

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 9895

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. R. E. Barber 42 Creana Farmer Creana Idaho

Ques. 2. Are you acquainted with Fred D. Henderson & Tom D. Henderson the holder of Permit No. 9895? How long have you known him and where does he reside?

Ans. yes one year on Castle Creek Idaho

Ques. 3. Have you read or heard read said Permit No. 9895, and are you familiar with its provisions and conditions?

Ans. yes yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Castle Creek S E 1/4 S W 1/4 Sec 26
4 S R 1 E B M. Ditch and Dam

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 800 inches about 800 inches

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation Henderson Ranch S E 1/4 S E 1/4
Sec. 23 N 1/2 S W 1/4 Sec 24 4 S R 1 E B M
130 acres irrigated on Ranch Cultivated
alfalfa different kinds of Hay grain and garden and
Semi Pasture Land

9895

MICROFILMED
OCT 27 1962

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. deep loam with lighter soil
one inch to the acre

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans.

No.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans.

I have seen water on this land
at different times of the year 1922

(Sign)

R. E. Burdick

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Butte Creek County of Idaho State of Idaho, on this 22 day of December A. D. 1922.

Martha Henderson

Notary Public

My commission expires Dec 21 1925

9597



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 9895

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Frank J Davis 67 years Farmer Creana Idaho

Ques. 2. Are you acquainted with Fred D Henderson & Tom D Henderson

holder of Permit No. 9895? How long have you known him and where does he reside?

Ans. 20 years Castle Creek Idaho

Ques. 3. Have you read or heard read said Permit No. 9895, and are you familiar with its provisions and conditions?

Ans. yes yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Castle Creek S E 1/4 S W 1/4 sec 26
4 R. 1 East B. M. Dam and Ditch

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 500 inches about 500 inches

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation at Henderson Ranch
S E 1/4 sec 23 N 1/2 S W 1/4 sec 24
130 acres Cultivated and Irrigated
on the Ranch Cultivated Hay and grain
Pasture Land

RECORDED
OCT 17 1992

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

sem Deep loam and sem lighter soil one inch to the acre

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans.

none

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans.

for the last few years i have seen Water on this Land at Defient times

(Sign)

Josiah J. Davis

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in *Castle Creek* County of *Cwyhee* State of Idaho, on this *22* day of *December* A.D. 1922.

Martha Henderson

Notary Public.

My commission expires *December 21, 1925.*

9895

RECEIVED
DEC 26 1922
DEPARTMENT OF RECLAMATION

RECEIVED
OCT 07 1932

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT No. 9895

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Fred D. Henderson and Tom D. Henderson
93 and 41 Castle Creek Farmers Creana Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 9895 Nov 11, 1913

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Castle Creek S E $\frac{1}{4}$ S W $\frac{1}{4}$ Sec 26
4 S R 1 E B M

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Dam and ditch 800 inches
Henderson ditch

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivate or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. irrigation S E $\frac{1}{4}$ S E $\frac{1}{4}$ Sec 23
W $\frac{1}{2}$ S W $\frac{1}{2}$ Sec 24 T 4 S R 1 E B M
25 acres in Sec 23. 50 acres in Sec 24

Ques. 7. If for other than for irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. _____

See next page

MICROFILMED
9895 OCT 17 1992

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans.

Water have been used since
year 1913

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and right claimed thereunder.

Ans.

We have a Decreed right on this
Land for 55 inches since 1885

Gred L Henderson
(Sign) Tom L Henderson

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Castle Creek County of Oneida

State of Idaho, on this 22 day of December A. D. 1922

Martha Henderson
Notary Public

9885



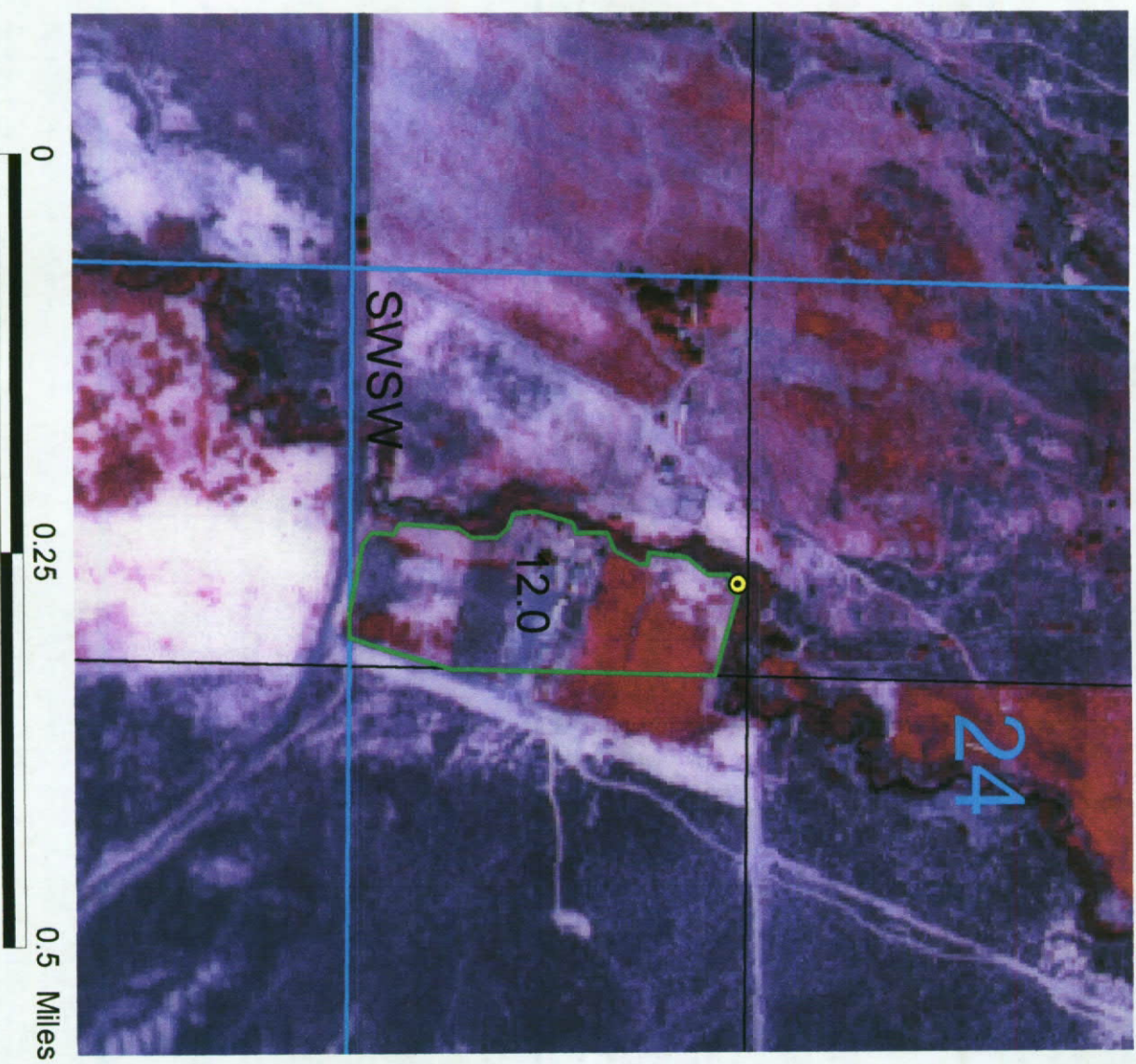
Idaho Department of Water Resources

Claim Number: 57-00097A

Legal: T04S, R01E, S24

Reviewed By:

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



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00097A
Date Received: 2/24/1989
Receipt No: W002300
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: PETROLEUM COMPANY, INC. 805-525-2144
Address: C/O RUSSELL FOX
P.O. BOX 592
SANTA PAULA, CA 93060

2. Date of Priority: JUN 01, 1887

3. Source: CASTLE CR. Trib. to: SNAKE R.

4. Point of Diversion:

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

5. Description of diverting works:
RK DAM, HOLDING POND, PUMP, MAINLINE & HANDLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.280		
STOCKWATER	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 49.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC/1 HOME; STOCK/ 200 HD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	24	SW	SW		IRR	14.0

A57-00097A

Page 1

Date: 10/17/90

MICROFILMED
OCT 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	24	SW	SW		DOMEST	
			SW	SW		STOCK	

Section Acres 14.0

Total Acres 14.0

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:
A57-00106A

14. Remarks:
INSTREAM STOCKWATER
POINT OF DIVERSION CORRECTED PER REVIEW OF CLAIM FILE AND MAP
ATTACHED TO CLAIM - KW.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 5/15/1923

JAMES L. DAVEY
Decree Plaintiff

vs

GEORGE F. BROWN, ET AL
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 07 1992

RECEIVED

NOV 03 2000

08/29/2000

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW Department of Water Resources

RIGHT NUMBER: 57-97A

NAME AND ADDRESS: GISELA SCHAAL
HC 79 BOX 2287
MURPHY, ID 83650

SOURCE: CASTLE CREEK TRIBUTARY: Snake River

QUANTITY: 0.05 CFS

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

USE OF THIS RIGHT WITH RIGHT NOS. 57-00106A, 57-00237A AND
02-07274B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.24
CFS

PRIORITY DATE: 04/01/1885

POINT OF DIVERSION: T04S R01E S24 NESWSW Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-15	0.05 CFS
STOCKWATER	4-01 10-15	0.05 CFS

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

PLACE OF USE:

IRRIGATION Within OWYHEE County
T04S R01E S24 SWSW 12
12 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00106A, 57-00237A AND
02-07274B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
14 ACRES IN A SINGLE IRRIGATION SEASON

RECEIVED

NOV 03 2000

Department of Water Resources

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

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 AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF DIVERSION IN THE SWSW, S24, T04S, R01E, ONLY THE AMOUNT OF WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S26, T04S, R01E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE MAINTAINED IN CASTLE CREEK AT THE OLD POINT OF DIVERSION AND IN THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER TO WHICH THE RIGHT HOLDER IS ENTITLED.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00106A, 57-00098A, 57-00107A, 57-00129, 57-00137, 57-00151A, 57-00153, 57-00160B, 57-00236 AND 57-00237A

STOCKWATER, 200 HD RANGE CATTLE

RECEIVED

NOV 03 2000

Department of Water Resources

RECEIVED

OCT 30 2000

WATER RESOURCES
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF

IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)
)
)
)
)
)
**NOTICE OF
COMPLETED
ADMINISTRATIVE
PROCEEDINGS**

57-00097A*, 57-00098A, 57-00106A*,
57-00107A, 57-00129, 57-00137,
57-00151A, 57-00153, 57-00160B,
57-00236, 57-00237A*

IDWR has completed the following Administrative Proceeding:

CHANGE OF ADDRESS

Name of Claimant:

Gisela Schaal
HC 79, Box 2287
Murphy, ID 83650

Claimant's Water Rights:

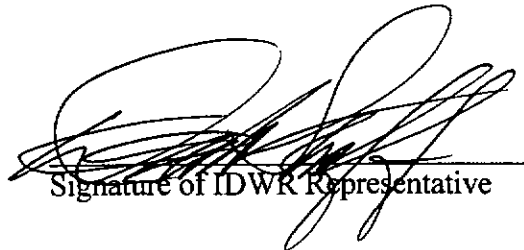
See Above

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

IDWR has served copies of the *Notice of Completed Administrative Proceeding and Amended Director's Report* on the claimant and all parties in the subcase affected, if any, as reflected on the attached certificate of mailing.

DATED:

8/30/00


Signature of IDWR Representative

RECEIVED

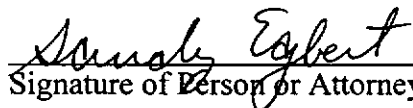
NOV 03 2000

Department of Water Resources

CERTIFICATE OF MAILING

I certify that on 9-7-00, 2000, I mailed the original and copies of this form, to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707
2. One copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449
3. One copy to:
United States Dept. Of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724
4. One copy to:
Gisela Schaal
HC 79, Box 2287
Murphy, ID 83650



Signature of Person or Attorney Mailing the Form

RECEIVED

RECEIVED

NOV 03 2000

AUG 14 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTOR

July 18, 2000

Gisela Schaal
HC 79 Box 2287
Murphy ID 83650

Re: Snake River Basin Adjudication (SRBA)
 Water Rights #A02-02261D, A02-07274B, A02-07281, 57-00097A, 57-00098A,
 57-00106A, 57-00107A, 57-00129, 57-00137, 57-00151A, 57-00153,
 57-00160B, 5700236, 57-00237A, and 57-10451*
Change of Address

Dear Claimant:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by August 11, 2000. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
 Sally Sherman
 Technical Records Specialist
 Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Gisela Schaal
 Claimant Signature

208-834-3099
 Telephone No.

*Records modified
 8-16-00
 ps*

*Count 57's - need KE #121
 + address one*

*all 57 records also modified;
 NCAP prepared. 8-28-00
 ps*

**STATE OF IDAHO
DEPARTMENT OF WATER RESO
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098**

Return Service Requested

Time: 10:10 AM
 Date: 10/10/2010
 To: [redacted]
 From: [redacted]
 Subject: [redacted]
 Do not remove to file

**PRESORTED
FIRST CLASS**

JAN 06 '92

112
D
S
L
C

HK 79 Box 2387
Murphy, IL 62654

PO BOX 201
GISELA SCHAAAL

RECEIVED
JAN 11 1999

[illegible]

TOTAL RECORDS IN SELECTION FILE: 27

2019年12月

[illegible]

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DEC - 1 1997

Department of Water Resources
Adjudication Bureau

1997 NOV 25 PM 4:37

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO

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

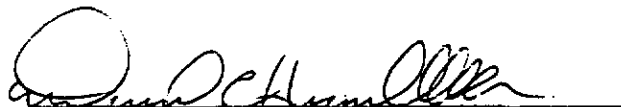
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-00097A
	)	

On August 19, 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 13f, 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 57-00097A is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 25, 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 SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-00097A

1997 NOV 25 PM 4:37
DISTRICT COURT-5th J.D.
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: GISELA SCHAAAL
PO BOX 201
GRANDVIEW ID 83624

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.05 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NOS. 57-00106A, 57-00237A AND
02-072748 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.24
CFS.

PRIORITY DATE: 04/01/1885

POINT OF DIVERSION: T04S R01E S24 NESWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.05 CFS
	STOCKWATER	04-01 10-15	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T04S R01E S24 SWSW 12
12 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00106A, 57-00237A AND
02-072748 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14
ACRES IN A SINGLE IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

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

THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF
DIVERSION IN THE SWSW, S24, T04S, R01E, ONLY THE AMOUNT OF
WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S26,
T04S, R01E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE
MAINTAINED IN CASTLE CREEK AT THE OLD POINT OF DIVERSION AND IN
THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE
IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER
TO WHICH THE RIGHT HOLDER IS ENTITLED.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED
AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN
02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE
DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF
THIS RIGHT AND THE BASIN 02 RIGHTS.



