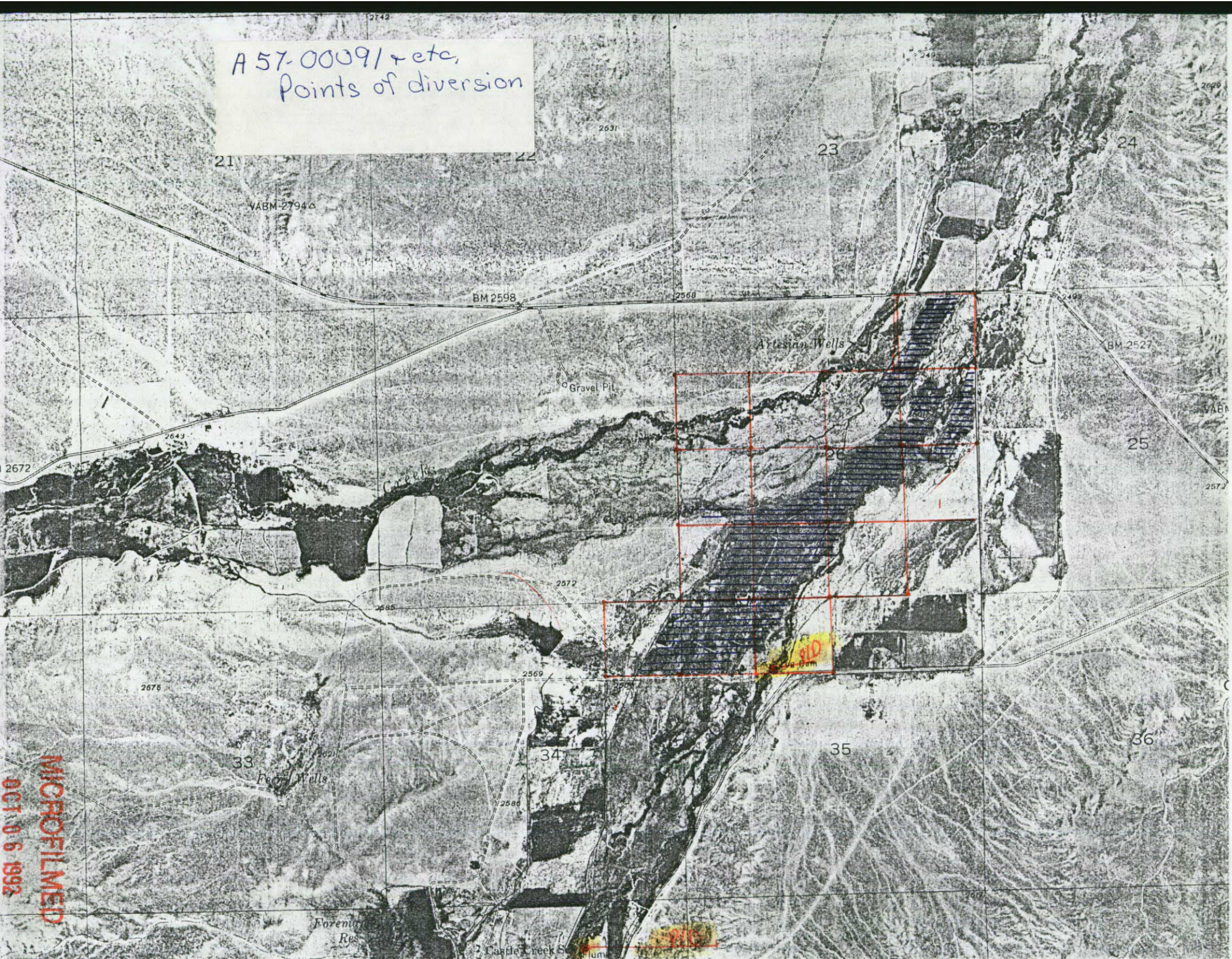


A 57-00091 + etc,
Points of diversion



MICROFILMED
OCT 06 1992

T 4S, R 1E, Sec. 26, 34, 35.
 Acres taken from 1957 ASCS map.

MICROFILMED
 OCT 06 1992

T 4S, R 1E, Sec. 26, 34, 35.
 Acres taken from 1957 ASCS map.

MICROFILMED
 OCT 06 1992

— = Ditch
 — = Eastern Ditch
 — = (approximate location)
 — = Property line

Property line

MICROFILMED
OCT 06 1992

Decreed Acreages

TOWNSHIP GRID

Landownership ☐

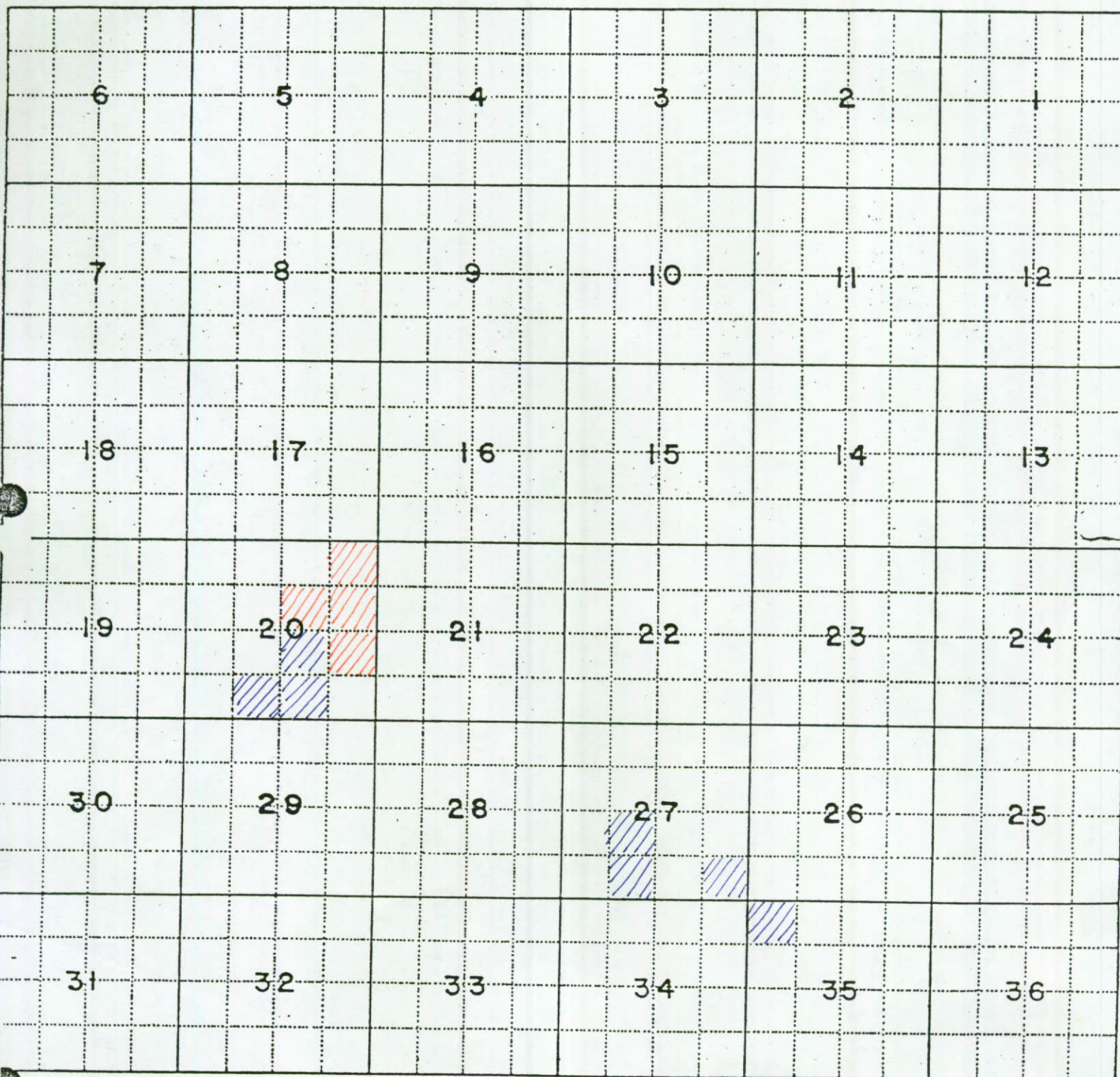
G.W. Rights ☐

S. W. Rights ☐

Wp. 4S Rge. 1E

County

sin



Decreed rights 57-91, 99, 109, 118, 122, 128, 136, 152, 163

Decreed right 57-00124

MICROFILMED

OCT 06 1992

Gordon King

Overlap map
Showing claimed acreage

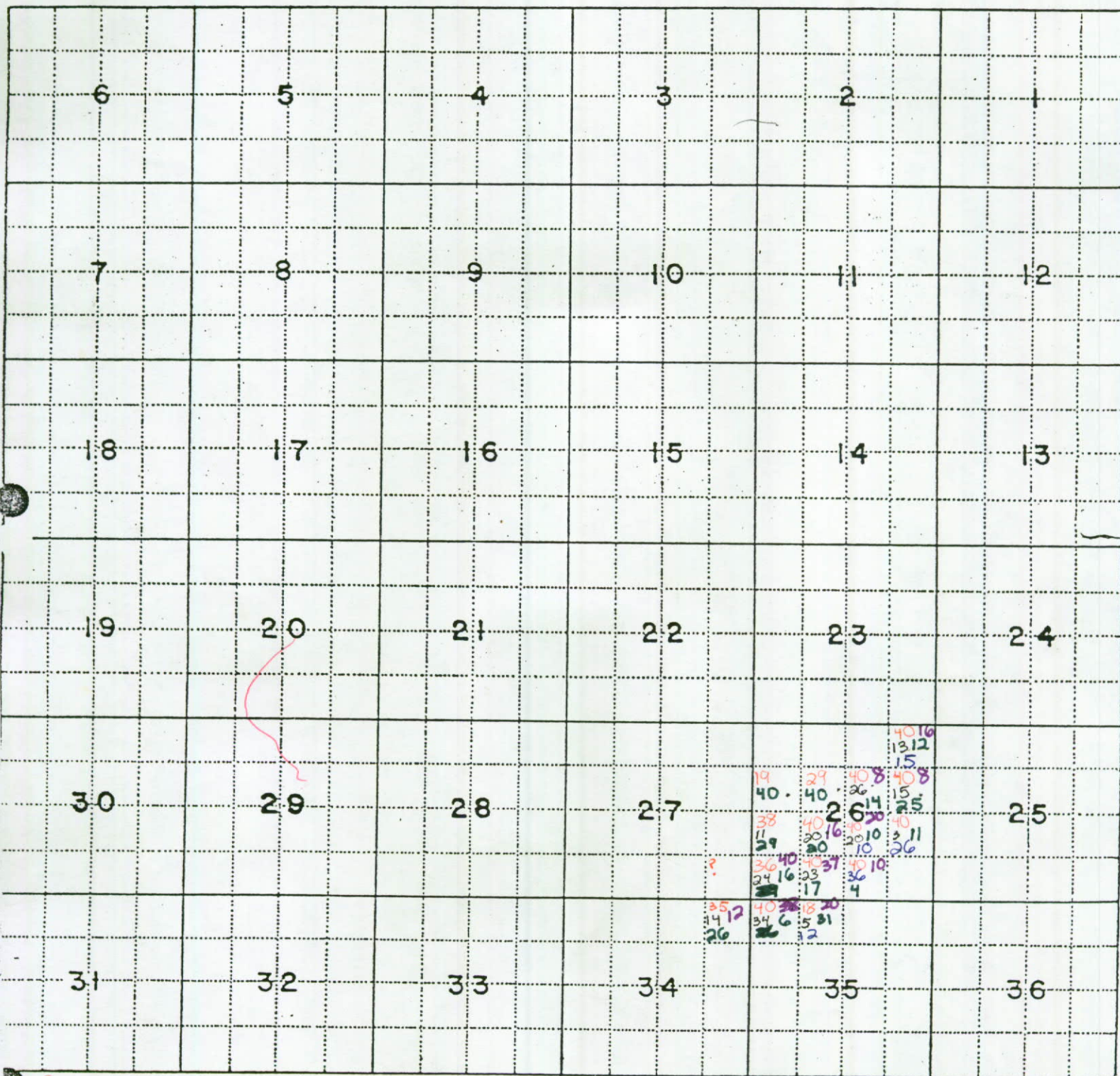
TOWNSHIP GRID

Landownership ☐

G.W. Rights ☐

S. W. Rights ☐

wp. 4S Rge. 1E County _____
sin _____



Decrees

A57-00091 : Main portion on this right; all others are identical parcels thereof.

A57- 99

A57- 2246 (1961)

PA57-7266

MICROFILMED

A57- 2253 (1962)

A57-2132

A57-2105 8S.1E

OCT 06 1992

A57-00091

Picture #1



8-29-90

Point of diversion in T4S, R1E, Sec. 35; SWNE NW. Diversion made out of rock. Conveyance by ditch. Water is used on the lands located east of Castle creek.

