

CLAIM NO 57- 000 98A, ETC.



ROCK DAM IN  
CASTLE CK.  
FOR DITCH  
DIVERSION TO  
POND



DITCH FROM CK.  
INTO POND

MICROFILMED  
OCT 07 1992

TAKEN 10-18-90 by Jan Thurst

A57-000 Q8A, ETC



HOLDING POND  
FROM WHICH  
WATER IS  
PUMPED TO  
SPRINKLERS



PUMP PLAT-  
FORM WITH  
INLET PIPE  
FROM POND

(NOTE: PUMP  
REMOVED  
OCT 07 1992  
TIME OF EXAM,

TAKEN 10-18-90 by Jan Thunite

②

A57-00098A, etc



DIESEL MOTOR  
+ PUMP WITH  
OUTLET PIPES  
(IN STORAGE  
AT TIME OF  
EXAM)



PLACE OF  
USE FACING  
NORTHEAST FROM  
PUMP - Approx.  
SENW + NESW  
See. 24.

MICROFILMED  
OCT 07 1992

TAKEN ON 10-18-90 by Jan Thute

A57-00098A



TAKEN 10-18-90 by  
Jan Shurtz

Field in the  
NWNW, Sec. 25  
looking north-  
west towards  
Castle Creek -  
from the well  
used in A57-  
10457.

MICROFILMED  
OCT 07 1992

POOR ORIGINAL

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.



David L. Putnam  
Notary Public for Idaho  
Residing at Boise, Idaho  
Commission Expires: 8/1/98

MICROFILMED  
SEP 25 1995

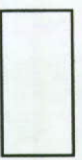
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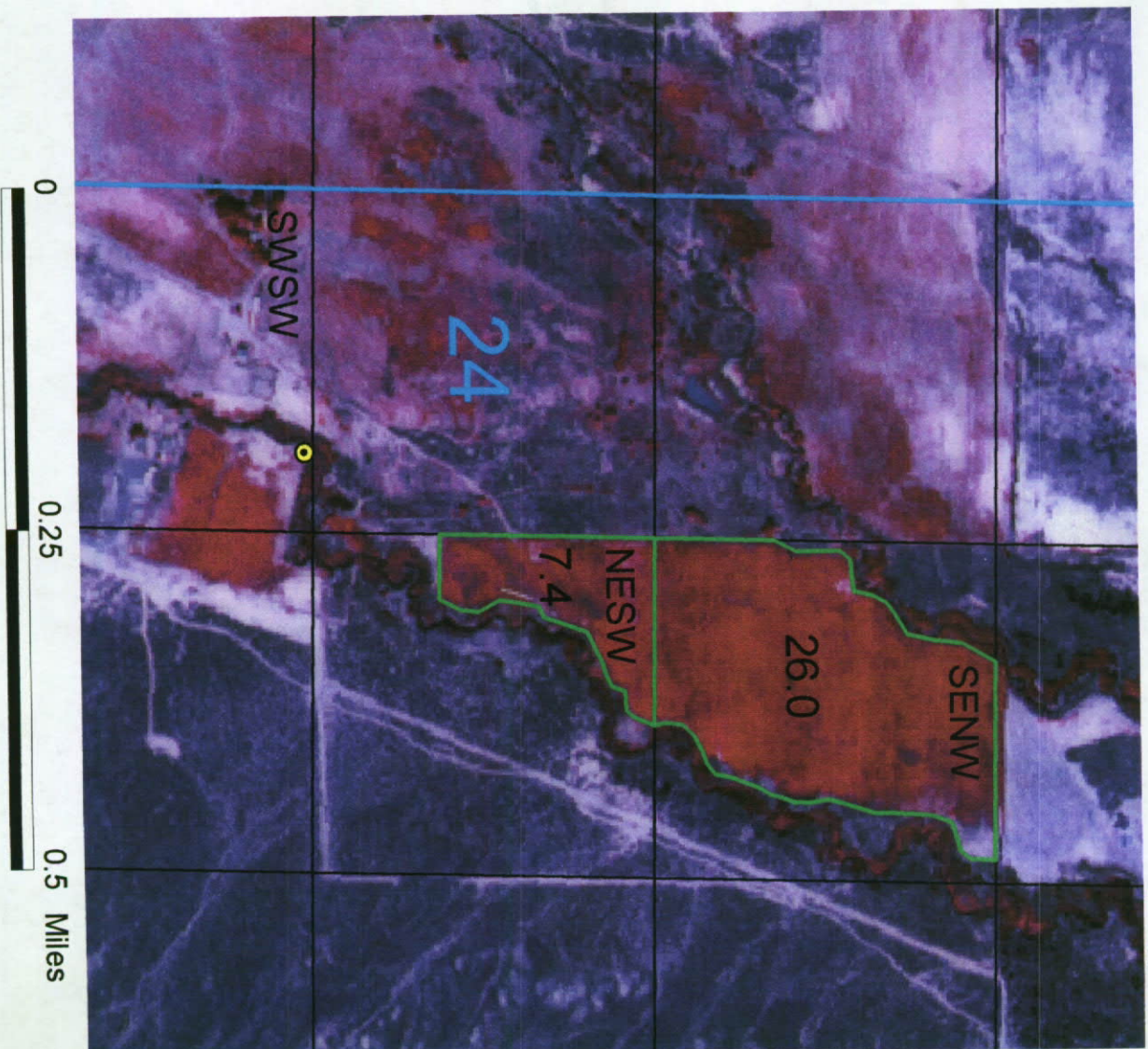
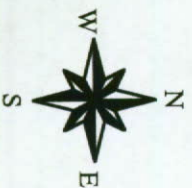
# Idaho Department of Water Resources

