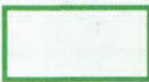
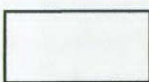
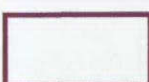
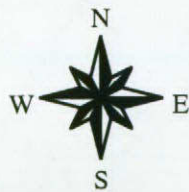
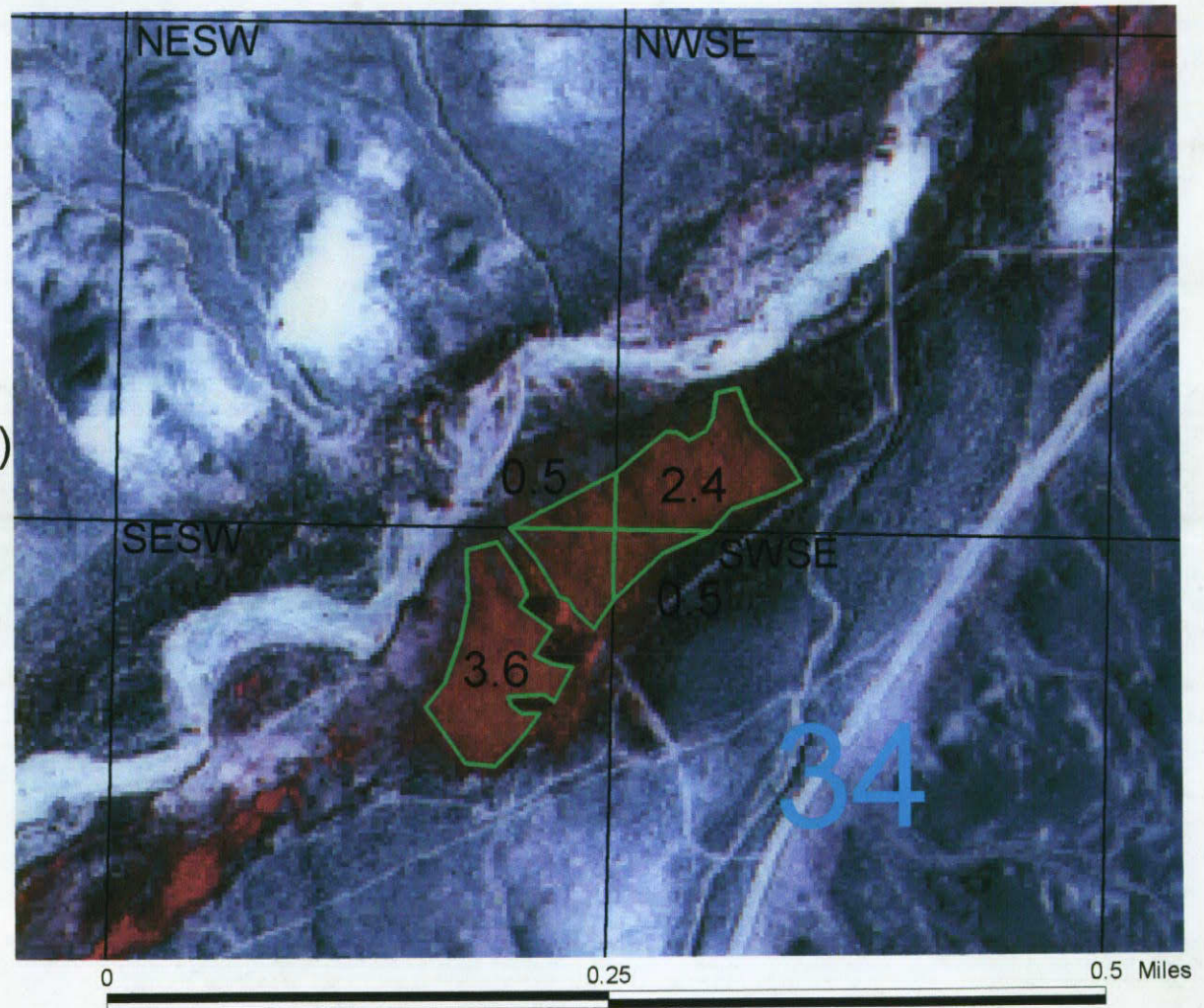