Picture #2



8-29-90

Southern most diversion belonging to G. King. Conveyance by dirt ditch.

MICROFILMED

OCT 06 1992

A57-00091

Picture #3



The above picture shows the convergence point of Castle Creek water and water from the hot water well.

Picture #4



After the point of convergence the water is conveyed in cement ditches such as shown above. The exception to this is the diversion for the lands east of the creek. See Picture #1. The above two photos were taken on 2/28/91.

MICROFILMED

OCT 06 1992

A57-00091

Picture #5



This picture shows land irrigated by different water rights. He has been working up the alkali soil since 1988. The land in the background is irrigated by the Castle creek & the hot water well. Lands located in the SW $\frac{1}{4}$ of section 26.

Picture #6



The above picture is in the same area as the land in picture #5. Note the stock in the background. Circa. 2-28-91.

MICROFILMED

OCT 06 1992

A57-00091

Picture # 7



2-28-91

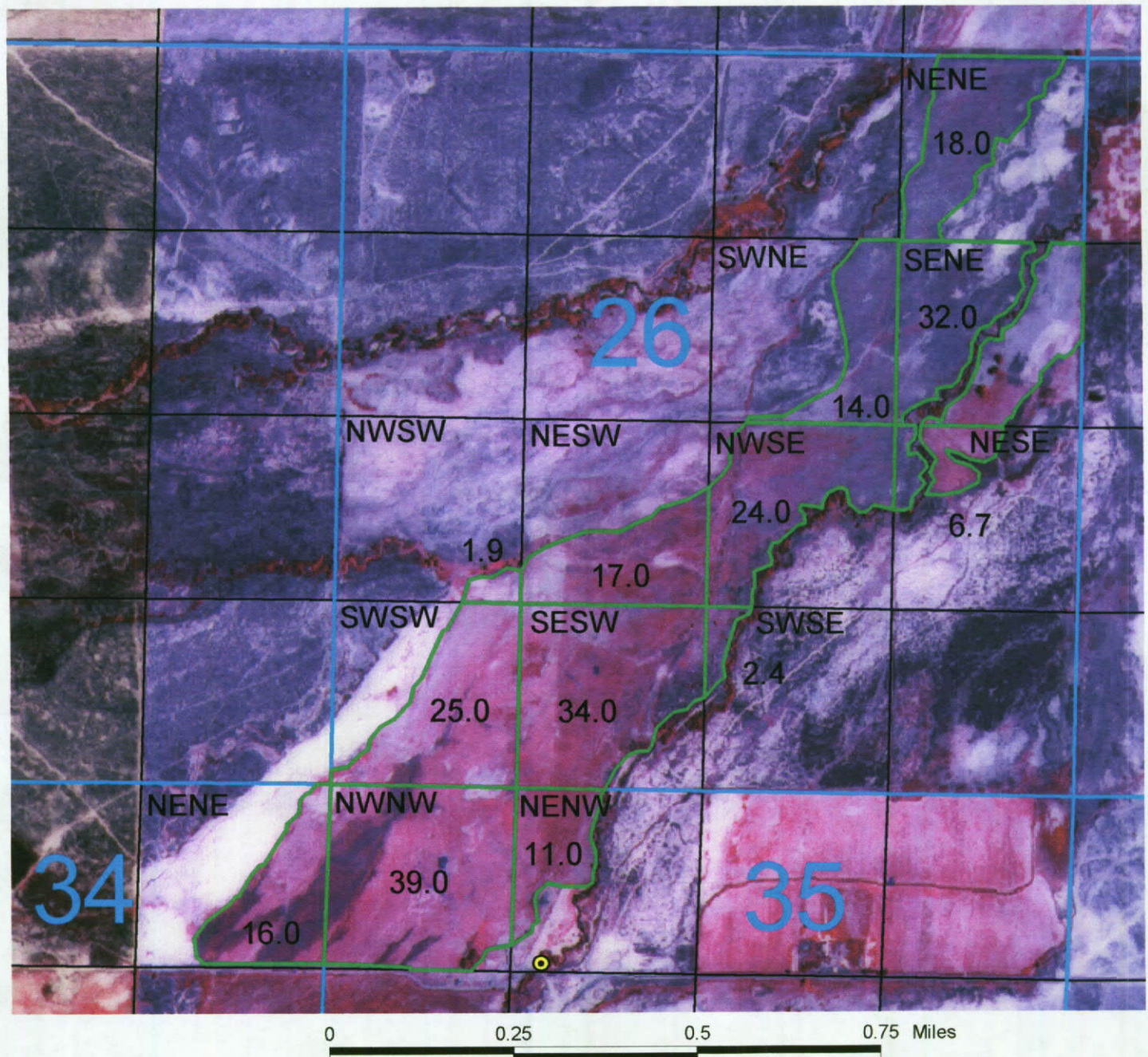
This is a picture of the lands indicated on
the northern portion of the Property.

Photos 1-6 taken by L. Werner

MICROFILMED
OCT 06 1992

Idaho Department of Water Resources

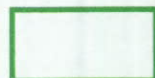
1987 Napp Photo



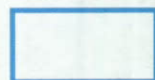
Claim Number: 57-00091
 Legal: T04S, R01E, S26,
 34, 35
 Reviewed By:



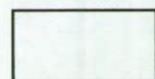
Point of Diversion
 (One located outside of view)



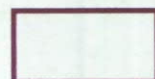
Place of Use



Section Lines



Quarter Quarter Lines



Township/Range Lines



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00091

Date Received: 11/02/1988

Receipt No: CO 05065

Received By: DL 1/17/89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GORDON G. KING
Address: P.O. BOX 36
MURPHY, ID 83650

AND/OR

Name: ROSE M. KING
Address: P.O. BOX 36
MURPHY, ID 83650

2. Date of Priority: JUN 01, 1874

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	01E	35	SW	NE	NW		OWYHEE
05S	01E	3	SE	NW	NE	2	OWYHEE

5. Description of diverting works:
2 DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.200		
STOCKWATER	01/01	12/31	0.200		

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

8. Total consumptive use is 1872.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER 1000 HEAD MIXED STOCK

A57-00091

Page 1

Date: 01/06/89

MICROFILMED
JUL 20 1994

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04S	01E	26	NE		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			SW		NW		IRR	19.0
			SE		NW		IRR	29.0
			NE		SW		IRR	40.0
			NW		SW		IRR	38.0
			SW		SW		IRR	36.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
							Section Acres	442.0
		34	NE		NE		IRR	35.0
							Section Acres	35.0
		35	NE		NW		IRR	18.0
			NW		NW		IRR	40.0
							Section Acres	58.0
							Total Acres	535.0

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:
SEE GORDON KING RIGHTS.

14. Remarks:

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

JAMES L. DAVEY

Decree Plaintiff

vs

GEORGE F. BROWN ET. AL.

Decree Defendant

MICROFILMED

JUL 20 1994

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): Gordon J. King Date: 1-12-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of January 19 89

Seal

[Signature]
Notary Public

Residing at Boise, ID
My Commission Expires June 10, 1994

INTER-DEPARTMENT MEMO

TO: File A57-00091

SUBJECT: Attorney Notification

FROM: Linda Wurm

DATE: 1-30-91

KEEP THIS MEMO IN FRONT OF FILE

A57-00091 G. King
RONALD P. RAINEY
P.O. BOX 26

CALDWELL

ID 83605

A copy of each letter sent to this claimant must be
mailed to the attorney above.

() For your information

() Response required

signature

SRBA

SUBCASE SUMMARY REPORT 57-00091

[Return to SRBA Home Page](#)

SRBA
12-26-2001

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 57-00091 FILE#: 00467
CLAIMANT: KING, GORDON G
 KING, ROSE M
 PO BOX 36

MURPHY ID 83650
STATUS: PD ISSUED
WATER SOURCE: CASTLE CREEK, SNAKE RIVER
ISSUES: NAME AND ADDRESS DESCRIPTION
 SOURCE OF WATER
 QUANTITY OF WATER USED
 PRIORITY DATE
 POINT(S) OF DIVERSION DESCRIPTION
 PURPOSE OF USE DESCRIPTION
 PERIOD OF YEAR WHEN WATER IS USED
 WATER RIGHT RECOMMENDATION
 12

**** PARTIES INVOLVED ****

GORDON G KING	C PRO SE
USDI BLM	O ATTY: US DEPARTMENT OF JUSTICE
GORDON G KING	R ATTY: JOHN T. SCHROEDER
IDWR	ATTY: CLIVE STRONG

**** ROA ENTRIES ****

02-26-1993	OBJECTION (OBJ 1) FILED BY BLM	RF	07-01-1993	0001
06-25-1993	RESPONSE TO OBJ #1 FILED BY GORDON KING			0001
06-25-1993	RESPONSE TO OBJ #1 FILED BY IDWR			0002
11-04-1993	ORDER OF REFERENCE APPOINTING RICHARD SIMMS SPECIAL MASTER IN REPORTING AREA 2 (B-57)			
12-17-1993	ORDER WITHDRAWING ORDER OF REFERENCE APPOINTING RICHARD A SIMMS SPECIAL MASTER IN REPORTATION AREA 2 (BASIN 57)			
04-19-1994	ORDER STAYING PROCEEDINGS IN SUBCASES IN R.A. 1, 2 & 3 AND STAYING THE OBJECTION AND PERIOD AS TO THE DIR RPT OF THE U.S. & TRIBAL NONCONSUMPTIVE CLAIMS & THE DIR RPT FOR THE 1990 FORT HALL INDIAN WATER RIGHTS AGREEMENT AND STAYING PROCEEDINGS IN TWIN FALLS COUNTY CASE 39576 (DL13)	OT		
04-27-1994	AMENDED ORDER STAYING PROCEEDINGS IN SUBCASES IN REPORTING AREAS 1, 2 AND 3 & STAYING THE OBJECTION PERIOD OF THE DIR'S RPT OF THE U.S. & TRIBAL NON-CONSUMPTIVE CLAIMS & STAYING PROCEEDINGS IN TWIN FALLS COUNTY			

	CASE NO, 39576	(DL19)	
12-07-1994	ORDER LIFTING STAY IN REPORTING AREAS 1, 2 AND 3; AND TWIN FALLS COUNTY CASE NO. 39576, AND CONTINUING STAY OF DIRECTOR'S REPORTS ABSTRACTING FEDERAL RESERVED WATER RIGHTS	OL	
		(DL43)	
12-22-1994	42-1416/1416A CLAIM PER IDWR RPT OF 2/16/94 SUBCASE STAYED-12/22 ORDER RE MOT FOR STAY	OT	12-22-1994
11-01-1995	ORDER OF REFERENCE APPOINTING FRITZ X. HAEMMERLE SPECIAL MASTER IN REPORTING AREA 2 (BASIN 57)		
04-07-1997	NOTICE SETTING STATUS CONFERENCE	US	04-18-1997 0930
04-17-1997	HEARING HELD-STATUS CONFERENCE	UH	04-17-1997 0300
04-17-1997	MINUTES FILED-STATUS CONFERENCE		
04-17-1997	BENCH ORDER FOR RECOMMENDATION		
04-22-1997	STIPULATION FOR WITHDRAWAL/U.S. W/D OBJECTION		0001
06-03-1997	LDGD: PRELIM MASTER REPORT & RECOMMENDATION	MB	06-17-1997 0500
06-03-1997	NOTICE OF ISSUANCE - PRELIMINARY R & R		
06-03-1997	CERTIFICATE OF MAILING - PRELIMINARY R & R		
06-20-1997	REPORT & RECOMMENDATION OF MASTER	CB	07-28-1997
06-20-1997	NOTICE OF ISSUANCE - FINAL R & R		
06-20-1997	CERTIFICATE OF MAILING - FINAL R & R		
09-12-1997	ORDER OF PARTIAL DECREE		
09-12-1997	PARTIAL DECREE FILED		09-12-1997
09-12-1997	CERTIFICATE OF MAILING - PARTIAL DECREE		
08-05-1999	SUPPLEMENTAL DIRECTOR'S REPORTS, RP 1, BASIN 57 PERIOD OF USE & CONJUNCTIVE MANAGEMENT		

[Return to SRBA Home Page](#)

SRBA

DIRECTORS REPORT 57-00091

[Return to SRBA Home Page](#)

IWT072

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

Right Number: 57-00091

```

*****
*
* THIS DIRECTORS REPORT HAS BEEN AMENDED SINCE *
* IT WAS 1ST FILED. *
*
*****

```

This Electronic Director's Report is NOT accurate.
For accurate information see the printed copy of the
Director's Report on file with the Court or IDWR.