Claim Number: 57-00098A

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: **A57-00098A**  
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, 1885
3. Source: CASTLE CREEK Trib. to: SNAKE RIVER
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 & HANDLINES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 10/15 | 0.200 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.050 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.040 |      |        |

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

8. Total consumptive use is 280.0 Acre Feet Per Annum.

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

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 04S      | 01E   | 24      | SE     | NW  |     | IRR | 40.0  |
|          |       |         | NE     | SW  |     | IRR | 40.0  |

10. Place of Use: Continued

Section Acres 80.0

Total Acres 80.0

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:  
A57-00107A

14. Remarks:

APPROVAL OF SAID APP. IS SUBJECT TO THE FOLLOWING LIMITATIONS AND CONDITIONS: THE APPLICANT IS ENTITLED TO DIVERT AT THE POINT OF DIVERSION IN THE SWSW, S24, T4S, R1E, ONLY THE AMOUNT OF WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S26, T4S, R1E. LESS A 20 PER CENT LOSS. THAT MEASURING DEVICES BE INSTALLED IN CASTLE CK. AT THE OLD POINT OF DIVERSION AND IN THE DITCH AT THE NEW POINT OF DIVERSION. THAT WATER WILL NOT BE IMPOUNDED AT THE NEW POINT OF DIVERSION IF THERE IS NOT WATER TO WHICH THE APPLICANT IS ENTITLED.  
OWNERSHIP CHANGED PER CHANGE OF OWNERSHIP REC'D 4-22-92. JS  
OWNERSHIP CHANGED PER REQUEST RECEIVED 1/4/96. LH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

DAVEY

Decree Plaintiff

BROWN

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 \_\_\_\_\_

RECEIVED

NOV 03 2000

Department of Water Resources 08/29/2000

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

RIGHT NUMBER: 57-98A

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

SOURCE: CASTLE CREEK TRIBUTARY: Snake River

QUANTITY: 0.2 CFS

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

PRIORITY DATE: 04/01/1885

POINT OF DIVERSION: T04S R01E S24 NESWS Within OWYHEE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 4-01 10-15           | 0.05 CFS        |
| IRRIGATION            | 4-01 10-15           | 0.20 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 SENW 25 T04S R01E S24 NESW 8  
33 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 33 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 57-00107A, 57-00151A,  
57-00160B

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, 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

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 COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE BASIN 02 RIGHTS

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00097A, 57-00106A, 57-00107A, 57-00151A, 57-00160B, 57-00129, 57-00137, 57-00153, 57-00236 & 57-00237A

STOCKWATER, 200 RANGE CATTLE



State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

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

RECEIVED

RECEIVED

NOV 03 2000

AUG 14 2000

Department of Water Resources

July 18, 2000

Gisela Schaal  
HC 79 Box 2287  
Murphy ID 83650

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

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  
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.