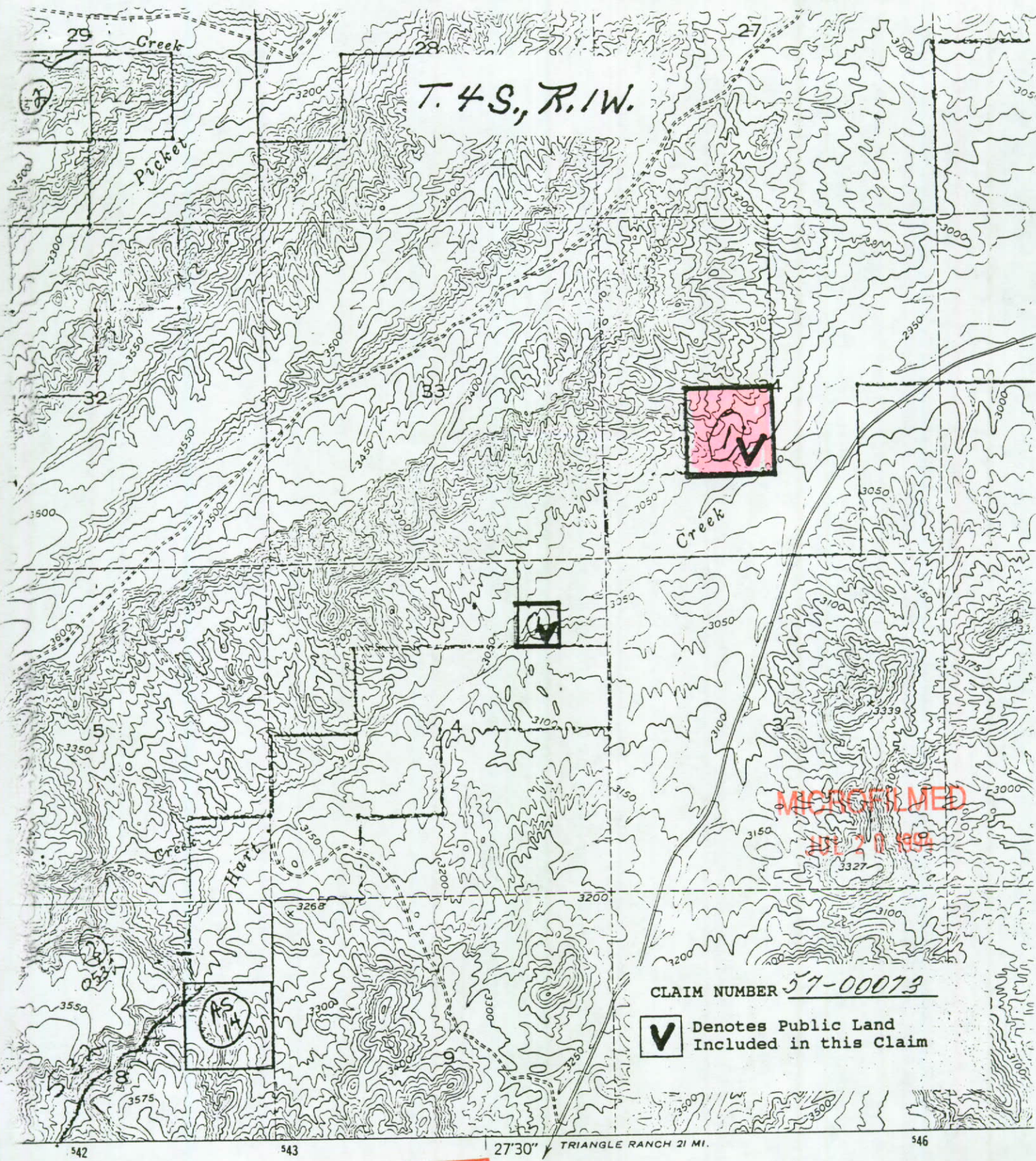
Idaho Department of Water Resources

Claim Number: 57-00073
Legal: T04S, R01W, S34
Reviewed By:

1987 Napp Photo

-  Point of Diversion
(located outside of view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines





ed by the Geological Survey

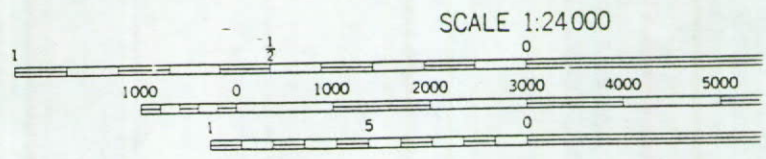
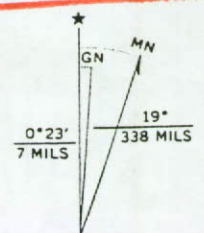
POOR ORIGINAL

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CONTOUR INTERVAL 25 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 192

NAME OF PARTY	SOURCE OF WATER	PRIORITY OF APPROPRIATION	AMOUNT IN INCHES	DESCRIPTION OF LAND BY QUARTER LEGAL SUBDIVISION TO WHICH WATER IS APPORTIONED			
				Sub.	Sec. Tp. Rg.		
Michael Hyde	Pickett Creek	April 1, 1894	3.45 16.55 150	SW ¹ NW ¹	SE ¹ NE ¹	29 43 17 32 " "	
J. M. Neil	Catherine Creek	April 1, 1896	40 18 63 129	NE ¹ NW ¹ SW ¹	NW ¹ NE ¹ SE ¹	" " 13 " " " 29 " "	
J. M. Neil	Catherine Creek	April 1, 1897	36 21 9 18 27 42 153	NW ¹ SW ¹ NE ¹ NE ¹ SW ¹ SE ¹	SW ¹ SE ¹ SW ¹ SE ¹ SW ¹ SW ¹	" " " " " " " " " " " " " " " " " "	
A. G. Sothern	Hart's Creek	April 1, 1901	195	NE ¹ E ¹	SE ¹ SW ¹	18 53 17 " " "	
James F. Carrothers	Brown's Creek	Oct. 1, 1901	45	NE ¹ NW ¹	SW ¹ SE ¹	27 " " " " "	
George Jess	Hart's Creek	April 1, 1902	300	W ¹ S ¹	SE ¹ SW ¹	34 43 " " " "	
James F. Carrothers	Brown's Creek	April 1, 1904	93.55	S ¹ NE ¹ NW ¹	SW ¹ SW ¹ SE ¹	27 53 " " " " " " "	
George H. Lewis	Hart's Creek	April 1, 1905	145	Unsurv'd		13 24 " 27	
Elizabeth Jane Penrose	Pickett Creek	May 1, 1905	120	NE ¹	SW ¹	23 43 17	
Nora Linahan	Bates Creek	April 1, 1907	56 30.90 86.90	SW ¹ SE ¹	NE ¹ NW ¹	29 " " " " "	

A57-00073

MICROFILMED
OCT 07 1992

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MICROFILMED

OCT 07 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00073
Date Received: 12/22/1988
Receipt No: 0004583
Received By: RAT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE W. JESS 208-834-2389
Address: HC 85 BOX 247A
GRAND VIEW, ID 83624

AND/OR

Name: ELLEN G. JESS 208-834-2389
Address: HC 85 BOX 247A
GRAND VIEW, ID 83624

2. Date of Priority: APR 01, 1902

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	01W	4	SW	NE	NE		OWYHEE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01W	34	NE	SW		IRR	1.0
			SW	SW		IRR	7.0
			SE	SW		IRR	7.0
			NW	SE		IRR	5.0
						Section Acres	20.0
						Total Acres	20.0

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:

ORIGINAL DECREE DOES NOT LIST NUMBER OF ACRES NOR POINT OF DIVERSION. SEVERE STORM IN 1963 CHANGED COURSE OF CREEK AND POINT OF DIVERSION WAS CHANGED.

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 X 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): Ellen Jesso Date: 12-22-88

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of December 19 88

John Warrin
Notary Public

Seal

Residing at Boise, Idaho
My Commission Expires 12-1-1994

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00073

Date: 5-14-03

	TMS	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	1W	34									1.5			1		4	.5		7
GIS												.5			3.6		2.4	.5		7
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 7

Total GIS Acres: 7

Overlapping FOU Claim #'s:

COMMENTS:

County data indicates claimant doesn't own these parcels
Per claim map & image interpretation.