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

RULE 54(b) CERTIFICATE

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



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

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AUG 23 1997

Department of Water Resources
Adjudication Bureau

1997 AUG 19 AM 9:24

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED SL

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

In Re SRBA

) Subcase 57-00097A

Case No. 39576

)
)
) SPECIAL MASTER'S REPORT
)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

An objection to the *Director's Report* for water right 57-00097A was filed by United States (BLM). Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court.

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

IT IS THEREFORE RECOMMENDED that subcase 57-00097A be decreed as recommended in the attached *Special Master's Report and Recommendation for Partial Decree*.

DATED August 19, 1997.


FRITZ X. HAEMMERLE

Special Master, Reporting Area 2
Snake River Basin Adjudication

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

1997 AUG 19 AM 9:24

In Re SRBA)
Case No. 39576)
_____)

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-00097A
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *OL*

NAME & ADDRESS: GISELA SCHAAL
PO BOX 201
GRANDVIEW ID 83624

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.05 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NOS. 57-00106A, 57-00237A AND
02-072748 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.24
CFS.

PRIORITY DATE: 04/01/1885

POINT OF DIVERSION: T04S R01E S24 NESWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.05 CFS
	STOCKWATER	04-01 10-15	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T04S R01E S24 SWSW 12
12 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00106A, 57-00237A AND
02-072748 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14
ACRES IN A SINGLE IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

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

THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF
DIVERSION IN THE SWSW, S24, T04S, R01E, ONLY THE AMOUNT OF
WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S26,
T04S, R01E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE
MAINTAINED IN CASTLE CREEK AT THE OLD POINT OF DIVERSION AND IN
THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE
IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER
TO WHICH THE RIGHT HOLDER IS ENTITLED.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED
AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN
02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE
DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF
THIS RIGHT AND THE BASIN 02 RIGHTS.

DATED: 8/19/97

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

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-00097A

1997 AUG 19 AM 9:24

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

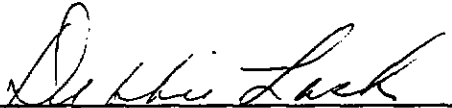
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-00097A

On August 19, 1997, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

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

DATED August 19, 1997.


DEBBIE LASH
Deputy Clerk

1997 AUG 19 AM 9:24

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED DL

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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 57-00097A

CERTIFICATE OF MAILING

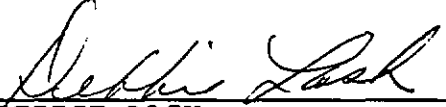
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on August 19, 1997, with sufficient first-class postage prepaid to the following:

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

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

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

GISELA SCHAAL
P.O. BOX 201
GRAND VIEW, ID 83624


DEBBIE LASH

CERTIFICATE OF MAILING

PAGE 1
08/19/97

RECEIVED

JUL 10 1997

Department of Water Resources
Adjudication Bureau

1997 JUL -9 PM 2:21

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED DL

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

In Re SRBA

) Subcase 57-00097A

Case No. 39576

)
) PRELIMINARY SPECIAL
) MASTER'S REPORT
)

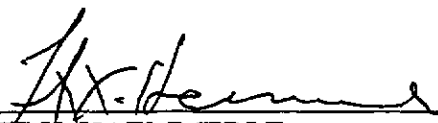
FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

An objection to the *Director's Report* for water right 57-00097A was filed by United States (BLM). Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court; now therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-00097A be decreed as recommended in the attached *Preliminary Special Master's Report and Recommendation for Partial Decree*.

DATED July 9, 1997.


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

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

1997 JUL -9 PM 2:22

In Re SRBA)
Case No. 39576)
_____)

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR COURT - SRBA
PARTIAL DECREE FOR TWIN FALLS CO., IDAHO
Water Right 57-00097A

NAME & ADDRESS: GISELA SCHAAL
PO BOX 201
GRANDVIEW ID 83624

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.05 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NOS. 57-00106A, 57-00237A AND
02-072748 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.24
CFS.

PRIORITY DATE: 04/01/1885

POINT OF DIVERSION: T04S R01E S24 NESWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	Irrigation Season	0.05 CFS
STOCKWATER	STOCKWATER	04-01 10-15	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T04S R01E S24 SWSW 12
12 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00106A, 57-00237A AND
02-072748 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 14
ACRES IN A SINGLE IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

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

THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF
DIVERSION IN THE SWSW, S24, T04S, R01E, ONLY THE AMOUNT OF
WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S26,
T04S, R01E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE
MAINTAINED IN CASTLE CREEK AT THE OLD POINT OF DIVERSION AND IN
THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE
IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER
TO WHICH THE RIGHT HOLDER IS ENTITLED.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED
AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN
02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE
DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF
THIS RIGHT AND THE BASIN 02 RIGHTS.

DATED: 7/9/97

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-00097A


FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

1997 JUL -9 PM 2: 22

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

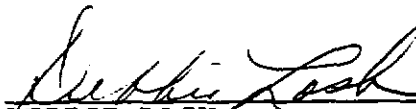
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-00097A

On July 09, 1997, Special Master FRITZ X HAEMMERLE
lodged a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY
SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative
Order 1 section 9 (f).

These documents are served only on parties to the subcase.
They are not served on the Presiding Judge. Parties to this subcase
may file a Motion to Alter or Amend with the Special Master, but
must do so before July 23, 1997.

DATED July 09, 1997.


DEBBIE LASH
Deputy Clerk

1997 JUL -9 PM 2:22

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-00097A

CERTIFICATE OF MAILING

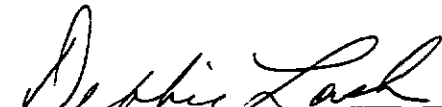
I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on July 09, 1997, with sufficient first-class postage prepaid to the following:

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

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

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

GISELA SCHAAL
P.O. BOX 201
GRAND VIEW, ID 83624


DEBBIE LASH

CERTIFICATE OF MAILING

PAGE 1
07/09/97

RECEIVED

JUN 11 1997

Department of Water Resources
Adjudication Bureau

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

**IN Re SRBA
Case No. 39576**

STANDARD FORM 5

SUBCASE NO: 57-00097A

**PROPOSED ELEMENTS OF A
WATER RIGHT**

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

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

INSTRUCTIONS FOR USE

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

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

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

1. The name and address of the claimant is:

Gisela
Gisela Schaal
P.O. Box 201
Grand View, ID 83624

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

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

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

.05 CFS

Use of this right with right numbers 57-00106A, 57-00237A and 02-07274B is limited to a total combined diversion rate of 0.24 CFS.

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

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

4. The priority date is: 04/01/1885

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

T04S R01E S24 NESWSW

The right holder is entitled to divert at the present point of diversion in the SWSW, S. 24, T. 4S, R. 1E, only the amount of water at the old point of diversion located in the SESW, S. 26, T. 4S, R. 1E, less a 20 percent loss. Measuring devices shall be maintained in Castle Creek at the old point of diversion and in the ditch at the present point of diversion. Water will not be impounded at the present point of diversion if there is not water to which the right holder is entitled.

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

6. The purpose of use is: Irrigation, Stockwater

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

Irrigation	Irrigation Season	.05 CFS
Stockwater	Irrigation Season	.05 CFS
Total Quantity:		.05 CFS

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

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

T04S R01E S24 SWSW 12.0

12.0 Acres Total

All POU's are located in Owyhee County.

Use of this right with right numbers 57-00106A, 57-00237A and 02-07274B is limited to the irrigation of a combined total of 12.0 acres in a single irrigation season.

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

9. The annual volume of consumptive use is:

Use of this right with right numbers 57-00106A, 57-00237A and 02-07274B is limited to a total combined annual consumptive use volume of 42.0 AF.

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

10. Other matters necessary to define this water right:

Explanatory Material: Basis of Claim - Decree

Right includes accomplished change in point of diversion pursuant to Idaho Code 42-1425A.

Rights have also been claimed to water from Basin 02 for the same purpose of use at the same place of use described above, which will be included in a director's report to be filed at a later date. Any water right recommended in the Basin 02 report for the same purpose of use at the same place of use described above will contain remarks limiting the combined use of this right and the Basin 02 rights.

The following rights are also diverted through point of diversion described above: 57-00098A, 57-00106A, 57-00107A, 57-00129, 57-00137, 57-00151A, 57-00153, 57-00160B, 57-00236 and 57-00237A.

The quantity of water decreed for stockwater purposes is not a determination of historical or beneficial use.

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

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

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

Name of Objector:

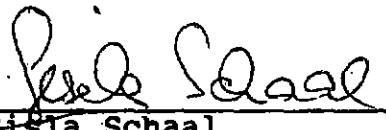
United States through
Department of Justice for BLM
601 Pennsylvania Ave., NW
Washington, DC 20004

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

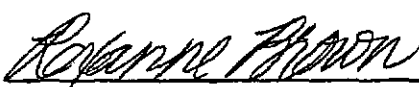
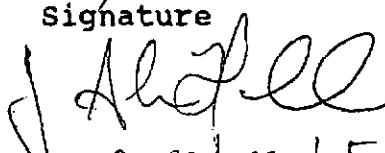

Signature Date 6/10/97

Name of Claimant:

Gisla Schaal
P.O. Box 201
Grand View, ID 83624


Gisla Schaal Date June 10-97
Gisela

IDWR Concurrence:


Signature Date 6/10/97

June 10 97
agreed as to Form

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on June 10, 1997, I served the original and copies of this form, including all attachments, to the following persons by hand delivery:

1. Original to:

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

2. Copies to:

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

Gisela Schaal
P.O. Box 201
Grandview, ID 83624

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

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

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

Paula Cline
Signature of person or
attorney mailing the form

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JUN-9-1997
PAGE: A-1

RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00097A

NAME & ADDRESS: GISELA SCHAAL
PO BOX 201
GRANDVIEW ID 83624

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.05 CFS

PRIORITY DATE: 04/01/1885

POINT OF DIVERSION: T04S R01E S24 NESWSW Within Owyhee County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION Irrigation Season *0.043* ~~0.05~~ CFS
STOCKWATER 04-01 10-15 0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T04S R01E S24 SWSW 12.0 ~~SESW 2.0~~
~~14.0~~ ACRES TOTAL
12.0
Place of use for STOCKWATER is same as IRRIGATION

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

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JUN-9-1997
PAGE: A-2

RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00097A (CONT)

OTHER PROVISIONS: (CONT)

USE OF THIS RIGHT WITH RIGHT NO'S. 57-00106A, 57-00237A & *0.24*
02-07274B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF ~~28~~
CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF ~~49~~ AF, AND *42.0*
TO THE IRRIGATION OF A COMBINED TOTAL OF ~~14~~ ACRES IN A SINGLE
IRRIGATION SEASON. *12.0*

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00098A, 57-00106A, 57-00107A, 57-00129,
57-00137, 57-00151A, 57-00153, 57-00160B, 57-00236 & 57-00237A.
THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF
DIVERSION IN THE SWSW, S. 24, T. 4S, R. 1E, ONLY THE AMOUNT OF
WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S. 26,
T. 4S, R. 1E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE
MAINTAINED IN CASTLE CREEK AT THE OLD POINT OF DIVERSION AND IN
THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE
IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER
TO WHICH THE RIGHT HOLDER IS ENTITLED.

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME
PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH
WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER
DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE
WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND
THE BASIN 02 RIGHTS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

AJ5809NP
No. 57-00097A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/14/97
PAGE: 2

Remarks:

THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE
IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER
TO WHICH THE RIGHT HOLDER IS ENTITLED.
RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME
PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH
WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER
DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE
WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND
THE BASIN 02 RIGHTS.

Dates: Exam Made Date: 10/18/1990 Verified Date: Objection Filed Date: 02/26/1993

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

Comments: Date: 05/18/1992 User-ID: SHURTE Subject: CHANGE OF OWNERSHIP PER FORM SUBMITTED 4-22-92. JS

Date: 01/12/1996 User-ID: LHARRIS Subject: NAME CHANGE
NAME CHANGED PER OWNERSHIP CHANGE REQUEST RECEIVED 1/4/96.

Date: 02/05/1996 User-ID: LHARRIS Subject: NAME CHANGE
THE DATA IN THE NAME FILE WAS CHANGED WITHOUT THE ABOVE USER
NOTING EXACTLY WHAT WAS CHANGED. TYPICALLY THIS CHANGE IS TO
THE CURRENT OWNER OF THE WATER RIGHT. HOWEVER, THE CHANGE MAY
BE TO ADD OR DELETE AN ATTORNEY OR LIENHOLDER, FOR EXAMPLE,
WITHOUT CHANGING THE CURRENT OWNER OF THE WATER RIGHT.

Audit: 08/01/91 WHITNEY 09/30/91 HARRIS 12/03/91 SHURTE 05/18/92 SHURTE
06/04/92 SHURTE 07/29/92 PR-PROD 07/29/92 PR-PROD 10/13/92 CPSHAW
12/05/92 ADT-SHAW 06/16/93 CMDATFIX 07/21/93 UPD-SCHU 02/13/95 JSHURTE
03/29/95 POST-STD 01/12/96 LHARRIS 02/05/96 LHARRIS

DATE: 05/14/97
PAGE: 3

Remarks: GEN THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF DIVERSION IN THE SWSH, S. 24, T. 4S, R. 1E, ONLY THE AMOUNT OF WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S. 26, T. 4S, R. 1E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE MAINTAINED IN CASTLE CREEK AT THE OLD POINT OF DIVERSION AND IN THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER TO WHICH THE RIGHT HOLDER IS ENTITLED.

USE OF THIS RIGHT WITH RIGHT NO. 57-00107A, 57-00151A & 57-00160B IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 115.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 33 ACRES IN A SINGLE IRRIGATION SEASON.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION

AJ5809NP
No. 57-00098A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/14/97
PAGE: 4

Remarks:

DESCRIBED ABOVE: 57-00097A, 57-00106A, 57-00107A, 57-00129,
57-00137, 57-00151A, 57-00153, 57-00160B, 57-00236 & 57-00237A.
RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME
PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH
WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER
DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE
WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND
THE BASIN 02 RIGHTS.

Dates: Exam Made Date: 10/18/1990 Verified Date: Objection Filed Date:

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

Comments: Date: 05/18/1992 User-ID: SHURTE Subject: CHANGE OF OWNERSHIP PER FORM SUBMITTED 4-22-92. JS

Date: 01/16/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.