1980 MAR -5 PM 12:41  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

PAGE 1  
FEB-26-1998



Remarks:

THE IRRIGATION OF A COMBINED TOTAL OF 33 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 57-00107A, 57-00151A, 57-00160B.

CEN

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 COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE BASIN 02 RIGHTS.

EXP

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.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00097A, 57-00106A, 57-00107A, 57-00151A, 57-00160B, 57-00129, 57-00137, 57-00153, 57-00236 & 57-00237A.

STOCKWATER, 200 RANGE CATTLE.

Dates: Exam Made Date:

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: 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: 11/10/97 MSCHULTE

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

DATE: NOV-10-1997

PAGE: A-1

-----  
 RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER  
 -----

RIGHT NUMBER: 57-00098A

NAME AND ADDRESS: DAVID K PUTNAM  
 DIANE RAE NICHOLSON  
 THOMAS T NICHOLSON  
 10330 W STARBUCK DR  
 BOISE ID 83709

GISELA SCHAAL  
 PO BOX 201  
 GRANDVIEW ID 83624

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.2 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY  
 USED FOR STOCKWATER, 200 HP RANGE BATTLE

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

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     |                | <u>Irrigation Season</u> | 0.2 CFS  |
|                |                | 04/01 10/15              |          |
| STOCKWATER     |                | 04-01 10-15              | 0.05 CFS |

PLACE OF USE: IRRIGATION Within Owyhee County  
 T04S R01E S24 SENW 25 NESW 8  
 33 ACRES TOTAL

Place of use for STOCKWATER is same as IRRIGATION

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 33 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 57-00107A, 57-00151A,  
57-00160B.

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR

57-00098A (CONT.)

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 COMBINED USE LIMITATIONS FOR THIS RIGHT AND 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. 57-00107A, 57-00151A & 57-00160B IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 11913 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, 57-00106A, 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE §2-141611.

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.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00097A, 57-00106A, 57-00107A, 57-00151A, 57-00160B, 57-00129, 57-00137, 57-00153, 57-00236 &

AJ5856NP

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

DATE: NOV-10-1997

PAGE: A-3

57-00098A (CONT.)

57-00237A.

STOCKWATER, 200 RANGE CATTLE.

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

AJ0749NP  
No. R57-00098A

OWNER CODE NAME & ADDRESS  
C GISELA SCHAAL  
PO BOX 201  
GRANDVIEW ID 83624  
04/01/1885 PRIORITY DATE  
04-01 10-15 USE PERIOD FROM TO  
0.20 CFS DIVERSION RATE  
0.05 CFS  
0.20 CFS  
TOTAL DIVERSION: 0.20 CFS

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

| Place of use Legal Description for: IRRIGATION                                              |     |    |    |    |    |    |             |    |    |
|---------------------------------------------------------------------------------------------|-----|----|----|----|----|----|-------------|----|----|
| NE                                                                                          |     |    |    |    |    |    |             |    |    |
| NENE NUNE 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 |
| 04S                                                                                         | 01E | 24 | :  | :  | :  | :  | :           | :  | :  |
|                                                                                             |     |    |    | 25 | :  | 08 |             |    |    |
|                                                                                             |     |    |    |    |    |    | TOTAL ACRES |    |    |
|                                                                                             |     |    |    |    |    |    | 33.0        |    |    |
|                                                                                             |     |    |    |    |    |    | 33.0        |    |    |