Idaho Department of Water Resources

Claim Number: 57-00073
Legal: T04S, R01W, S34
Reviewed By:

⊙ Point of Diversion
(located outside of view)

Place of Use

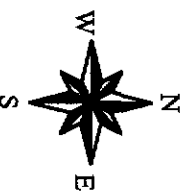
Section Lines

Quarter Quarter Lines

Township/Range Lines



1987 Napp Photo



RECEIVED

SEP 15 1997

Department of Water Resources

1997 SEP 12 AM 10:15

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE

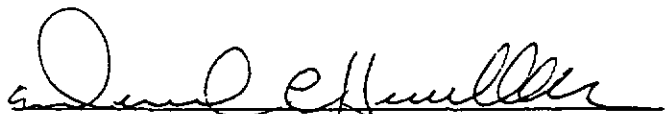
) For Water Right 57-00073

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 57-00073 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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 57-00073

FILED
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
SEP 12 AM 10:15

NAME & ADDRESS: GEORGE JESS
ELLEN G JESS
HC 85 BOX 247A
GRAND VIEW ID 83624

SOURCE: HART CREEK

TRIBUTARY: CATHERINE CREEK

QUANTITY: 0.26 CFS

PRIORITY DATE: 04/01/1902

POINT OF DIVERSION: T05S R01W S04 LOT 1 (SWNE)E

Within Owyhee County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
0.26 CFS

PLACE OF USE: IRRIGATION
T04S R01W S34
7 ACRES TOTAL

Within Owyhee County
NESW 1.5

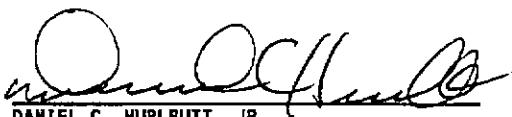
SESW 1

NWSE 4

SWSE 0.5

THE PLACE OF USE WITHIN THE NESW, T04S, R01W, S34, IS MORE
SPECIFICALLY DESCRIBED AS THE S1/2, SESENESEW, T04S, R01W, S34.

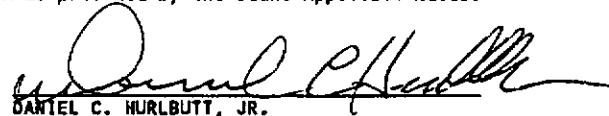
DATED: SEP 12 1997


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

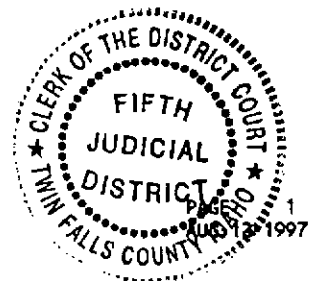

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

State of Idaho ss.
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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-00073

By: 
DEPUTY CLERK



Important Information About Your Water Right

September 16, 2002

George Jess
Ellen G Jess
HC 85 Box 247A
Grand View, ID 83624

RECEIVED

SEP 17 2002

Department of Water Resources

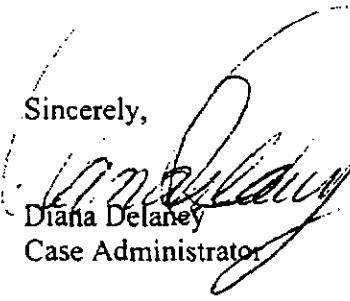
Dear Water Right Claimant(s):

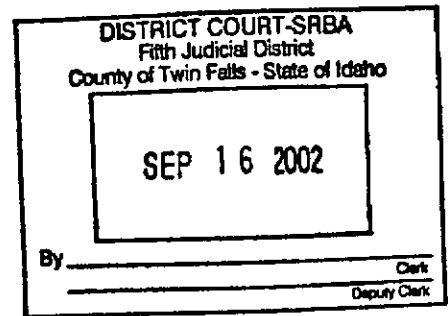
Attached to this letter is a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 57-73. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not 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



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 57-73
	)	
	)	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 partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated September 16, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

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SEP 15 1997

Department of Water Resources

SEP 12 AM 10:15

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 57-00073

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 57-00073 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

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JUN 24 1997

Department of Water Resources
Adjudication Bureau

1997 JUN 23 AM 9:33

DISTRICT COURT - SREA
TWIN FALLS CO., IDAHO

FILED PL

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 57-00073

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 George and Ellen Jess. 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 57-00073 was filed by United States (BLM). Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court.

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

IT IS THEREFORE RECOMMENDED that subcase 57-00073 be decreed as recommended in the attached *Special Master's Report and Recommendation for Partial Decree*.

DATED 6/23, 1997.

MICROFILMED

MAR 2 - 1998

Fritz X. Haemmerle
FRITZ X. HAEMMERLE

Special Master, Reporting Area 2
Snake River Basin Adjudication

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

In Re SRBA)
Case No. 39576)
_____)

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 57-00073

1997 JUN 23 AM 9:34
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED AL

NAME & ADDRESS: GEORGE JESS
ELLEN G JESS
HC 85 BOX 247A
GRAND VIEW ID 83624

SOURCE: HART CREEK

TRIBUTARY: CATHERINE CREEK

QUANTITY: 0.26 CFS

PRIORITY DATE: 04/01/1902

POINT OF DIVERSION: T05S R01W S04 LOT 1 (SWNE)E)

Within Owyhee County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
0.26 CFS

PLACE OF USE: IRRIGATION
T04S R01W S34
7.0 ACRES TOTAL

Within Owyhee County
NESW 1.5

SESW 1.0

NWSE 4.0

SWSE 0.5

THE PLACE OF USE WITHIN THE NESW, T04S, R01W, S34, IS MORE
SPECIFICALLY DESCRIBED AS THE S1/2, SESENESEW, T04S, R01W, S34.

DATED: 6/23/97

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

MAR 2 - 1998

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

10

Case No. 39576

Water Right(s): 57-00073

Debbie Lash
DEBBIE LASH
Deputy Clerk

MICROFILMED

MAR 2 - 1998

1997 JUN 23 AM 9:34

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *EX*

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): 57-00073

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

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

GEORGE W. JESS
JESS, ELLEN G.
HC 85 BOX 247A
GRAND VIEW, ID 83624

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

MICROFILMED

MAR 2 - 1998

CERTIFICATE OF MAILING

Debbie Lash
DEBBIE LASH
Deputy Clerk

PAGE 1
06/23/97

Stipulation for 57-00073

Problem: We do not describe 10 or 5
acre tracts as indicated at #1

Our 40 acre legal is correct,
they want a more precise
description; we might accommo-
date this with a Remark

MICROFILMED

MAR 2 - 1998

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAR-22-1994
PAGE: A-6

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: HART CREEK		TRIBUTARY: CATHERINE CREEK				
57-00073	GEORGE W JESS ELLEN G JESS HC 85 BOX 247A GRAND VIEW ID 83624	04/01/1902	IRRIGATION	03-15 11-15	.26 CFS	DECREED
					TOTAL QUANTITY:	.26 CFS
					CONSUMPTIVE USE:	24.5 AFY
POINT OF DIVERSION: T05S R01W S04 LOT 1 (SWNE)						
PLACE OF USE: IRRIGATION						
T04S R01W S34 NESW 1.5 SESW 1.0 NWSE 4.0 SWSE 0.5 7.0 ACRES TOTAL						
REMARKS: 0.12 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.						
SOURCE: PICKETT CREEK		TRIBUTARY: CATHERINE CREEK				
57-00067	MERVILLE A ROBINSON MARGARET V ROBINSON PICKETT CREEK OREANA ID 83650	03/01/1889	IRRIGATION	03-15 11-15	.42 CFS	DECREED
					TOTAL QUANTITY:	.42 CFS
					CONSUMPTIVE USE:	69.3 AFY
POINT OF DIVERSION: T04S R01W S23 NENESE						
PLACE OF USE: IRRIGATION						
T04S R01W S24 NESW 4.0 NWSW 6.8 SESW 9.0 19.8 ACRES TOTAL						
REMARKS: RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1416A. 0.02 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.						