*CONFORMED NAME/ADDRESS TO AVOID DUPLICATE MAILING LABELS

Date: 01/26/1996 User-ID: LHARRIS Subject: NAME CHANGE
NAME CHANGED PER NOTICE OF OWNERSHIP CHANGE RECEIVED 1/4/96.

Audit:

08/01/91 WHITNEY 09/23/91 HARRIS 09/30/91 HARRIS
12/06/91 SHURTE 05/18/92 SHURTE 06/04/92 SHURTE 07/29/92 PR-PROD
07/29/92 PR-PROD 10/13/92 CPSHAW 12/05/92 ADT-SHAW 03/29/95 POST-STD
01/16/96 DSMITH 01/26/96 LHARRIS

Remarks:

THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER TO WHICH THE RIGHT HOLDER IS ENTITLED.
RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS.

Dates: Exam Made Date: 10/18/1990 Verified Date: Objection Filed Date: 02/26/1993

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

Comments: Date: 05/18/1992 User-ID: SHURTE Subject: OWNERSHIP CHANGED PER FORM REC'D 4-22-92. JS

Date: 01/16/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT OWNER CHANGE.
*CONFORMED NAME/ADDRESS TO AVOID DUPLICATE MAILING LABELS

Date: 02/05/1996 User-ID: LHARRIS Subject: NAME CHANGE
NAME CHANGED PER NOTICE OF OWNERSHIP CHANGE RECEIVED 1/4/96.

Audit: 08/01/91 WHITNEY 09/30/91 HARRIS 12/03/91 SHURTE 05/18/92 SHURTE
06/04/92 SHURTE 07/29/92 PR-PROD 07/29/92 PR-PROD 10/13/92 CPSHAW
12/05/92 ADT-SHAW 06/16/93 CMDATFIX 07/21/93 UPD-SCHU 03/29/95 POST-STD
01/16/96 DSMITH 02/05/96 LHARRIS

DATE: 05/14/97
PAGE: 7

DIVERSION
VOLUME

280.00 AFA

Stage: DECREED

OWYHEE County

SE

ESSES

Lt AC Lt AC

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TOTAL ACRES

of Approval:

C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
- TO IDAHO CODE 42-1416(1).

THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF DIVERSION IN THE SWSW, S. 24, T. 4S, R. 1E, ONLY THE AMOUNT OF WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S. 26, T. 4S, R. 1E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE MAINTAINED IN CASTLE CREEK AT THE OLD POINT OF DIVERSION AND IN THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER TO WHICH THE RIGHT HOLDER IS ENTITLED.

USE OF THIS RIGHT WITH RIGHT NO. 57-0098A, 57-00151A & 57-00160B IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 115.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 33 ACRES IN A SINGLE IRRIGATION SEASON.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION

AJ5809NP
No. 57-00107A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/14/97
PAGE: 8

Remarks:

DESCRIBED ABOVE: 57-00097A, 57-00098A, 57-00106A, 57-00129,
57-00137, 57-00151A, 57-00153, 57-00160B, 57-00236 & 57-00237A.
RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME
PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH
WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER
DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE
WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND
THE BASIN 02 RIGHTS.

Dates: Exam Made Date: 10/18/1990 Verified Date: Objection Filed Date:

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

Comments: Date: 05/18/1992 User-ID: SHURTE Subject: OWNERSHIP CHANGED PER CHANGE OF OWNERSHIP REC'D 4-22-92. JS

Date: 01/29/1996 User-ID: LHARRIS Subject: NAME CHANGE
NAME CHANGED PER NOTICE OF OWNERSHIP CHANGE RECEIVED 1/4/96.

Audit: 08/02/91 SHURTE 09/23/91 HARRIS 09/25/91 HARRIS 09/30/91 HARRIS
12/06/91 SHURTE 05/18/92 SHURTE 06/04/92 SHURTE 07/29/92 PR-PROD
07/29/92 PR-PROD 10/13/92 CPSHAW 12/05/92 ADT-SHAW 03/29/95 POST-STD
01/29/96 LHARRIS

OWNER NAME & ADDRESS
 C GISELA SCHAAL
 PO BOX 201
 GRANDVIEW ID 83624
 D DAVID L PUTNAM
 D DIANE RAE NICHOLSON
 D THOMAS T NICHOLSON
 10330 W STARDUST DR
 BOISE ID 83709
 (208) 375-5255

Water Source: CASTLE CREEK Tributary to: SNAKE RIVER Stage: DECREED
 Point(s) of Diversion: T04S R01E S24 NESWSW ONYHEE County

Water Source:	CASTLE CREEK	Tributary to:	SNAKE RIVER	Stage:	DECREED
Point(s) of Diversion:	T04S R01E S24	NESWSW		ONYHEE County	
Place of use	Legal Description for:	IRRIGATION			
	NE	NW	SW	SE	
	NENE NWNE SWNE SENE	NEW NWNW SWNW SENW	NESW NWSW SWSW SESW	NESE NWSE SWSE SESE	
T	R S	Lt Ac Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac Lt Ac	SUM
04S 01E 25	:	:	:	:	:
	31				31.0
				TOTAL ACRES	31.0

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

POU County: ONYHEE

Non-Irrigation Uses: STOCKWATER, 200 HD RANGE CATTLE

Other Rights: A57-00137, A57-00153

Conditions of Approval:
 C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
 - TO IDAHO CODE 42-1416(1).
 C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
 - PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: GEN USE OF THIS RIGHT WITH RIGHT NO'S. 57-00137 & 57-00153 IS LIMITED
 TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 101.9 AF
 AND TO THE IRRIGATION OF A COMBINED TOTAL OF 31 ACRES IN A SINGLE
 IRRIGATION SEASON.
 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
 DESCRIBED ABOVE: 57-00097A, 57-00098A, 57-00106A, 57-00107A,
 57-00137, 57-00151A, 57-00153, 57-00160B, 57-00236 & 57-00237A.
 RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME
 PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH
 WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER
 DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR

AJ5809NP
No. 57-00129

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/14/97
PAGE: 10

Remarks:

THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE
WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND
THE BASIN 02 RIGHTS.

Dates:

Exam Made Date: 10/18/1990

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 57C

Field Inspection Flag:

Presumption Flag: D

Comments:

Date: 09/25/1991 User-ID: HARRIS Subject: COPIED FROM REMARKS
THE CHANGE CONSISTS OF THE ADDITION OF PERIOD OF USE FOR HOME AND
STOCK USE. ALSO THE ADDITION OF THE POD.
STOCK IS FOR INSTREAM STOCKWATERING.

Date: 05/18/1992 User-ID: SHURTE Subject: OWNERSHIP CHANGED PER FORM REC'D 4-22-92. JS

Date: 01/26/1996 User-ID: LHARRIS Subject: NAME CHANGE
NAME CHANGED PER NOTICE OF OWNERSHIP CHANGE RECEIVED 1/4/96.

Audit:

08/02/91 SHURTE 09/25/91 HARRIS 09/30/91 HARRIS 12/06/91 SHURTE
05/18/92 SHURTE 06/04/92 SHURTE 07/29/92 PR-PRODM 07/29/92 PR-PRODM
10/13/92 CPSHAW 12/05/92 ADT-SHAW 03/29/95 POST-STD 01/26/96 LHARRIS

OWNER CODE	NAME & ADDRESS
C	GISELA SCHAAL PO BOX 201 GRANDVIEW ID 83624
D	DAVID L PUTNAM
D	DIANE RAE NICHOLSON
D	THOMAS T NICHOLSON 10330 W STARDUST DR BOISE ID 83709 (208) 375-5255

PRIORITY
DATE

04/01/1902

WATER USE

IRRIGATION
STOCKWATER

USE PERIOD
FROM TO

04-01 10-15
04-01 10-15
DIVERSION:

DIVERSION RATE

0.14 CFS
0.05 CFS

0.14 CFS

TOTAL DIVERSION: 0.14 CFS

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T04S R01E S24 NESWSW

OWYHEE County

Place of use Legal Description for: IRRIGATION

MS
NN

ES

[illegible]

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

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 200 HD RANGE CATTLE

Other Rights: A57-00129, A57-00153

Conditions of Approval:

C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
- TO IDAHO CODE 42-1416(1).

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: GEN USE OF THIS RIGHT WITH RIGHT NO'S. 57-00129 & 57-00153 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 101.9 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 31 ACRES IN A SINGLE IRRIGATION SEASON.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00097A, 57-00098A, 57-00106A, 57-00107A, 57-00129, 57-00151A, 57-00153, 57-00160B, 57-00236 & 57-00237A. THE RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. 57-00137

Remarks: THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE
WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND
THE BASIN 02 RIGHTS.

Dates: Exam Made Date: 10/18/1990 Verified Date: Objection Filed Date:

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

Comments: Date: 05/18/1992 User-ID: SHURTE Subject: OWNERSHIP CHANGED PER FORM REC'D 4-22-92. JS

Date: 01/16/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
X-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.

*CONFORMED NAME/ADDRESS TO AVOID DUPLICATE MAILING LABELS

Date: 01/29/1996 User-ID: LHARRIS Subject: NAME CHANGE
NAME CHANGED PER NOTICE OF OWNERSHIP CHANGE RECEIVED 1/4/96.

Audit: 08/02/91 SHURTE 09/25/91 HARRIS 09/30/91 HARRIS 12/06/91 SHURTE
05/18/92 SHURTE 06/04/92 SHURTE 07/29/92 PR-PRODM 07/29/92 PR-PRODM
10/13/92 CPSHAW 12/05/92 ADT-SHAW 03/29/95 POST-STD 01/16/96 DSMITH
01/29/96 LHARRIS

OWNER CODE	NAME & ADDRESS
C	GISELA SCHAAL PO BOX 201 GRANDVIEW ID 83624
D	THOMAS T NICHOLSON
D	DAVID L PUTNAM
D	DIANE RAE NICHOLSON 10330 W STARDUST DR BOISE ID 83709 (208) 375-5255

PRIORITY
DATE
04/01/1900

WATER USE

IRRIGATION
STOCKWATER

USE PERIOD
FROM TO

04-01 10-15
04-01 10-15
DIVERSION:

DIVERSION
 RATE
 0.08 CFS
 0.05 CFS
 0.08 CFS

D THOMAS T NICHOLSON
D DAVID L PUTNAM
D DIANE RAE NICHOLSON
10330 W STARDUST DR
BOISE ID 83709
(208) 375-5255

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: DECREE
OWYHEE County

Point(s) of Diversion:

T04S R01E S24 NESWSW

Place of use Legal Description for: IRRIGATION

MS
AN[illegible]

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

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 200 HEAD RANGE CATTLE

Other Rights: 57-00098A, 57-00107A, 57-00160B.

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).

Remarks: GEN

USE OF THIS RIGHT WITH RIGHT NO. 57-00098A, 57-00107A, AND 57-00160B IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 115.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 33 ACRES IN A SINGLE IRRIGATION SEASON.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00097A, 57-00098A, 57-00106A, 57-00107A, 57-00129, 57-00137, 57-00153, 57-00160B, 57-00236, 57-00237A. THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF DIVERSION IN THE SWSW, S. 24, T. 4S, R. 1E, ONLY THE AMOUNT OF WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S. 26, T. 4S, R. 1E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE

AJ5809NP
No. 57-00151A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/14/97
PAGE: 14

Remarks:

MAINTAINED IN CASTLE CREEK AT THE OLD POINT OF DIVERSION AND IN THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER TO WHICH THE RIGHT HOLDER IS ENTITLED.
RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS.

Dates: Exam Made Date: 10/18/1990 Verified Date: Objection Filed Date:

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

Comments: Date: 09/24/1991 User-ID: HARRIS Subject: COPIED FROM REMARKS
THIS WATER RIGHT HAS BEEN SPLIT BASED UPON WR57-00151. THIS RIGHT DID NOT SHOW ACREAGE IRRIGATED SO BASED ON CLAIMANT'S TESTIMONY ON ACREAGE THE WATER AMOUNT WAS SPLIT 2/3-1/3 WITH PETRO. CO. OBTAINING 2/3 OF AMOUNT PER TRANSFER FOR 57-00098A & 57-00107A.

Date: 05/18/1992 User-ID: SHURTE Subject: OWNERSHIP CHANGED PER FORM REC'D 4-22-92. JS

Date: 01/29/1996 User-ID: LHARRIS Subject: NAME CHANGE
NAME CHANGED PER NOTICE OF OWNERSHIP CHANGE RECEIVED 1/4/96.

Audit: 08/02/91 SHURTE 09/23/91 HARRIS 09/24/91 HARRIS 09/25/91 HARRIS
09/30/91 HARRIS 12/04/91 SHURTE 12/06/91 SHURTE 05/18/92 SHURTE
06/04/92 SHURTE 07/29/92 PR-PROD 07/29/92 PR-PROD 10/13/92 CPSHAW
12/05/92 ADT-SHAW 03/29/95 POST-STD 01/29/96 LHARRIS

AJ5809NP
No. 57-00153

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/14/97
PAGE: 16

Remarks:

THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE
WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND
THE BASIN 02 RIGHTS.

Dates:

Exam Made Date: 10/18/1990

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 57C

Field Inspection Flag:

Presumption Flag: D

Comments:

Date: 05/18/1992 User-ID: SHURTE Subject: OWNERSHIP CHANGED PER FORM REC'D 4-22-92. JS

Date: 01/16/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.

*CONFORMED NAME/ADDRESS TO AVOID DUPLICATE MAILING LABELS

Date: 01/29/1996 User-ID: LHARRIS Subject: NAME CHANGE
NAME CHANGED PER NOTICE OF OWNERSHIP CHANGE RECEIVED 1/4/96.

Audit:

08/02/91 SHURTE 09/24/91 SHURTE 09/25/91 HARRIS 09/30/91 HARRIS
12/06/91 SHURTE 05/18/92 SHURTE 06/05/92 SHURTE 07/29/92 PR-PROD
07/29/92 PR-PROD 10/13/92 CPSHAW 12/05/92 ADT-SHAW 03/29/95 POST-STD
01/16/96 DSMITH 01/29/96 LHARRIS

OWNER CODE	NAME & ADDRESS
C	GISELA SCHAAL PO BOX 201 GRANDVIEW ID 83624
D	DIANE RAE NICHOLSON
D	THOMAS T NICHOLSON
D	DAVID L PUTNAM 10330 W STARDUST DR BOISE ID 83709 (208) 375-5255

PRIORITY
DATE
05/23/1910

WATER USE

IRRIGATION
STOCKWATER

USE PERIOD FROM TO	DIVERSION RATE
04-01 10-15	0.94 CFS
04-01 10-15	0.05 CFS
L DIVERSION:	
	0.94 CFS

164.50 AFA

TOTAL DIVERSION:
CONSUMPTIVE USE:

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T04S R01E S24 NESWSW

T04S R01E S24

MSWSN

Place of use	Legal Description for:	IRRIGATION
1		
2		
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MS MN

NW
NE

T	R	S	NENE		NWNE		SWNE		SENE		NENW		SNW		SEW		NESW		NWSW		SESW		NESE		NWSE		SWSE		SESE		SUM		
:	:	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:		
04S	01E	13																														26.0	
04S	01E	24																														21.0	
			06																												TOTAL ACRES		47.0

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

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 200 HD RANGE CATTLE

Other Rights: NONE

Conditions of Approval:

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: GEN THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00097A, 57-00098A, 57-00106A, 57-00107A, 57-00129, 57-00137, 57-00153, 57-00151A, 57-00160B & 57-00237A. RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS.