Name and Address: GORDON G KING
ROSE M KING
PO BOX 36
MURPHY, ID 83650

Source: CASTLE CREEK Tributary: SNAKE RIVER

Quantity: .20 CFS

Priority Date: 04-01-1874

Diversion Point: T04S R01E S35 SWNENW Within Owyhee County
T05S R01E S03 LOT 2 (SENWNE)

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	04-01 TO 10-15	.20 CFS
	Stockwater	04-01 TO 10-15	.20 CFS

Place of Use:	Irrigation	Within Owyhee County
T04S R01E S26	NENE 18	SWNE 10
	SENE 30	NESW 18
	NWSW 5	SWSW 23
	SESW 35	NESE 12
	NWSE 25	SWSE 3
	S34	NENE 13
	S35	NENW 12
		NWNW 37
241	Acres Total	

Stockwater
Same as Other Use

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1416A.

USE OF THIS RIGHT WITH RIGHT NOS. 57-00099, 57-00109, 57-00118, 57-00122, 57-00124, 57-00128, 57-00136, 57-00152, 57-00163, 57-02132A, 57-02246 AND 57-02253 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION RATE OF 4.82 CFS, A TOTAL COMBINED CONSUMPTIVE USE VOLUME OF 843.5 AF AND TO THE IRRIGATION OF A COMBINED TOTAL OF 241 ACRES IN A SINGLE IRRIGATION SEASON.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00099, 57-00109, 57-00118, 57-00122, 57-00124, 57-00128, 57-00136, 57-00152, 57-00163 AND 57-02132A.

[Return to SRBA Home Page](#)

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 57-00091

1997 SEP 12 AM 8:37
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: GORDON G KING
ROSE M KING
PO BOX 36
MURPHY ID 83650

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.2 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 57-00099, 57-00109, 57-00118,
57-00122, 57-00124, 57-00128, 57-00136, 57-00152, 57-00163,
57-02132A, 57-02246 AND 57-02253 IS LIMITED TO A TOTAL COMBINED
ANNUAL DIVERSION RATE OF 4.82 CFS.

PRIORITY DATE: 04/01/1874

POINT OF DIVERSION: T04S R01E S35 SWMENW Within Owyhee County
T05S R01E S03 LOT 2 (SEWNWE)

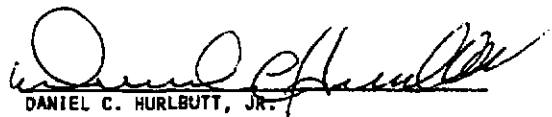
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.2 CFS
	STOCKWATER	04-01 10-15	0.2 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County			
	T04S R01E S26	NENE 18	SWNE 10	SENE 30	NESW 18
		NWSW 5	SWSW 23	SESW 35	NESE 12
		NWSE 25	SWSE 3		
	S34	MENE 13			
	S35	MENW 12	NWNW 37		
	241 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NOS. 57-00099, 57-00109, 57-00118,
57-00122, 57-00124, 57-00128, 57-00136, 57-00152, 57-00163,
57-02132A, 57-02246 AND 57-02253 IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 241 ACRES IN A SINGLE IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

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 57-00091

PAGE 1
AUG-12-1997

Decree

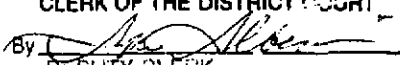
RULE 54(b) CERTIFICATE

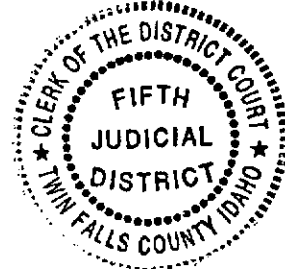
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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: **(SEP 12 1997**



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

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
Deputy Clerk



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

Important Information About Your Water Right

October 25, 2002

Gordon G. King
Rose M. King
PO Box 36
Murphy, ID 83650

RECEIVED

OCT 28 2002

Department of Water Resources

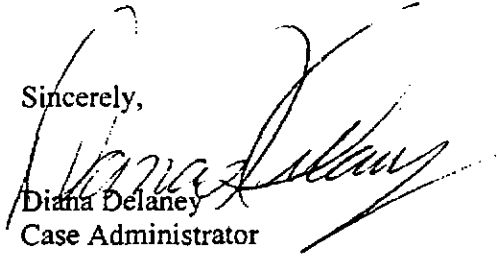
Dear Water Right Claimant(s):

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 57-91. 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

OCT 25 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 57-91**
)
)
) **ORDER AMENDING IRRIGATION PERIOD OF USE**
) **ELEMENT IN PARTIAL DECREE and**
Case No. 39576) **INCORPORATING INTO PARTIAL DECREES AN**
) **EXPRESS STATEMENT REGARDING GENERAL**
) **PROVISIONS, *NUNC PRO TUNC***

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: 04-01 to 10-15

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

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

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

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

RULE 54(b) CERTIFICATE

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

Dated October 25, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

RECEIVED

SEP 15 1997

Department of Water Resources

1997 SEP 12 AM 8:37

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

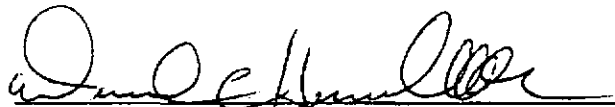
) For Water Right 57-00091

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

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

Therefore, IT IS ORDERED that water right 57-00091 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

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. 57-00091 -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.
10. |X| Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.
12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12a. ☒ This water right being recommended at all.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 2, 3, 4, 5, 7, 8, 10, 11, 12 and 12a. and all allegations of the objection regarding these items, IDWR responds as follows:

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

CHANGES TO THE DIRECTOR'S REPORT

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

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

	No. of Pages
Notice of Claim No. A57-00091	3

(Over)

MICROFILMED

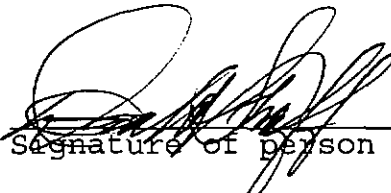
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

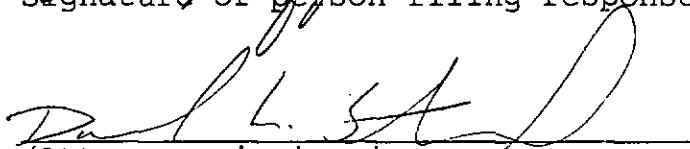
Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

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

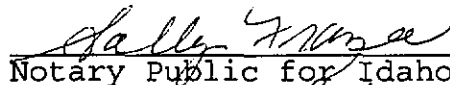


Signature of person filing response

By:


(Attorney signing in
representative capacity)

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



Notary Public for Idaho

Residing at: Boise

My Commission expires: 11-14-1998

CERTIFICATE OF MAILING

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

1. Original to:

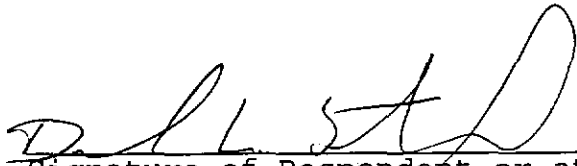
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

Name: RONALD P RAINEY
Address: PO BOX 26
CALDWELL ID 83605

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: ENVT & NAT RESOURCES DIV
K JACK HAUGRUD & DARIA J ZANE
550 W FORT ST BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

MICROFILMED

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

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

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. 57-00091
(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)

OBJECTION - 1

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

I. GENERAL INFORMATION

Please fill in the following information:

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

Briefly describe your interest in this water right:

The United States, through the Bureau of
Land Management, is the owner of land
affected by this claimed water right and
has a senior existing water right.

2. Owner of the water right:
Gordon G King
Name: claimant Rose M King
Address: P. O. Box 36
Murphy, ID 83650
3. If this objection is filed by an attorney:
K. Jack Haugrud
Attorney Name: Daria J. Zane
U. S. Department of Justice
Attorney Address: 500 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: 202-272-4134/8351

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

II. STATEMENT OF THE OBJECTION

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

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

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 affecting public domain lands. The BLM, on behalf of the United States, has managed and controlled this property for the beneficial use of the American public. The claimant has no property interest in the claimed water right or any other water right appurtenant to federally owned lands. The United States objects to all aspects of the right because of these facts, including the recommended name and address, source, quantity, priority date, points of diversion, purpose of use, period of use, place of use, and consumptive use. BLM also objects to the recommendation in its entirety because claimant has not been the exclusive beneficial user of this water given that other members of the public have had access to this land and water source. BLM specifically objects to the quantity, priority date, point of diversion, and/or purpose of use of the claimed right because granting this right will adversely affect the United States senior water right.

CHANGES TO THE DIRECTOR'S REPORT

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

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

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

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

~~1. Conflicting USDI claims~~

1. Conflicting USDI claims

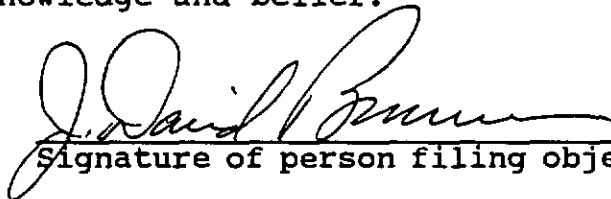
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

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

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

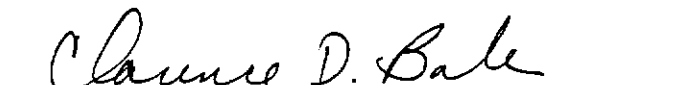


Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

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


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

MICROFILMED

JUL 20 1994

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I hereby certify that on the 26 day of February, 1993, I ~~mailed~~^{delivered} 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: Gordon G King
Rose M King
Owner's address: P.O. Box 36
Murphy, ID 83650

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

CLAIM NUMBER: 57-00091

CONFLICTING CLAIMS FOUND IN THE DIRECTORS REPORT

57-07330	57-11105
57-11109	57-11115
57-11116	57-11117
57-11119	57-11120
57-11122	57-11123
57-11142	57-11143
57-11327	57-11328
57-11329	57-11333
57-11335	57-11114
57-11140	57-11326
57-11330	57-11331
57-11332	57-02387
57-11025A	57-11025
57-11096	57-11097
57-11106	57-11108
57-11110	57-11112
57-11113	57-11141
57-11353	57-11245
57-11257	57-11111
57-11357A	57-11357
57-07047	57-11027A
57-11027	57-02377
57-02386	57-11029A
57-11029	57-11209
57-11354	57-11038A
57-11038	57-11039A
57-11039	57-11121
57-11144	57-11145
57-11146	57-11255
57-11334	57-11347
57-11348	

MICROFILMED

JUL 20 1994

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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5701582439
BLM NUMBER: 5701582439
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
CASTLE CREEK	SNAKE RIVER

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
WILDLIFE	0.020	0.00	0101	1231
STOCKWATER	0.190	0.00	0101	1231
TOTAL:		0.210 CFS	0.00 AF	

NON-IRRIGATION USES

S/710 RANGE CATTLE W/VAR AMOUNTS

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
06S	01W	23		NW	SW	00	OWYHEE
06S	01W	22		NE	NE	00	OWYHEE

PLACE OF USE

							IRRIGATED
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED ACRES
06S	01W	23	NW	SW	00	OWYHEE	0.0

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

CIVIL CASE NUMBER: 39576

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

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

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5701582013
BLM NUMBER: 5701582013
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
-----	-----
BUCKAROO CREEK	BROWNS CREEK

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF U FROM	TO
-----	-----	-----	-----	-----
STOCKWATER	0.350	0.00	0101	1231
WILDLIFE	0.020	0.00	0101	1231
TOTAL:	0.370 CFS	0.00 AF		

NON-IRRIGATION USES

S/1469 RANGE CATTLE W/ VAR AMOUNTS

				POINT OF DIVERSION				
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY	
-----	-----	-----	-----	-----	-----	-----	-----	-----
06S	02W	14		NE	NW	00	OWYHEE	
06S	02W	14		NE	NE	00	OWYHEE	

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
-----	-----	-----	-----	-----	-----	-----	-----	-----
06S	02W	14	NE	NW	00	OWYHEE	YES	0.

BLM NUMBER: 5701582439

PAGE: 2

06S	01W	23	NW	SW	00	OWYHEE	0.0
06S	01W	22	NE	SE	00	OWYHEE	0.0
06S	01W	22	SE	NE	00	OWYHEE	0.0
06S	01W	22	NE	NE	00	OWYHEE	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

MICROFILMED
JUL 20 1994

BLM NUMBER: 5701582013

PAGE: 2

06S	02W	14	NE	NW	00	OWYHEE	YES	0.0
06S	02W	14	NW	NE	00	OWYHEE	YES	0.0
06S	02W	14	NE	NE	00	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

MICROFILMED

JUL 20 1994

AJ5809NP
No. 57-00091

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/05/93
PAGE: 9

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GORDON G KING PO BOX 36 MURPHY ID 83650	04/01/1874	IRRIGATION STOCKWATER	04-01 10-15 04-01 10-15	0.20 CFS 0.20 CFS	
				TOTAL DIVERSION:	0.20 CFS	
C	ROSE M KING PO BOX 36 MURPHY ID 83650 (208) 834-2051					

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T04S R01E S35 SWNENW Owyhee County
T05S R01E S03 Lot02(SENWNE) Owyhee County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
04S	01E	26	:	18		10		30						18	05	23	35	12	25	03	179.0
04S	01E	34	:	13																	13.0
04S	01E	35	:					12	37												49.0
																				TOTAL ACRES	241.0

Place of use Location for STOCKWATER is the same location as described for: IRRIGATION

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 1000 RANGE CATTLE

Other Rights: NONE

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1416A.
- C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).

Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 57-00099, 57-00109, 57-00118, 57-00122, 57-00124, 57-00128, 57-00136, 57-00152, 57-00163, 57-02132A, 57-02246 AND 57-02253 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION RATE OF 4.82 CFS, A TOTAL COMBINED CONSUMPTIVE USE VOLUME OF 843.5 AF AND TO THE IRRIGATION OF A COMBINED TOTAL OF 241 ACRES IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00099, 57-00109, 57-00118, 57-00122, 57-00124, 57-00128, 57-00136, 57-00152, 57-00163 AND 57-02132A.

MICROFILMED
JUL 20 1994

AJ5809NP
No. 57-00091

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/05/93
PAGE: 10

Dates: Exam Made Date: 08/29/1990 Verified Date:
Misc: Water District Number: 57C Field Inspection Flag:
Presumption Flag: D

Comments: Date: 09/26/1991 User-ID: WERNER Subject:

Audit: 09/22/91 WERNER 09/23/91 WERNER 09/24/91 WERNER 09/25/91 WERNER
09/26/91 WERNER 09/27/91 WERNER 10/01/91 WERNER 11/21/91 WERNER
02/13/92 WERNER 02/14/92 WERNER 07/14/92 WERNER 07/16/92 WERNER
07/29/92 PR-PRODM 10/13/92 CPSHAW 12/05/92 ADT-SHAW

MICROFILMED
JUL 20 1994

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROSE M KING PO BOX 36 MURPHY ID 83650 (208) 834-2051	04/01/1874	IRRIGATION STOCKWATER	04-01 10-15 04-01 10-15	0.20 CFS 0.20 CFS	
					TOTAL DIVERSION:	0.20 CFS
C	GORDON G KING PO BOX 36 MURPHY ID 83650					

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T04S R01E S35 SWNENW
T05S R01E S03 Lot 2(SENWNE)

OWYHEE County
OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM				
04S	01E	26	:	18				10	30	:						18	05	23	35	:	12	25	03	:	179.0
04S	01E	34	:	13						:										:				:	13.0
04S	01E	35	:							:	12	37								:				:	49.0
																				TOTAL ACRES		241.0			

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 1000 RANGE CATTLE

Other Rights: NONE

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1416A.
- C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).

Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 57-00099, 57-00109, 57-00118, 57-00122, 57-00124, 57-00128, 57-00136, 57-00152, 57-00163, 57-02132A, 57-02246 AND 57-02253 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION RATE OF 4.82 CFS, A TOTAL COMBINED CONSUMPTIVE USE VOLUME OF 843.5 AF AND TO THE IRRIGATION OF A COMBINED TOTAL OF 241 ACRES IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00099, 57-00109, 57-00118, 57-00122, 57-00124, 57-00128, 57-00136, 57-00152, 57-00163 AND 57-02132A.

MICROFILMED
OCT 06 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-00091

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*	<u>N</u>	<u>8-29-90</u> <u>2-29-91. LEW only</u>	<u>6</u>	<u>Y</u>	<u>Y</u>	<u>L.R.W.</u> <u>8-4-90</u>	
PT. OF DIV.	<u>Y</u>	<u>L. Werner</u>	<u>1,5</u>	<u>N</u>			DATA ENTRY COMPLETED
SOURCE	<u>N</u>	<u>R. McCarthy</u>	<u>6</u>	<u>N</u>			BY _____ DATE _____
PL. OF USE	<u>Y</u>	<u>L. Werner</u> <u>on</u>	<u>1,2,4,5</u>	<u>Y</u>	<u>Y</u>		FINAL RECOMMENDATION
DIV. AMOUNT CPS/AF	<u>N</u>	<u>2-8-91</u>	<u>6</u>	<u>N</u>			BY _____ DATE _____
CONSUMPTIVE USE	<u>N</u>		<u>ADJ.</u> <u>STD.</u>				
NATURE OF USE	<u>Y</u>		<u>5,6</u>				
PERIOD OF USE	<u>N</u>		<u>6</u>				
BASIS OF CLAIM	<u>N</u>		<u>6</u>				
REMARKS	<u>N</u>	<u>✓</u>	<u>6</u>			<u>✓</u>	

VERIFICATION CODES

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

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

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

COMMENTS: * 6: Same as depicted
Consumptive use restrictions will apply.

OCT 06 1992

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:00:28
06/06/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-00091

LAST: FOREMAN
ADDRESS:
CITY: NA
PHONE NUMBER: 208-000-0000

FIRST: THOMAS A.
STATE: ID ZIP: 00000

OWNER CODE: O

LAST: KING
ADDRESS: P.O. BOX 36
CITY: MURPHY
PHONE NUMBER: 208-000-0000

FIRST: GORDON G.
STATE: ID ZIP: 83650

OWNER CODE: C

LAST: KING
ADDRESS: P.O. BOX 36
CITY: MURPHY
PHONE NUMBER: 208-000-0000

FIRST: ROSE M.
STATE: ID ZIP: 83650

OWNER CODE: C

LAST: RAINEY
ADDRESS: P.O. BOX 26
CITY: CALDWELL
PHONE NUMBER: 208-459-3659

FIRST: RONALD P.
STATE: ID ZIP: 83605

OWNER CODE: A

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE FIELD
N EXAMINER

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DEPARTMENT OF WATER RESOURCES

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? *NO*
 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? *NO*
 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-9-25-91* (initial & date)
 Claim Verification Report completed *L.R.W. 3-19-91* (initial & date)
 Was CVR spot-checked by Supervisor? ☒ Yes ^{Oral presentation} ☐ No *LRW 9-26-91* (initial & date)
 R claim file created *LRW - 9-25-91* (initial & date)
 Recommendations entered on R claim file *LRW 9-25-91* (initial & date)

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CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

See info. in this file

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8-23-90

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER _____

NAME OF CONTACT

Ross King

PHONE NO.

834-2051

ADJ. AGENT

Linda Warner

DATE SET FOR EXAM

8-29-90

8³⁰

LOCATION

Ho to Murphy. After m.m. ^{Hwy 78} 49 turn
right on dirt road. ^{1/4 mi.} Turn to pavement then
turn right ^{at pavement} Ho 1 mi - see corals & bay.
Rd will make a sharp left - don't go left -
go straight

Diverting at full rates?

No - not irr. out of creek

Type of measuring devices?

Places to make measurements?

Type of system? (pipeline, ditches)

Gravity flow ditches

How many laterals are used?

Length and size of mainline?

Size of Motor used for each P/D?

No pumps

Estimate of depth to water?

Pressure at well?

Artesian well - it is flowing - well overlaps creek.

Pressure at sprinkler head?

COMMENTS

Cement poured in ditches making diligent
effort to complete diverting works.

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A. AJ CLAIM: # A57-00091 PRIORITY DATE: 06-01-1874 STAGE: D

B. WR RECORD: # 57-00091 PRIORITY DATE: 06-01-1874 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:

C. changed the priority date as the Castle creek decree stated that the priority date would commence w/ the first day of the irrigation season, which is 4-1 to 10-15.

RECOMMENDED PRIORITY DATE: ~~06-01-1874~~

→ 4-1-1874

REVIEWED BY

R. McCarthy

Linda Warner

DATE

8/31/90

3-19-91

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-00091	05S	01E	3	SE	NW	NE	2	OWYHEE
A57-00091	04S	01E	35	SW	NE	NW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A57-00099 NONE

WR RECORDS IN SAME 40 ACRE TRACT

NONE

A57-00109
A57-00118
A57-00122
A57-00124
A57-00128
A57-00136
A57-00152
A57-00163
A57-00097
A57-00106
A57-00123
A57-00220
A57-00237
A57-02260

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

5700091 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

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

FIELD
EXAMINER

Y
N

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MACFARLANE
OCT 16 1992

SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. A57-00091

There are two points of diversion associated with this water right. The upper diversion, located in the NE1/4NW1/4 of section 35 is used to irrigate the lands located on the east side of Castle creek. The southwestern diversion, also Castle creek, is used to irrigate all other places of use. This diversion is conveyed by means of a dirt ditch to the NE1/4NE1/4 of section 34, T4S, R1E. At this point the creek water converges with well water and is conveyed by means of cement ditches. Ditches run in a northeasterly direction and an easterly direction along the south end of the property. The ditch which runs easterly empties water back into Castle creek and is picked up in the upper diversion to irrigate the lands on the east side of the creek. Irrigation is by 10" gaited pipe. Gravity flow system

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REMARKS:

Points of diversion were verified by visual inspection.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<i>055</i>	<i>01E</i>	<i>3</i>	<i>SE</i>	<i>NW</i>	<i>NE</i>	<i>2</i>	<i>Owyhee</i>
<i>045</i>	<i>01E</i>	<i>35</i>	<i>SW</i>	<i>NE</i>	<i>NW</i>	<i>—</i>	<i>Owyhee</i>

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

REVIEWED BY: *R. McCarthy*

DATE: *8/31/90*

Linda Warner

3-19-91

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PRESUMPTION FLAG:

REMARKS:

See acreage sheet attached
Permissible Place of Use

This includes a change in place of use. Non-usages at old
place of use & new usages substantiated during field exam & on maps.
(1974, 1988)
O-P Napp.

RECOMMENDATIONS:

TOTAL ACRES:

to 10 ac. in (241) - 9-24-91
Permissible P.O.U. 11-21-91 - RA

REVIEWED BY:

Linda Werners

DATE: 3-19-91

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GORDON KING PROPERTY
IRRIGATED ACRES UNDER PERMISSIBLE PLACE OF USE

T4S, R1E, SECTION 26:

NENE	18
SENE	30
SWNE	10
NWSE	25
NESE	12
NESW	18
SESW	35
SWSW	23
NWSW	5
SWSE	3

SECTION 34:

NENE	13
------	----

SECTION 35:

NWNW	37
NENW	<u>12</u>

TOTAL ACRES: 241

THE IRRIGATED ACREAGE UNDER PERMISSIBLE PLACE OF USE WAS DETERMINED FROM A FIELD EXAM WHICH WAS COMPLETED ON 2/28/91. THE ATTACHED MAP SHOWS THE OLD AND NEW PLACES OF USE. THE NEW PLACES OF USE WERE FIRST IRRIGATED IN 1988.

MR. KING HAS A 1957 ASCS MAP. THE ACRES SHOWN ON THIS MAP ARE THE SAME ACREAGES UNDER THE OLD PLACE OF USE WHICH CAN BE SEEN ON THE 1974 O-P QUAD.

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Name of Party Source of Date of Amt. in Des. of All Onyhee County
Water Priority. inches. Land. Sec. Twp. Range.