MICROFILMED
MAR 2 - 1998

submitt. record

Movant's Name:
UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

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

PETER C. MONSON
LEIF JOHNSON
Attorneys, Department of Justice
Indian Resources Section
Environment and Natural Resources Division

K. JACK HAUGRUD
DARIA J. ZANE
R. LEE LEININGER
Attorneys, Department of Justice
General Litigation Section
Environment and Natural Resources Division
P.O. Box 663
Washington, D.C. 20044-0663
(202) 272-8351, (202) 272-4692

**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 No. 57-00073
	)	
Case No. 39576	)	STIPULATION AND ORDER
	)	TO RESOLVE OBJECTION

DESCRIPTIVE SUMMARY

This is a stipulation and order to resolve the United States' objection to water right number 57-00073.

STIPULATION

To resolve the dispute over the above-captioned water rights, the claimants, George W. and Ellen G. Jess, the objector, the United States of America, and the Idaho Department of Water Resources (IDWR), stipulate and agree as follows:

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MAR 2 - 1998

1. The place of use as recommended in the Director's Report is incorrect. The following place of use should be changed from T04S R01W S34 NESW to T04S R01W S34 (SENESW) S1/2 SE1/4 NE1/4 SW1/4.

2. In connection with the deletion of the place of use, the amount of water recommended shall be reduced proportionately with the reduction of acreage. The amount of water shall be reduced from _____ to _____.

3. The water right is accurately described in Exhibit 1, a revised page of the Director's report containing the changes described above showing specific changes made to the Director's original recommendation in an underline/overstrike format.

4. All decrees, whether partial or final, should describe the water right as modified and described in Exhibit 1.

5. Upon entry of partial and final decrees for this water right number describing the right as shown in Exhibit 1, including the modification indicated thereon, the objection of the United States shall be deemed withdrawn.

6. Because there are no remaining objections to this water right, a partial decree may be entered for it pursuant to I.C. 42-1412(8).

7. All parties agree to bear their own costs and attorneys' fees in connection with this matter.

8. This stipulation is entered into and executed voluntarily by all parties in good faith, and without any fraud,

misunderstanding, overreaching, misrepresentation, duress, or
undue influence, whatsoever. _____

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MAR 2 - 1998

Respectfully submitted,

CLAIMANTS

Dated:

George W. Jess

Dated:

Ellen G. Jess

Dated:

UNITED STATES OF AMERICA
on behalf of the BLM

By:

Daria J. Zane
R. Lee Leininger
Attorneys
General Litigation Section
Environment & Natural Resources Division
U.S. Department of Justice

Dated:

BUREAU OF LAND MANAGEMENT

By:

David Brunner
District Manager
Boise District
Bureau of Land Management

IDAHO DEPARTMENT OF WATER RESOURCES

Dated:

By:

Daniel L. Steckel
Deputy Attorney General
Department of Water Resources

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MAR 2 - 1998

ORDER

This matter having come before the Court upon stipulation of counsel, and good cause having been shown,

IT IS HEREBY ORDERED that the Court shall enter a partial decree for water right ____-____ as described in the attached Exhibit 1. The United States' objection shall be deemed withdrawn upon entry of the partial decree. Because no other objections have been raised to this water right, the hearing for entry of this partial decree is scheduled for _____, 199__, at the Snake River Basin Adjudication Courthouse, 253 Third Avenue North, Twin Falls, Idaho.

DATED and signed this ____ day of _____, 1994.

DANIEL C. HURLBUTT JR.
District Judge

MICROFILMED

MAR 2 - 1998

RECEIVED

MAY 29 1997

Department of Water Resources
Adjudication Bureau

1997 MAY 28 AM 9:14

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED DL

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

In Re SRBA

) Subcase 57-00073

Case No. 39576

)
) PRELIMINARY SPECIAL
) MASTER'S REPORT
)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1909(1990) by George and Ellen Jess. 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 57-00073 was filed by the United States on behalf of the Bureau of Land Management (BLM). Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court; now therefore,

IT IS RECOMMENDED that subcase 57-00073 be decreed as recommended in the *Preliminary Special Master's Report and Recommendation for Partial Decree*.

DATED May 28, 1997.

MICROFILM

MAR 2 - 1998

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

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

In Re SRBA)
Case No. 39576)
_____)

PRELIMINARY

1997 MAY 28 AM 9:14
SPECIAL MASTER'S RECOMMENDATION FOR
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *DL*

NAME & ADDRESS: GEORGE JESS
ELLEN G JESS
HC 85 BOX 247A
GRAND VIEW ID 83624

SOURCE: HART CREEK TRIBUTARY: CATHERINE CREEK

QUANTITY: 0.26 CFS

PRIORITY DATE: 04/01/1902

POINT OF DIVERSION: T05S R01W S04 LOT 1 (SWNE) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.26 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County				
	T04S R01W S34	NESW 1.5	SESW 1.0	NWSE 4.0	SWSE 0.5	
	7.0 ACRES TOTAL					

THE PLACE OF USE WITHIN THE NESW, T04S, R01W, S34, IS MORE SPECIFICALLY DESCRIBED AS THE S1/2, SESENESEW, T04S, R01W, S34.

DATED: *5/28/97*

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

MICROFILMED
MAR 2 - 1998

1997 MAY 28 AM 9:15

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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)
_____)

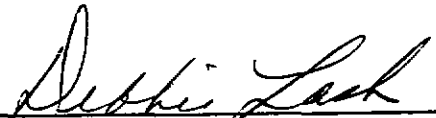
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-00073

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

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

DATED May 28, 1997.