AJ5809NP
No. 57-00236

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/14/97
PAGE: 18

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Dates: Exam Made Date: 10/18/1990 Verified Date: Objection Filed Date:
Misc: Water District Number: 57C Field Inspection Flag: C
Presumption Flag: C
Comments: Date: 05/18/1992 User-ID: SHURTE Subject: OWNERSHIP CHANGE PER FORM REC'D 4-22-92. JS

Date: 01/16/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.

*CONFORMED NAME/ADDRESS TO AVOID DUPLICATE MAILING LABELS

Date: 01/29/1996 User-ID: LHARRIS Subject: NAME CHANGE
NAME CHANGED PER NOTICE OF OWNERSHIP CHANGE RECEIVED 1/4/96.

Audit: 08/01/91 WHITNEY 09/25/91 HARRIS 09/27/91 SHURTE 12/02/91 SHURTE
12/03/91 SHURTE 05/18/92 SHURTE 06/05/92 SHURTE 07/29/92 PR-PROD
07/29/92 PR-PROD 10/13/92 CPSHAW 12/05/92 ADT-SHAW 03/29/95 POST-STD
01/16/96 DSMITH 01/29/96 LHARRIS



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 5, 1996

GISELA SCHAAL
PO BOX 201
GRANDVIEW ID 83624

RE: Water rights as recommended to the Snake River Basin Adjudication (SRBA)
court
57-00097A, 57-00098A, 57-00106A, 57-00107A, 57-00129, 57-00137
57-00151A, 57-00153, 57-00160B, 57-00236, 57-00237A, 57-10451

Dear Ms. Schaal:

Enclosed please find reports which summarize your water rights as recommended to the SRBA court. The source of most of these water rights is Castle Creek, and one right from ground water for domestic and stockwater use (57-10451).

When this office changed the ownership of the water right claims to your name we sent an acknowledgement letter to you along with copies of the SRBA claims as originally filed with this office. The enclosed reports are for your information; you may want to compare the reports to the original claim.

If you have any questions about the enclosed reports please do not hesitate to contact this office. Information about water rights from the Snake River which are recorded as being appurtenant to your property has been sent under a separate cover. Please refer questions about rights from the Snake River to Cindy Hodges of this office.

Sincerely,

Maria Minicucci
Sr. Water Agent, Adjudication Bureau

MM:m

Enc: Profile reports for recommended water right claims as listed above

MICROFILMED

SEP 25 1996

ADJUDICATION MEMORANDUM

CLAIM NO.: A02-02261D, A02-07274B
EMPLOYEE: DTTINICUCCI

A02-07281

02-07281

02-07294B

SUBJECT: Change of Ownership

DATE: 02/28/1996

Gisela Schaal called this office regarding the letter she received telling her about the change in ownership to her for the above SRBA claims plus some basin 57 claims. She wasn't sure what the letter was saying and we ~~reversed~~ discussed the differences between a basin 57 claim and what may have been recommended to the court. She indicated that she will review the claims versus what was recommended and call this office or the court if she has any questions. At the time I didn't know if she had been sent copies of the claims or the recommended rights and I said I would call her back. ~~When~~ When I did call back I left a message on her answering machine.

We also discussed the claims to water from the Snake River. Mrs. Schaal indicated that she had no knowledge of water being pumped from the Snake River. Her property is over a mile from the Snake & she thought it very impractical to pump water that distance. She said she knew the property ~~was~~ very well and has never seen any conveyance system from the Snake and had no intention of using Snake River water in the future.

CC: A57-00097A, A57-00098A, A57-00106A, A57-00107A, A57-00129

A57-00137, A57-00151A, A57-00153, A57-00160B, A57-00236

A57-00237A, A57-10451

MURKIN

SEP 25 1996

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

MICROFILMED
SEP 25 1996

AJ0749NP
No. 57-00097A

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

DATE: 02/05/96
PAGE: 2

Remarks:

THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER TO WHICH THE RIGHT HOLDER IS ENTITLED. RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS.

Dates: Exam Made Date: 10/18/1990 Verified Date:

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

Comments: Date: 05/18/1992 User-ID: SHURTE Subject: CHANGE OF OWNERSHIP PER FORM SUBMITTED 4-22-92. JS
Date: 01/12/1996 User-ID: LHARRIS Subject: NAME CHANGE
NAME CHANGED PER OWNERSHIP CHANGE REQUEST RECEIVED 1/4/96.

Date: 02/05/1996 User-ID: LHARRIS Subject: NAME CHANGE
THE DATA IN THE NAME FILE WAS CHANGED WITHOUT THE ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. TYPICALLY THIS CHANGE IS TO THE CURRENT OWNER OF THE WATER RIGHT. HOWEVER, THE CHANGE MAY BE TO ADD OR DELETE AN ATTORNEY OR LIENHOLDER, FOR EXAMPLE, WITHOUT CHANGING THE CURRENT OWNER OF THE WATER RIGHT.

Audit: 02/05/96 LHARRIS

MICROFILMED

SEP 25 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 5, 1996

Re: Notices of Claim to a Water Right Nos. A02-02261D, A02-07274B,
A02-07281, A57-00097A, A57-00098A, A57-00106A, A57-00107A,
A57-00129, A57-00137, A57-00151A, A57-00153, A57-00160, A57-00236,
A57-00237A, A57-10451

Gisela Schaal
P.O. Box 201
Grandview, ID 83624

Dear Claimant:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1
Enclosure

ENCLOSURE

SEP 25 1996

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.

in case follow-up is needed.

Tom Nicholson

57-00097A

57-00106A

57-00237A

2. SUBJECT OF INQUIRY: Mr. Nicholson spoke to me by telephone. He had received copies of objections filed on the above rights by BLM and wanted to know if he is required to file a response.

3. RESPONSE TO INQUIRY: I told Mr. Nicholson that IDWR is required to file a response, but that we will represent our Agency. If he wishes to file in his own best interest, he may but is not required to file a response.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

Roxanne McCarthy 3-8-93

Roxanne McCarthy

March 8, 1993

as above

MICROFILMED
SEP 25 1996

SD-4106

Idaho Department of Water Resources

Date: 02/28/96

INQUIRY

Adjudication Points of Diversion Screen

Time: 09:54:28

Water Right Number: A67-10029

FIRST PAGE

4. Point of Diversion::

TWP	RNG	Sect	1/4	1/4	1/4	Lot	PoD Flag	County Code	County Name
11N	04W	6	NE	SW	SE			87	WASHINGTON

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

Microfilm
SEP 25 1996

SE-4106

Idaho Department of Water Resources

Date: 02/28/96

INQUIRY

Adjudication Points of Diversion Screen

Time: 09:55:07

Water Right Number: A67-10031

FIRST PAGE

4. Point of Diversion::

TWP	RNG	Sect	1/4	1/4	1/4	Lot	PoD Flag	County Code	County Name
11N	04W	6	NE	SW	NW			87	WASHINGTON
11N	04W	6	SW	SE	SW			87	WASHINGTON

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

MICRONALTA
SEP 25 1996

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. 57-00097A -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)

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
3. ☒ Quantity: I respond to the objection concerning:
 - 3a. ☒ The total quantity of water used in cubic feet per second.
4. ☒ Priority Date: I respond to the objection concerning the priority date.
7. ☒ Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I respond to the objection concerning:
 - 9a. ☒ The legal description of the place of use.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

II. STATEMENT OF THE RESPONSE

2. Person who filed objection:

Name: US BUREAU OF LAND MANAGEMENT
Address: IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706-2544
3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900

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, 3, 3a., 4, 7, 8, 9, 9a., 10, 11, 12 and 12a. and all allegations of the objection regarding these items, IDWR responds as follows:

IDWR lacks sufficient information to form a belief as to whether any or all of the lands upon which water is diverted, conveyed, or used pursuant to this right are owned by the United States. IDWR 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. A57-00097A

7

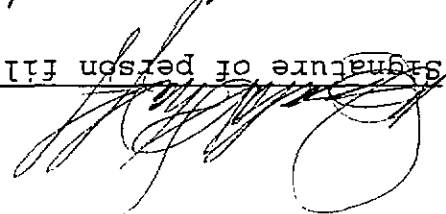
(Over)

VERIFICATION (Must be Completed)

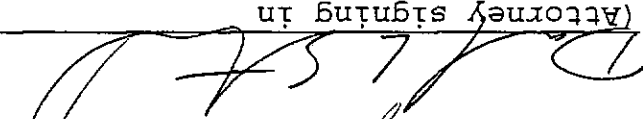
State of IDAHO
County of ADA

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

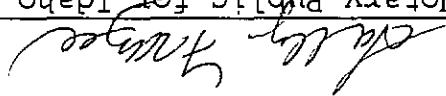
That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director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


Signature of person filing response

By:


(Attorney signing in representative capacity)

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


Notary Public for Idaho
Residing at: Boise
My Commission expires: 11-14-1998

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: DAVID L PUTNAM
Address: THOMAS T NICHOLSON
DIANE RAE NICHOLSON
10330 W STARDUST DR
BOISE ID 83709

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

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. 57-00097A
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

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

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

(Over)

OBJECTION - 1

JUL 20 1994

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

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

Briefly describe your interest in this water right:
The United States, through the Bureau of Land
Management (BLM), is the owner of the land
upon which this water right is claimed, and
claimant does not have a valid water right.

2. Owner of the water right:

Name: Claimant: David L. Putnam
Thomas T. Nicholson
Diane Rae Nicholson
Address: 10330 W. Stardust Dr.
Boise, Idaho 83709

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice
550 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: (202) 272-8351

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)

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

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary. The Director's Report should be changed to recommend disallowance of this claim.

CHANGES TO THE DIRECTOR'S REPORT

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

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

REASONS SUPPORTING EACH BOX CHECKED

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

☒ 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.

Map of claim showing federal parcel(s).

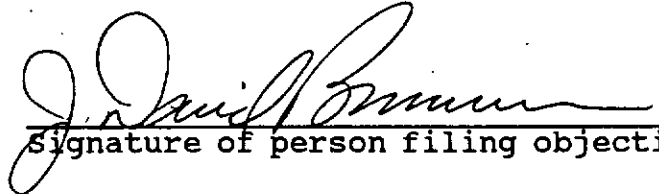
VERIFICATION (Must be Completed)

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.

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

MICROFILMED

JUL 20 1994

(Over)

Signature of Objector or attorney
mailing on Objector's behalf

[Handwritten Signature]

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

4. One copy to:

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

3. One copy to:

Owner name: David L. Putnam
Thomas T. Nicholson
Diane Rae Nicholson
Owner's Address: 10330 W. Stardust Dr.
Boise, Idaho 83709

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

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

1. Original to:

I hereby certify that on the 26th day of February, 1993, I mailed the original and ^{three} 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:

CERTIFICATE OF MAILING

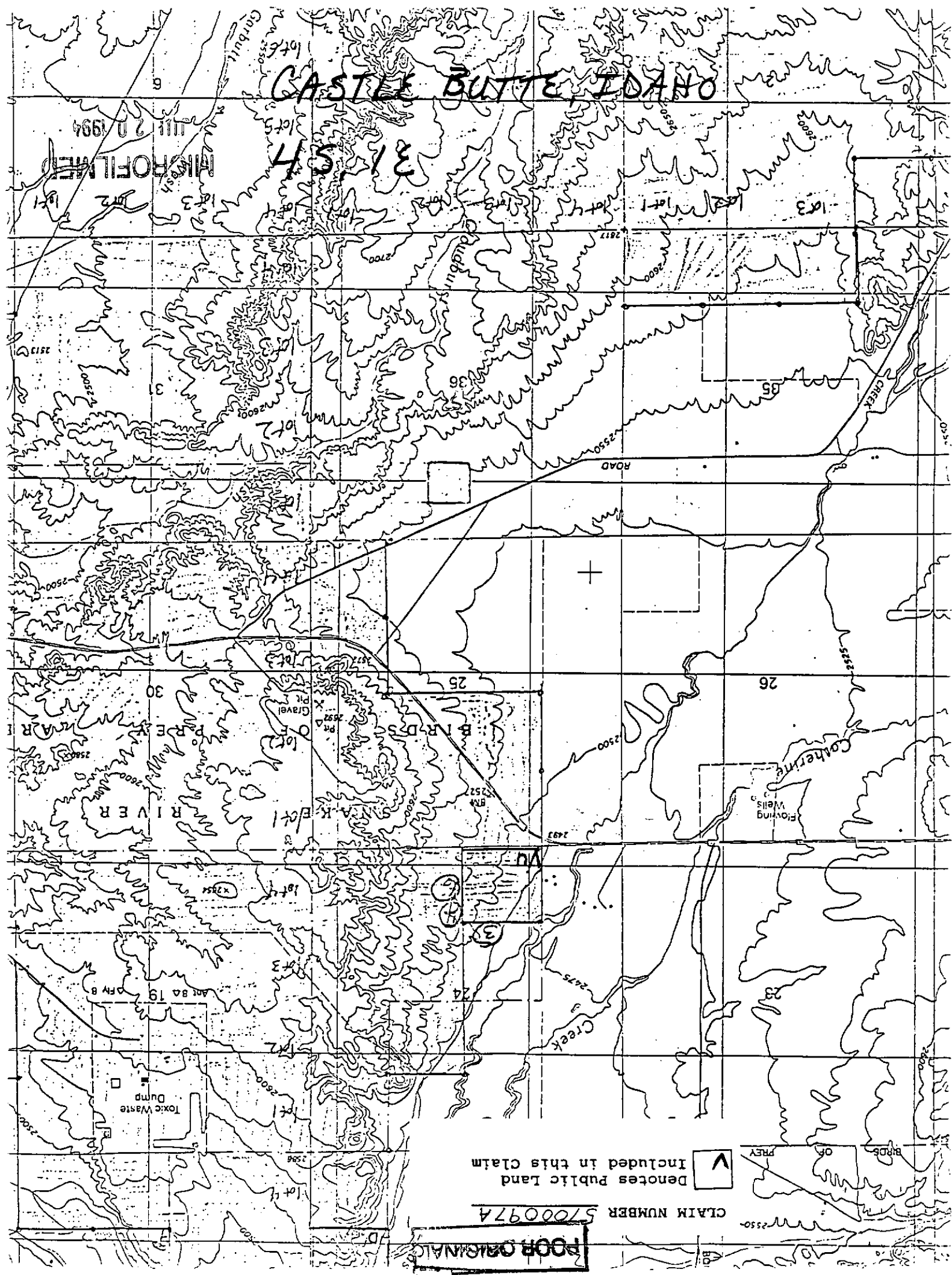
You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States 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.