J. M. Morgan Castle 57-0091874 ✓ 1 } { Lot 3 } 6 4 S 2E B.M.
Creek 57-01501906 ✓ 6 } { Lot 4 } 31 3 S 2E B.M.
57-01591908 ✓ 34 } { Lot 5 }

Thomas A. Foreman 57-00911874 ✓ 10 } { SE 1/4 SE 1/4 27 }
57-00991885 ✓ 20 } { E 1/2 SW 1/4 } 20 4 S 1E B.M.
Castle 57-01091887 ✓ 10 } { W 1/2 SE 1/4 }
Creek 57-01181898 ✓ 5 } { SW 1/4 SN 1/4 }
57-01221898 ✓ 15 } { NW 1/4 NW 1/4 } 35
57-01281899 ✓ 20 }
57-01361902 ✓ 10 } 160" = 160 AC.
57-01521906 ✓ 10 }
57-01631908 ✓ 10 }

Thomas A. Castle 57-01241887 ✓ 50 } { E 1/2 NE 1/4 }
Foreman Creek } { SW 1/4 NE 1/4 } 26 4 S 1E B.M.
(successor to } { NE 1/4 SE 1/4 }

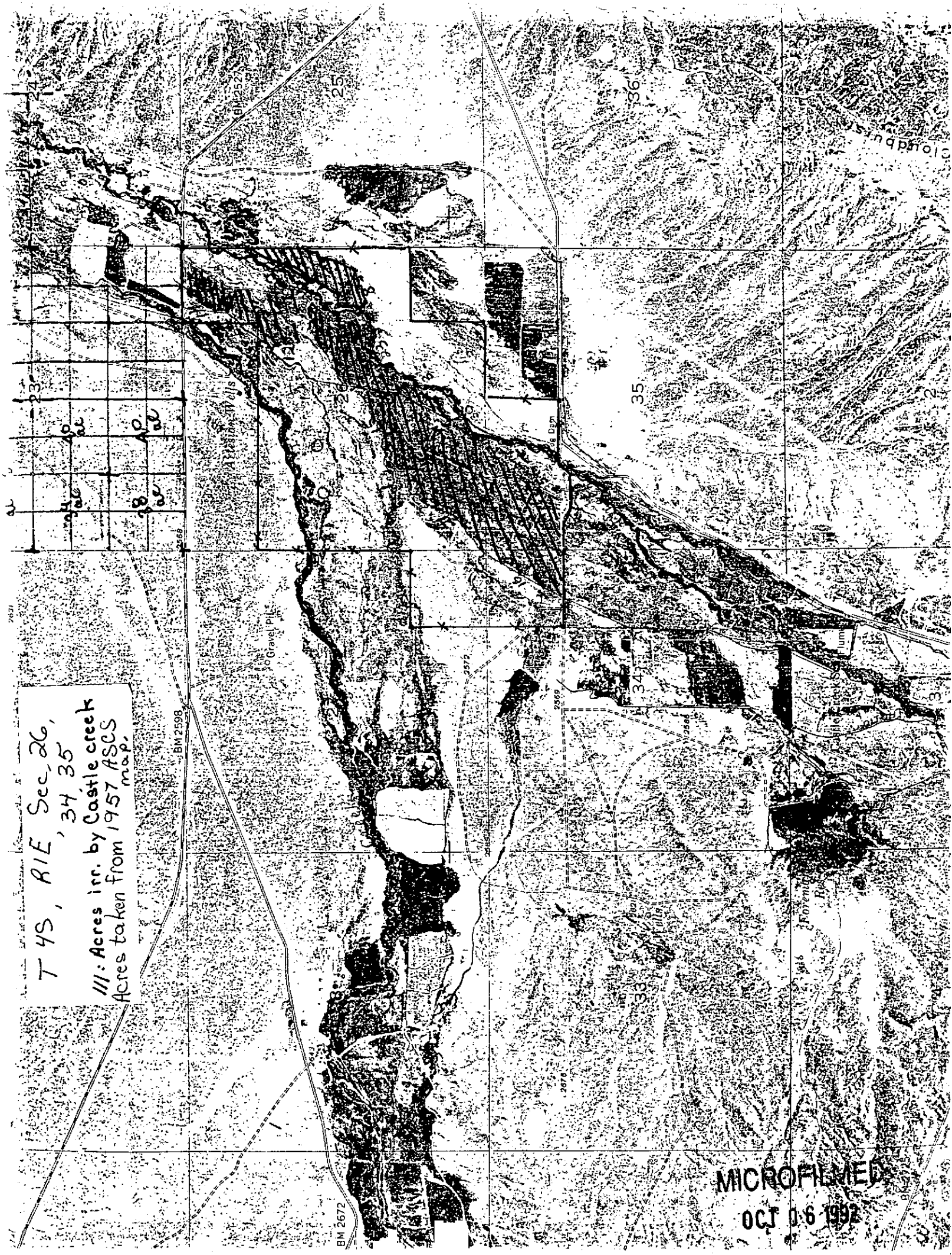
Amey Grill Castle 57-0091873 ✓ 8 } { W. Sparks }
(successor to Creek 57-01301900 ✓ 7 1/2 } { Ranch in }
Wilbur Mossman } { SW 1/4 NW 1/4 }
} { Sec. 9; SE 1/4 } 7 S 1W B.M.
} { NE 1/4, Sec. 10 }

(26)

a } (formerly

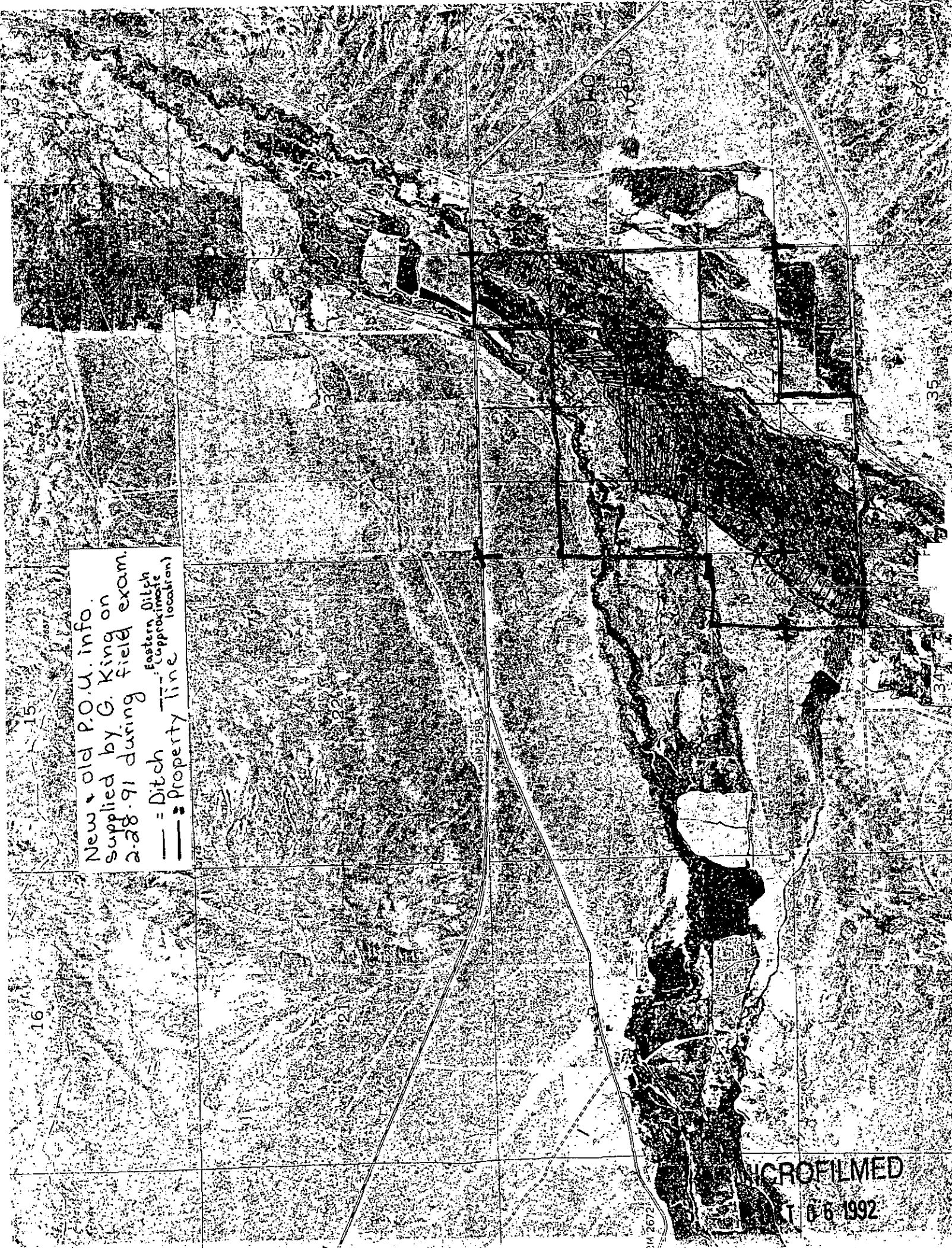
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T 4S, R 1E, Sec. 26,
34, 35
111. Acres irr. by Castle creek
Acres taken from 1957 ASCS
map.



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New old P.O.U. info.
supplied by G. King on
2-28-91 during field exam.
--- = Ditch
--- = Property line
--- = Eastern Ditch
--- = (approximate location)

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Decreed Acreages

TOWNSHIP GRID

Landownership ☐

G.W. Rights ☐

S. W. Rights ☐

Map. 4S Rge. 1E County
 sin

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

Decreed rights 57-91, 99, 109, 118, 122, 128, 136, 152, 163

Decreed right 57-00124

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-00091 IRRIGATION	FROM 04-01 TO 10-15	.200 CFS
A57-00091 STOCKWATER	FROM 01-01 TO 12-31	.200 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.200 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-00091 IRRIGATION	FROM 04-01 TO 10-15	.200 CFS
57-00091 DOMESTIC	FROM TO	.200 CFS
57-00091 STOCKWATER	FROM TO	.200 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.200 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(X) N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

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

AJ TOTAL CLAIMED DIVERSION RATE: 0.200 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.200 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

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

B. FLOW MEASUREMENT

MEASUREMENT METHOD N/A , SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: SEE GORDON KING RIGHTS.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-00091	CASTLE CREEK	KING , GORDON G.	0.200			
A57-00124	CASTLE CREEK	KING , GORDON G.	1.000			
A57-07266	GROUNDWATER	KING , ROSE M.	6.020	0.020		
A57-00099	CASTLE CREEK	KING , GORDON G.	0.400			
A57-00109	CASTLE CREEK	KING , GORDON G.	0.200			
A57-00118	CASTLE CREEK	KING , GORDON G.	0.100			
A57-00122	CASTLE CREEK	KING , GORDON G.	0.300			
A57-00128	CASTLE CREEK	KING , GORDON G.	0.400			
A57-00136	CASTLE CREEK	KING , GORDON G.	0.200			
A57-00152	CASTLE CREEK	KING , GORDON G.	0.200			
A57-00163	CASTLE CREEK	KING , GORDON G.	0.200			

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A57-00091	STOCKWATER	KING , GORDON G.	FROM 01-01 TO 12-31	.200 CFS	
A57-10460	STOCKWATER	KING , GORDON G.	FROM 01-01 TO 12-31	.600 CFS	
A57-10461	DOMESTIC	KING , GORDON G.	FROM 01-01 TO 12-31	.040 CFS	
A57-10462	DOMESTIC	KING , GORDON G.	FROM 01-01 TO 12-31	.040 CFS	
A57-10463	DOMESTIC	KING , GORDON G.	FROM 01-01 TO 12-31	.040 CFS	

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 210 x 0.02 CFS/ACRE = 4.2 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 1872.5 AF/A 3.5
ACRES 210 x CONSUMPTIVE VOL. AF/A FOR AREA 5.0 =

TOTAL CONSUMPTIVE USE 1050 AF/A
735.0

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 210 x DIVERSION VOL. AF/A FOR AREA 5.0 = OR $V(d.r.)$:

TOTAL DIVERSION VOLUME 1050 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

1b. CALCULATIONS

N/A
 $13.3 \text{ Ac} \times 0.15 \text{ cfs} = 0.20 \text{ cfs}$
 $241 \text{ Ac} \times 0.02 \text{ cfs} = 4.82 \text{ cfs}$

N/A
 $13.3^{\text{Ac}} \times 3.5 = 46.5 \text{ AF/A}$

$10 \text{ Ac} \times 3.5 = 35 \text{ AF/A}$

$0.20 \text{ cfs} \times 1.9835 \text{ AF/d} \times 198 \text{ d} = 78.5 \text{ AF/A}$
 $C.U. = 241 \text{ Ac} \times 3.5 = 843.5 \text{ AF/A}$

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

Bimifical use based on $3/4"$ / acre. - Correction. This acreage will not be based on the availability of $3/4"$ at the field headgate. There is no conclusive evidence indicating that amount is accurate. A57-00091 & all other decreed rights mentioned will be recommended at $1"$ / acre, based on the decreed quantity. Ex: $0.20 \text{ cfs} - 10 \text{ acres}$ w/in 241 in the permissible place of use.

11-21-91.
No longer applicable. LRW

DRW
9-26-91

S. W. Rights ☐

A 6x6 grid with numbers 1-12 in the top row, 13-24 in the second row, 25-36 in the third row, and 37-48 in the fourth row. The bottom two rows are empty. A small cluster of numbers is in the bottom right corner.

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

Small cluster of numbers in the bottom right corner:

35	34	33	32	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1
----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	---	---	---	---	---	---	---	---	---

Decrees	A57-00091		Main portion on this right; all others are identical parts
	A57- 99		thereof.
	A57-2246 (1961)	PA57-7266	MICROFILMED
	A57-2253 (1962)	A57-2132	OCT 06 1992
	A57-2105	8S.1E	

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
Irrigation	4-1 10-15		0.20		78.5	78.5	46.5
Stock	1-1 12-31		0.20		14.0		46.5
* Stock	4-1 10-15		0.20		92.5		35.0
TOTAL FOR THIS RIGHT			0.20		10.5	78.5	46.5

DATE: 3-19-91 & 9-18-91

REVIEWED BY: Linda Warner

Limitations
STD. REMARKS.

E01 Use of this right w/ right nos. 57-00099, 57-00109, 57-00118, 57-00122, 57-00124, 57-00128, 57-00136, 57-00152, 57-00163, 57-2132A, 57-2246 & 57-2253 is limited to a total combined annual diversion rate of 4.82 cfs, a total combined consumptive use volume of 843.5 AF & to the irr. of a combined total of 241 acres in a single irr. season.