DEBBIE LASH
Deputy Clerk

MICROFILMED
MAR 2 - 1998

1997 MAY 28 AM 9:15

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-00073

CERTIFICATE OF MAILING

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

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

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

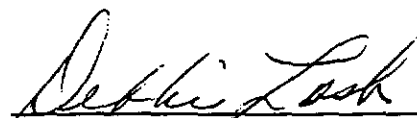
GEORGE W. JESS
JESS, ELLEN G.
HC 85 BOX 247A
GRAND VIEW, ID 83624

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

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MAR 2 - 1998

CERTIFICATE OF MAILING


DEBBIE LASH
Deputy Clerk

PAGE 1
05/28/97

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MAR 14 1997

Department of Water Resources

**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	)	STANDARD FORM 5
	)	
Case No. 39576	)	
	)	SUBCASE NO: 57-00073
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

THIS FORM MAY ONLY BE USED IF ALL PARTIES HAVE STIPULATED TO ALL ELEMENTS OF ONE WATER RIGHT AND MAY BE SUBMITTED AT ANY TIME FOLLOWING THE CLOSE OF THE STATUTORY RESPONSE PERIOD.

INSTRUCTIONS

This form has been adopted by the court in SRBA Administrative Order 1, Rules of Procedure (amended Sept. 30, 1996, Section 4, which may be consulted for further information.

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

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

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

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

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

ELEMENTS

1. The name and address of the claimant is:

George W. Jess
Ellen G. Jess
HC 85 Box 247A
Grand View, Idaho 83624

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT.

2. The source of water is: Hart Creek, tributary to 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:

0.26 cfs for irrigation

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT.

4. The priority date is: 04/01/1902

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT.

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

T05S R01W S04 Lot 1 (SWNENE) Within Owyhee County

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT.

6. The purpose of use is: Irrigation

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MAR 2 - 1998

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT.

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

Irrigation	Irrigation Season	0.26 cfs
------------	-------------------	----------

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT.

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

T04S R01W S34 NESW 1.5 SESW 1.0 NWSE 4.0 SWSE 0.5

7.0 acres total

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT.

9. The annual volume of consumptive use is: 24.5 AFY

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT.

10. Other provisions necessary for definition or administration of this water right:

Explanatory material: Basis of claim - Decree

The place of use within the NESW, T04S R01W S34 is more specifically described as the S1/2SESENESESW, T04S R01W S34.

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MAR 2 - 1998

Review By IDWR

To speed up entry of a decree, the parties are encouraged to talk to the Idaho Department of Water Resources 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 the 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 the Idaho Department of Water Resources and have made a good faith attempt to obtain IDWR's concurrence, but have failed.

The stipulation of the parties is attached hereto and incorporated herein by reference.

Signatures and Addresses of Parties and their Attorney of Record (attach additional page if necessary):

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

Name: George and Ellen Jess

Address: HC 85 Box 247A

City/State/Zip: Grand View, ID 83624

Attorney of Record:

Name: Idaho Dept. of Water Resources

Address: P.O. Box 83720

City/State/Zip: Boise, ID 83720-0098

Attorney of Record: J. Andrew Helmlinger

George Jess 3-1-97
Party's Signature Date

J. Andrew Helmlinger Feb 21, 97
Attorney's Signature Date

Ellen Jess 3-1-97
Party's Signature Date

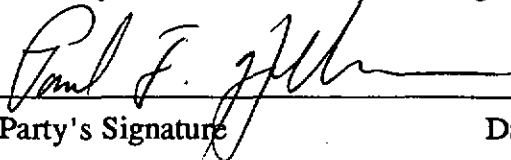
Objector name: United States, by and through Bureau of Land Management
Dept. of Justice

MICROFILMED

MAR 2 - 1998

Address: 601 Pennsylvania Ave. NW, Washington D.C. 20004

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


Party's Signature

3/10/97
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 March 10, 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:

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

George W. Jess
Ellen G. Jess
HC 85, Box 247A
Grand View, ID 83624

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

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

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

MICROFILMED

MAR 2 - 1998

Paula Clinedinst
Signature of person or
attorney mailing the form

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

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

Case No. 57-00073 -0001

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

RESPONSE TO OBJECTION

Petitioner,)

vs.)

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

Respondents.)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

2. Person who filed objection:

Name: US BUREAU OF LAND MANAGEMENT
Address: IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706-2544

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. |X| Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. |X| Source: I respond to the objection concerning the source of water.
3. |X| Quantity: I respond to the objection concerning:
4. |X| Priority Date: I respond to the objection concerning the priority date.
5. |X| Points of Diversion: I respond to the objection concerning the legal description of the points(s) of diversion.
7. |X| Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. |X| Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. |X| Place of Use: I respond to the objection concerning:

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

REASONS SUPPORTING EACH BOX CHECKED

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

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

CHANGES TO THE DIRECTOR'S REPORT

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

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

No. of
Pages

Notice of Claim No. A57-00073

3

(Over)

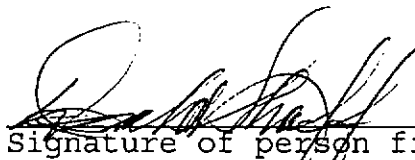
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

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

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

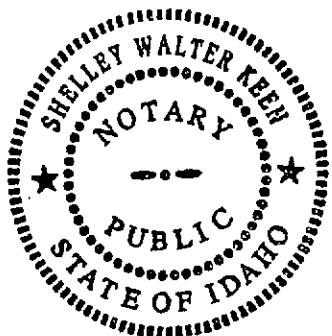


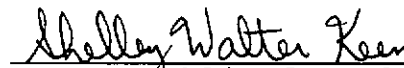
Signature of person filing response

By: 

(Attorney signing in
representative capacity)

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





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

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of June, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

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

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

Name: GEORGE W & ELLEN G JESS
Address: HC 85 BOX 247 A
GRAND VIEW ID 83624

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

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


Signature of Respondent or attorney
mailing on Respondent's behalf

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

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

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

Petitioner,

vs.

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

Respondents.

Case No. 57-00073
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

MICROFILMED

JUL 20 1994

INSTRUCTIONS

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

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

(Over)

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

I. GENERAL INFORMATION

Please fill in the following information:

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

Briefly describe your interest in this water right:

The United States, through the Bureau of
Land Management, is the owner of the land
upon which this water right is claimed,
and claimant does not have a valid water
right.

