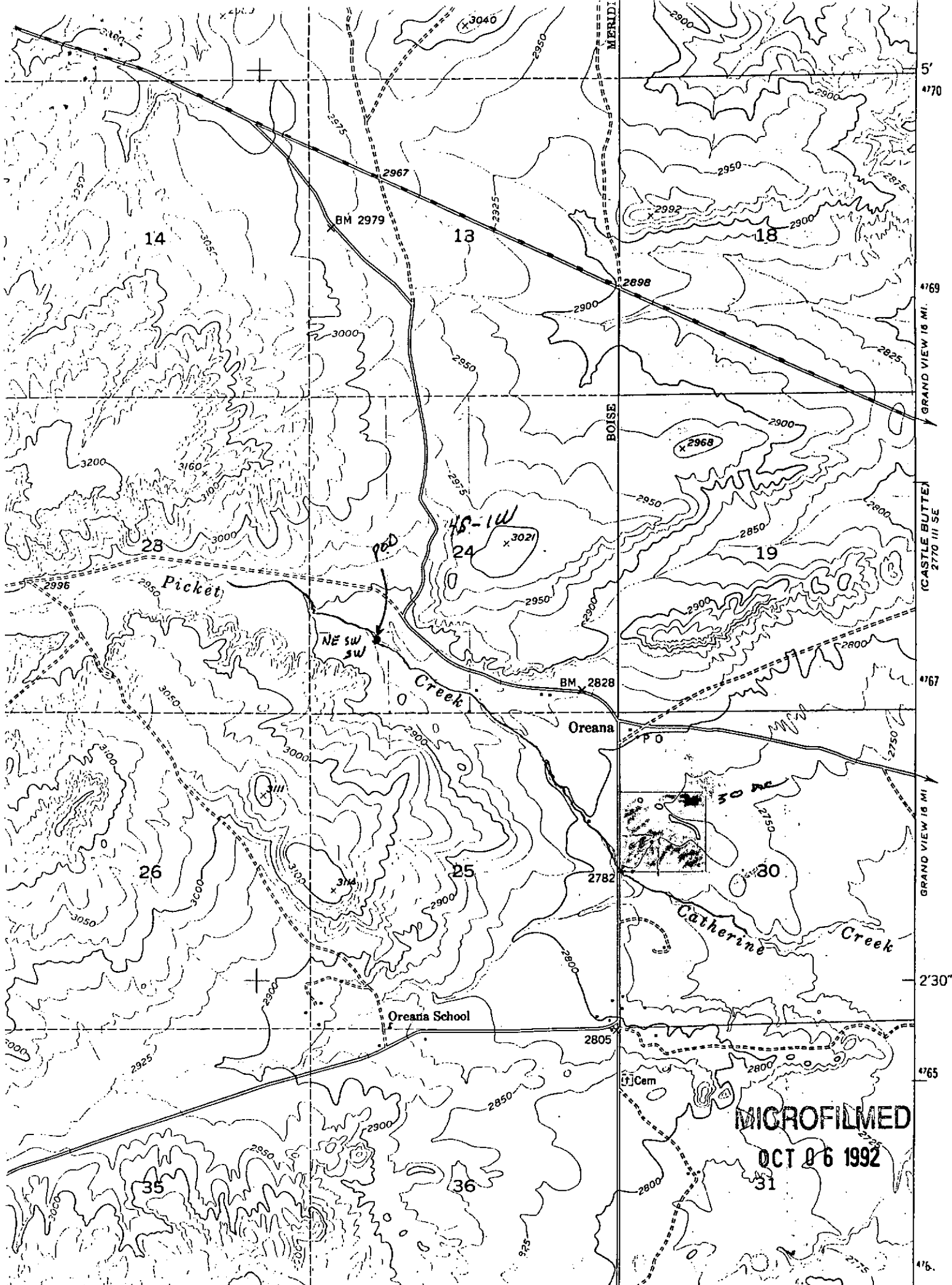
CLAIM
 PERMIT A57-00041A INIT L.W.
 T. R. S. 0/0
 P/A 4S 1E 30 SWNW
 SCALE
 PHOTO ID.

Claimed
 = 41A
 26 acres total from
 41A + 4025,
 but not
 B131 T486 really overlapping areas
 60B

MAR 2 1998



351



MICROFILMED
OCT 06 1992

R I W
R I E

CLAIM
PERMIT A57-00041A INIT 2.W
T. R. S. Q/Q
P/N 4S 1E 30 SWNW
SCALE
PHOTO ID.

285.9
00

24 19
25 30

791

A T474

97

B131 T486
60B

B 724
468

91B
C D
1719

B
85
27.9 Ac
E total
127

A
40.7

354
B
20.0

L
27.5

351

G
19

36 31

D
24

6



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 6/4/93

LEGAL DESCRIPTION OF PROPERTY: Township 4 South Range 1 East
Section 30, 1/4 of 1/4 of 1/4 Govt. Lot 2, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: _____

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Joann M. Boeger

HC 79 Box 2085

Oreana, ID 83650

MAR 2 1993

☐ New Owner/Claimant
(Purchaser):

John William Jones + Barbara Susan Jones

☐ New Mailing Address:

HC 79 Box 120C

Melba ID 83644

☐ New Telephone Number:

(208) 896-4859

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached:

Copy of recorded Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

John Jones

Date 6-7-93

Date _____

☐ Signature of Former
Owner/Claimant(s):

Date _____

Date _____

(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:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

WARRANTY DEED

For Value Received JOANN M. BOEGER POLK AND JAMES W. POLK, wife and husband

the grantors, do hereby grant, bargain, sell and convey unto
JOHN WILLIAM JONES AND BARBARA SUSAN JONES, husband and wife

the grantee s, whose current address is, HC 79 Box 120C, Melba, ID 83641
the following described premises, to-wit:

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 30: Lot 2

Subject to exceptions and reservations contained in patents from
the United States.
Subject to all easements, restrictions and reservations of record
and of use.

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

210484
FILED-RECORDED
93 JUN 7 AM 8 58
BARBARA JAYO
OWYHEE COUNTY RECORDER
BY *[Signature]*
REQUEST OF
DEPUTY
FEE 3.00
INDEXED
RECORDED

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee s that the y the owner s in fee simple of said premises; that said
premises are free from all incumbrances except taxes and assessments levied for the
year 1993 and subsequent years.

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: June 4, 1993

[Signature]
JoAnn M. Boeger Polk

[Signature]
James W. Polk

STATE OF IDAHO, COUNTY OF OWYHEE

On this 4th day of June, 1993,
before me, a notary public in and for said State, personally
appeared

JoAnn M. Boeger Polk
James W. Polk

known to me to be the person s who se names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature]

Notary Public
, Idaho

Residing at Boise
Comm. Expires 7-10-93

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at minutes past o'clock m.,
this day of
19, in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By Deputy.
Fees \$
Mail to:

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A57-00041A**
Date Received: 1/18/1989
Receipt No: C005169
Received By: _____

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

1. Name: JOANN MARIE BOEGER
Address: HC 79 BOX 2085
OREANA ID

83650

2. Date of Priority: FEB 14, 1870

3. Source: PICKETT CREEK

Trib. to: CATHERINE CREEK

4. Point of Diversion:

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

5. Description of diverting works:
DIVERSION DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.720		

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

A.F.A.

8. Total consumptive use is 150.5 Acre Feet Per Annum.

9. Non-irrigation uses:

D/2 HOUSEHOLDS, 150 HEAD BEEF CATTLE, 10 HORSES

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OCT 06 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04S	01E	30	SW	NW		IRR	43.0

Section Acres 43.0

10. Place of Use: Continued

Total Acres 43.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 6/17/91.

*SECOND CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 10/4/91.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

J. M. NEIL

Decree Plaintiff

MICHAEL HYDE ET. AL.

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

MICROFILMED

OCT 06 1992

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 06 1992

WARRANTY DEED

For Value Received

JOHN T. BRENNAN and BARBARA E. BRENNAN, husband and wife
AND JOHN R. BRENNAN and WOODINA D. BRENNAN, husband and wife
the grantors, do hereby grant, bargain, sell and convey unto

JB JOANN MARIE BOEGER, a single woman

the grantee, whose current address is, HC 89, Box 2085, Oreana, ID., 83650
the following described premises, to-wit:

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 30: Lot 2

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

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

TO HAVE AND TO HOLD the said premises with

MICROFILMED

OCT 06 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: A57-00041A
Date Received: 1/18/1989
Receipt No: C005169
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN T. BRENNAN 208-343-5549
Address: 5698 COLLISTER DR.
BOISE, ID 83703
OR
Name: BARBARA BRENNAN 208-343-5549
Address: 5698 COLLISTER DR.
BOISE, ID 83703
OR
Name: JOHN R. BRENNAN 208-343-5549
Address: 5698 COLLISTER DR.
BOISE, ID 83703
OR
Name: WOODINA BRENNAN 208-343-5549
Address: 5698 COLLISTER DR.
BOISE, ID 83703

2. Date of Priority: FEB 14, 1870

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

4. Point of Diversion:

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

5. Description of diverting works:
DIVERSION DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.720		

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

A.F.A.