K06 This right is limited to the irr. of 10 acres w/ in the place of use described above in a single irr. season.

F06: Other rights w/ same P.O.D. = 57-00099, 109, 118, 122, 124, 128, 136, 152, 163, & 2132A.

C01 Expansion APP. CONDITIONS

C05 Right includes change in P.O.U.

P01 This right includes an expansion in irr. acres pursuant to ID Code 42-1416(1)

→ Addendum - This right does not include an expansion in irr. acres. This right, & the succeeding decreed rights, are recommended for the decreed quantity at 1"/Acre within the permissible p.o.u.

* Stockwater usage added this way because it was mentioned in decree & therefore assumed to be during the irr. season only. Amount of flow is based on the number of head or if the decreed amount is less than .23 cfs, the flow can be recommended for the decreed amount.

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A57-00091

Picture #1



8-29-90

Point of diversion in T4S, R1E, Sec. 35; SWNE NW. Diversion made out of rock. Conveyance by ditch. Water is used on the lands located east of Castle creek.

Picture #2



8-29-90

Southern most diversion belonging to G. King. Conveyance by Dirt ditch.

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OCT 06 1992

A57-00091

Picture #3



The above picture shows the convergence point of Castle creek water and water from the hot water well.

Picture #4



After the point of convergence the water is conveyed in cement ditches such as shown above. The exception to this is the diversion for the lands east of the creek. See Picture #1. The above two photos were taken on 8/28/91.

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This picture shows land irrigated by different water rights. He has been working up the alkali soil since 1988. The land in the background is irrigated by the Castle creek / or the hot water well. Lands located in the SW 1/4 of section 26.

Picture #6



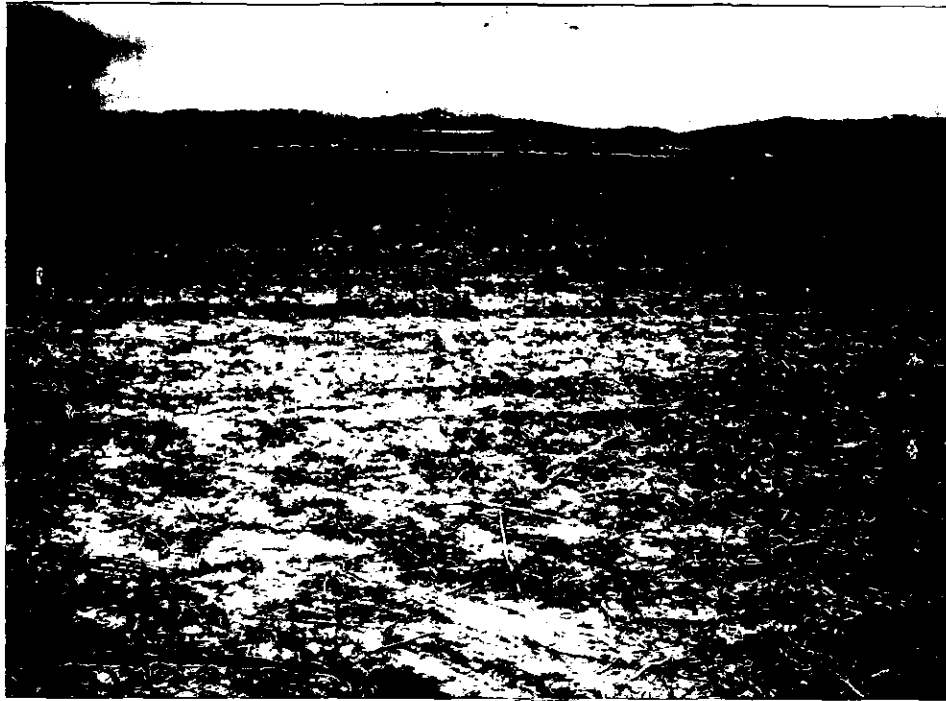
The above picture is in the same area as the land in Picture #5. Note the stock in the background. Circa. 2-28-91.

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OCT 06 1992

A57-00091

Picture # 7



15-8-8-91

This is a picture of the lands irrigated on
the northern portion of the property.

Photos 1-6 taken by L. Werner

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OCT 06 1992

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

N/A

ROOT WATER RIGHT NUMBER: 57-00091

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.200

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-00091	0.200	-		57-00091	0.200
TOTAL CFS		0.200				0.200

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

REMARKS:

AUTHENTICATION:

SIGNATURE: Linda Warner

DATE: 3-19-91 & 9-18-91

NAME OF FIELD EXAMINER: Same

TITLE: Sr. W.R. Agent

OCT 0 6 1992

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September 30, 1991

Gordon and Rose King
PO Box 36
Murphy, ID 83650

Dear Mr. and Mrs. King;

I am writing in regard to your claims in the Snake River Basin Adjudication. These are the claims based upon your previously decreed and licensed water rights from Castle creek and your well. I have completed the review on these claims and am prepared to submit my recommendations to the Director.

Each of your claims will be recommended with a permissible place of use. For example, A57-02246, is licensed for 208 acres. With permissible place of use this claim will be recommended for 208 acres within the total acreage found to be irrigated of 241. Under permissible place of use you will not be limited to irrigate any specific place but 208 acres anywhere within the listed place of use.

There are some considerations which need to be addressed when using permissible place of use. For instance, if the rights are decreed with the permissible place of use and a portion of the property is later sold and nothing is said in the deed about the water rights, then the buyer will acquire a portion of each of the water rights. If each water right is decreed for the original portion of the tract now irrigated by a single system, and that portion is later sold but nothing is said in the deed about the water rights, then the buyer will acquire the entire right appurtenant to the portion and none of the other water rights.

You will be receiving a preliminary report which will outline your water rights and how they're being recommended to the Court. In the meantime, if you have any questions regarding the above, be sure to contact me as soon as possible.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

cc: Ronald P. Rainey
Attorney at Law

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OCT 06 1992

September 30, 1991

Ronald P. Rainey
Attorney at Law
PO Box 26
Caldwell, ID 83605

Dear Mr. Rainey:

Enclosed you will find a copy of a letter sent to Gordon and Rose King. This letter is in regard to their claims filed in the Snake River Basin Adjudication.

If you have any questions or comments, feel free to contact me.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure

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OCT 06 1992

APR 9, 1991

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

APR 15 1991

Department of Water Resources
Western Regional Office

Attn: Linda A Wirner

Linda:

This letter is in regards to our Attorney of Record: Ronald P. Rainey of Caldwell, Idaho. Phone 459, 3659. Mr. Rainey is our legal advisor and shall remain so, but beings as how we are now living on the property we will try to deal with you directly in regards to our water license and field advise. However, I do expect and request you to continue to send a copy of any and all corrspondence to Mr. Rainey.

Sincerely:

Gordon G. King
Gordon G. King

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OCT 06 1992

CONVERSATION MEMORANDUM

DATE 4-8-91

834-2051

FILE 157-00091

NAME OF PARTY

King, Rose

EMPLOYEE

Linda W. Wornum

RE:

Attorney of Record

Talked to Mrs. King about the attorney of record. Told her I would have to send all info. to him, & not them, unless she put it in writing they want a copy of info. She will send me the letter but still wants the attorney to receive copies.

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RECEIPT IS FROM THE STATE FILE
SD-01

IDAHO DEPARTMENT OF WATER RESOURCES
RECEIPT ENTRY SCREEN

DATE 08/23/90
TIME 11:01:25

REC/NO - C005065 AR/NO - _____
FROM: - KING, ROSE M.

RECEIPT TYPE - CK DOC/NO - 2001
REMARKS -

TYPE OF PAYMENT	PROGRAM	ACCT	CLASS	FEE
ADJUDICATION FEE	410162	9337	6490	1821.00

TOTAL DUE - 1821.00

WR/NO	WR FEE	WR/NO	WR FEE	WR/NO	WR FEE
A5502095 -	70.00	A5502096 -	70.00	A5510067 -	130.00
A5510068	25.00	A5700091 ✓	585.00	A5700099 ✓	50.00
A5700109 ✓	50.00	A5700118 ✓	50.00	A5700122 ✓	50.00
A5700124 ✓	50.00	A5700128 ✓	50.00	A5700136 ✓	50.00
A5700152 ✓	50.00	A5700163 ✓	50.00	A5702058 ✓	90.00

(ENTER=INQUIRE) (GOLD1=ADD/PRINT REC) (GOLD2=CHANGE) (GOLD3=VOID)
(GOLD6=2ND/COPY REC) (GOLD7=LASER/COPY REC) (MENU _____)

AK9

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OCT 06 1992

IN THE DISTRICT COURT OF THE THIRD JUDICIAL
DISTRICT OF THE STATE OF IDAHO
IN AND FOR ADA COUNTY.

JAMES L. DAVEY,

Plaintiff,

vs.

George F. Brown, James E. Murphy,
William Gordy, William Toy,
Joseph W. Hardiman, Andrew T.
Evans, William D. Evans, Lillian
L. Evans, William Henderson,
Martha Henderson, Urcilla Mc-
Donough, John J. Evans, Thomas
A. Foreman, Victor Foreman,
Donald (Fred D.) Henderson, Thomas
D. Henderson, John Henderson, Charles
H. Morehouse, Maggie Devine, Robert J.
Kelley, James L. Wees, John M. (James M.
Morgan, Amsey Crill, Milt Carothers,
Alva Reed, Etta Pethel, Charles
Johnson, James Henderson, Delos Foreman,
John H. Munger, Edna Munger, his
wife, James Terrence, Mina B. Torrence,
his wife, Alex Delap; Thomas Payne,
John Kidd, John Skillern, John Doe Echevarria,
Will T. Skillern, Victor Gabica,
J. S. Fischer, Della Pethel, John Pethel,
her husband, Richard McCumber, Harry Delap,
John Malmberg, and the Castle Falls
Mining Company, a corporation, (whose
charter was forfeited November 30, 1914)
and J. W. Conley, H. P. Ross, P. M. Bloom,
A. S. Garber, and S. L. Kennedy, as
directors and statutory trustees of said
The Castle Creek Mining Company, Walter B.
Jones and Anna Joyce,

Defendants.

The above entitled cause came on regularly for trial on November 14th, 1922, in open court before Honorable Charles F. Reddock, Judge of said Court. The plaintiff appeared by his attorneys, Perky & Brinck, Esquires; Hawley & Hawley, Esquires, and P. H. Johnson, Esquire, appeared as attorneys for defendants, George F. Brown, James E. Murphy, William Toy, Joseph W. Hardiman, Andrew T. Evans, William D. Evans, Lillian D. Evans, Urcilla McDonough, John J. Evans, Thomas A. Foreman, Victor Foreman, John Henderson, James L. Wees, William Gordy and Amsey Crill; R. H. Johnson, Esquire,

*Copy from
Boyer Co.
Courthouse -*

*Same as
numbered copy,
but easier to
read.*

DECREE

appeared as attorney for James M. Morgan, James Henderson, John H. Munger, Edna Munger, James Torrence, Mina B. Torrence, James L. Wees, Robert W. Henderson and Anna Joyce (who has been duly substituted for Harry Delap and Alex Delap, defendants); Hawley & Hawley, Esquires, appeared as attorneys for defendant Charles Johnson; Martin & Martin, Esquires, appeared as attorneys for defendant, Walter B. Jones who was substituted for defendants, Maggie Devine and Robert J. Kelley; Wright Stacey, Esquire, appeared as attorney for defendant Milt Carothers; Frank T. Wyman, Esquire, appeared as attorney for defendants, Martha Henderson, Donald Henderson, Thomas D. Henderson and John Malmberg; and Frawley & Koelsch, Esquires, appeared as attorneys for defendants, Pedro Echevarria and W. T. Skillern.

It appearing that the true name of the defendant named in the amended complaint as John Doe Echevarria is Pedro Echevarria, it was ordered that the amended complaint be amended by substituting the true name of said defendant, Pedro Echevarria for said John Doe Echevarria; and it appearing that the true name of the cross-complainant named in his cross-complaint as John Mullenberg is John Malmberg, it was ordered that said cross complaint be amended by substituting the true name of said defendant, John Malmberg, for said John Mullenberg.

It appearing to the satisfaction of the court that defendants, Charles H. Morehouse, Alva Reed, Delos Foreman, Thomas Payne, John Kidd, John Skillern, The Castle Falls Mining Company, a corporation, and J. W. Conley, H. P. Ross, P. M. Bloom, A. S. Garber, and S. L. Kennedy, as directors and statutory trustees of said Castle Falls Mining Company, a corporation, (whose charter has been forfeited), have been regularly served with summons herein and with the complaint and amended complaints of plaintiff, and with the crosscomplaints filed herein, and that their time for answering each of said complaints and cross-complaints has expired, and that they and each of them have failed to answer the same, or any of them, or to make other appearance in said cause, the default of each of said defendants was duly entered; and that defendants, Della Pethel and John Pethel having appeared by their attorney, C. S. Hunter, Esquire, and having demurred to the complaint and their demurrer having been overruled, and they having refused to plead further, the default of said Della Pethel and John Pethel was duly

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entered.