INSTRUCTIONS FOR MAILING

CASTLE BUTTE, IDAHO

45 31

IN REFORMED



Denotes Public Land
Included in this claim

CLAIM NUMBER 57000974

POOR ORIGINAL

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

C	DAVID L PUTNAM	04/01/1885	IRRIGATION	04-01	10-15	0.05 CFS		
C	THOMAS T NICHOLSON		STOCKWATER	04-01	10-15	0.05 CFS		
C	DIANE RAE NICHOLSON							
	10330 W STARDUST DR							
	BOISE ID 83709							
	(208) 375-5255							
TOTAL DIVERSION:						0.05 CFS		

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

Point(s) of Diversion: T04S R01E S24 NESWSW

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE			
NENE NWNE SWNE SENE		: NENW NWNW SWNW SENW		: NESW NWSW SWSW SESW		: NESE NWSE SWSE SESE		: SUM			
T	R S	: Lt AC Lt AC Lt AC Lt AC	: Lt AC Lt AC Lt AC Lt AC	: Lt AC Lt AC Lt AC Lt AC	: Lt AC Lt AC Lt AC Lt AC	: Lt AC Lt AC Lt AC Lt AC	: Lt AC Lt AC Lt AC Lt AC	: Lt AC Lt AC Lt AC Lt AC	: Lt AC Lt AC Lt AC Lt AC	: Lt AC Lt AC Lt AC Lt AC	: Lt AC Lt AC Lt AC Lt AC
04S	01E	24	:	:	:	:	:	:	:	:	:
						12	02	:	:	:	:
						TOTAL ACRES		14.0		14.0	

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

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 200 HD RANGE CATTLE

Other Rights: 57-00097A 57-00237A & 02-07274B.

Conditions of Approval:

COJ - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO IDAHO CODE 42-1416A.

Remarks:

USE OF THIS RIGHT WITH RIGHT NO'S. 57-00106A, 57-00237A & 02-07274B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .28 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 49 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 14 ACRES IN A SINGLE IRRIGATION SEASON.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00098A, 57-00106A, 57-00107A, 57-00129, 57-00137, 57-00151A, 57-00153, 57-00160B, 57-00236 & 57-00237A. THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF DIVERSION IN THE SWSW, S. 24, T. 4S, R. 1E, ONLY THE AMOUNT OF WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S. 26, T. 4S, R. 1E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE MAINTAINED IN CASTLE CREEK AT THE OLD POINT OF DIVERSION AND IN THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER TO WHICH THE RIGHT HOLDER IS ENTITLED. RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER

MICROFILMED

JUL 20 1994

Remarks: DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS.

Dates: Exam Made Date: 10/18/1990 Verified Date:
Misc: Water District Number: Field Inspection Flag: C
Presumption Flag:
Comments: Date: 05/18/1992 User-ID: SHURTE Subject: CHANGE OF OWNERSHIP PER FORM SUBMITTED 4-22-92. JS
Audit: 08/01/91 WHITNEY 09/30/91 HARRIS 12/03/91 SHURTE 05/18/92 SHURTE
06/04/92 SHURTE 07/29/92 PR-PRODM 10/13/92 CP SHAW
12/05/92 ADT-SHAW

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JUL 20 1994

Remarks: USE OF THIS RIGHT WITH RIGHT NO'S. 57-00106A, 57-00237A & 02-07274B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .28 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 49 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 14 ACRES IN A SINGLE IRRIGATION SEASON.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00098A, 57-00106A, 57-00107A, 57-00129, 57-00137, 57-00151A, 57-00153, 57-00160B, 57-00236 & 57-00237A. THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF DIVERSION IN THE SWS, S. 24, T. 4S, R. 1E, ONLY THE AMOUNT OF WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S. 26, T. 4S, R. 1E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE MAINTAINED IN CASTLE CREEK AT THE OLD POINT OF DIVERSION AND IN THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER TO WHICH THE RIGHT HOLDER IS ENTITLED.

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE.

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OCT 07 1992

AJ0729NP
No. R57-00097A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/19/92
PAGE: 2

Remarks:

DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE
WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND
THE BASIN 02 RIGHTS.

Dates:

Exam Made Date: 10/18/1990 Verified Date:

Misc:

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

Audit:

08/01/91 WHITNEY 09/30/91 HARRIS 12/03/91 SHURTE 05/18/92 SHURTE
06/04/92 SHURTE 07/29/92 PR-PRODM 07/29/92 PR-PRODM

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:14:19
12/02/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-00097A

LAST: PETROLEUM COMPANY INC.
ADDRESS: C/O RUSSELL FOX
P.O. BOX 592
CITY: SANTA PAULA
PHONE NUMBER: 805-525-2144

FIRST:

STATE: CA ZIP: 93060

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE Y FIELD EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: INSTREAM STOCKWATER

POINT OF DIVERSION CORRECTED PER REVIEW OF CLAIM FILE AND MAP
ATTACHED TO CLAIM - KW.

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

PHONE NUMBER: () - -

DATE OF FIELD EXAM: / /

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY:

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

See memo in 57-00097A.

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A. AJ CLAIM: # A57-00097A PRIORITY DATE: 06-01-1887 STAGE: D

B. WR RECORD: # 57-00097 PRIORITY DATE: 06-01-1885 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
YFIELD
EXAMINER
YES

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

REMARKS:

The actual decreed priority was 1885 - it appears to be a typo on the claim as filed - splits were typed up at that time. Norredson to doubt priority on this right. The month & day were not decreed in the Castle Creek decree, therefore, the 6-1 date was arbitrarily used during claims taking. It has now been decided that the matter & day should be the first day of the decreed season of June which was 5-1 on the decreed date.

RECOMMENDED PRIORITY DATE:

4-1-1885

REVIEWED BY

DATE

12-3-91

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-00097A	04S	01E	24		SW	SW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

R PREFIX

NONE

57-00098A
57-00107A

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: CASTLE CR.

TRIB: SNAKE R.

B. WR POINT OF DIVERSION AND SOURCE:

5700097 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)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	Y	Y

REMARKS:

This right was one of Petros Castle Ch. rights where the orig. P.O. was located in the 50S, T26 (per records). In 1988 two of their rights were transferred from the S.26 P.O. to the present P.O. in T.24 & were connected specifically regarding that change. Therefore, per Dave Shaw & Wynne Hough-Holmes this right will have this specific transfer condition left on any ab will all the other Castle Ch. rights with an orig. P.O. of Dec. 26. All Petros Castle Ch. Rts. were changed to the 1 P.O. in T.24 after the transfer was approved on two of them 00098A in 1977.

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:	
TWP.	RGE. SEC.
45	1E 34
NE SW SW	1/4 1/4
NONIE	LOT
COUNTY	
OWYHKE	
SOURCE: BASIN CREEK	
TRIB: OMAHA RIVER	
DATE: 12-3-91	
REVIEWED BY: [Signature]	

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A. ROOT WATER RIGHT NUMBERS: A57-00097A
R57-00097A

A57-10857

R57-10857

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	01E	24	SW	SW		PETROLEUM COMPANY INC.	A57-00097A /14.0	-	33.0	12	12
			SW	SW		COX, GLADYS J.	A57-00123 /20.0	-			
			SW	SW		COX, GLADYS J.	A57-00160A /20.0	-			
			SW	SW		COX, GLADYS J.	A57-00220 /20.0	-			
			SW	SW		COX, GLADYS J.	A57-02300 /20.0	57-02300	125.0		
			SW	SW		COX, GLADYS J.	A57-02260 /20.0	57-02260	125.0		
			SW	SW		COX, GLADYS J.	A57-00237B /20.0	-			
			SW	SW		PETROLEUM CONSTRUCTION INC.	A02-07274B /14.0	02-07274B	14.0		
			SW	SW		COX, GERALDINE	R57-00160A /17.0	-			
			SW	SW		COX, GLADYS J.	R57-00237B /17.0	-			
			SW	SW		COX, GERALDINE	R57-10855 /17.0	-			
			SW	SW		COX, GLADYS J.	R57-10859 /17.0	-			
			SW	SW		COX, GLADYS J.	A57-10859 /20.0	-			
			SW	SW		PETROLEUM COMPANY, INC.	A57-00237A /12.0	-			
			SW	SW		COX, GERALDINE	A57-10855 /20.0	-			
			SW	SW		PETROLEUM COMPANY INC.	R57-00097A /12.0	-			
			SW	SW		PETROLEUM COMPANY, INC.	R57-00237A /12.0	-			
			SW	SW		PETROLEUM COMPANY INC.	A57-00106A /14.0	-			
			SW	SW		PETROLEUM COMPANY INC.	R57-00106A /12.0	-			
			SW	SW		HENDERSON, THOMAS D.	57-00097	57-00097			
			SW	SW		HENDERSON, THOMAS D.	57-00106	57-00106			
			SW	SW		HENDERSON, FRED D.	57-00237	57-00237	125.0		
			SW	SW		COX, WILLIAM E.	57-02259	57-02259	125.0		
04S	01E	24	SW	SW		PETROLEUM COMPANY INC.	A57-00097A /	-	33.0		
			SW	SW		COX, GLADYS J.	A57-00123 /20.0	-			
			SW	SW		COX, GLADYS J.	A57-00160A /20.0	-			
			SW	SW		COX, GLADYS J.	A57-00220 /20.0	-			
			SW	SW		COX, GLADYS J.	A57-02300 /20.0	57-02300	125.0		
			SW	SW		COX, GLADYS J.	A57-02260 /20.0	57-02260	125.0		
			SW	SW		COX, GLADYS J.	A57-00237B /20.0	-			
			SW	SW		PETROLEUM CONSTRUCTION INC.	A02-07274B /14.0	02-07274B	14.0		
			SW	SW		COX, GERALDINE	R57-00160A /17.0	-			
			SW	SW		COX, GLADYS J.	R57-00237B /17.0	-			
			SW	SW		COX, GERALDINE	R57-10855 /17.0	-			
			SW	SW		COX, GLADYS J.	R57-10859 /17.0	-			
			SW	SW		COX, GLADYS J.	A57-10859 /20.0	-			
			SW	SW		PETROLEUM COMPANY, INC.	A57-00237A /12.0	-			

Repeat
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TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
SW	SW	SW	SW	SW	SW	COX, GERALDINE	A57-10855 /20.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY INC.	R57-00097A /12.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY, INC.	R57-00237A /12.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY INC.	A57-00106A /14.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY INC.	R57-00106A /12.0	-	/		
SW	SW	SW	SW	SW	SW	HENDERSON, THOMAS D.	57-00097 /	57-00097 /			
SW	SW	SW	SW	SW	SW	HENDERSON, THOMAS D.	57-00106 /	57-00106 /			
SW	SW	SW	SW	SW	SW	HENDERSON, THOMAS D.	57-00237 /25.0	57-00237 /25.0			
SW	SW	SW	SW	SW	SW	HENDERSON, FRED D.	57-02259 /25.0	57-02259 /25.0			
SW	SW	SW	SW	SW	SW	COX, WILLIAM E.					
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY INC.	A57-00097A /	-	/		
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	A57-00123 /20.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	A57-00160A /20.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	A57-00220 /20.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	A57-02300 /20.0	57-02300 /25.0			
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	A57-02260 /20.0	57-02260 /25.0			
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	A57-00237B /20.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM CONSTRUCTION INC.	A02-07274B /14.0	02-07274B /14.0			
SW	SW	SW	SW	SW	SW	COX, GERALDINE	R57-00160A /17.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	R57-00237B /17.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GERALDINE	R57-10855 /17.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	R57-10859 /17.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GLADYS J.	A57-10859 /20.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY, INC.	A57-00237A /12.0	-	/		
SW	SW	SW	SW	SW	SW	COX, GERALDINE	A57-10855 /20.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY INC.	R57-00097A /12.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY, INC.	R57-00237A /12.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY INC.	A57-00106A /14.0	-	/		
SW	SW	SW	SW	SW	SW	PETROLEUM COMPANY INC.	R57-00106A /12.0	-	/		
SW	SW	SW	SW	SW	SW	HENDERSON, THOMAS D.	57-00097 /	57-00097 /			
SW	SW	SW	SW	SW	SW	HENDERSON, THOMAS D.	57-00106 /	57-00106 /			
SW	SW	SW	SW	SW	SW	HENDERSON, THOMAS D.	57-00237 /25.0	57-00237 /25.0			
SW	SW	SW	SW	SW	SW	HENDERSON, FRED D.	57-02259 /25.0	57-02259 /25.0			
SW	SW	SW	SW	SW	SW	COX, WILLIAM E.					
TOTAL ACRES							14.00		99.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(X) N()

IF YES SEE ATTACHED SHEET:

* See addition above

TOTAL 14 14

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

FIELD

DATABASE

EXAMINER

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OCT 07 1992

PRESUMPTION FLAG:

REMARKS:

No change in Pl. of use - only correction
to show the 2 acres logging over into the SE 1/4, J. 24.

RECOMMENDATIONS:

TOTAL ACRES:

14

REVIEWED BY:

[Signature]

DATE:

12-3-91

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-00097A IRRIGATION	FROM 04-01 TO 10-15	.280 CFS
A57-00097A STOCKWATER	FROM 01-01 TO 12-31	.050 CFS
A57-00097A DOMESTIC	FROM 01-01 TO 12-31	.040 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.280 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-00097 IRRIGATION	FROM 04-01 TO 10-15	.400 CFS
57-00097 DOMESTIC	FROM TO	.400 CFS
57-00097 STOCKWATER	FROM TO	.400 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.400 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	<u>NO</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<u>YES</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>NO</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐)

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

Drig. season of use same as allowed.

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() NO split of orig. st.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 0.280 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.400 CFS

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

FLOW MEASUREMENT REQUIRED?