MICROFILMED
OCT 06 1992

8. Total consumptive use is 150.5 Acre Feet Per Annum.

9. Non-irrigation uses:

D/2 HOUSEHOLDS, 150 HEAD BEEF CATTLE, 10 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	30	SW	NW		IRR	43.0
Section Acres							43.0
Total Acres							43.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

NONE

14. Remarks:

*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 6/17/91.

15. Basis of Claim: DECREEED

Case Number:

Court :

Decree date: / /

J. M. NEIL

Decree Plaintiff

MICHAEL HYDE ET. AL.

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

MICROFILMED

OCT 06 1992

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 06 1992

WARRANTY DEED

For Value Received

Larry B. Bachman and Noreen P. Bachman, husband and wife

the grantorS, do hereby grant, bargain, sell and convey unto
John T. Brennan and Barbara E. Brennan, husband and wife
John R. Brennan and Woodina D. Brennan, husband and wife

the granteeS, whose current address is, HC 89, Box 2135, Murphy, Idaho 83650
the following described premises, to wit:

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 30: Lot 2

Together with all water and water rights, ditches and ditch
rights used thereon or appurtenant thereto, including but
not limited to State of Idaho Water Permit No. 57-4025.
Subject to exceptions and reservations contained in patents
from the United States.
Subject to existing easements for roads, highways, ditches,
canals, laterals and power and transmission lines.
Subject to current taxes, assessments, and all easements,
restrictions and reservations of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GranteeS,
their heirs and assigns forever. And the said Grantor S do hereby covenant to all
with the said Grantee S, that they will warrant and defend the owner S in fee simple of said premises, that said
premises are free from all incumbrances.

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: March 29, 1985

Larry B. Bachman
Larry B. Bachman
Noreen P. Bachman
Noreen P. Bachman

STATE OF IDAHO, COUNTY OF Owyhee
on this 29th day of March 1985,
before me, a Notary Public in and for said State, personally
appeared
Larry B. Bachman and
Noreen P. Bachman

STATE OF IDAHO, COUNTY OF
I hereby certify that the instrument was filed for record in
the County of
at _____, County of _____, State of _____,
on the _____ day of _____,
1985, and duly recorded in Book _____ of _____ pages.

known to me to be the person S who executed the same,
and subscribed to the within instrument, and a known interest
in that they executed the same.

Nicholas K. Miller

Notary Public

Residing at Murphy
Comm. Expires 1/31 '88

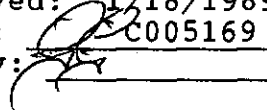
By _____
Fees \$ _____
Mail to _____

Deputy

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: A57-00041A
Date Received: 1/18/1989
Receipt No: C005169
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY B. BACHMAN 208-495-2817
Address: H C 79 BOX 2135
OREANA, ID 83650

2. Date of Priority: FEB 14, 1870

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

4. Point of Diversion:

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

5. Description of diverting works:
DIVERSION DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.720		

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

8. Total consumptive use is 107.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 HOUSEHOLDS, 150 HEAD BEEF CATTLE, 10 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	30	SW	NW		IRR	43.0

Section Acres 43.0

10. Place of Use: Continued

Total Acres 43.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: 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: _____

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): *Jerry Bachman* Date: 1-18-89
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of JAN 19 89
Seal
Notary Public
Melvin Gene Gibson, Notary Public
Residing at Boise, Idaho
My Commission Expires September 2, 1994
My Commission Expires _____

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00041A 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							28										28
GIS										28										28
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 28

Total GIS Acres: 28

Overlapping FOU Claim #'s:

57-04025

COMMENTS:

Per county data, claim maps & image.

Idaho Department of Water Resources

Claim Number: 57-00041A
 Legal: T04S, R01E, S30
 Reviewed By:

1987 Napp Photo



Point of Diversion
 (Located outside of view)



Place of Use



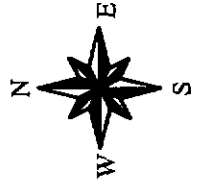
Section Lines



Quarter Quarter Lines



Township/Range Lines



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

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-00041A

NAME & ADDRESS: JOHN WILLIAM JONES
BARBARA SUSAN JONES
HC 79 BOX 2135
OREANA ID 83650

SOURCE: PICKETT CREEK TRIBUTARY: CATHERINE CREEK
QUANTITY: 0.68 CFS

USE OF THIS RIGHT WITH RIGHT NO. 57-04025 IS LIMITED TO
A TOTAL COMBINED ANNUAL DIVERSION RATE OF 0.74 CFS.

PRIORITY DATE: 02/14/1870

POINT OF DIVERSION: T04S R01W S24 NESWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.68 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T04S R01E S30 Lot 2 (SWNW)28
28 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 57-04025 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 28.0 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

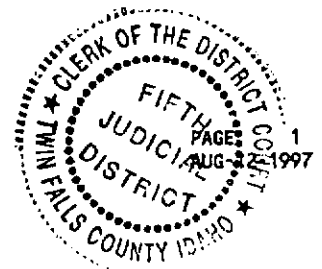

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-00041A

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

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By: 
DEPUTY CLERK



1997 SEP 12 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): 57-00041A

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 57-00041A was mailed
on September 12, 1997, with sufficient first-class postage prepaid
to the following:

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

JOHN W. JONES
HC79 BOX 2135
OREANA, ID 83650
Phone: 208-834-2155

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
09/12/97

Important Information About Your Water Right

August 28, 2002

RECEIVED

AUG 29 2002

John William Jones
Barbara Susan Jones
HC 79 Box 2135
Oreana, ID 83650

Department of Water Resources

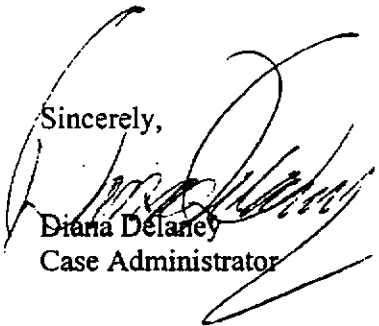
Dear Water Right Claimant(s):

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 57-41A. 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 57-41A
	)	
	)	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

RECEIVED

SEP 15 1997

Department of Water Resources

1997 SEP 12 AM 9:22

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**

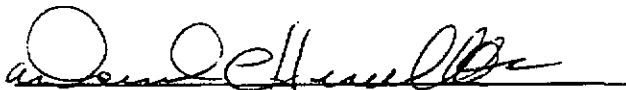
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-00041A
_____	)	

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 57-00041A 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

SEP 15 1997

Department of Water Resources

1997 SEP 12 AM 9:22

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

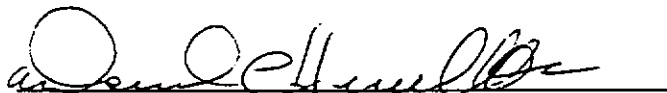
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-00041A
_____	)	

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 57-00041A 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

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 57-00041A

1997 JUN 23 AM 9:34

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *PL*

NAME & ADDRESS: JOHN WILLIAM JONES
BARBARA SUSAN JONES
HC 79 BOX 2135
OREANA ID 83650

SOURCE: PICKETT CREEK TRIBUTARY: CATHERINE CREEK

QUANTITY: 0.68 CFS

USE OF THIS RIGHT WITH RIGHT NO. 57-04025 IS LIMITED TO
A TOTAL COMBINED ANNUAL DIVERSION RATE OF 0.74 CFS.

PRIORITY DATE: 02/14/1870

POINT OF DIVERSION: T04S R01W S24 NESWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.68 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T04S R01E S30 Lot 2 (SWNW) 28.0
28.0 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 57-04025 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 28.0 ACRES IN A SINGLE
IRRIGATION SEASON.

DATED: 6/23/97

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

MICROFILMED

MAR 2 - 1997

1997 JUN 23 AM 9:34

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)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-00041A

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 23, 1997, with sufficient first-class postage prepaid to the following:

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

JOHN W. JONES
HC79 BOX 2135
OREANA, ID 83650

Debbie Lash

DEBBIE LASH
Deputy Clerk

MICROFILMED

MAR 2 - 1997

CERTIFICATE OF MAILING

PAGE 1
06/23/97

1997 JUN 23 AM 9:34

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

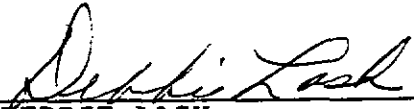
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-00041A

On June 23, 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 23, 1997.