Whereupon, the following stipulation was made by and between all of the aforesaid parties appearing by counsel in open court, to-wit:

"It is stipulated as between the parties to this action that, Whereas, a decree was heretofore, on May 18th, 1914, entered in the District Court of the Third Judicial District of the State of Idaho, in and for Owyhee County, in the cause wherein William D. Evans, et al, were plaintiffs and William Toy, et al, were defendants, adjudicating the rights in the waters of Castle Creek as between the parties hereto who were parties to said former action and their successors in interest respectively, the parties to this action have agreed that the respective priorities as specified in said former decree shall remain in full force and effect except that the plaintiff herein shall be decreed the right to the use of 90 inches of the waters of said Castle Creek, with priorities as follows:

1870-----	25 inches,
1873-----	5 inches,
1874-----	10 inches,
1885-----	10 inches,
1887-----	20 inches,
1890-----	20 inches,

and providing, that where more than one right is by said prior decree and by this stipulation fixed for the same year, they will all take equal rank as to priority.

"The said water rights of said J. L. Davey shall be decreed for his land described in said complaint.

"The rights of all parties hereto in the waters of said creek which they respectively claim as of a prior date later than the date of said former decree, or which are not adjudicated by the former decree, or which were not completed at the date of said former decree, shall be subject of a further stipulation among the respective parties, or trial, if no stipulation is made, and shall be included in any decree made herein; provided, that if said further stipulation, or trial, shall not be completed within 30 days from the date hereof, or final decision in said matter had within said time, the court shall enter a final decree as to the respective water rights governed by this stipulation, and such as may be stipulated within said time, and that subsequent decree may further be entered, settling the rights of the parties not settled by the decree just referred to."

And it appearing that a decree was heretofore, on May 13, 1914, entered in this court in an action wherein William D. Evans, et al, were plaintiffs, and William Toy, et al, were defendants, adjudicating to the parties thereto the waters of Castle Creek in Owyhee County, Idaho, as therein set forth, being the

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-45-

the decree referred to in aforesaid stipulation, and that since the entry of said decree, the defendant herein, Joseph W. Hardiman, has succeeded to the water rights awarded to Hardiman Brothers, consisting of Charles I. Hardiman, Joseph W. Hardiman and Eugene A. Hardiman, described in said former decree; that Walter B. Jones, since the said former decree, has succeeded to the water rights awarded to Maggie Devine, described in said former decree; that Thomas A. Foreman, since the said former decree, has succeeded to the water rights awarded to Charles H. Morehouse, described in said former decree; that Amsey Crill, since said former decree, has succeeded to the water rights awarded to Wilbur Mossman, described in said former decree; that George F. Brown and James E. Murphy, since said former decree, have succeeded to the water rights awarded to Victor Gabica, described in said former decree; that George F. Brown, since said former decree, has succeeded to the water rights awarded to Harlan Clark, described in said former decree; that William Gordy, since said former decree, has succeeded to the water rights awarded to E. F. Dunham, described in said former decree; that Milt Carothers, since said former decree, has succeeded to the water rights awarded to Fred T. Smith, described in said former decree; that John Malmberg, since said former decree, has succeeded to the water rights awarded to Martha Henderson, described in said former decree, so far as the land therein described as her homestead entry and the water right thereto decreed is involved; and agreement having been reached pursuant to said stipulation; and findings of fact and conclusions of law having been specifically waived by all parties in open court,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED:

1. That the waters of Castle Creek, Owyhee County, Idaho, be and the same are hereby allotted and decreed to the several parties to this suit in the amount, priorities and for the lands, hereinafter set forth, for the irrigating of the lands owned by them respectively at the date hereof and described in the complaint, answers and cross-complaints of the parties hereto and for domestic use and for live stock according to the date of priority on which the said waters were first diverted and used upon said lands and in the quantity so diverted as hereinafter specifically set forth. That where more than one right is fixed upon the same date, they will all take equal rank as to priority. That the various rights so decreed and allotted, with the date of the right, the party to whom allotted and decreed, and the amount of water allotted,

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and the lands for which allotted, are as follows:

Name of Party	Source of Water	Date of Priority	Amt. in inches.	Des. of Land	All Owyhee County	Sec.	Twp.	Range
				(subd)				
William Toy	Castle Creek	1870	25	SE $\frac{1}{4}$ NE $\frac{1}{4}$				
		1885	20	E $\frac{1}{2}$ SE $\frac{1}{4}$				
		1887	20	SW $\frac{1}{4}$ SE $\frac{1}{4}$				
		1895	30	NE $\frac{1}{4}$ NE $\frac{1}{4}$	29	5S	1 E.	B. M.
		1906	15	S $\frac{1}{2}$ SW $\frac{1}{4}$	21			
		1908	20	N $\frac{1}{2}$ NW $\frac{1}{4}$	28	5 S.	1E.	B. M.
Joseph W. Hardiman (successor to Hardiman Bros. consisting of Joseph Hardi- man, Charles I. Hardiman, and Eugene A. Hardiman)								
Castle Creek	1870	25	E $\frac{1}{2}$ NW $\frac{1}{4}$					
	1887	5	SW $\frac{1}{4}$ NW $\frac{1}{4}$					
	1890	30	NW $\frac{1}{4}$ SW $\frac{1}{4}$					
	1902	10	NE $\frac{1}{4}$ SW $\frac{1}{4}$	21	5 S	1 E.	B. M.	
	1906	15						
Lillian L. Evans & William D. Evans								
Castle Creek	1870	25	SW $\frac{1}{4}$ NW $\frac{1}{4}$					
	1871	20	W $\frac{1}{2}$ SW $\frac{1}{4}$	10				
	1887	30	SE $\frac{1}{4}$ SE $\frac{1}{4}$					
	1890	25	E $\frac{1}{2}$ NE $\frac{1}{4}$	9				
	1895	20	NE $\frac{1}{4}$ SE $\frac{1}{4}$		5 S.	1 E.	B. M.	
	1902-1906							
Andrew T. Evans	Castle Creek	1870	25	NE $\frac{1}{4}$ NE $\frac{1}{4}$				
		1899	18	S $\frac{1}{2}$ NE $\frac{1}{4}$				
		1901	15	SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	16	5 S.	1 E.	B. M.
James L. Davey								
Castle Creek	1870	25	N $\frac{1}{2}$ NW $\frac{1}{4}$	13				
	1873	5	E $\frac{1}{2}$ NE $\frac{1}{4}$	14				
	1874	10	SE $\frac{1}{4}$ SW $\frac{1}{4}$					
	1885	10	W $\frac{1}{2}$ SE $\frac{1}{4}$	12				
	1887	20	NW $\frac{1}{4}$ NE $\frac{1}{4}$	13	6 S.	1 W.	B. M.	
	1890	20						
Urcilla McDonough								
Castle Creek	1874	5	W $\frac{1}{2}$ SE $\frac{1}{4}$					
	1885	15	SW $\frac{1}{4}$ NE $\frac{1}{4}$					
	1887	4	Lot 2	3	5 S.	1 E.	B. M.	
	1890	5						
	1896	14						
	1906	10						
1908	17							
John J. Evans								
Castle Creek	1874	12	E $\frac{1}{2}$ SE $\frac{1}{4}$					
	1885	18	SE $\frac{1}{4}$ NE $\frac{1}{4}$	34	4 S			
	1887	10	SW $\frac{1}{4}$ NE $\frac{1}{4}$	35	4 S.			
	1895	5	NE $\frac{1}{4}$ NE $\frac{1}{4}$	3	5 S.			
	1896	15	NW $\frac{1}{4}$ NW $\frac{1}{4}$	2				
	1899	20	W $\frac{1}{2}$ SW $\frac{1}{4}$	35	4 S.	1E.	B. M.	
1906	10							
J. M. Morgan								
Castle Creek	1874	1	Lot 3					
	1906	6	Lot 4	6	4 S.	2 E.	B. M.	
	1908	3 $\frac{1}{4}$	Lot 4 Lot 5	31	3 S.	2 E.	B. M.	

Name of Party	Source of Water	Date of Priority	Amt. in inches.	Des. of Land.	All Owyhee County Sec. Twp. Range.
Thomas A. Foreman	Castle Creek	1874	10	SE $\frac{1}{4}$ SE $\frac{1}{4}$	27
		1885	20	E $\frac{1}{2}$ SW $\frac{1}{4}$	
		1887	10	W $\frac{1}{2}$ SE $\frac{1}{4}$	26 4 S. 1 E. B. M.
		1895	5	SW $\frac{1}{4}$ SW $\frac{1}{4}$	
		1896	15	NW $\frac{1}{4}$ NW $\frac{1}{4}$	35
		1899	20		
		1902	10		
		1906	10		
		1908	10		
Thomas A. Foreman (successor to Charles H. Morehouse)	Castle Creek	1897	50	E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	26 4 S. 1 E. B. M.
Amsey Crill (successor to Wilbur Mossman)	Castle Creek	1878	8	W1 Sparks Ranch in SW $\frac{1}{4}$ NW $\frac{1}{4}$	
		1900	7 $\frac{1}{2}$	Sec. 9; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10	7 S. 1 W. B. M.
Amsey Crill	Castle Creek	1884	8	Formerly F. Zwicher ranch in SE $\frac{1}{4}$ Sec. 9	
		1904	2	SW $\frac{1}{4}$ Sec. 10	7 S. 1 W. B. M.
		1911	2		
Amsey Crill	Castle Creek	1913	8	W $\frac{1}{2}$ NE $\frac{1}{4}$	16 7 S. 1 W. B. M.
Amsey Crill	Pixley Creek	1918	11	SW $\frac{1}{4}$ NW $\frac{1}{4}$	10 7 S. 1 W. B. M.
Thomas D. Henderson & Donald Henderson	Castle Creek	1885	✓ 20	W $\frac{1}{2}$ SW $\frac{1}{4}$	24 4 S. 1 E. B. M. ✓
		1887	✓ 35	E $\frac{1}{2}$ SE $\frac{1}{4}$	23
Walter B. Jones (successor to Maglie Devine & Robert J. Kelley)	Castle Creek	1885	15	S $\frac{1}{2}$ NW $\frac{1}{4}$	
		1887	20	NE $\frac{1}{4}$ SW $\frac{1}{4}$	24 4 S. 1 E. B. M.
		1906	6		
		1908	20		
John Malmberg (successor to Martha Henderson)	Castle Creek	1886	30	SE $\frac{1}{4}$ SW $\frac{1}{4}$	3
		1887	5	E $\frac{1}{2}$ NW $\frac{1}{4}$	
		1890	5	NW $\frac{1}{4}$ NW $\frac{1}{4}$	10 5 S. 1 E. B. M.
		1896	4		
		1908	8		
Milt Carothers (successor to Fred T. Smith)	Castle Creek	1888	20	SW $\frac{1}{4}$ SW $\frac{1}{4}$	23 6 S. 1 W. B. M.
		1903	5		
Martha Henderson	Castle Creek	1897	7	NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$	25 4 S. 1 E. B. M.
William Cordy (successor to E. F. Dunham)	Castle Creek	1898	15	E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	23 7 S. 1 W. B. M.
				(Lands formerly owned by John Goodman),	

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Name of Party	Source of Water	Date of Priority	Amt. in inches.	Des. of Land (subd)	All Owyhee County Sec. Twp. Range.
John Henderson	Castle Creek	1899 1902 1906	3 7 3	NW $\frac{1}{4}$ NW $\frac{1}{4}$	25 4 S. 1 E. B. M.
George F. Brown and James E. Murphy (successors to Victor Gabica.)	Castle Creek	1901 1902 1904 1905 1907 1908	15 5 5 5 10 5	NW $\frac{1}{4}$ NW $\frac{1}{4}$ W $\frac{1}{2}$ SW $\frac{1}{4}$	10 7 S. 2 W. B. M. 3
George P. Brown (successor to Harlan Clark)	Castle Creek	1903 1904 1905 1906 1907 1908	5 5 5 5 15 3	SW $\frac{1}{4}$	36 3 S. 1 E. B. M.
James Henderson and John Henderson under License #6258)	Castle Creek	July 18, 1910 1.04 sec. ft. 20 32		NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	35 4 S. 1 E. B. M. 25
Anna Joyce (successor to Alex Delapp Under License #7743)	Castle Creek	Sept. 20, 1911 25 (.5 sec. ft.) Oct. 2, 1912 14 (.28 sec. ft.)		E $\frac{1}{2}$ NW $\frac{1}{4}$ E $\frac{1}{2}$ SW $\frac{1}{4}$	34 6 S. 2 W. B. M.
John Munger (water license #8602)	Castle Creek	August 10, 1912 25 (.5 sec. ft.)		SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$	34 4 S. 1 E. B. M.
Edna Munger (water License #2776)	Castle Creek	Sept. 3, 1915 20 (.4 sec. ft.)		SW $\frac{1}{4}$ SE $\frac{1}{4}$	34 4 S. 1 E. B. M.
Charles Johnson	Alder Creek and Johnson Reservoir.	1894 1908 1913 Mar. 31, 1921	10 32 25 54 (1.08 sec. ft. water license #15135.)	N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	15 6 S. 1 W. B. M.
Thomas D. Henderson. (Water License #6151)	Castle Creek	May 23, 1910 50		SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	13 4 S. 1 E. B. M. 24

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Name of Party	Source of Water.	Date of Priority	Amt. in Inches.	Des. of Land (Subd)	All Owyhee Coun. Sec. Twp. Range.
Fred D. Henderson and Thomas D. Henderson. (water license #9895)	Castle Creek	Nov. 11, 1913	75	NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$	23 4 S. 1 E. B. M. 24
James L. Wees (Water License #3301)	Castle Creek	Dec. 10, 1907	55	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	35 3 S. 1 E. B. M.
Mina B Torence (Water License #3301)	Castle Creek	Dec. 10, 1907	55	Lot 4 SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	1 4 S. 1 E. B. M.