2. Owner of the water right:
George W. Jess
Name: claimant Ellen G. Jess
Address: HC 85, Box 247A
Grand View, ID 83624
3. If this objection is filed by an attorney:
Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U. S. Department of Justice
500 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: 202-272-4134/8351

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

II. STATEMENT OF THE OBJECTION

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

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

MICROFILMED
JUL 20 1994

(Over)

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

REASONS SUPPORTING EACH BOX CHECKED

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

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

CHANGES TO THE DIRECTOR'S REPORT

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

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

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

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

1. Map of claim on public land

2. ~~Map of claim on public land~~

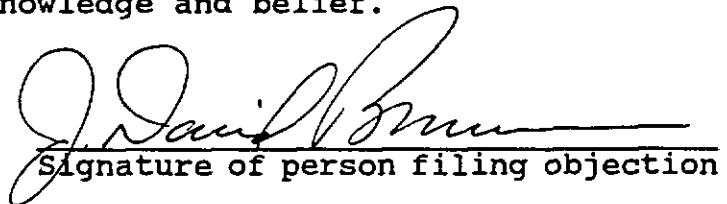
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

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

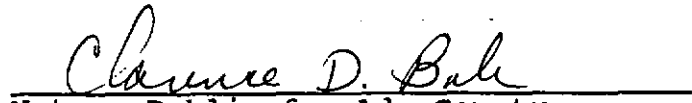
That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

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


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

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JUL 20 1994

(Over)

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

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

1. Original to:

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

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

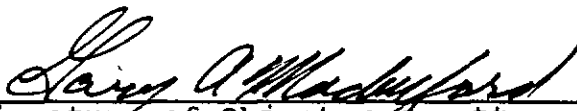
Owner name: George W. Ness ~~Ness~~ Ness
Ellen G. ~~Ness~~ Ness
Owner's address: HC 85, Box 247A
Grand View, ID 83624

3. One copy to:

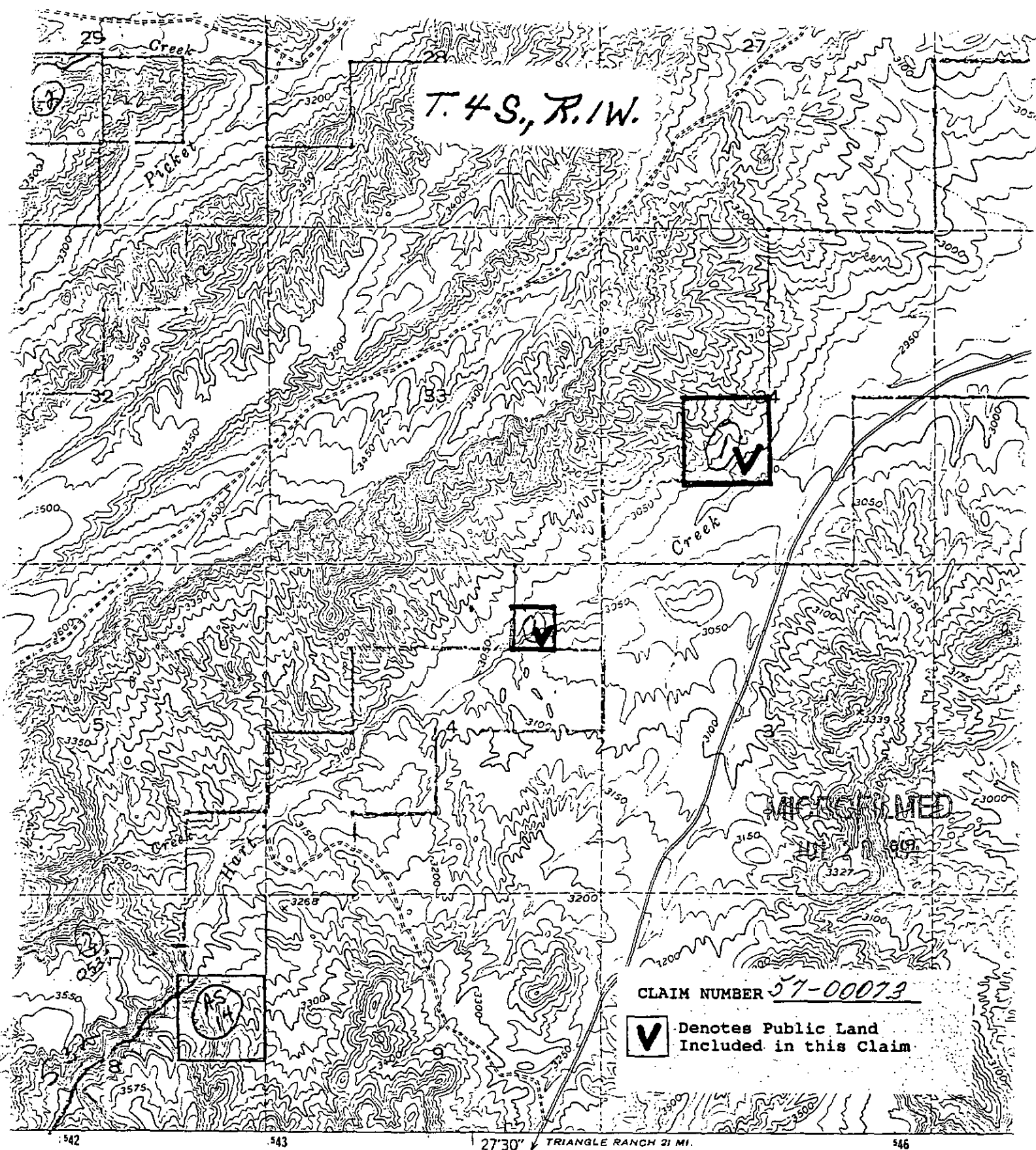
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

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



Signature of Objector or attorney
mailing on Objector's behalf



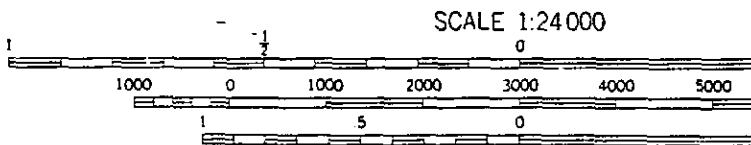
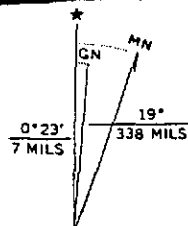
ed by the Geological Survey

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Field check 1949

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POOR ORIGINAL



CONTOUR INTERVAL 25 FEET
NATIONAL GEODEIC VERTICAL DATUM OF 192

AJ5809NP
No. 57-00073

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/05/93
PAGE: 15

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GEORGE W JESS	04/01/1902	IRRIGATION	03-15 11-15	0.26 CFS	
C	ELLEN G JESS					
	HC 85 BOX 247A					
	GRAND VIEW ID 83624			TOTAL DIVERSION:	0.26 CFS	
	(208) 834-2389			CONSUMPTIVE USE:		24.5 AFA