DEBBIE LASH
Deputy Clerk

MICROFILMED

MAR 2 - 1998

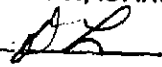
RECEIVED

JUN 24 1997

Department of Water Resources
Adjudication Bureau

1997 JUN 23 AM 9:34

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

) Subcase 57-00041A

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 John and Barbara Jones. 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 57-00041A was filed by John and Barbara Jones. 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 57-00041A 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

MICROFILMED

MAR 2 - 1998

1997 SEP 12 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): 57-00041A

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 57-00041A was mailed
on September 12, 1997, with sufficient first-class postage prepaid
to the following:

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

JOHN W. JONES
HC79 BOX 2135
OREANA, ID 83650
Phone: 208-834-2155

DIANA DELANEY
Chief Deputy Clerk

MICROFILMED

MAR 2 - 1998

CERTIFICATE OF MAILING

PAGE 1
09/12/97

RECEIVED
JUN 02 1997

Department of Water Resources

1997 MAY 29 AM 10:01

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 57-00041A

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 John and Barbara Jones. 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 57-00041A was filed by the claimant. Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court; now therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-00041A be decreed as recommended in the attached *Preliminary Special Master's Report and Recommendation for Partial Decree*.

DATED May 29, 1997.


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)
_____)

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR

1997 MAY 28 AM 10:01

PARTIAL DECREE FOR

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

Water Right 57-00041A

FILED *OK*

NAME & ADDRESS: JOHN WILLIAM JONES
BARBARA SUSAN JONES
HC 79 BOX 2135
OREANA ID 83650

SOURCE: PICKETT CREEK TRIBUTARY: CATHERINE CREEK

QUANTITY: 0.68 CFS

USE OF THIS RIGHT WITH RIGHT NO. 57-04025 IS LIMITED TO
A TOTAL COMBINED ANNUAL DIVERSION RATE OF 0.74 CFS.

PRIORITY DATE: 02/14/1870

POINT OF DIVERSION: T04S R01W S24 NESWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.68 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T04S R01E S30 Lot 2 (SWNW) 28.0
28.0 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 57-04025 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 28.0 ACRES IN A SINGLE
IRRIGATION SEASON.

DATED: 5/29/97

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

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-00041A

MICROFILMED

MAR 2 - 1998

PAGE 1
APR-25-1997

1997 MAY 29 AM 10:01

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

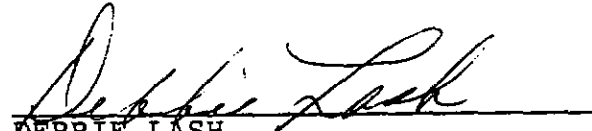
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-00041A

On May 29, 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 12, 1997.

DATED May 29, 1997.


DEBBIE LASH
Deputy Clerk

MICROFILMED

MAR 2 - 1998

1997 MAY 29 AM 10:01

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)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-00041A

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 29, 1997, with sufficient first-class postage prepaid to the following:

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

JOHN W. JONES
HC79 BOX 2135
OREANA, ID 83650

Debbie Lash

DEBBIE LASH
Deputy Clerk

MICROFILMED

MAR 2 - 1998

CERTIFICATE OF MAILING

PAGE 1
05/29/97

1. The name and address of the claimant is:

John Jones
Barbara Jones
HC 79, Box 2135
Oreana, ID 83650

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

2. The source of water is:

Source: Pickett Creek Tributary: Catherine Creek

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 0.68 cfs

Required Statement: IDWR and the parties stipulate that this is the correct quantity.

4. The priority date is: 02/14/1870

Required Statement: As recommended in the Director's Report.

5. The legal description of the point of diversion is:

T04S R01W S24 NESWSW County: OWYHEE

Required Statement: As recommended in the Director's Report.

6. The purpose of use is:

IRRIGATION

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:

MICROFILMED

MAR 2 - 1998

IRRIGATION SEASON

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

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

T04S R01E S30 SWNW (Lot 2)	28 acres
Total	28 acres

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

9. Other matters necessary to define this water right. N/A.

These matters are necessary because: N/A.

These matters do not fall within the 8 elements listed above because: N/A.

0.18 cfs of this right is limited to use for conveyance losses in delivery of this right. Use of this right with right no. 57-04025 is limited to a total combined annual diversion rate of 0.70 cfs and to the irrigation of a combined total of 28 acres in a single irrigation season. Right nos. 57-00041B and 57-00060 are also diverted through point of diversion described above.

Explanatory Material - Basis of Claim: Decree

Review of IDWR

MICROFILMED

MAR 2 - 1998

To speed up the entry of a decree, the parties are encouraged to talk to the Idaho Department of Water Resources (IDWR) about their proposed settlement and have IDWR indicate its concurrence by signing the Standard Form 5.

Where all parties have signed, a Standard Form 5 may be filed with the court without the concurrence of IDWR. However, the parties must certify that they have served IDWR with a copy of Standard Form 5 and that they have made a good faith attempt to resolve the matter with IDWR.

Within 14 days of filing a Standard Form 5 not containing an IDWR concurrence, IDWR shall file a statement of its position with the court.

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

MICROFILMED

MAR 2 - 1998

Signatures and Addresses of Parties and their Attorney of Record (attach additional page if necessary): I have read this form, know its contents, and believe that the statements are true to the best of my knowledge.

Name: John Jones
Barbara Jones
Address: HC 79, Box 2135
City/State/Zip: Oreana, ID 83650
Attorney of Record: Pro Se

John W Jones 4-18-97
Claimant's signature Date
Barbara S. Jones 4/18/97
Claimant's signature Date

IDWR Concurrence:

[Signature] April 18, 97
Signature for IDWR Date

Signature Date

MICROFILMED

MAR 2 - 1998

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 _____, 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 83720
Boise, ID 83720-0098

U.S. Department of Justice
Environment and Natural
Resources Division
550 West Fort Street, Box 33
Boise, ID 83724

Signature of person or attorney mailing the form

MICROFILMED

MAR 2 - 1998



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
ALAN G. LANCE

April 29, 1997

Diana Delaney
Clerk, SRBA Court
P.O. Box 2707
Twin Falls, Idaho 83303-2707

John and Barbara S. Jones
HC 79, Box 2135
Oreana, Idaho 83650

Re: *SRBA Subcase 57-00041A*

Dear Ms. Delaney and Mr. and Ms. Jones:

This letter confirms a change in stipulated language contained in the SF-5 document for water right 57-00041A. While reviewing the document to create a draft Special Master's Report, IDWR staff noticed that the agreed combined use limitation of 0.70 cfs was incorrect, and that the proper combined use limitation should read 0.74 cfs.

I spoke with John Jones by telephone on April 29, 1997. He indicated no objection to the modification. Accordingly, IDWR prepared the draft Special Master's Report with the corrected combined use limitation. Please direct any questions regarding this modification directly to me at (208) 327-5446.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "J. Andrew Helmlinger".

J. Andrew Helmlinger

4/29/97.jah

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MAR 2 - 1998

FIELD EXAM PHOTO INDEX SUMMARY	
Date: 1-5-96	Roll No.: 111
Photographer: Roxanne McCarthy	

Photo No.	Subject Description
1	looking N/NW across field to well
2	looking E along fence line at 3 1/2 acre
3	looking SW across field at pipes & ditch
4	
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10	
11	
12	
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24	

Photo No. 1

This was taken looking N/NW
across the main field toward the
well.

MAK 2 - 1998

UNCLASSIFIED

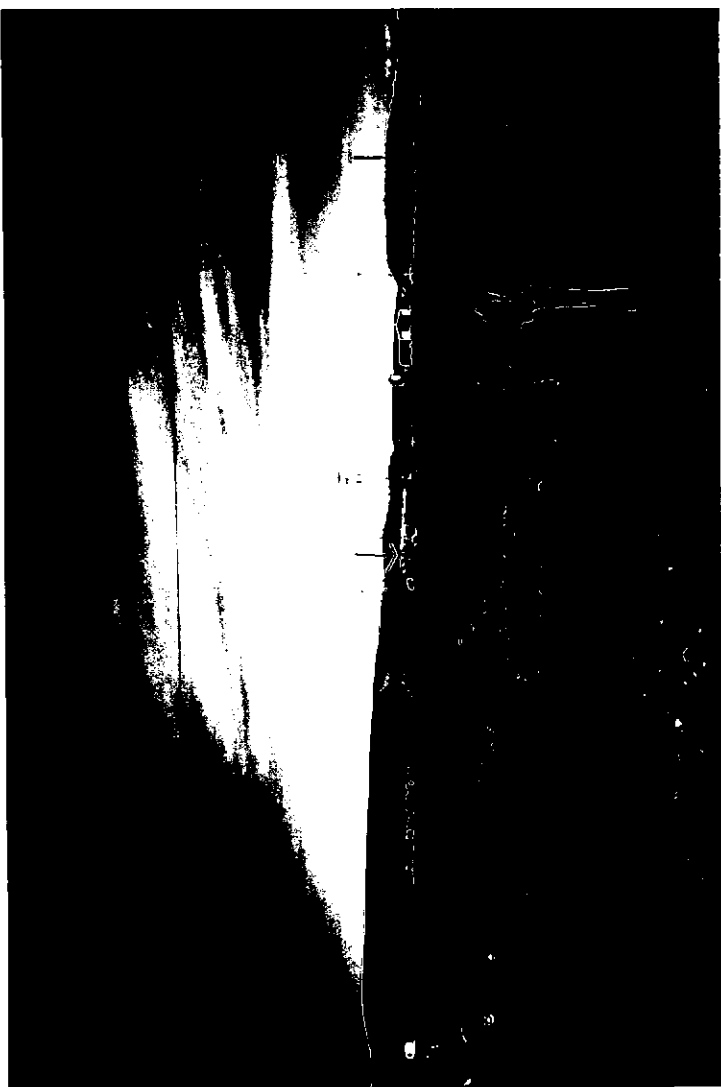


Photo No. 2
Photo was taken looking east along
the fenceline at the additional 3.5
acres.