That the water so decreed to the said parties shall be appurtenant to the lands owned by them respectively and which are described above.

The water above decreed is the amount above stated measured under a four-inch pressure.

The several parties to this action whose rights to the use of the waters of said streams are of even date, are entitled, whenever the amount of water flowing in the channel of said streams is insufficient in quantity to supply all of said parties with the amounts herein decreed, to share in the use of the available supply in the proportion that the several quantities awarded as of the same date, bear to the total available supply for said rights, but subject to the prior rights awarded hereby.

Each and every party hereto is, and his agents, attorneys, employees, privies and successors in interest, are, hereby enjoined and restrained from interfering, in any manner, with the rights of prior appropriators, as herein decreed, and from obstructing, using and wasting the waters of said streams to the injury of such prior appropriators.

That the defendants hereinafter named are the holders of certain water permits issued by the State of Idaho as hereinafter designated, and this decree is not intended to, nor does it, interfere with or prevent the acquiring of such licenses or further licenses under the said permits upon performance of the requirements of law relating to the securing of such licenses or further licenses, notwithstanding that such licenses or further licenses may grant rights or priorities earlier than the date of this decree or of rights herein decreed:

James Henderson and John Henderson, Permit No. 6258,

Amsey Crill, Permit No. 15652 (Castle Creek and Pixley Creek),

Charles Johnson, Permit No. 15135, (Alder Creek and Johnson Reservoir),

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Lillian L. Evans, Permit No. 15427,

W. D. Evans and Lillian L. Evans, Permit No. 15113.

James L. Davey, Permits No. 12842 and No. 15712,

Pedro Echevarria and William T. Skillern, Permit No. 5996,

A. T. Evans, Permit No. 15112,

John J. Evans, Permit No. 12871,

Donald F. Henderson, Permit No. 9901,

Thomas D. Henderson, Permit No. 6151,

Robert W. Henderson (successor to Robert W. Henderson and
James Henderson) Permit No. 11266,

Edna Munger, Permit No. 11494,

John H. Munger, Permit No. 8602,

Anna Joyce, (successor to Alex Delapp) Permit No. 7743.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED: That the foregoing rights are established and shall be in operation during the irrigation season from the 1st day of April to and until the 15th day of October of each year. It is further adjudged that the average amount of water required each year for the irrigation of the lands hereinbefore described during such season is one inch of water to the acre. It is further adjudged that the waters hereinbefore decreed shall be diverted and applied to the respective lands to which they are made appurtenant as aforesaid, by means of the headgates, ditches and laterals owned by the respective parties at the date of this decree. It is further adjudged and decreed that each party shall pay his own costs herein.

Done in open court this 15th day of May, 1923.

/s/ M. J. Church
District Judge.

State of Idaho)
County of Ada) ss

I, STEPHEN UTTER, Clerk of the District Court of the Third Judicial District of the State of Idaho, in and for the County of Ada, do hereby certify that the foregoing is a true and correct copy of the original Decree filed in the above entitled action and remaining now on file in my office at Boise City, Ada County, Idaho.

Given under my hand and the seal of said Court, at office in Boise City, Ada County, Idaho this the 16th day of May, 1923.

/s/ Stephen Utter,
Clerk

By /s/ Thos E. Powell Deputy
(SEAL)

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: A57-00091
Date Received: 11/02/1988
Receipt No: 6005065
Received By: DL 11/17/89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GORDON G. KING
Address: P.O. BOX 36
MURPHY, ID 83650

AND/OR

Name: ROSE M. KING
Address: P.O. BOX 36
MURPHY, ID 83650

2. Date of Priority: JUN 01, 1874

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	01E	35	SW	NE	NW		OWYHEE
05S	01E	3	SE	NW	NE	2	OWYHEE

5. Description of diverting works:
2 DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.200		
STOCKWATER	01/01	12/31	0.200		

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

8. Total consumptive use is 1872.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER 1000 HEAD MIXED STOCK

A57-00091

Page 1

Date: 01/06/89

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres			
04S	01E	26	NE		NE		IRR	40.0			
			SW		NE		IRR	40.0			
			SE		NE		IRR	40.0			
			SW		NW		IRR	19.0			
			SE		NW		IRR	29.0			
			NE		SW		IRR	40.0			
			NW		SW		IRR	38.0			
			SW		SW		IRR	36.0			
			SE		SW		IRR	40.0			
			NE		SE		IRR	40.0			
			NW		SE		IRR	40.0			
			SW		SE		IRR	40.0			
										Section Acres	442.0
				34	NE		NE		IRR	35.0	
										Section Acres	35.0
				35	NE		NW		IRR	18.0	
		NW		NW		IRR	40.0				
							Section Acres	58.0			
							Total Acres	535.0			

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:
SEE GORDON KING RIGHTS.

14. Remarks:

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

JAMES L. DAVEY
Decree Plaintiff

vs

GEORGE F. BROWN ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Gordon J. King Date: 1-12-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12 day

of January 19 89

Seal

[Signature]
Notary Public

Residing at Boise, ID
My Commission Expires June 10, 1994

Water Right Number - 57-00091

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
FOREMAN

THOMAS A.

1 -

2 -

3 -

City-

Phone -

State-

Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/01/1874 14 D - DECREED

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

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

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 -	IRRIGATION	04/01	10/15		0.200	
43 -	DOMESTIC					
04 -	STOCKWATER					

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.200

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
04S	01E	26	NE SW			01	IRRIGATION	73 OWYHEE
04S	01E	26	SW SW			01	IRRIGATION	73 OWYHEE
04S	01E	26	SE SW			01	IRRIGATION	73 OWYHEE
04S	01E	26	NW SE			01	IRRIGATION	73 OWYHEE
04S	01E	26	SW SE			01	IRRIGATION	73 OWYHEE
04S	01E	27	SE SE			01	IRRIGATION	73 OWYHEE
04S	01E	35	NW NW			01	IRRIGATION	73 OWYHEE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
No Remarks found.

MICROFILMED

NOT A 2

Water right number - 57-00091

Adj. flag translation: Standard Water Right Number

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +
JAMES L. DAVEY

+ - - - Decree Defendant - - - +
GEORGE F. BROWN ET. AL.

+ - Decree Date - +
05/15/1923

+ - - Audit Fields - 02/11/86

05/01/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000
Approved/Denied - 00/00/0000
Proof Made Date - 00/00/0000
Start Work Date - 00/00/0000
Order Show Cause - 00/00/0000
Licensed Date - 00/00/0000
Decree Date - 05/15/1923

Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 00/00/0000
Receipt Number -
Appl Received - 00/00/0000
Presumption Flag -

Field Exam Fee -
Swan Falls -
Temporary Right - P
DLE/Carey Act -
Water District - 57C
Transfer/Amended -

Microfilm Roll Number -

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OCT 06 1992

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00091 Date: 5-19-03

	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	26	18		10	30					18	5	23	35	12	25	3		179
GIS				18		14	32					17	19	25	34	6.7	24	2.4		175
Claim			34	13																13
GIS				16																16
Claim			35					12	37											49
GIS								11	39											50
Claim																				
GIS																				

Number of POD's 2

Total Claimed Acres: 241

Total GIS Acres: 241

Overlapping FOU Claim #'s:

57-00109, 57-00136, 57-00152, 57-00128, 57-02253,
57-02246, 57-00099, 57-02132 A, 57-00163, 57-00118
57-00122, 57-00124

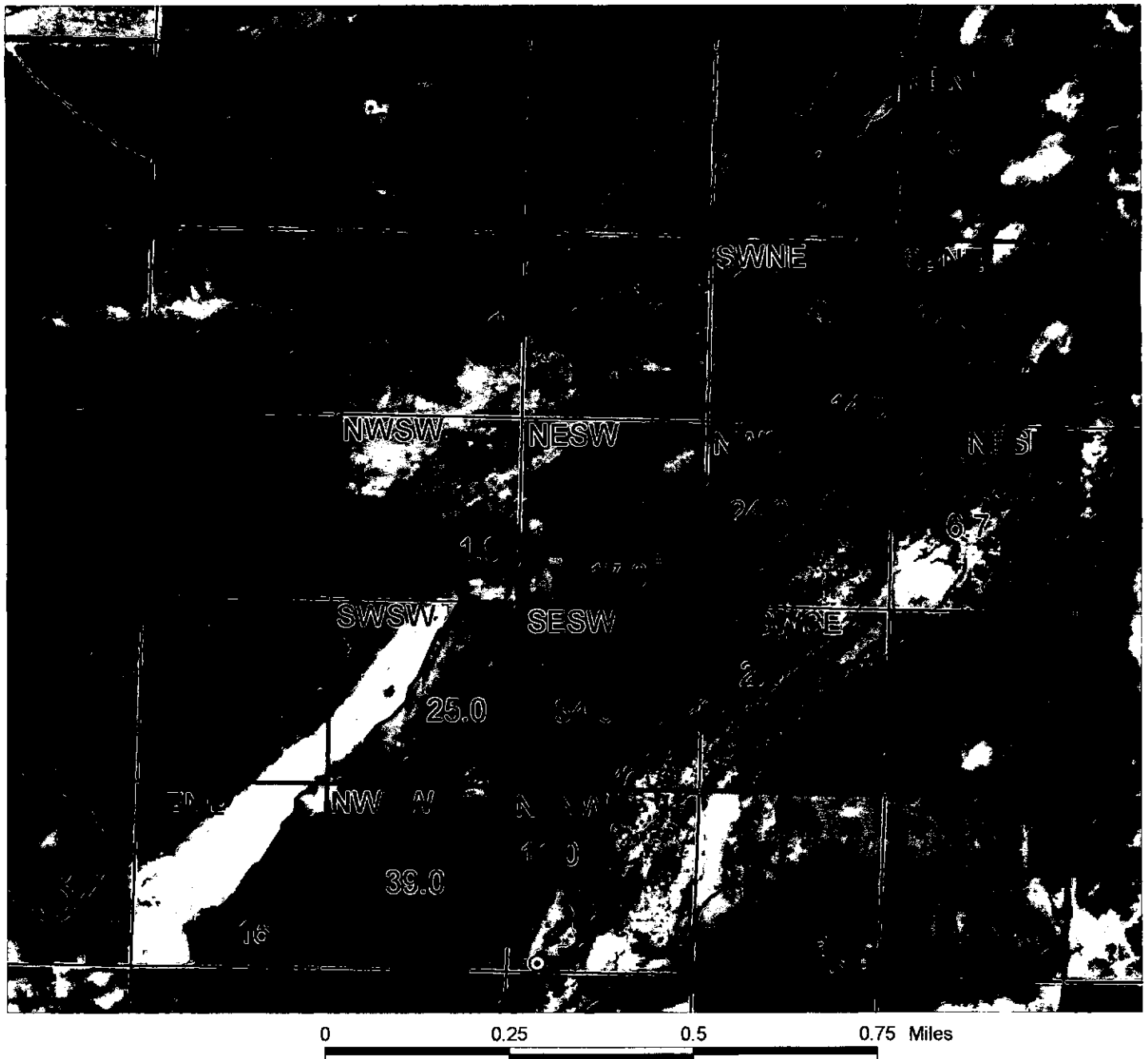
COMMENTS:

Per county data and claim map excluding the new
pod included during the 2-28-91 field exam.

PODs - per POD claim map,

Idaho Department of Water Resources

1987 Napp Photo



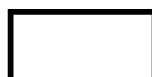
Claim Number: 57-00091
 Legal: T04S, R01E, S26,
 34, 35
 Reviewed By:



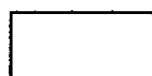
Point of Diversion
 (One located outside of view)



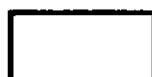
Place of Use



Section Lines



Quarter Quarter Lines



Township/Range Lines