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

POU County: ONYHEE  
Non-Irrigation Uses: STOCKWATER, 200 HA RANGE CATTLE  
Other Rights: 57-00107A, 57-00151A, 57-00160B.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
57-00097A 57-00098A 57-00106A 57-00107A 57-00129 57-00137 57-00151A 57-00153 57-00160B 57-00236  
57-00237A 57-00097A 57-00098A 57-00106A 57-00107A 57-00129 57-00137 57-00151A 57-00153 57-00160B  
A57-00237A R57-00097A R57-00106A R57-00237A

Other Water Rights Listing Overlapping Place(s) of Use:  
57-00098A 57-00107A 57-00151 57-00160 57-00160B A02-07281 A57-00098A A57-00107A A57-00151  
A57-00151A A57-00160 A57-00160B

Conditions of Approval:  
Delete R01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).

Remarks: ~~GEN~~ 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, EXP

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

DATE: 11/03/97  
PAGE: 2

Remarks:

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 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: *NOS + NO8*

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: 11/03/97 MSCHULTE

*EXP-FO6* *EXP* *POU E14* *GEN*



**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

March 5, 1996

KARL J. DREHER  
DIRECTOR

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.: <sup>A02-07281</sup>  
A02-02261D, A02-07274B  
<sup>02-07281</sup>  
EMPLOYEE: DTTINICUCCI <sup>02-07274B</sup>

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 ~~reviewed~~ 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. ~~I~~ 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 ~~at~~ 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

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SEP 25 1996

DATE: 01/26/96  
PAGE: 1

DIVERSION  
VOLUME

TOTAL DIVERSION: 0.20 CFS

Stage: DECREED  
OWYHEE County

3

80

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

Remarks: 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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION:

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SEP 25 1996

AJ0749NP  
No. 57-00098A

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

DATE: 01/26/96  
PAGE: 2

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:

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

Comments: Date: 05/18/1992 User-ID: SHURYE 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: 01/26/96 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

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:l  
Enclosure

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SEP 25 1996



AJ5809NP  
No. 57-00098A

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/05/93  
PAGE: 18

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:

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

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

Audit: 08/01/91 WHITNEY 09/23/91 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-PRODM  
07/29/92 PR-PRODM 10/13/92 CP SHAW 12/05/92 ADT-SHAW

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JUL 20 1994

| OWNER<br>CODE    | NAME & ADDRESS      | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|---------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | DAVID L PUTNAM      | 04/01/1885       | IRRIGATION | 04-01 10-15           | 0.20 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: |                     |                  |            |                       | 0.20 CFS          |                     |

Water Source: CASTLE CREEK Tributary to: SNAKE RIVER Stage: DECREED  
T04S R01E S24 NESWSW OMYHEE County

Point(s) of Diversion:

Place of use Legal Description for: IRRIGATION

| NE          |    | NW |     | SW  |     | SE  |     | SUM  |      |
|-------------|----|----|-----|-----|-----|-----|-----|------|------|
| T           | R  | S  | ENE | ENE | ENE | ENE | ENE | ENE  | ENE  |
| Lt          | Ac | Lt | Ac  | Lt  | Ac  | Lt  | Ac  | Lt   | Ac   |
| 25          | 08 | 25 | 08  | 25  | 08  | 25  | 08  | 25   | 08   |
| TOTAL ACRES |    |    |     |     |     |     |     | 33.0 | 33.0 |

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

POU County: OMYHEE

Non-Irrigation Uses: STOCKWATER, 200 HD RANGE CATTLE

Other Rights: 57-00107A, 57-00151A, 57-00160B.

## Conditions of Approval:

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

## Remarks:

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. 57-00107A, 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 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

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OCT 6 7 1992

AJ0729NP  
No. R57-00098A

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/19/92  
PAGE: 2

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:

Misc:

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

Audit:

08/01/91 WHITNEY 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

MICROFILMED  
OCT 07 1992

## NOTICE OF CLAIM NO.

A57-80098A, ETC

\*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN  
SUBMITTED - YES 0 NO X.