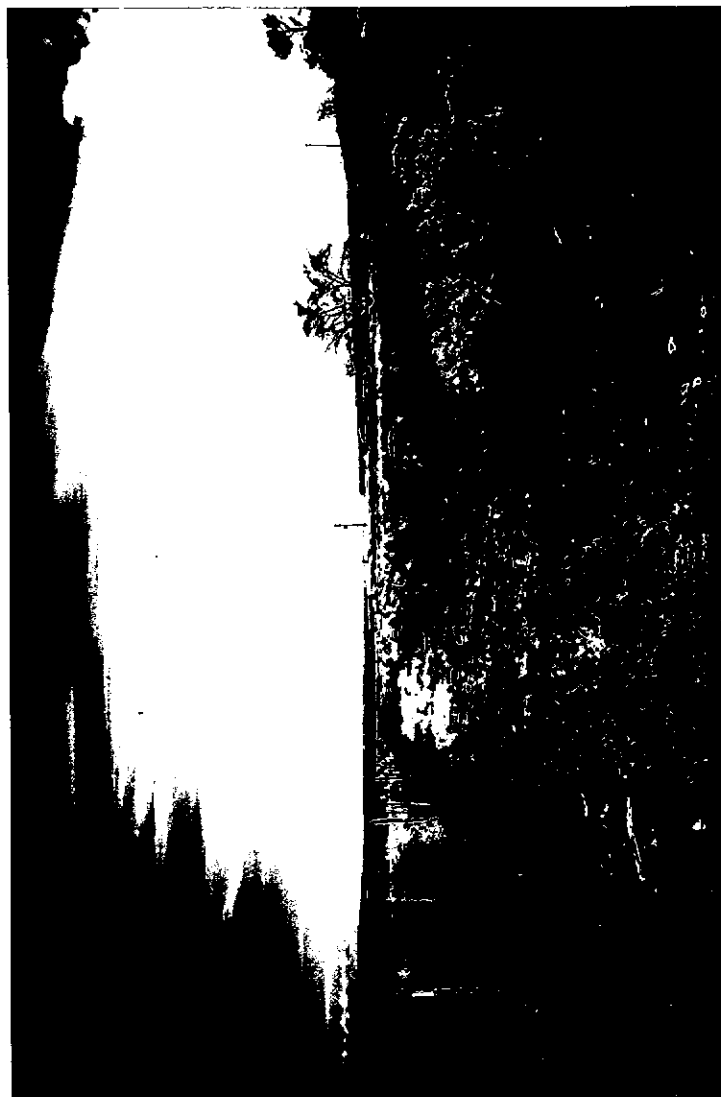


Photo No. 3
Photo taken looking southwest
across main field at ditch.

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MAR 2 - 1998

146





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 14, 1994

JOHN OR BARBARA JONES
HC 79 BOX 120C
MELBA ID 83641

Dear Mr. or Mrs. Jones;

I am writing in regard to the Notices of Claim to a Water Right for the property purchased from Joann Boeger. In reviewing our records I found the change of ownership form you submitted for the name change on the appurtenant claims. This change form indicated that there was a copy of the warranty deed included. We have no record of the warranty deed in our files. Please send me a copy of this deed so I can complete the name change for these Notices of Claim.

This information will suffice for the change to the Department's records. Additionally, SRBA Judge Hurlbutt, Jr. has issued a court order requiring that any claimant with a claim submitted for final decree must complete the enclosed standard form 3 before the Court's records for the decree will be changed to reflect the new owner. Standard form 3 is enclosed along with the directions on how and where to mail the completed form.

So, if you will send me a copy of your warranty deed, then submit the form requested by the Court, we will have met all requirements for ownership change on these Claims. This will ensure that these rights accurately reflect past and present owners and that you will be properly notified of future proceedings.

Thank you for your assistance in this matter. If you have any questions, be sure to contact me.

Sincerely,

Linda A. Werner

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

MICROFILMED

MAR 2 - 1998

Enclosure: Standard Form 3

WARRANTY DEED

For Value Received JOANN M. BOEGER POLK AND JAMES W. POLK, wife and husband

the grantors, do hereby grant, bargain, sell and convey unto
JOHN WILLIAM JONES AND BARBARA SUSAN JONES, husband and wife

the grantee s, whose current address is: HC 79 Box 120C, Melba, ID 83641
the following described premises, to-wit:

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY, IDAHO
Section 30: Lot 2

Subject to exceptions and reservations contained in patents from
the United States.
Subject to all easements, restrictions and reservations of record
and of use.

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

210484
FILED-RECORDED
93 JUN 7 AM 8 58
OWYHEE COUNTY RECORDER
BY *[Signature]*
DEPUTY
REQUEST OF
OCT
FEB 3 1993
INDEXED
RECORDED

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee s; that the y the owner s in fee simple of said premises; that said
premises are free from all incumbrances except taxes and assessments levied for the
year 1993 and subsequent years.

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: June 4, 1993

MICROFILMED

MAR 2 - 1998

[Signature]
JoAnn M. Boeger Polk

[Signature]
James W. Polk

STATE OF IDAHO, COUNTY OF OWYHEE

On this 4th day of June, 1993,
before me, a notary public in and for said State, personally
appeared

JoAnn M. Boeger Polk
James W. Polk

known to me to be the person s who se names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature]

Notary Public

Residing at Boise, Idaho
Comm. Expires 7-10-93

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.
Fees \$ _____
Mail to: _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

APR 06 1995

WATER RESOURCES
WESTERN REGION

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 5, 1995

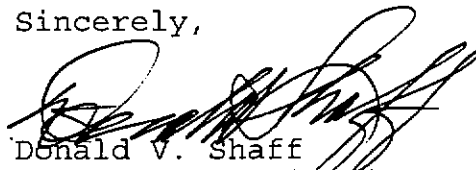
JOHN W OR BARBARA SUSAN JONES
HC 79 BOX 2135
OREANA ID 83650

RE: Snake River Basin Adjudication (SRBA)
Notice(s) of Claim #A57-00041A and A57-04025

Dear Claimants:

Thank you for notifying us of the change in ownership of the water rights referenced above. Enclosed is a computer-generated copy of the water rights referenced above showing you as current owners and an information sheet on the adjudication. Please contact us if you have any questions.

Sincerely,



Donald V. Shaff
Manager, Adjudication Section

DVS:sf:region

Enclosures:

Copy of Water Rights Referenced Above
Information Sheet No. 42-1400a (2/95)

MICROFILM

MAR 2 - 1996

I. GENERAL INFORMATION

Please fill in the following information:

1. **Party/Claimant objecting:**

Name: John William Jones / Barbara Susan Jones

Address: HC 79 Box 2135
OREANA, IDAHO 83650

Phone: Work: (208) 463-5270 Home: (208) 834-2155

Briefly describe your interest in this water right:

We believe That The proposed
Reduction of our water Right is
Excessive, AND Does Not Accurately
Reflect prior historical use. We Need
To be Able To IRRIGATE 27 Acres with
34 inches of water To be Economically feasible

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.

2. **Owner of the water right. You must identify the owner exactly as it appears in the Director's Report:**

Name: John William Jones / Barbara Susan Jones

Address: HC 79 Box 2135 OREANA, IDAHO 83650

MAR 2 - 1998

8661 - 2 WVN
MAR 2 1998

MICROFILMED

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

13. ☐ Other: I object to: _____

REASONS SUPPORTING EACH BOX CHECKED

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

3A: HISTORICALLY 1.8 CFS WAS DECREED TO
TOYS ROIE S30 LOT 2 (SWNW) AND USED TO
IRRIGATE 25 ACRES

9B: PROPOSED CUT FROM 18 ACRES TO 11 ACRES
EXCESSIVE -
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.