Water Source: HART CREEK

Tributary to: CATHERINE CREEK

Stage: DECREED

Point(s) of Diversion:

T05S R01W S04 Lot01(SWNENE)

OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
04S	01W	34	:					:					:	01			01	:			04	.5	:	7.0
																						TOTAL ACRES		7.0

POU County: OWYHEE

Other Rights: NONE

Remarks: 0.12 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

Dates: Exam Date: 07/25/1990 Verified Date: 07/15/1992

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

Audit: 10/07/91 MCCARTHY 11/07/91 MCCARTHY 11/14/91 MCCARTHY 02/03/92 MCCARTHY
07/15/92 MCCARTHY 07/29/92 PR-PRODM 10/13/92 CPSHAW 12/05/92 ADT-SHAW

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JUL 20 1994

OCT 07 1992

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NAME OF PARTY	SOURCE OF WATER	PRIORITY OF APPROPRIATION	AMOUNT IN INCHES	DESCRIPTION OF LAND BY CHAINED LEGAL SUBDIVISION TO WHICH WATER IS APPORTIONED			
				Sub.	Sec.	Tp.	Rg.
Michael Hyde	Pickett Creek	April 1, 1894	2.00 16.00 150	SW 1/4 NE 1/4	29	4S	1W
W. H. Neil	Catherine Creek	April 1, 1896	40 18 63 129	NE 1/4 NW 1/4 NE 1/4 NE 1/4 SW 1/4 SE 1/4	"	"	13
W. H. Neil	Catherine Creek	April 1, 1897	36 21 9 18 27 42 153	NE 1/4 SW 1/4 SW 1/4 SE 1/4 NE 1/4 SW 1/4 NE 1/4 SE 1/4 SW 1/4 SW 1/4 SW 1/4 NW 1/4	"	"	"
W. G. Southern	Hart's Creek	April 1, 1901	195	NE 1/4 SE 1/4 E 1/4 SW 1/4	18	53	1W
James F. Carrothers	Brown's Creek	Oct. 1, 1901	45	NE 1/4 SW 1/4 NW 1/4 SE 1/4	27	"	"
George Jess	Hart's Creek	April 1, 1902	300	W 1/4 SE 1/4 S 1/4 SW 1/4	34	43	"
James F. Carrothers	Brown's Creek	April 1, 1904	93.55	S 1/4 SW 1/4 NE 1/4 NW 1/4 NW 1/4 SE 1/4	27	53	"
George H. Lewis	Hart's Creek	April 1, 1905	145	Unsurv'd	13	"	2W
Elizabeth Jane Penrose	Pickett Creek	May 1, 1905	120	NE 1/4 SW 1/4	23	43	1W
Hora Linahan	Bates Creek	April 1, 1907	56 30.90 86.90	SW 1/4 NE 1/4 SE 1/4 NW 1/4	29	"	"

A57-00073

Stallor

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DATE: 07/15/92
PAGE: 1

Audit: 07/15/92 MCCARTHY

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Claim No.: A57-00073

CVR CORRECTIONS

Season of Use, Consumptive Use, Diversion Volume

[] Change season of Use

Use Code ____ From ____/____ to ____/____

Use Code ____ From ____/____ to ____/____

Use Code ____ From ____/____ to ____/____

☒ Change Consumptive Use Volume

2.0 acres x 3.5 af/a (for area) = 7.0 af/a

[] Change Diversion Volume

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

[] Change Remarks

<u>Code</u>	<u>Recommended Change</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

☒ Corrections Made 2-3-92
(date)

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

Reviewing Agent A. McCarthy
(signature)

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OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:03:03
05/20/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-00073

LAST: JESS
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST: GEORGE
STATE: ID ZIP: 0

OWNER CODE: 0

LAST: JESS
ADDRESS: HC 85 BOX 247A
CITY: GRAND VIEW
PHONE NUMBER: 208-834-2389

FIRST: GEORGE W.
STATE: ID ZIP: 83624

OWNER CODE: C

LAST: JESS
ADDRESS: HC 85 BOX 247A
CITY: GRAND VIEW
PHONE NUMBER: 208-834-2389

FIRST: ELLEN G.
STATE: ID ZIP: 83624

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
JW

CLAIM REMARKS: (ORIGINAL DECREE DOES NOT LIST NUMBER OF ACRES NOR POINT OF
DIVERSION. SEVERE STORM IN 1963 CHANGED COURSE OF CREEK AND
POINT OF DIVERSION WAS CHANGED.)

→ out

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OCT 07 1992

CONTACT PERSON: George Jase

PHONE NUMBER: () 834-2389

DATE OF FIELD EXAM: 7/25/90 APPOINTMENT MADE: Y(☒) N()

TIME: 2:00 A() P(☒)

ACCOMPANIED BY: Mr. Jase

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: claimant

DIRECTIONS TO PROPERTY / REMARKS:

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OCT 07 1992

June 29, 1990

George or Ellen Jess
HC 85, Box 247A
Grandview, ID 83624

RE: Adjudication claim numbers: A57-00073, A57-10394

Dear Mr. and Mrs. Jess:

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 during the above two 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

T 4S, RIW, Sec. 34

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OCT 07 1992

A. AJ CLAIM: # A57-00073 PRIORITY DATE: 04-01-1902 STAGE: D

B. WR RECORD: # 57-00073 PRIORITY DATE: 04-01-1902 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(☒)
IF YES EXPLAIN.

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
04-01-1902

REVIEWED BY RTF

DATE 5/20/91

=====

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-00073	05S	01W	4	SW	NE	NE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: HART CREEK

TRIB: CATHERINE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

5700073 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: HART CREEK

TRIB: CATHERINE CREEK

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
Y
N

REMARKS:

*Point of diversion was not defined in previous
decree; found as claimed.*

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OCT 07 1992

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>055</u>	<u>Q1W</u>	<u>04</u>	<u>SW</u>	<u>NE</u>	<u>NE</u>	<u>1</u>	<u> </u>

SOURCE: HART CREEK

TRIB: CATHERINE CREEK

REVIEWED BY: RMF DATE: 5/20/91

A. ROOT WATER RIGHT NUMBERS: A57-00073

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	01W	34	SW	SW		JESS , GEORGE W.	A57-00073 / 7.0	57-00073 /	5.0		
04S	01W	34	SE	SW		JESS , GEORGE W.	A57-00073 / 7.0	57-00073 /	16.0		
			SE	SW		JESS , GEORGE W.	A57-10394 /	- /			
			SE	SW		JESS , GEORGE W.	R57-10394 /	- /			
04S	01W	34	NW	SE		JESS , GEORGE W.	A57-00073 / 5.0	57-00073 /	9.0		
04S	01W	34	NE	SW		JESS , GEORGE W.	A57-00073 / 1.0	- /	6.0		
TOTAL ACRES							A57-00073	20.00	36.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(☒) N()
IF YES SEE ATTACHED SHEET: *Place of the Addendum*

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Y

PRESUMPTION FLAG: D

REMARKS:

Acres were found as mapped.