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD *THEORETICAL*, SEE ATTACHED CALCULATIONS. *See theoretical calculations in 57-00097A.*

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

OTHER RIGHTS LISTED IN CLAIM: A57-00106A

LIST ALL RIGHTS WITH A SAME POI AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-00097A	CASTLE CR.	PETROLEUM COMPANY INC.	0.280	0.020		
A02-072748	SNAKE RIVER	PETROLEUM CONSTRUCTION INC.	0.270	0.019		
R57-00097A	CASTLE CREEK	PETROLEUM COMPANY INC.	0.050	0.003		
A57-00106A	CASTLE CR.	PETROLEUM COMPANY INC.	0.280	0.020		
R57-00106A	CASTLE CREEK	PETROLEUM COMPANY INC.	0.090	0.006		
A57-00123	CASTLE CREEK	COX, GLADYS J.	0.140	0.001		
R57-00160A	CASTLE CREEK	COX, GERALDINE	0.140			
A57-00220	CASTLE CREEK	COX, GLADYS J.	0.140			
A57-00237A	CASTLE CREEK	COX, GLADYS J.	1.040	0.004		
R57-00237A	CASTLE CREEK	PETROLEUM COMPANY, INC.	0.140	0.010		
R57-00237B	CASTLE CREEK	PETROLEUM COMPANY, INC.	0.140	0.010		
A57-00237B	CASTLE CREEK	COX, GLADYS J.	0.670	0.007		
A57-02260	CASTLE CREEK	COX, GLADYS J.	1.500	0.006		
A57-02300	GROUNDWATER	COX, GLADYS J.	0.530	0.004		
A57-10855	CASTLE CREEK	COX, GLADYS J.	1.660	0.007		
R57-10855	CASTLE CREEK	COX, GERALDINE	0.500	0.002		
R57-10859	CASTLE CREEK	COX, GERALDINE	0.450	0.004		
		COX, GLADYS J.	0.833	0.003		

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CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
R57-10859	CASTLE CREEK	COX, GLADYS J	0.740	0.008		

NO RIGHTS WITH SAME POJ BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE 14 x 0.02 CFS/ACRE = 28 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 = 49.0 AF/A

ACRES 14 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =TOTAL CONSUMPTIVE USE 49 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A AF/AACRES x DIVERSION VOL. AF/A FOR AREA =TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

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

See next pg. for conditions & explanations.

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Theoretical below ample water to cover all rights from Castle Creek can be diverted. See memo dated 12-5-91 attached for further info. on cfs rate recommended.

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
------------------	------------------------	----------------------	-----------------------	-------------------

TOTAL FOR THIS RIGHT

DATE: 12-3-91

Conditions/Remarks

FD-1- Div. rate limited to 28 cpe or 14" for the 14 acres irrigated.
Castle Cl. etc. all add up to 14" for the 14 acres irrigated, but
with the Snake River Lt. added in the total needs limited.
Based on gravel total of 14 acres irrig. & 14 AF Cons. use.

Folk - All Castle Ch. its, divert from same (based on 14 ac)

263- P.O. change in 1977.

partial forfeiture due to reduction of gas claimed & decreased. See attached memo for reasons for reduction.

REC. transfer cond. - taken from approved transfer app.
for 00098A x 00106A - copies in 00098A. See back ^{page} page
for actual condition used.

MICROFILMED
OCT 07 1982

THE RIGHT HOLDER IS ENTITLED TO DIVERT AT THE PRESENT POINT OF DIVERSION IN THE SWSW, S. 24, T. 4S, R. 1E, ONLY THE AMOUNT OF WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S. 26, T. 4S, R. 1E, LESS A 20 PERCENT LOSS. MEASURING DEVICES SHALL BE MAINTAINED IN CASTLE CK. AT THE OLD POINT OF DIVERSION AND IN THE DITCH AT THE PRESENT POINT OF DIVERSION. WATER WILL NOT BE IMPOUNDED AT THE PRESENT POINT OF DIVERSION IF THERE IS NOT WATER TO WHICH THE APPLICANT IS ENTITLED.

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP

FORFEIT/ABANDON

ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMEDNEEDS
REVIEW☒ ()☐ ()*reviewed & reduced - see memo*

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-00097

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.880

EXAMINER

JP

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-00097A	0.280	R57-00097A	0.050	-	-
57-00094	A57-10857	0.480	R57-10857	0.480	57-00094	0.300
57-00103	A57-10857	0.480	R57-10857	0.480	57-00103	0.080
57-00113	A57-10857	0.480	R57-10857	0.480	57-00113	0.100
-	-	-	-	-	57-00097	0.400

TOTAL CFS

1.720

1.490

0.880

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)

IF NO, is the written review sheet attached? (Y/N)

FIELD
EXAMINERNOYES

DATABASE

N

REMARKS:

*see memo dated
12-3-91.*MICROFILMED
OCT 07 1992

AUTHENTICATION:

SIGNATURE:

Tan Thure

DATE:

12-3-91

NAME OF FIELD EXAMINER:

TAN THURE

TITLE:

MR. MR. SUPERVISOR

*Map, pictures & system description
all filed in 57-00098A.*

MICROFILMED
OCT 07 1992

12-2-91

TO: CLAIM FILE NO.'S 57-00097A, 57-00106A & 57-00237A

FROM: JAN SHURTE

SUBJECT: ATTACHED COPIES

THE ATTACHED DOCUMENTS SHOW THAT 130 ACRES WERE BEING IRRIGATED UNDER DECREED RIGHTS NO.'S 57-00097, 57-00106 & 57-00237 FOR THE PLACE OF USE DECREED IN 1923 - W1/2SW1/4, SEC. 24 & THE E1/2SE1/4, SEC. 23. RUSSELL FOX, PETROLEUM, INC. CLAIMED 14 ACRES IN THE SW1/4SW1/4, SEC. 24, ON A PORTION OF EACH OF THESE RIGHTS UNDER THE ABOVE CLAIM NO.'S. GLADYS COX ALSO CLAIMED THESE RIGHTS, HOWEVER, SHE CLAIMED THE ENTIRE RIGHT FOR EACH ONE, RATHER THAN A PORTION. THEREFORE, IT BECAME NECESSARY TO DETERMINE WHETHER THE ACRES CLAIMED IN THE SWSW, SEC. 24 BY PETRO. INC., WERE IN FACT A PART OF THESE OLD WATER RIGHTS WHEN THEY WERE DECREED IN 1923. THE DOCUMENTS ATTACHED ARE COPIES FROM RIGHT NO. 9895/57-02064 WHICH IS THE RIGHT 57-00237 WAS BASED ON IN THE DECREE. IN OTHER WORDS 57-02064 WAS SUPERCEDED BY 57-00237. THE DEPOSITION OF WITNESS COPIES SHOW THAT A TOTAL OF 130 ACRES WERE BEING IRRIGATED UNDER BOTH RIGHTS WHEN THE EXAM FOR 57-02064/57-00237 WAS DONE. 57-00097 & 57-00106 COVERED 55 ACRES AND THEN 57-02064/57-00237 COVERED THE REMAINING 75 ACRES. THESE DEPOSITIONS SHOW THAT RATHER THAN ONLY 75 ACRES BEING IRRIGATED OF WHICH THE 55 ACRES WITH EARLIER PRIORITY DATES WERE A PART OF, THERE WAS ACTUALLY A TOTAL OF 130 ACRES WITH 55 BEING EARLIER DATES THAN THE OTHER 75. THEN, THE COPY OF THE FIELD EXAM REPORT FOR 57-02064/57-00237 SHOWS THAT THE WATER WAS FLUMED ACROSS CASTLE CREEK TO THE EASTSIDE (WHICH IS WHERE PETRO'S 14 ACRES LIE) AND THE LAND ON THE EASTSIDE OF THE CREEK WAS IRRIGATED AS A PART OF THE 130 ACRES.

THEREFORE, PETRO IS ENTITLED TO CLAIM AND RECEIVE A PORTION OF EACH OF THESE 3 RIGHTS, AND THE CLAIMS FILED BY GLADYS COX SHOULD BE REDUCED ACCORDINGLY SO THAT SHE RECEIVES THE REMAINING PORTIONS OF EACH RIGHT FOR THE OTHER LANDS SHE IRRIGATES UNDER THESE RIGHTS. SINCE THE CASTLE CREEK DECREE WAS DECREED AT 1" PER ACRE IT IS FAIR TO PROPORTION THESE RIGHTS OUT AT 1" FOR THE ACRES PRESENTLY BEING IRRIGATED UNDER THE SAME PLACE OF USE - 14 FOR PETRO & 92 FOR GLADYS COX TOTALING 106 ACRES PRESENTLY IRRIGATED USING THE CFS DECREED. SEE NEXT PAGE FOR EXPLANATION OF PRO-RATED CFS ALLOWED, CLAIMED CFS AND CFS THAT IS BEING RECOMMENDED.

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OCT 07 1992

RIGHT NO.	CFS DECREED	PRO-RATED CFS	CLAIMED CFS	RECOMMENDED CFS
57-00097	.40 CFS	.40 106		
57-00097A		.05 FOR 14AC	.28	.05
57-00097B		.35 FOR 92AC	.40	.35
			(UNDER 57-10855)	
57-00106	.70 CFS	.70 106		
57-00106A		.09 FOR 14AC	.28	.09
57-00106B		.61 FOR 92AC	.70	.61
			(UNDER 57-10859)	
57-00237	1.5 CFS	1.5 106		
57-00237A		.19 FOR 14AC	.14	.14
57-00237B		1.31 FOR 92AC	1.50	.67

TOTAL CFS RECOMMENDED FOR 14 ACRES UNDER A PORTIONS IS .28 CFS

TOTAL CFS RECOMMENDED FOR 92 ACRES UNDER B PORTIONS IS 1.63 CFS

NOTE: RIGHT NO.'S 57-10855 & 57-10859 ALSO INCLUDE .10 CFS OF 57-00098B AND .13 CFS OF 57-00107B. ALSO RIGHT NO. 57-00160A COVERS THE SAME 92 ACRES FOR A TOTAL OF .14 CFS. TOTAL CFS FOR THE 92 ACRES IS 2.0 CFS WITH .20 CFS FOR DITCH LOSS UNDER 57-00237B LEAVING 1.8 CFS FOR THE 92 ACRES.

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OCT 07 1992

(WATER RIGHT NUMBERS THAT BEGIN WITH AN 'W' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE			NW			SE			SW			NE			NW			SE			SW			SUM		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
R5700237B	T04S R01E S23																											
R5700080	CATHERINE																											
R5700160A	CASTLE CRE																											
R5702259	CATHERINE																											
R5707034B	CASTLE CRE	40	40																									
R5710855	CASTLE CRE																											
R5710859	CASTLE CRE																											
R5700237B	T04S R01E S24																											
R5700080	CATHERINE																											
R5700097A	CASTLE CRE																											
R5700098A	CASTLE CRE																											
R5700106A	CASTLE CRE																											
R5700107A	CASTLE CRE																											
R5700151A	CASTLE CRE																											
R5700160A	CASTLE CRE																											
R5700160B	CASTLE CRE																											
R5700236	CASTLE CRE																											
R5700237A	CASTLE CRE																											
R5702259	CATHERINE																											
R5707034B	CASTLE CRE																											
R5710855	CASTLE CRE																											
R5710859	CASTLE CRE																											
R5700237B	T04S R01E S26																											
R5700078	CATHERINE																											
R5700091	CASTLE CRE																											
R5700099	CASTLE CRE																											
R5700109	CASTLE CRE																											
R5700118	CASTLE CRE																											
R5700122	CASTLE CRE																											
R5700124	CASTLE CRE																											
R5700128	CASTLE CRE																											
R5700136	CASTLE CRE																											
R5700152	CASTLE CRE																											
R5700160A	CASTLE CRE																											
R5700163	CASTLE CRE																											
R5702132	CASTLE CRE																											
R5702132A	CASTLE CRE																											
R5702246	GROUNDWATE																											
R5702253	GROUNDWATE																											

MICROFILMED
OCT 07 1992

(WATER RIGHT NUMBERS THAT BEGIN WITH AN "W" ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SE				SW				SUM			
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
R5707266	GROUNDWATER	12		14	25					40	40			20	29	16	17	11	10	04	238
R5710855	CASTLE CRE																				11
R5710859	CASTLE CRE																				11

57-00160A - .14 cfs) Total - 92 acres

57-10855 - .45 total (97B-.25 x 98B-.10) - 92 acres

57-10859 - .74 total (106B-.61 x 107B-.13) - 92 acres

57-00237B - .67 total - 92 acres
(.20 cfs ditch loss)

TOTAL -

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OCT 07 1992

REPORT OF ENGINEER

This proof is for Beneficial Use.

In Water District No. 14 A

1. State name of applicant and number of permit: P. T. and T. D. Henderson, 9895
2. State source of water supply: Castle Creek
3. Location of point of diversion: SE 1/4 Section 26, T. 4 S. R. 1 E. B. M.

4. Describe works as they exist, giving dimensions and capacities of same:

Diversion dam built of earth, rock and straw 4' high, 20' long.

Timber headgate 3' wide, 4' high; Ditch from headgate to lands watered 1 1/2' wide on bottom, 1' deep; two flumes, one across Catherine Creek, one across Castle Creek; flume 16" wide, 1' high, and necessary ditches to distribute water over land.

5. State whether or not water has been turned into works of diversion: Yes.

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): Land irrigated: NW 1/4 SE 1/4 SECTION 23, T. 4 S. E. 1 E. B. M. 15 acres

SE 1/4 SE 1/4 " " " " " " " " 15 "

NW 1/4 SE 1/4 " " " " " " " " 30 "

SE 1/4 SE 1/4 " " " " " " " " 25 "

75

7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? one
9. Give names and amount of each right: Only this permit.

10. What large stream would the water here appropriated finally reach? Snake River

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Remarks: All of the lands have been cleared, plowed, corrugated and irrigated.

On account of alkali crops have been short.

This examination was made on the 2nd day of December, 1922

(Signed)

Geo. H. Krantz

Examiner

57-00237

9895

9895

Township 4 South Range 1 East B.M.

SEC 13

SEC 14

SEC 15

SEC 14

SEC 16

SEC 17

SEC 15

SEC 16

SEC 17

SEC 15

SEC 16

SEC 17

Timber 2' Wide 4' High
South Rock x 3' x 4' High

End of Section

Whitish Rock

Flame

Flame

A

U.S. GEOLOGICAL SURVEY

PERMIT No. 9895

Statement of Application of Water to Beneficial Use

Deposition of Witness

State your name, age, residence, occupation and postal address

E. Butler, age 40, Farm, near Idaho

Are you acquainted with Fred D. Henderson? Yes

How long have you known him and where does he reside?

yes we know him on Little Rock, Idaho

Have you read or heard of Permit No. 9895, and are you familiar with its provisions and conditions?

yes

yes

State source of water supply, place of diversion, and describe work for conveying water from place of diversion to place of use.