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.

#1 IDWR RECOMMENDED WATER RIGHTS (PAGE A-1)
#2 STATEMENT OF HISTORIC USE BY PREVIOUS OWNER
#3A & #3B COPY OF CURRENT DECREED WATER RIGHT
#4 COPY OF PAGE FROM NEIL/HYDE LAWSUIT

VERIFICATION (Must be Completed)

State of _____

County of _____

_____, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection (as listed on Page 2, Section 2, "Party/Claimant Objecting") as defined by I.C. § 42-1401A(1) and (7), and that I have read this objection, know its contents and that the statements 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 on: _____

Notary Public for _____

Residing at: _____

My Commission expires: _____

MICROFILMED

MAR 2 - 1995

VERIFICATION (Must be Completed)

State of Idaho

County of Owyhee

John W. Jones, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection (as listed on Page 2, Section 2, "Party/Claimant Objecting") as defined by I.C. § 42-1401A(1) and (7), and that I have read this objection, know its contents and that the statements are true to the best of my knowledge and belief.

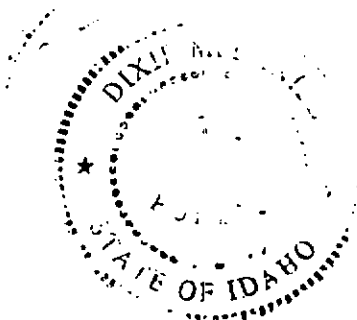
John W. Jones
Signature of person filing objection

By: Attorney signing in representative capacity

Subscribed and sworn to before me on: August 14, 1995

Dixie McDaniel

Notary Public for Owyhee County
Residing at: Grand View, Idaho
My Commission expires: 12-19-2000



MICROFILMED

MAR 2 - 1998

8-18-95

To Whom it May Concern

This is my statement as to irrigation
on lot 2 Sec 30 T4S R1E.

Lot 2 Had approximately 20 acres Irrigated through
the 47 ft of knowledge of the property.

How ever my grandfather Irrigated another 6 acres
behind the Hill when he owned lot 1 and 2 together.

This was Before 1900 and was Bought in the late
1920 By my grandfather.

Larry Bachman

MICROFILMED

MAR 2 1998

07/15/94

COMMUNICATION DOCUMENTATION

Claim No.: 57-00041A
& 57-04025

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

IDWR Employee/Agent: Carter Fritschle

Date: 08-02-95

Contact Person(s): John Jones

Nature of Contact and Substance of Communication: Mr. Jones was concerned that the Basin 57 Director's Report does not adequately describe the place of use of the Pickett Creek water (57-00041A). Mr. Jones stated that water from Pickett Creek has been used on all of the 25 or 26 acres that are irrigated, not just the 11 acres described in the Director's Report. I told Mr. Jones that at this point the only method he had available to him to have us re-evaluate our recommendation would be for him to file a motion to file a late objection. He requested that we send him the appropriate court approved forms. This information was passed on to Danni Smith for mailing the forms.

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MAR 2 - 1998

A57-10444
A57-00041A
A57-04025

Mailed forms 5-11-75

May 9, 1995

IDWR
Western Region
2735 Airport Way
Boise, Idaho 83715-5082

RECEIVED
MAY 11 1995
INTEL. SOURCES
WESTERN REGION

Dear Sirs,

Please send us the court
approved objection form, and
instructions for filing an
objection to the Director's Reports.

Thank You
John W. Jones
HC 79 Box 2135
Orama, Idaho
83650

MICROFILMED

MAR 2 - 1998

NAME OF PARTY	ORIGINAL APPROPRIATOR	SOURCE OF WATER	PRIORITY OF APPROPRIATION	AMOUNT
J. M. Neill	Isaac Jennings	Hart's Creek	April 1, 1866	72 69 9
J. M. Neill	Cornelius Shea	Catherine Creek	April 1, 1868	48 111
J. M. Neill	Lewis F. Cook	Catherine Creek Oct. 1, 1869 (Below Brown's Creek)		66 36 42 72 114 6 24 42
J. M. Neill	Timothy Shea	Pickett Creek	Feb. 14, 1870	54 24 81
57-00041	Timothy Shea	Hart's Creek	Feb. 14, 1870	72 27
J. M. Neill	John H. Hart	Hart's Creek	April 1, 1874	15 33
B. H. Hyde	John H. Hart	Hart's Creek	April 1, 1874	153
Patrick Hardiman		Pickett Creek	Aug. 28, 1875	74 89 51 42
Mora Linnehan	Patrick Linnehan	Bates Creek	April 1, 1876	16 51
Alva & Frank Read	Aaron Gilbert	Hart's Creek	April 1, 1876	63.2 78.4 56.1

MAR 2 - 1958
MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 14, 1994

JOHN OR BARBARA JONES
HC 79 BOX 120C
MELBA ID 83641

Dear Mr. or Mrs. Jones;

I am writing in regard to the Notices of Claim to a Water Right for the property purchased from Joann Boeger. In reviewing our records I found the change of ownership form you submitted for the name change on the appurtenant claims. This change form indicated that there was a copy of the warranty deed included. We have no record of the warranty deed in our files. Please send me a copy of this deed so I can complete the name change for these Notices of Claim.

This information will suffice for the change to the Department's records. Additionally, SRBA Judge Hurlbutt, Jr. has issued a court order requiring that any claimant with a claim submitted for final decree must complete the enclosed standard form 3 before the Court's records for the decree will be changed to reflect the new owner. Standard form 3 is enclosed along with the directions on how and where to mail the completed form.

So, if you will send me a copy of your warranty deed, then submit the form requested by the Court, we will have met all requirements for ownership change on these Claims. This will ensure that these rights accurately reflect past and present owners and that you will be properly notified of future proceedings.

Thank you for your assistance in this matter. If you have any questions, be sure to contact me.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure: Standard Form 3

MICROFILMED

MAR 2 - 1998

1-6-95: No response - L RW

RECEIVED
DEC 18 1995

RECEIVED

DEC 2 1995

Department of Water Resources
Adjudication Bureau

FILED AS7-00041A

1995 DEC 18 PM 3:44

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

In Re SRBA

) Subcase No: 57-00041A

Case No. 39576

)
) ORDER GRANTING MOTION TO
) FILE LATE OBJECTION
)

On August 15, 1995, a *Motion to File Late Objection (Motion)* was filed in the above subcase by Mr. John W. Jones.

The SRBA Administrative Orders do not provide a standard to be applied for filing late objections. However, the court's administrative rules establish that *Motions to File a Late Notice of Claim* are to be reviewed under the criteria of I.R.C.P. 55(c) and 60(b). *SRBA Administrative Order 1 (A.O.1)*, § 4A(c)(4)(b). All SRBA pleadings are generally required to conform to the I.R.C.P. A.O.1, § 3a.

According to case law and the Rules of Civil Procedure, a court must apply the criteria of I.R.C.P. 55(c) where it is determining whether to allow the filing of a late answer. *Motions for Late Objections* shall be reviewed under the same criteria of Rules 55(c) and 60(b). The proponent of a *Motion for Late Objection*, like a party seeking to file an untimely answer, must show both good cause for untimeliness and the existence of a meritorious position. I.R.C.P. 55(c); *Reeves v. Wisenor*, 102 Idaho 271, 629 P.2d 667 (1981); *McFarland v. Curtis*, 123 Idaho 931, 854 P.2d 274 (App. 1993).

A hearing on the *Motion* was held December 18, 1995. At the hearing, Mr. Jones alleged that good cause existed for untimeliness and asserted a meritorious position. No objections were made to the *Motion*.

Therefore, based on the hearing and the record for this subcase, the court finds good cause and a meritorious position exist. IT IS ORDERED that the *Motion to File Late Objection* is

MICROFILMED

ORDER GRANTING MOTION TO
TO FILE LATE OBJECTION
12/18/95

RECEIVED

DEC 22 1995

WATER RESOURCES
WESTERN REGION

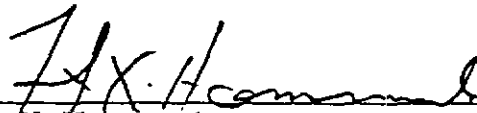
MAR 2 - 1998

REC 5 5 1996

RECEIVED

GRANTED and the Objection previously lodged with this court be deemed filed as of December 18, 1995. IT IS FURTHER ORDERED that Responses to the Objection shall be filed on or before January 18, 1996.

DATED December 18, 1995.