RECOMMENDATIONS:

TOTAL ACRES: 7.0
REVIEWED BY: RMF

DATE: 5/20/91

PLACE OF USE ADDENDUM

Claimant: George W. Jess
 Claim No.: A57-00073
 Exam Date: July 25, 1990

Twp	Rng	Sec	1/4	1/4	Lot	Found	Recommended
04S	01W	34	NW	SE		4.0	4.0
			SW	SE		0.5	0.5
			NE	SW		1.5	1.5
			SE	SW		1.0	1.0
					TOTAL	7.0	7.0

Remarks: Place of use was found in NESW where it was not previously decreed. This does not seem to represent a change in place of use but only a clarification of the old decree.

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 OCT 07 1992



26

27

28

34

32

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157-00073

157-00073

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OCT 07 1992

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-00073 IRRIGATION	FROM 03-15 TO 11-15	6.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		6.000 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-00073 IRRIGATION	FROM TO	6.000 CFS
57-00073 DOMESTIC	FROM TO	6.000 CFS
57-00073 STOCKWATER	FROM TO	6.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		6.000 CFS

PRESUMPTION FLAG: D

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(✓) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y(✓) N() Explain in remarks, below.

REMARKS:

*Season of use was not previously decreed.
IOWR standard was used.*

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 6.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 6.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

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

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

FLOW MEASUREMENT REQUIRED?

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

FIELD
DATABASE EXAMINER
N Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD see below SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) 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
A57-10394	STOCKWATER	JESS , GEORGE W.	FROM 01-01 TO 12-31	.020 CFS	
R57-10394	STOCKWATER	JESS , GEORGE W.	FROM 01-01 TO 12-31	.020 CFS	.70 AF/A

No flow at time of exam, unable to do
Mannings eqn. due to brush overgrowth. No
length of ditch was available for survey with
out major brush removal.

This is a very small system and I do not
believe that it could deliver more than I have
recommended.

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OCT 07 1992

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 7.0 x 0.02 CFS/ACRE = 0.14 CFS
(Taken from p/u review)

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

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

1b. CALCULATIONS

0.14
+ 0.12 conveyance
0.26 cfs total

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 7.0 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 17.5 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()

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

DOZ: 0.12

Conveyance Loss:

$$S = W L 0.0667$$

$$S = (2.4)(1.0)(0.0667)$$

$$S = 0.160$$

$$S = \text{cfs/mile (m)}$$

$$W = \text{top width of ditch (ft)}$$

$$L = \text{seepage rate (ft/day)}$$

$$m = 0.76$$

$$S \times m = \text{loss (cfs)}$$

$$(0.16)(0.76) = \underline{0.12} \text{ cfs}$$

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OCT 07 1992

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>irrigation</u>	<u>3/15 11/15</u>	<u>0.26</u>	<u>0</u>	<u>17.5</u>
TOTAL FOR THIS RIGHT		<u>0.26</u>		<u>17.5</u>
REVIEWED BY: <u>RTM</u>		DATE: <u>10/7/91</u>		

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OCT 07 1992

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-00073

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
6.000

EXAMINER
RMF

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-00073	6.000	-		57-00073	6.000
TOTAL CFS		6.000				6.000

DIVERSION RATE REVIEW

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

DATABASE
Y

FIELD
EXAMINER
RMF

REMARKS:

no splits

AUTHENTICATION:

SIGNATURE: Ayenne McCarthy

DATE: 10/7/91

NAME OF FIELD EXAMINER: RMF

TITLE: Sr. Water Res Agent

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OCT 07 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-00073

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	N	RTTF 7/25/90	6 *	N	N	RTTF 5/20/91	
PT. OF DIV.	Y		5	Y	N		DATA ENTRY COMPLETED
SOURCE	N		6 *	N	N		BY RTTF DATE 10/7/91
PL. OF USE	Y		5, 4	Y	Y		FINAL RECOMMENDATION
DIV. AMOUNT CFS/AF	Y	RTTF 7/16/91	5	Y	Y	RTTF 7/22/91	BY RTTF DATE 10/7/91
CONSUMPTIVE USE	N	RTTF 7/25/90	6 **	Y	Y	RTTF 5/20/91	
NATURE OF USE	N		5	N	N		
PERIOD OF USE	N		6 **	N	N		
BASIS OF CLAIM	N		6 *	N	N		
REMARKS	N		—	Y	N		

VERIFICATION CODES

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

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____

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

COMMENTS:

*verified with TOWR records

in TOWR records

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OCT 07 1992

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: OCT-13-1992
PAGE: A-802

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
-----------------	----------------	------------------	----------------	--------------------------	---------------------	----------------

SOURCE: HART CREEK

TRIBUTARY: CATHERINE CREEK

57-00073

GEORGE W JESS
ELLEN G JESS
HC 85 BOX 247A
GRAND VIEW ID 83624

04/01/1902 IRRIGATION

03-15 11-15

.26

CFS

DECREEED

TOTAL QUANTITY:
CONSUMPTIVE USE:

.26
24.5

CFS
AFY

POINT OF DIVERSION:

T05S R01W S04 LOT 1 (SWNE)

PLACE OF USE: IRRIGATION

T04S R01W S34

NESW 1.5

SESW 1.0

NWSE 4.0

SWSE 0.5

7.0 ACRES TOTAL

REMARKS: 0.12 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

57-00075

SHIRLEY COX
HC 79 BOX 2065
OREANA ID 83650

04/01/1905 IRRIGATION

03-15 11-15

.32

CFS

DECREEED

STOCKWATER

01-01 12-31

.24

CFS

TOTAL QUANTITY:
CONSUMPTIVE USE:

.32
20.0

CFS
AFY

NON-IRRIGATION-USES:

STOCKWATER, 1000 HEAD

POINT OF DIVERSION:

T05S R02W S24

NESW

PLACE OF USE: IRRIGATION

T05S R02W S24

NESW 7.0

NWSE 1.0

8.0 ACRES TOTAL

PLACE OF USE: STOCKWATER

SAME AS OTHER USE

REMARKS: .16 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
DELIVERY OF THIS RIGHT.

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MAR 2 - 1998

Exp.
NESW more
Specifically
S2SE 4 SE 4 NE 4 SW 1/4