Little Rock 484 S.W. 1/4, Sec 26
R. 1 E. B. M. Ditch and Dam

How many second feet of water do you estimate said work will safely conduct to place of use, how much water have you seen being so conveyed?

Ans: 800 cfs, about 800 cfs

State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision. State whether cultivated or natural meadow land and the nature of all improvements which have been made or a direct use of said use.)

Ans: Irrigation Henderson Ranch R. 1 E. 1/4, Sec 26, T. 4 N. R. 1 E. B. M. 20 acres irrigated on Ranch. Cultivated alfalfa, alfalfa, corn, and garden with some pasture land.

Question: If for any or other purposes than...

the land is to be used for the purpose of...

Keep records on the land...

There is no other...

State is a flow in the canyon...

a name from water on the land...

State R. E. R...

hereby certify that the foregoing...

and to the person...

State of the...

Notary Public...

Dec 21 1925

STATE OF IDAHO
DEPARTMENT OF REGULATION
BOISE, IDAHO

PERMIT No. 9895

Statement of Application of Water for Beneficial Use

Deposition of Witness

The deposition of two witnesses on this form, taken separately, required in each case.

State your name, age, residence, occupation and postoffice address.

Frank J. Davis 60 years from Moscow Idaho

How acquainted with Fred D. Henderson & Son DeLander

Knows No. 9895 How long are you known in firm and where does he reside?

for 10 years at Castle Creek Idaho

Ques. 3 Have you read or heard read said Permit No. 9895, and are you familiar with its provisions and conditions?

Ans.

yes

yes

Ques. 4 State source of water supply, place of diversion, and describe works for conveying water from place of diversion to place of use.

Castle Creek S E 4 S W 4 Sec 26

R. Root R. M. Drain and Ditch

State quantity second (cc) of water to be used in said works will convey water to place of use. Have you been able to do so?

yes inches about 500 inches

State for what purpose water is used and at what price. (If for irrigation, give each sub-division which water has been used and number of acres irrigated in each subdivision.) State whether nature of low land and the nature of all improvements which have been made as a direct result.

Irrigation at Henderson Ranch

S E 4 Sec 28 N 4 S W 4 Sec 24

30 acres Cultivated and Irrigated

The Ranch cultivated by and grown in the land.

...state character of the estimate ...
...for its profitable cultivation

*Deep loam and very light
and fresh to the work*

Have you any interest in the works, water or both above mentioned? If so, in what way and

None

State when, how, in what amount and to what extent you have witnessed the application of
of water diverted under said permit

*In the last few years I have seen
water on this land at different times*

Frank J. Gault

I hereby certify that the foregoing testimony was given to me by the above subscriber before his signing, that it is

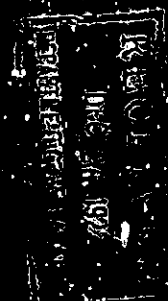
to the person he represented himself to be, and that said testimony was subscribed and sworn to by

Birth Book County of *Empire* State of *Idaho*
22 day of *December* A.D. 192*5*

Martha Henderson
Notary Public

December 21, 1925

9595



STATE OF IDAHO
DEPARTMENT OF REGULATION
BOISE, IDAHO

PERMIT No. 9895

of Application of Water to Beneficial Use

Deposition of Holder

1. State your name, age, residence, occupation and postoffice address.

Ans. Fred D. Henderson and Tom D. Henderson
88 Cedar Grove Brook Fremont, Idaho

2. If acting in behalf of corporation, state its name, principal place of business, (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 9895 Nov 11, 1913

4. State source of water supply and give exact location of point of diversion.

Ans. Sawtooth Brook S. E. 1/4 S. W. 1/4 Sec 26
T. 4 N. R. 1 E. B. M.

5. Describe your works of diversion, and state amount of water they are capable of conveying, point of diversion to place of use, and give name of canal or ditch or other works by which water is ducted to such place of use.

Ans. Dam and ditch 800 inches
Henderson ditch

6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivate or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation S. E. 1/4 S. W. 1/4 Sec 23

W. 1/4 S. W. 1/4 Sec 24 T. 4 N. R. 1 E. B. M.

25 acres in Sec 23 500 acres in Sec 24

7. If for other than for irrigation purposes, state how applied, amount of horse power generated.

Ans.

9895

Q. Now, when did you first see the water diverted from the river?

A. If you are not the person or agent of the person who has been mentioned in the above question, please state how you first saw the water diverted from the river.

Q. State when, how, in what amount and for what extent the water diverted from the river has been used.

Water from the river used since
1913

Q. State when, how, in what amount and for what extent water other than those diverted under mentioned permit have been diverted and applied to beneficial use upon the land therein described. If particular, regarding such other appropriations and rights claimed thereunder.

No water or Decade right on the
land for 555 acres since 1885

Wendell H. Henderson
Marion Henderson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me at my office in
Losh Creek County of Oregon

on this 22 day of December A.D. 1912

Marion Henderson
Notary Public

RECEIVED
DEC 22 1912
NOTARY PUBLIC
MARION HENDERSON

Number (D) p10

standard water	Address
standard water	Address

First Name - - +

67-00097

THOMAS D.

DONALD

④ ③ ② ①

Tributary

Index Code)

Week 7

Divorce Rate

1. - KW Usage -

[illegible]

1

IRRIGATION

1 IRRIGATION

100 - Diversified

~~rights~~ for same use

OCT 07 1992

- - Remarks - -
No Remarks found.

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

+ - - Microfilm Rolls -

+ - - Audit Fields - 03/19/85 05/01/88 CONVERT

[illegible]

MICROFILMED
OCT 07 1992

CHANGE IN OWNERSHIP

Department of Water Resources

This form is used for purposes of notifying IDWR of a change in ownership of an Adjudication Claim

[] Water Right Number(s): 57-00097; 57-00106; 57-00129; 57-00151;
57-00153; 57-00160; 57-00236; 57-00237;
57-00098A; 57-00107A; A57-00098A; A57-00107A; A57-00236; A57-00129;
[] Name and Address of Former Claimant(s): A57-00153
Petroleum Construction, Inc.

P. O. Box 592

Santa Paula, CA 93060

[] New Claimant(s): David L. Putnam, Thomas T. Nicholson and
Diane Rae Nicholson

[] New Mailing Address: 10330 W. Stardust Dr., Boise, ID 83709

[] New Telephone Number: (208) 375 - 5255

[] Does the change in ownership result in a spitting of the water right(s) claimed? Yes No
If yes, then describe the portion of the water right that is now claimed by the new owner(s):

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

[] Signature of New Claimant(s): David L. Putnam

Date April 10, 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

Old (D) Number

Standard Water Right Number

Address

Adj. Flag Translation: First Name

57-00097

WR0723MP
(OD-26)

Water Right Number - Last Name

THOMAS D.

DONALD

Zip-

State-

City-

Phone

1 -

2 -

3 -

City-

Phone

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2 -

3 -

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Water right number - 57-00097 Adj. flag translation: Standard Water Right Number

Remarks - No Remarks 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

Microfilm Rolls -

Audit Fields - 03/19/85 05/01/88 CONVERT

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 57C
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 05/15/1923				

MICROFILMED
OCT 07 1992

CHANGE IN OWNERSHIP

Department of Water Resources

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 [] Name and Address of Former Claimant(s): A57-00153
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P. O. Box 592

Santa Paula, CA 93060

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[] New Telephone Number: (208) 375 - 5255

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 If yes, then describe the portion of the water right that is now claimed by the new owner(s):

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

[] Signature of New Claimant(s): David L. Putnam

Date April 10, 1992

Revised 01/91

Recorded ☐
Microfilmed ☐
Indexed ☐

Platted ☐
Deed Card ☐
Compared ☐

Key Punched ☐
Master File ☐
Abstracted ☐

To Treasurer ☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

(CORPORATE FORM)

PETROLEUM CONSTRUCTION, INC. Calif.

organized and existing under the laws of the State of ~~Idaho~~, with its principal office at
Santa Paula of County of Ventura
grantor, hereby CONVEYS or GRANTS and WARRANTS TO

, a corporation
Calif.
State of ~~Idaho~~,

David L. Putnam, an individual, a single man
Thomas T. Nicholson and Diane Rae Nicholson, husband and wife

of 10330 W. Stardust Dr., Boise, Idaho 83709

grantee
for the sum of

Three Hundred ~~THIRTYTHREE~~ Thousand and No/100-----
the following described tract(s) of land in Owyhee
State of Idaho:

DOLLARS,
County,

EXHIBIT "A", Attached hereto:

Location of above described property n/a

House No.

Street

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was
duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meet-
ing duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its
duly authorized officers this third day of April, A. D. 19 92

(CORPORATE SEAL)

(CORPORATE NAME)

By Laura E. Fox

PRESIDENT

Attest:

SECRETARY

CAT. NO. NN00832
TO 1948 CA (1-83)

(Agent of Corporation)

TICOR TITLE INSURANCE

, A. D. 19

STATE OF CALIFORNIA

COUNTY OF Ventura

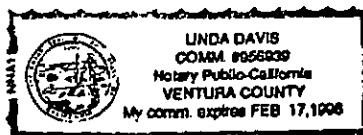
ss.

On April 3, 1992 before me, the undersigned, a Notary Public in and for
said State, personally appeared Laura E. Fox
personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed
the within instrument as the agent of the corporation
that executed the within instrument, and acknowledged
to me that such corporation executed the within instru-
ment pursuant to its by-laws or a resolution of its board
of directors.

WITNESS my hand and official seal.

Signature

Laura Davis



(This area for official notarial seal)

Address

City & State

affixed is the

Zip

MICROFILMED
OCT 07 1992

EXHIBIT "A", Corporate Deed

PARCEL NO. 1:

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY,
IDAHO

Section 13: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$

Section 24: NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, that part of the
SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying East of Castle Creek.

Section 25: Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) LESS a strip of land 100 feet
wide lying in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, and the
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, T4S, R1E, B. M., the
center line of which is described as follows:
Beginning at a point which is 32 feet North
of the SW corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24,
thence N 89°25' E 527.8 feet to a point of
curvature, thence along a curve right which
has a radius of 1432.40 feet approximately
727.2 feet to the East line of said NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 25.

PARCEL NO. 2:

IN TOWNSHIP 4 SOUTH, RANGE 2 EAST, B. M., OWYHEE COUNTY,
IDAHO

Section 7: Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 18: Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$

INDEXED
MICROFILMED

REQUEST OF
FEE 6.00
JAN 21 1992

BY
BARBARA JAYO
OWYHEE COUNTY RECORDER
DEPUTY

92 APR 9 PM 2 42

FILED-RECORDED

207591

MICROFILMED
OCT 07 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

Old (D) Number

Standard Water Right Number

Address

Adj. Flag Translation:

1 - First Name

2 - State

3 - Zip

City

Phone

1 -

2 -

3 -

City

Phone

1 -

2 -

3 -

City

Phone

1 -

2 -

3 -

City

Phone

1 -

2 -

3 -

City

Phone

1 -

2 -

3 -

City

Phone

1 -

2 -

3 -

City

Phone

1 -

2 -

3 -

City

Phone

1 -

2 -

3 -

City

Phone

1 -

2 -

3 -

City

Phone

1 -

WR0723N2
(OD-26)

Water Right Number - 57-00097

Last Name

THOMAS D.

*** C - CURRENT OWNER ***

HENDERSON

DONALD

Region

14

Point of Diversion

Stream Index (Blank if no Index Code)

Snake River

Diversion Rate

0.400

Water Use

Period To

10/15

Period From

04/01

County

Capacity

Place of Use

Code

01 IRRIGATION

01 IRRIGATION

01 IRRIGATION

01 IRRIGATION

01 IRRIGATION

01 IRRIGATION

01 IRRIGATION

01 IRRIGATION

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01 IRRIGATION

Diversion Means

Non-Irrigation Use

Other Rights for Same Use

MICROFILMED
OCT 07 1992

Water right number - 57-00097 Adj. flag translation: Standard Water Right Number

Remarks found.

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

Decree Plaintiff - - - - -
JAMES L. DAVEY
Decree Defendant - - - - -
GEORGE F. BROWN ET. AL.

Microfilm Rolls -

Audit Fields - 03/19/85 05/01/88 CONVERT

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 57C
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 05/15/1923				

MICROFILMED
OCT 07 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00097A
Date Received: 1/19/1989
Receipt No: W2300
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PETROLEUM COMPANY, INC. 805-525-2144
Address: C/O RUSSELL FOX
PO BOX 592
SANTA PAULA, CA 93060

2. Date of Priority: JUN 01, 1887

3. Source: CASTLE CR. Trib. to: SNAKE R.

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	04E	24	SW	SW			OWYHEE

5. Description of diverting works:
RK DAM, HOLDING POND, PUMP, MAINLINE & HANDLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.280		
STOCKWATER	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME; S/200 HD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	24	SW	SW		IRR	14.0
			SW	SW		DOMEST	
			SW	SW		STOCK	

Section Acres 14.0

Total Acres 14.0

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:
A57-00106A

14. Remarks:
INSTREAM STOCKWATER

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 5/15/1923

JAMES L. DAVEY

Decree Plaintiff

vs

GEORGE F. BROWN, ET AL

Decree Defendant

MICROFILMED
OCT 07 1992

16. Signature(s)

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

Number of attachments: 3

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

For Organizations:

I do solemnly swear or affirm that I am Pres. of _____ Title

Petroleum Coast Inc. that I have signed the foregoing Organization

document in the space below as Pres. of _____ Title

Petroleum Coast Inc. and that the statements contained in the Organization

foregoing document are true and correct.

R.E. Fox
Signature of Authorized Agent

Pres. Petroleum Coast Inc.
Title and Organization

2-24-89
Date

State of Idaho)
County of IDA) SS.