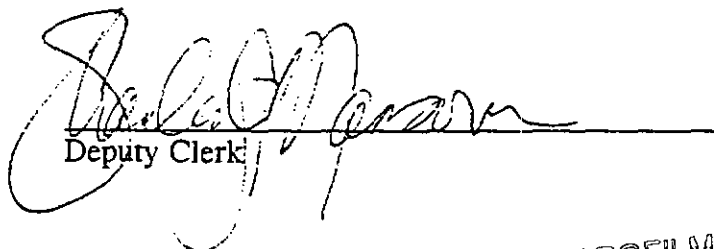
Fritz X. Haemmerle
Special Master, Reporting Area 2
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE OBJECTION was mailed on December 18, 1995, with sufficient first-class postage to the following:

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

John W. Jones
HC 79 Box 2135
Oreana, ID 83650


Deputy Clerk

MICROFILMED

MAR 2 - 1996

Special Master Fritz Hammerle

Our protest is based on the following information:

Mr. Larry Backman (Owachee County Assessor - as was his mother before him) testifies that his grand father moved onto the property in the 1890's. Larry's father subsequently lived on this property until his death in 1977. Larry Backman states in his letter (Copy was sent in protest) that 27.5 acres were routinely irrigated from Pickett Creek water.

Larry lived here after his father's death until 1989 or 1990. His wife developed a terminal illness and to pay medical bills he borrowed from his in-laws. They took over in 1991, as records show, and to get their money back, they sold to Joanne Boeger (now Polk). She was not aware of the irrigation history. When Water Resources talked to her, she "thought" (without verifying) that only 11 Acres from P. Creek & 15 from statutory claim on the well were the only irrigation previously done.

None of these people got along well and did not talk to each other about vital water rights. All of this information was very difficult to

Also during this period of time 87-93 we had some dry years if the good years had water there it would be dry

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MAR 2 - 1998

gather, for us, and obviously for Water Resources. They did not search out the history before making their recommendations.

We are challenging the excessive cut from the Decreed (Neilson Hyde) 54 inches & 18 acres to proposed 20 inches and 11 acres. (You have a certified copy of Neilson Hyde). Although 54 inches were decreed (Neilson Hyde) the usual creek use was 27.5 acres due to topography.

We would like to retain approx 35" of the 54 decreed of Puckett Creek for the 27.5 acres (as per map). We also have 15 acres of Well right - statutory claim to irrigate the same 27.5 acres.

We feel that with an approx 35" allotment and our irrigation experience, that we can fulfill the intended pasture usage (Neilson Hyde) on this property.

We also think that we should be able to use the retained # of inches on whichever acres of our property that our judgement and soil tests dictate. This should be feasible also according to Amended director's report on Area 2 (Basin 5) page 6 provision 3.

MAR 2 1957

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:29:50
06/05/90

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A57-00041A

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			Linda Werner Bruce Schult 7-16-90	N	6	LW 6-28-90	LW 6-28-90	
POINT OF DIV	not prejudged		McCarthy	N	5			
SOURCE				N	6			
PLACE OF USE	So Y			~~N~~ Y	None found ADJ STD 6			
DIV. AMOUNT CFS/VOLUME	Y			Y	ADJ. STD.			
CONSUMPTIVE USE	-			Y	5, 6 STD.			
PURPOSES	Y			Y	6			
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

**6 Same as ordered*

MICROFILMED

OCT 6 1990

*Compare w/ A57-00041 before going out on exam.
Chuck file to see if there's any transfers.
Dwore 57-B*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:29:50
06/05/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-00041A

LAST: BACHMAN
ADDRESS: H C 79 BOX 2135
CITY: OREANA
PHONE NUMBER: 208-495-2817

FIRST: LARRY B.

STATE: ID ZIP: 83650

OWNER CODE: C

FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE
N

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Larry Bachman & Barbara Brannon PHONE NUMBER: () 495-2817
DATE OF FIELD EXAM: 1 May 90 APPOINTMENT MADE: Y (X) N () TIME: 10:00 A (X) P ()
ACCOMPANIED BY: E. Schuld, R. McCarthy PHONE NUMBER: () 495-2817

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

Met w/ L Bachman & Murphy courthouse at which time he indicated he did not
want to accompany us to Pol & Pol. He is experiencing ownership problems w/ the
Brannon. He gave us directions to Pol & Pol.
10/18/91 - This property has undergone 2 ownership changes since the
claim filing in 1989.

MICROFILMED
OCT 06 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESA57-00041A
Adjudication Claim No:Staff Analysis Sheet For
SRBA Claim Verification Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Claim Verification Report(CVR)
☒ Copy of Adjudication Claim
☒ Copies of pertinent files(prev. rts., exams, etc.)
☐ Well Inspection Form (If Needed)
☒ Copy of U.S.G.S. Quad map, orthophotoquad, or NAPP photography
☒ Check P.D. & P.U. desc. for Govt. Lots(if a lot is found, a copy of the Govt. plat is needed to add the lot onto the R claim file later.)
☒ Check CVR for P.D. overlap(see page titled Pt. of Div. Review Sheet)
☒ Check AJ & WR P/D indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap yes no If yes: copy of claims & water rights incl?
Type of Overlap? Add acres or uses to existing system
 Increase rate of flow or volume
 Other:
☒ Check CVR for P.U. overlaps(see page titled Pl. of Use Review Sheet)
☒ Check AJ & WR P/U indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap yes no If yes: copy of claims & water rights incl?
Type of Overlap? Increase rate of flow or volume
 Add P/D's
 Increase number of acres within tracts
 Different source for same acres
 Other:
☒ Appointment Letter Sent? (initial & date)
☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed CVR Form
☒ Photographs of Point(s) of Diversion and Place of Use
☒ Completed map outlining Point(s) of Diversion and Place of Use

C. Review and Processing:

Claim No. submitted for weekly exam completed prog. report? ☒ Yes No
Exam completed date data entered on claim LRW 10/18/91 (initial & date)
Claim Verification Report completed LRW 10/18/91 (initial & date)
Was CVR spot-checked by Supervisor? Yes No (initial & date)
R claim file created LRW 10/18/91 (initial & date)
Recommendations entered on R claim file LRW 10/18/91 (initial & date)

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OCT 26 1992

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER A57-00041A A57-4025 • A57-10556
NAME OF CONTACT Harry Backman
PHONE NO. 495-2817 ADJ. AGENT Linda Warner
DATE SET FOR EXAM 10:00, Mon., 7-16
LOCATION Murphy Courthouse @ assessor's office

Diverting at full rates? No
Type of measuring devices? None
Places to make measurements? Yes - mannings
Type of system? (pipeline, ditches) Ditches
How many laterals are used? 0
Length and size of mainline? 1 1/2 handlines from well for irr.
Size of Motor used for each P/D? 7 1/2 hp (irr.)
Estimate of depth to water? _____
Pressure at well? —
Pressure at sprinkler head? —

COMMENTS; Place hasn't been farmed in 3 yrs.
Creek dried up
Domestic & irr well

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OCT 06 1992

A. AJ CLAIM: # A57-00041A PRIORITY DATE: 02-14-1870 STAGE: D

B. WR RECORD: # 57-00041 PRIORITY DATE: 02-14-1870 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

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

REMARKS: Mr. Bashman & Mrs. Brannon both indicated that the land
has not been irrigated in 3 yrs from Pickett creek. See A57-
04025. The land has been irrigated however with the well in A57-04025
and not wr. because of lack of water.

RECOMMENDED PRIORITY DATE:
02-14-1870

REVIEWED BY Linda Warner

DATE 10/18/91

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OCT 06 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-00041A	04S	01W	24	NE	SW	SW		OWYHEE

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

SOURCE: PICKETT CREEK
 TRIB: CATHERINE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

5700041 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: PICKETT CREEK
 TRIB: CATHERINE CREEK

C. FIELD EXAM REQUIRED?

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

REMARKS:

Recommend diversion as listed on claim. Diversion had pipeline from creek, ditch to POD, ditch is approx. 1 1/2 mi. long. Gravity flow by stream

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	LOT	COUNTY
4S	1W	24	NE	SW	SW	Quay

SOURCE: PICKETT CREEK

TRIB: CATHERINE CREEK

REVIEWED BY: *Shonda Williams* DATE: *10/18/91*

MICROFILMED
OCT 06 1992

A. ROOT WATER RIGHT NUMBERS: A57-00041A
A57-00041

B. POU LISTING				AJ #/ACRES	WR #/ACRES	LANDSAT DATA ASCS X O-P Quad	FIELD EXAM.	RECOMM. ACRES
TWP	RNG	SEC	1/4	1/4	LOT	NAME		
04S	01E	30	SW	NW		BACHMAN, LARRY B. BACHMAN, LARRY B.		
						A57-00041A / 43.0 A57-10556 /		
TOTAL ACRES				A57-00041A		43.00		

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

C. FIELD EXAM REQUIRED? FIELD EXAMINER
DUE TO POU DISCREPANCY? (Y/N) Y

PRESUMPTION FLAG:

REMARKS:

Map lot map - Previous W.R. does not show
no. of acres
Ortho photo dated 1974 indicates approx. 26 irr. acres; Color photo (Napp)
dated 7-14-87 shows approx 26 acres.
ASCS map indicates 27.9 acres. Sw A57-04025 for more info.