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

COMMENTS: 0 This attached CVR can be used for all rights  
granted the point of diversion in the JWFW, Reddy. Case  
no: 07-00097A, 07-00098A, 07-00106A, 07-00107A, 07-00129,  
07-00132, 07-00153, 07-00160B & 07-00236, & 07-00237A

**VERIFICATION CODES**

|   |                |          |   |   |
|---|----------------|----------|---|---|
| 1 | TOPO MAP/ORTHO | PHOTO    | = | 1 |
| 2 | USCS           | MAP      | = | 2 |
| 3 | WATERMASTER    | RECORDS  | = | 3 |
| 4 | NAPP           | PHOTOS   | = | 4 |
| 5 | FIELD          | EXAM     | = | 5 |
| 6 | OTHER/SEE      | COMMENTS | = | 6 |

\*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN  
SUBMITTED - YES NO ☒ .

011  
\*\*IF CLAIMANT CONTACT IS NEEDED, COMPLETE  
CLAIMANT CONTACT CHECKLIST AND ATTACH

COMMENTS: *This attached can be used to all needs*

FILED  
1987  
FEB 11  
FBI  
give the point of diversion in the JWFW, Shelby. These  
are: 57-000974, 57-00098A, 57-00106A, 57-00107A, 57-00129,  
57-00137, 57-00153, 57-00160B & 57-00236, & 57-00237A

**CLAIM NUMBER: A57-00098A**

LAST: JONES  
ADDRESS: 00000  
CITY: 208-000-0000  
PHONE NUMBER: 0  
OWNER CODE: 0  
STATE: ID ZIP: 00000  
FIRST: WALTER B.

LAST: BRICKER  
ADDRESS: 3801 21ST ST.  
CITY: LUBBOCK  
PHONE NUMBER: 208-000-0000  
OWNER CODE: 0  
STATE: TX  
ZIP: 75060  
FIRST: DR. DONALD

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

| FIELD EXAM REQUIRED? | FIELD EXAMINER | DATABASE Y | VERIFICATION REQUIRED DUE TO REMARKS? |
|----------------------|----------------|------------|---------------------------------------|
|----------------------|----------------|------------|---------------------------------------|

CLAIM REMARKS: APPROVAL OF SAID APP. IS SUBJECT TO THE FOLLOWING LIMITATIONS AND CONDITIONS: THE APPLICANT IS ENTITLED TO DIVERT AT THE POINT OF DIVERSION IN THE SWSW, S24, T4S, R1E, ONLY THE AMOUNT OF WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S26, T4S, R1E. LESS A 20 PER CENT LOSS. THAT MEASURING DEVICES BE INSTALLED IN CASTLE CK. AT THE OLD POINT OF DIVERSION AND IN THE DITCH AT THE NEW POINT OF DIVERSION. THAT WATER WILL NOT BE IPOUNDED AT THE NEW POINT OF DIVERSION IF THERE IS NOT WATER TO WHICH THE APPLICANT IS ENTITLED.

THE  
OF  
TO

**MICROFILMED**  
**OCT 07 1992**

CONTACT PERSON: RUSSELL FOXPHONE NUMBER: 805-555-2144DATE OF FIELD EXAM: 10/18/90APPOINTMENT MADE: Y( ☒ ) N( ☐ )TIME: 10:00 AM P( ☐ )ACCOMPANIED BY: BAILEY CHILKOTERSPHONE NUMBER: 805-834-2514RELATIONSHIP TO CLAIMANT: BROTHER IN LAW

DIRECTIONS TO PROPERTY / REMARKS:

see attached memo also

Petro. Co.

FIELD EXAM  
TELEPHONE CONVERSATION MEMO

I.D. NUMBER A 57-00097A, 98A, 106A, 107A, 129, 137, 151A, etc.

NAME OF CONTACT Russell Fox

PHONE NO. (805) 525-2144 ADJ. AGENT \_\_\_\_\_

DATE SET FOR EXAM 10-18 @ 10:00

<sup>8-21-90</sup>  
LOCATION He will call me back after he makes arrangements to come up from CA. Called him on 9-18-90. He will call me back. Muto ranch. Mo to Murphy - 9-19-90  
Hwy marker 48. At this point will cross Castle Cr. House N. of Hwy 78. Large radio antenna.