Subscribed and sworn (or affirmed) before me this 24 day
of Feb 19 89

Linda Warner
Notary Public

Seal

Residing at Boise ID

My Commission Expires 12-8-94
Date: 02/24/89

A57-00097A

Page

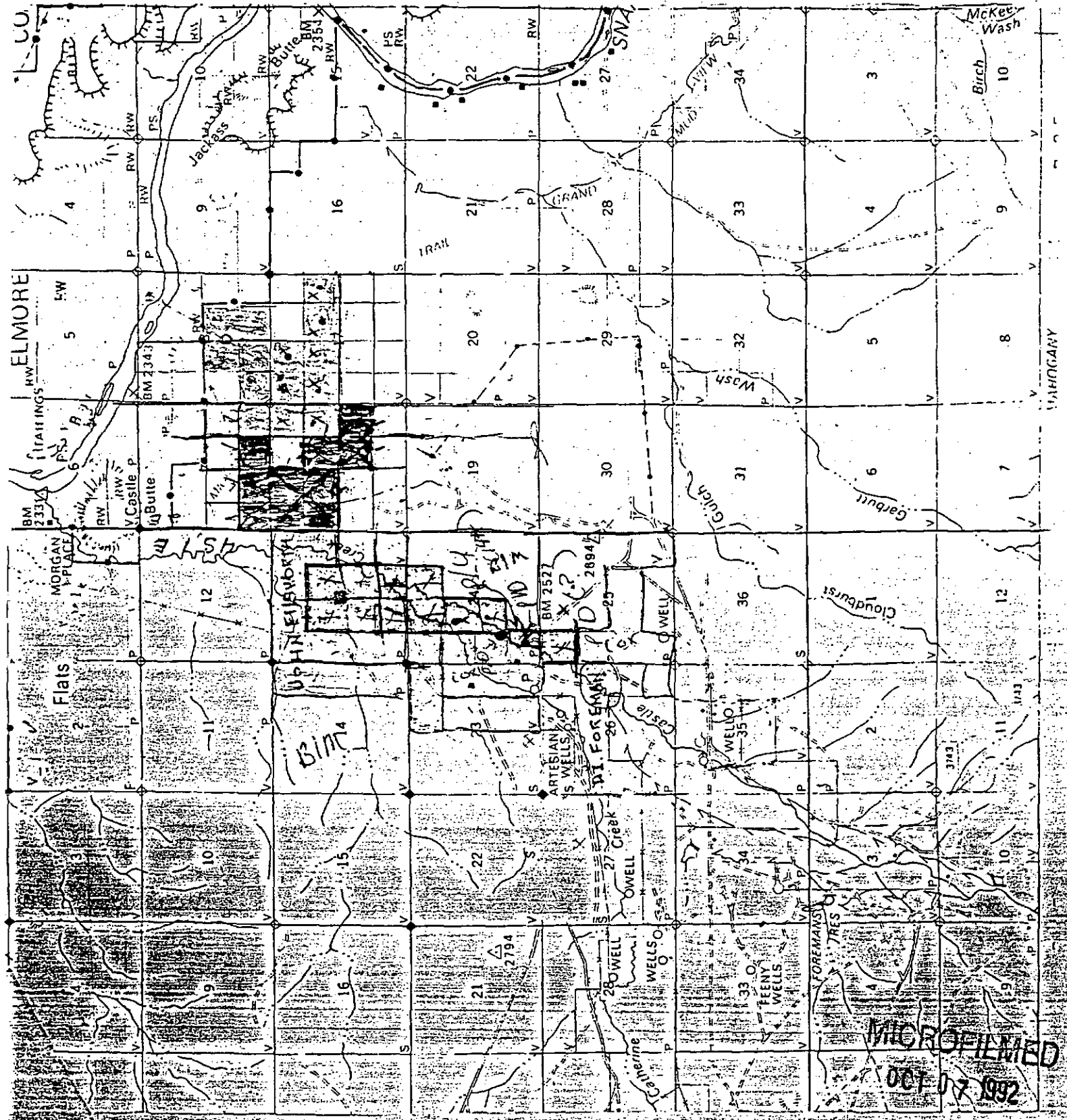
3

MICROFILMED
OCT 07 1992

02-1340
 X 02-1157

A57-00097A

T4S
 R1E
 S.24
 SW, SW



MICROFILMED
 OCT 07 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00097A
Date Received: 2/24/1989
Receipt No: W002300
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GISELA SCHAAL
Address: PO BOX 201
GRANDVIEW ID 83624
2. Date of Priority: JUN 1, 1887
3. Source: CASTLE CR. Trib. to: SNAKE R.
4. Point of Diversion:

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

5. Description of diverting works:
RK DAM, HOLDING POND, PUMP, MAINLINE & HANDLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.280		
STOCKWATER	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 49.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 200 HD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	24	SW	SW		IRR	14.0
			SW	SW		DOMEST	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	24	SW	SW		STOCK	
Section Acres							14.0
Total Acres							14.0

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:
A57-00106A

14. Remarks:
INSTREAM STOCKWATER
POINT OF DIVERSION CORRECTED PER REVIEW OF CLAIM FILE AND MAP
ATTACHED TO CLAIM - KW.
OWNERSHIP CHANGED PER CHANGE OF OWNERSHIP REC'D 4-22-92. JS
OWNERSHIP CHANGED PER CHANGE OF OWNERSHIP REC'D 1/4/96. LH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 5/15/1923

JAMES L. DAVEY
Decree Plaintiff

GEORGE F. BROWN, ET AL
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JAN 04 1996

DATE OF CLOSING: 8/10/95

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

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

RECEIVED

JAN 08 1996

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

WATER RESOURCES
WESTERN REGION

☐ Name and Address of Former Owner/Claimant(s)(Seller): David L. Putnam & Thomas T. Nicholson
P. O. Box 690, Meridian, ID 83680-0690

☐ New Owner/Claimant (Purchaser): Gisela Schaal

☐ New Mailing Address: P. O. Box 201, Grand View, Idaho 83624

☐ New Telephone Number: () un listed

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

☐ Attach proof of ownership, describe proof attached: Warranty Deed #216317

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

☐ Signature of New Owner/Claimant(s): Gisela Schaal Date 8/10/95

☐ Signature of Former Owner/Claimant(s): David L. Putnam Date 8-9-95

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1-12-96 By: JD

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 1-12-96 By: JD

Claim Numbers of Split, if any:

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

MICROFILMED

SEP 25 1996

WARRANTY DEED

RECEIVED

JAN 04 1936

FOR VALUE RECEIVED, DAVID L. PUTNAM, a single man;
THOMAS T. NICHOLSON and DIANE RAE NICHOLSON, husband and
wife, The Grantors, do hereby grant, bargain, sell and
convey unto

Department of Water Resources

GISELA SCHAAL, a single person, the Grantee, whose current
address is HC 79 Box 2087, Murphy, Idaho 83650

RECEIVED

JAN 08 1936

WATER RESOURCES
WESTERN REGION

the following described real property, located in Owyhee
County, Idaho, to-wit:

PARCEL NO. 1:

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY,
IDAHO

Section 13:

SE1/4NW1/4, SW1/4NE1/4, E1/4SW1/4, W1/4SE1/4

Section 24:

NE1/4SW1/4, E1/4NW1/4, NW1/4NE1/4, that part of the
SW1/4SW1/4 lying East of Castle Creek.

Section 25:

Lot 4 (NW1/4NW1/4) LESS a strip of land 100 feet
wide lying in the SW1/4SW1/4, Sec. 24, and the
NW1/4NW1/4, Section 25, T4S, R1E, B. M., the
center line of which is described as follows:
Beginning at a point which is 32 feet North
of the SW corner of said SW1/4SW1/4, Sec. 24,
thence N 89°25' E 527.8 feet to a point of
curvature, thence along a curve right which
has a radius of 1432.40 feet approximately
727.2 feet to the East line of said NW1/4NW1/4,
Sec. 25.

PARCEL NO. 2:

IN TOWNSHIP 4 SOUTH, RANGE 2 EAST, B. M., OWYHEE COUNTY,
IDAHO

Section 7:

SW1/4SE1/4

together with all and singular the tenements, hereditaments
and appurtenances thereunto belonging or in anywise
appertaining, including all water and ditch rights and
rights of way for water and ditches.

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto said Grantee, her heirs and assigns
forever. And the said Grantors do hereby covenant to and
with the said Grantee, that they are the owners in fee
simple of said premises; that said premises are free from
all encumbrances except: NONE

RECORDED

INDEXED

FILE

6.00

David L. Putnam

AUG 10 PM 1 30

FILED - RECORDED

216317

Subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises.

Taxes and assessments of all taxing units not yet due and payable.

Reservations in patents or state grants or in acts authorizing the issuance thereof.

All repayment contracts between any irrigation district within which the premises are situated and any government or agency.

The bonded debt of all taxing units within which said premises are located.

Restrictions imposed by law, ordinance, or regulation imposed by any governmental entity, department or agency.

Restrictions contained in any covenants of record affecting the premises.

All rights of way or easements affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not.

DATED: 8-1-95

David L. Putnam
David L. Putnam

Thomas T. Nicholson
Thomas T. Nicholson

Diane Rae Nicholson
Diane Rae Nicholson

STATE OF IDAHO, COUNTY OF OWYHEE

On this 1 day of August, 1995 before me, a Notary Public in and for the State, personally appeared David L. Putnam, a single man; Thomas T. Nicholson and Diane Rae Nicholson, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date and year in this certificate first above written.

Shirley K. Kott
Notary Public for Idaho
Residing at Boise, Idaho
Commission Expires: July

MICROFILMED
SEP 25 1996

216317

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: A57-00097A
Date Received: 2/24/1989
Receipt No: W002300
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID L PUTNAM 208-375-5255
Address: 10330 W STARDUST DR
BOISE ID 83709
AND
Name: THOMAS T NICHOLSON 208-375-5255
Address: 10330 W STARDUST
BOISE ID 83709
AND
Name: DIANE RAE NICHOLSON 208-375-5255
Address: 10330 W STARDUST
BOISE ID 83709

2. Date of Priority: JUN 1, 1887

3. Source: CASTLE CR. Trib. to: SNAKE R.

4. Point of Diversion:

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

5. Description of diverting works:
RK DAM, HOLDING POND, PUMP, MAINLINE & HANDLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.280		
STOCKWATER	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 49.0 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC/1 HOME; STOCK/ 200 HD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	24	SW	SW		IRR	14.0
			SW	SW		DOMEST	
			SW	SW		STOCK	

Section Acres 14.0

Total Acres 14.0

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:

A57-00106A

14. Remarks:

INSTREAM STOCKWATER

POINT OF DIVERSION CORRECTED PER REVIEW OF CLAIM FILE AND MAP
ATTACHED TO CLAIM - KW.

OWNERSHIP CHANGED PER CHANGE OF OWNERSHIP REC'D 4-22-92. JS

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 5/15/1923

JAMES L. DAVEY
Decree Plaintiff

GEORGE F. BROWN, ET AL
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

SEP 25 1992

RECEIVED
APR 22 1992

CHANGE IN OWNERSHIP

Department of Water Resources

This form is used for purposes of notifying IDWR of a change in ownership of an Adjudication Claim.

[] Water Right Number(s): 57-00097; 57-00106; 57-00129; 57-00151;
57-00153; 57-00160; 57-00236; 57-00237;
57-00098A; 57-00107A; A57-00098A; A57-00107A; A57-00236; A57-00129;
[] Name and Address of Former Claimant(s): A57-00153
Petroleum Construction, Inc.

P. O. Box 592

Santa Paula, CA 93060

[] New Claimant(s): David L. Putnam, Thomas T. Nicholson and
Diane Rae Nicholson

[] New Mailing Address: 10330 W. Stardust Dr., Boise, ID 83709

[] New Telephone Number: (208.) 375 - 5255

[] Does the change in ownership result in a spitting of the water right(s) claimed? Yes No
If yes, then describe the portion of the water right that is now claimed by the new owner(s):

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

[] Signature of New Claimant(s):

David L. Putnam

Date April 10, 1992

CHANGE IN OWNERSHIP

[] Signature of Former Claimant(s):

Date:

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

For IDWR use only:

Initial Review and Data-Entry: Date

BY

Further Action Needed / Taken: Date

BY

Final Review and Data-Entry: Date

BY

Claim Numbers of Split, if any:

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

Western Regional Office

2735 Airport Way
Boise, Idaho 83705

(208) 334-2190

Southern Regional Office

222 Shoshone Street East
Twin Falls, Id 83301

(208) 734-3578

Eastern Regional Office
150 Shoup Suite # 15
Idaho Falls, Idaho 83402

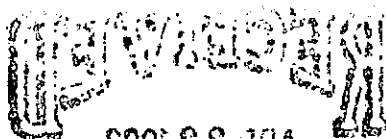
(208) 525-7161

Northern Regional Office
1910 Northwest Blvd. Suite 210
Coeur D'Alene Idaho 83814

(208) 765-4639

IDWR State Office
1301 N. Orchard St.
Statehouse Mail
Boise, Idaho 83720

(208) 327-7906



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: A57-00097A
Date Received: 2/24/1989
Receipt No: W002300
Received By: _____

*Needs to be
corrected to
orig. owner.
See new copy
of claim*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PETROLEUM COMPANY INC 805-525-2144
Address: C/O RUSSELL FOX
PO BOX 592
SANTA PAULA CA 93060
- AND
- Name: DAVID L PUTNAM 208-375-5255
Address: 10330 W STARDUST DR
BOISE ID 83709
- AND
- Name: THOMAS T NICHOLSON 208-375-5255
Address: 10330 W STARDUST DR
BOISE ID 83709
- AND
- Name: DIANE RAE NICHOLSON 208-375-5255
Address: 10330 W STARDUST DR
BOISE ID 83709

2. Date of Priority: JUN 1, 1887

3. Source: CASTLE CR. Trib. to: SNAKE R.

4. Point of Diversion:

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

5. Description of diverting works:
RK DAM, HOLDING POND, PUMP, MAINLINE & HANDLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.280		
STOCKWATER	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.040		

MICROFILMED
OCT 07 1992

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

A.F.A.

8. Total consumptive use is 49.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC/1 HOME; STOCK/ 200 HD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	24	SW	SW		IRR	14.0
			SW	SW		DOMEST	
			SW	SW		STOCK	

Section Acres 14.0

Total Acres 14.0

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:
A57-00106A

14. Remarks:
INSTREAM STOCKWATER
POINT OF DIVERSION CORRECTED PER REVIEW OF CLAIM FILE AND MAP
ATTACHED TO CLAIM - KW.
OWNERSHIP CHANGED PER CHANGE OF OWNERSHIP REC'D 4-22-92. JS

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 5/15/1923

JAMES L. DAVEY
Decree Plaintiff

GEORGE F. BROWN, ET AL
vs Decree Defendant

MICROFILMED
OCT 07 1992

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00097 A Date: 12-12-03

	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	4S	1E	24											12						12
GIS														12						12
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 12

Overlapping FOU Claim #'s:

Total GIS Acres: 12

57-00237 A , 57-00106 A

COMMENTS:

digitized per image interpretation - county data indicates claimant
owns most of this property

Idaho Department of Water Resources

Claim Number: 57-00097A

Legal: T04S, R01E, S24

Reviewed By:

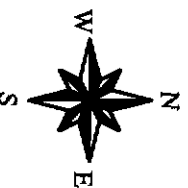
☐ Point of Diversion

☐ Place of Use

☐ Section Lines

☐ Quarter Quarter Lines

☐ Township/Range Lines



1987 Nepp Photo