RECOMMENDATIONS:

TOTAL ACRES: 11 Acres
REVIEWED BY: Linda Warner
DATE: 10/18/91

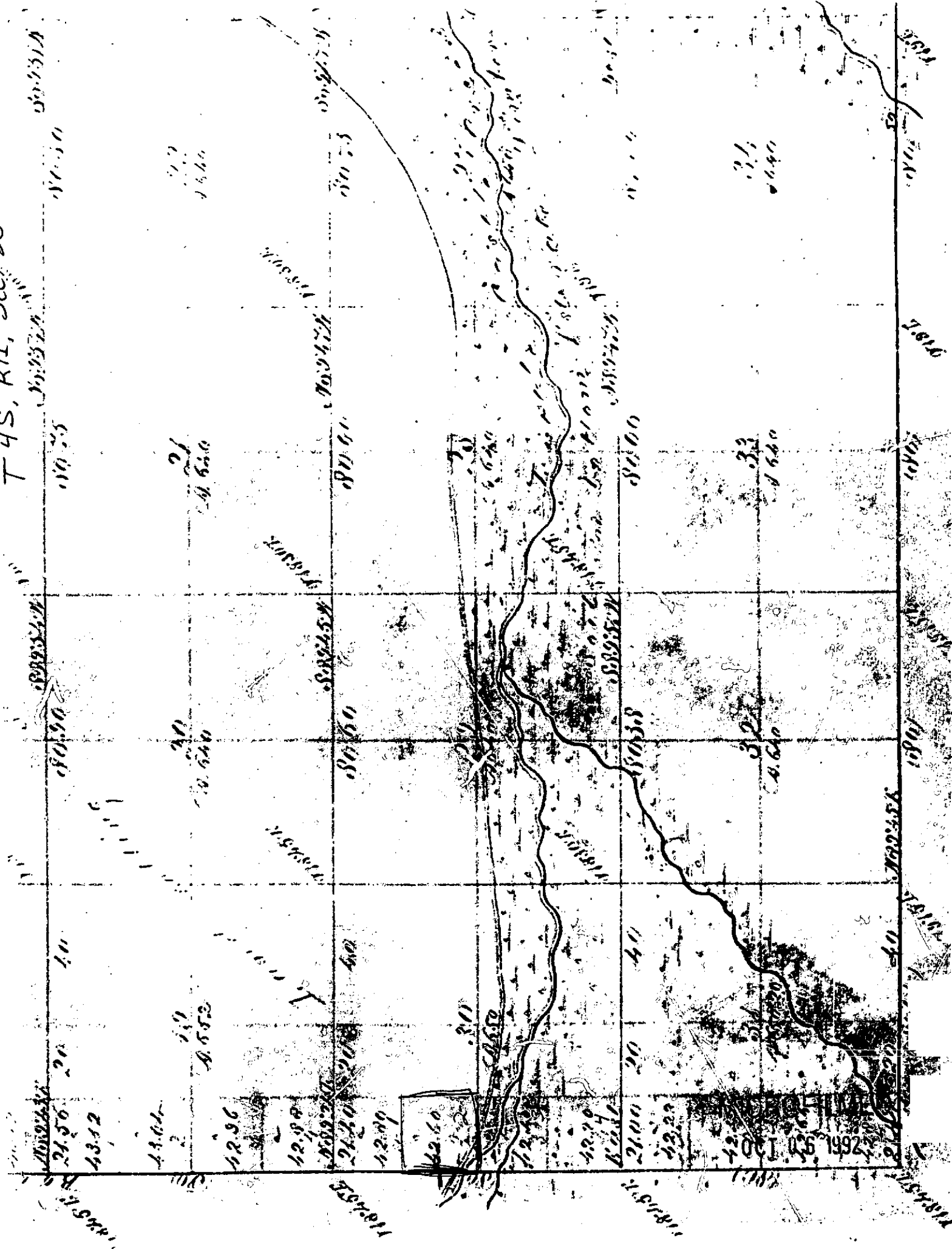
11 acres recommended based on Catherine creek decree (57-B) with a duty
of water of 5"/Ac. This portion of land was designated 54".
 $54" \div 5"/Ac = 10.8 Ac.$

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SEP 06 1992

Also A 57-4820

T 4S, R 1E, Sec 30



A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-00041A IRRIGATION	FROM 03-15 TO 11-15	1.720 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.720 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-00041 IRRIGATION	FROM TO	3.180 CFS
57-00041 DOMESTIC	FROM TO	3.180 CFS
57-00041 STOCKWATER	FROM TO	3.180 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.180 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
Y	Y	Y
Y	Y	N

standard time

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐)Y(☐) N(☐)

Explain in remarks, below.

REMARKS:

Are there 2 homes on this as indicated in item 9 - Do
 this related to A57-10556? No Single ownership YES Now long has
 this garage been irrigated? Did we want proof of this? Yes
 There is a instream stockwater use from the source w/ beginning
 of long points in T4S, R1E, Sec. 30; Sdb NW
 It has been irrigated 3 years prior to 1990.

FILED
 6 6 1992

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y () N (X)

AJ TOTAL CLAIMED DIVERSION RATE: 1.720 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?

FIELD
DATABASE EXAMINER
Y

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

FLOW MEASUREMENT

MEASUREMENT METHOD None completed, SEE ATTACHED CALCULATIONS.

due to lack of equip. Will do Mannings later
this summer.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A57-10556	DOMESTIC	BACHMAN, LARRY B.	FROM 01-01 TO 12-31	040 CFS	
A57-10556	STOCKWATER	BACHMAN, LARRY B.	FROM 01-01 TO 12-31	050 CFS	

We were unable to do a measurement because there was not enough water in the creek. We were unable to do a theoretical mgmt. as the ditch had not been in at least 3 years. It was brushy & there was no wetted perimeter.
J. Bogers was in this office on 10/16/91. At which time we discussed the excessive flow. She decided she was not interested in applying for the excessive flow as there was no way the field information could be obtained. She does believe that if conveyance loss is necessary.

10487
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06 06 1992

D. Claimed

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 43 x 0.02 CFS/ACRE = .86 CFS
(Taken from p/u review)

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

Recommended

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 150.5 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(☐) N(☐)

Flow
11 Ac x .02 cfs = .22 cfs
conveyance loss = .18 cfs
.40

C.U.
11 Ac x 3.5 AF/A = 38.5 AFA

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

D02: 0.18 cfs conveyance loss - this right
E01: Combined w/ 57-4025, Div. rate = 60.70 cfs, C.U. vol. = 91.0 AF,
Acres = 26

E05: Other rights w/ same P00 = 57-00041B + 57-00060.

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OCT 06 1992

Overlap

EAST

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OCT 6 5 1992

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
(X)
()
()

NEEDS
REVIEW
(X)
()
()

10/18/91
Mr. Brannon is sending me
proof of ownership.

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-00041

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

DATABASE
3.180
EXAMINER

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-00041A	1.720	-	-	57-00041	3.180
-	A57-00041	3.180	-	-		

TOTAL CFS 4.900

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)

FIELD
EXAMINER
N

REMARKS:

Boeger A57-00041A .40 cfs
Hyde Ranch 41B = .42 cfs
Total (A57) Conv. Loss
Recommended
57-00041A .40 cfs (11).18 cfs
57-00041B .54 cfs (15).24 cfs
(.94) 26.42

Originally decreed for 3.18 cfs (159"); .94 cfs recommended in SRBA (47").

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OCT 6 1992

AUTHENTICATION:

SIGNATURE

Linda Werner
NAME OF FIELD EXAMINER: Linda Werner

DATE:

7-23-90 x 10/18/91 - LRA

TITLE:

S. W. R Agent



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

Date October 4, 1991

[
Joann Marie Boeger
HC 79, Box 2085
Oreana, ID 83650
]

Notice of Claim No.(s) A57-00041A, A57-04025, A57-10556

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

MICROFILMED
OCT 06 1992

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

A57-00041A)
)
)
)

AFFIDAVIT

State of Idaho)
County of Ada)

Joann Boeger being first duly sworn,
deposes and says: I am now the new owner of
the former Bachman/Brennan property. I have
lived in Oreana since 1979. I know that
the water from Pickett Cr. has been used
after 1981 when Jack and Barbara Brennan
moved to Oreana.

Joann M. Boeger
(Signature)

Subscribed and sworn to before me this

day 11 of Sept., 1996
Linda Werner
(Notary Public)

Residing at LINDA WERNER
RESIDING AT EAGLE, IDAHO
My Commission Expires MY COMMISSION EXPIRES DEC. 8, 1994



MICROFILMED
OCT 6 6 1996

AFFIDAVIT

STATE OF IDAHO)
COUNTY OF OWYHEE) ss.

GEORGE JESS
(NAME)

(ADDRESS)

BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE Pickett Creek, Catherine Creek water master.

I am personally acquainted with the former Bachman property in Government Lot 2 Sec 30 T4S R1E B.M. Owyhee County and a diversion ditch and head gate exists on Picket Creek to serve this property.

SIGNED

George Jess
July 30 91

STATE OF , COUNTY OF
ON THIS DAY OF , 19
BEFORE ME, A NOTARY PUBLIC IN AND FOR
SAID STATE, PERSONALLY APPEARED

KNOWN TO ME TO BE THE PERSON WHOSE
NAME SUBSCRIBED TO THE WITHIN
INSTRUMENT, AND ACKNOWLEDGED TO ME THAT
HE EXECUTED THE SAME.

NOTARY PUBLIC

RESIDING AT
COMM. EXPIRES

STATE OF , COUNTY OF
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF

AT MINUTES PAST O'CLOCK M.,
THIS DAY OF ,
19 , IN MY OFFICE, AND DULY RECORDED IN BOOK OF AT PAGE

EX-OFFICIO RECORDER

BY

DEPUTY

FEES \$

MAIL TO:

INSTRUMENT NO.

July 9, 1991

John T. Brennan
5698 Collister Dr.
Boise, ID 83703

MAILING DATE: July 9, 1991

RESPONSE DATE: August 1, 1991

RE: NOTICE OF CLAIM NO[S]: A57-00041A, A57-04025

Dear Mr. Brennan:

We are currently in the process of preparing the above referenced Notice(s) of Claim for court decree in the Snake River Basin Adjudication. During this review certain questions arose concerning the claims listed above. All claims with an A57 prefix number are being reviewed at this time. If you have other claims with this prefix, that are not shown here, we may be contacting you again if questions should arise during their review. Also, if you filed other claims with yet a different prefix for the claim number, such as A02, A51 or A55, please be advised that these claims will be reviewed at a later date. The following claims require the information or changes listed:

Claim No(s): A57-04025

We are currently in the process of preparing the above referenced Notice of Claim for court decree in the Snake River Basin Adjudication.

This claim was filed based on beneficial use of water dating back to July 1, 1934. On October 12, 1990, the Department sent a letter to the previous owner requesting that he submit evidence supporting the priority date listed on the above claim. This evidence was to have been submitted by December 1, 1990. However, this evidence has not been received in our office.

Before the Department can make a recommendation to the Court for decree of this claim, some evidence of the priority date claimed must be submitted. We are enclosing a brochure outlining types of evidence you may submit. If we do not receive the requested information, this claim will be recommended for disallowal due to lack of evidence supporting any priority date.

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OCT 6 1992

Claim No(s): A57-00041A, A57-04025

Our initial investigation of this claim indicates that the water right claimed was not used during the following period: March, 1982 to July, 1987.

Under Idaho law, a water right may be forfeited by five years continuous nonuse of the right. The use of water may be resumed under certain conditions. However, resumption of use after forfeiture may sometimes result in a change in the priority of the water right to the date of resumption.

Before we can recommend the claim listed above, you must submit one of two types of evidence. First, you may submit evidence showing use of the water during the period stated above. (This evidence should show use frequent enough to leave no five year period of nonuse.) Second, you may provide us with the date you resumed using the water and submit some evidence tending to support that date.

Your response must be received in our office by the response date shown above. If no response is received, then the Notice of Claim will be recommended for disallowal on the basis that the water right claimed has been forfeited by nonuse.

I talked with George Jess who is the watermaster for the Catherine creek drainage. He indicated that although he had not turned any water out into the ditch he thought that the previous owners may have had an arrangement with someone to use their ditch. You may be able to obtain some information from the previous owner, Larry Bachman.

Also, in regard to claim number A57-04025, the irrigation well; you may be able to obtain documentation from the power company substantiating this usage.

Thank-you for your cooperation. If you should have any questions, or feel that you need help in any way, please contact me at 208-334-2190.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures: Pamphlet entitled "Evidence of Priority"

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OCT 06 1992

7-9-91
Pg. 2

CONVERSATION MEMORANDUM

DATE 6-18-91FILE A57-41A & A57-402

NAME OF PARTY

EMPLOYEE

George Juss
Linda Dwyer

RE: Talked w/ Juss re when he last turned water out to above claimants ditch from Pickett creek. He said it has not been used since he's been watermaster which has been 4 years. He said he thought the previous owner had an agreement w/ a neighbor to use his ditch. When I did field work, there was a road going over the ditch & there was no culvert allowing any water to pass.

Mr. Juss also stated he thought they had been irr. from well possibly 3 years ago but wasn't sure.

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OCT 06 1991



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

Date June 17, 1991

[John R. Brennan]
5698 Collister Dr.
[Boise, ID 83703]

Notice of Claim No.(s) A57-00041A, A57-04025, A57-10556

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda A. Werner

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

MICROFILMED
OCT 06 1992

April 11, 1991

Larry B. Bachman
HC 79, Box 2135
Oreana, ID 83650

Dear Mr. Bachman:

SUBJECT: Notice of Claims to a Water Right
A57-00041A, A57-04025, A57-10556

We are currently in the process of preparing the above referenced Notices of Claim for court decree in the Snake River Basin Adjudication. During this process certain questions arose concerning the claims listed above. The following claims require the information or changes discussed below.

A57-00041A, A57-04025, A57-10556
Proof of Ownership:

Please submit proof of ownership on the property listed as place of use on the above three adjudication claims. If you do not own this property, please supply us with the name and address of the new owner(s).

A57-04025
Proof of Priority:

This claim was filed based on beneficial use of water dating back to July 1, 1934. On October 12, 1990, the Department sent you a letter requesting that you submit evidence supporting the priority date you have listed on the above claim. This evidence was to have been submitted by December 1, 1990. However, this evidence has not been received in our office.

Before the Department can make a recommendation to the Court for decree of this claim, some evidence of the priority date claimed must be submitted. We are enclosing a brochure outlining types of evidence you may submit.

If we do not receive the requested information, these claims will be recommended for disallowal due to lack of evidence supporting any priority date and/or ownership. Please submit this information by May 1, 1991. Be sure and address your correspondence to my attention.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure: "Evidence of Priority" brochure

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OCT 06 1994

June 29, 1990

Larry B. Bachman
HC 79, Box 2135
Oreana, ID 83650

RE: Adjudication claim numbers: A57-00041A, A57-04025 and
A57-10556.

Dear Mr. Bachman:

The Department of Water Resources will be conducting beneficial use and water right claim verification examinations in your area during the weeks of July 9 through July 20. An examination is needed to verify your water use in order to issue a water right license and/or decree.

Information on your permit or claim which may need to be verified includes source of water, type of usage, amount of water used and legal description of the point of diversion and/or place of use. In some cases we may need documentation verifying the date of priority as claimed in the Snake River Basin Adjudication.

In order to expedite these field examinations, we request that you call our office at (208) 334-2190 and establish an appointment for one day during the above weeks. Although it is not mandatory that you accompany the field examiner, it would be helpful for you or someone who knows the details of your water right to accompany the examiner should questions arise during the exam. It may also be necessary for the system to be operated normally at the time of the exam.

Please advise me within seven days of the date of this letter as to the best time for us to perform this field exam.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

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OCT 06 1992

~~POO~~
4S, 1WE, S. 2H30
Jack & Barbara Brannon

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	DATABASE EXAMINER	DATABASE EXAMINER VOL. AF/A	REC. CONS. USE
Irrigation	3-15 11-15	10/18/91 LW 0.40	To be determined	15215 N/A	38.5 150.5
TOTAL FOR THIS RIGHT					38.5

REVIEWED BY: *Linda Warner*DATE: *10/18/91*

Don-irr. uses: Stockwater, 150 hd beef cattle

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OCT 06 1992

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

Table:

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:

$$S = (2.4 \text{ ft})(1.0 \text{ ft/day})(0.0667)$$

$$S = 0.16 \text{ cfs/mi}$$

$$\text{Conveyance loss} = (S)(\text{length of ditch in miles})$$

$$\text{Conveyance loss} = (0.16 \text{ cfs/mi})(1.1 \text{ mi})$$

$$\text{Conveyance loss} = 0.18 \text{ cfs}$$

DOZ: 0.18 cfs

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OCT 06 1992

A57-00041A

Picture #1



Diversion Pipeline from
Pickett Creek

Picture #2

Area approx. 70' above diversion
dammed up by beavers. (Upstream)



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OCT 06 1992

A57-00041A

Picture #3



Gravity Flow ditch from diversion
looking West

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