Next driveway to the left

Diverting at full rates? Some water

Type of measuring devices? \_\_\_\_\_

Places to make measurements? \_\_\_\_\_

Type of system? (pipeline, ditches) Disinfectant at POP & sprinklers used to use ditches.

How many laterals are used? \_\_\_\_\_

Length and size of mainline? \_\_\_\_\_

Size of Motor used for each P/D? \_\_\_\_\_

Estimate of depth to water? \_\_\_\_\_

Pressure at well? \_\_\_\_\_

Pressure at sprinkler head? \_\_\_\_\_

COMMENTS Best irr. from Castle creek last year. Also have irr. from Snake river.

2 POP's - 1 N. & 1 S. of Hwy 78. The 1 N. is the one they are really using.

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OCT 07 1992

A. AJ CLAIM: # A57-00098A PRIORITY DATE: 06-01-1885 STAGE: D

B. WR RECORD: # 57-00098A PRIORITY DATE: 06-01-1885 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

FIELD EXAMINER  
DATABASE N  
XO

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

REMARKS:

Castle Creek decree decreed priority dates to the year only, therefore, during claims taking to date entry of orig. app 6-1 was used for the month & day. Now, it has been decided to use the beginning day of the decreed season of case - 4-1 on all Castle Cr. decreed its. with no month or day.

RECOMMENDED PRIORITY DATE: 4-1-1885

DATE 12-3-91

REVIEWED BY

MICROFILMED  
OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT      | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|------------|------|------|------|-----|-----|-----|-----|--------|
| A57-00098A | 04S  | 01E  | 24   | SW  | SW  | SW  |     | OWYHEE |

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX  
 A57-00097A  
 A57-00106A  
 A57-00107A  
 A57-00129  
 A57-00137  
 A57-00151A  
 A57-00153  
 A57-001608

WR RECORDS IN SAME 40 ACRE TRACT

57-00107A

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| 57-00098A | 04S  | 01E  | 24   | SW  | SW  | SW  |     | OWYHEE |

OTHER WR RECORDS WITH SAME WR POD

57-00107A

AJ CLAIMS IN SAME 40 ACRE TRACT  
 A PREFIX  
 R PREFIX

A57-00106A  
 A57-00129  
 A57-00137  
 A57-00151A  
 A57-00153  
 A57-00237A  
 A57-10583

NONE

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        | <u>YES</u>     |
|                            |       | N        | <u>NO</u>      |

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 OCT 07 1992

## REMARKS:

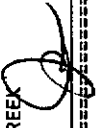
P.O. changed per transfer approved in 1977. All changed right to wrong P.O. in SESU 1526 have the same condition. See attached the approved transfer then. See attached transfer app. for exact condition - has been modified

## RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | LOT | COUNTY  |
|------|------|------|-----|-----|-----|---------|
| 15   | 1E   | 24   | NE  | SW  |     | Douglas |

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

REVIEWED BY: 

DATE: 12-3-91

for decreed its - per Dave Shaw & Lynne Hoag-Kampel.

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OCT 07 1992

A. ROOT WATER RIGHT NUMBERS: A57-00098A  
R57-00098A

A57-10857

R57-10857

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                        | AJ<br>#/ACRES    | WR<br>#/ACRES   | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-------------|-----|-----|-----|-----|-----|-----------------------------|------------------|-----------------|-----------------|----------------|------------------|
| 04S         | 01E | 24  | SE  | NW  |     | PETROLEUM COMPANY INC.      | A57-00098A /40.0 | 57-00098A /40.0 | 26.0            | 25             | 25               |
|             |     |     | SE  | NW  |     | PETROLEUM CONSTRUCTION INC. | A02-07281 /40.0  | 02-07281 /40.0  |                 |                |                  |
|             |     |     | SE  | NW  |     | PETROLEUM COMPANY INC       | R57-00098A /25.0 | - /             |                 |                |                  |
|             |     |     | SE  | NW  |     | PETROLEUM COMPANY INC       | R57-00151A /25.0 | - /             |                 |                |                  |
|             |     |     | SE  | NW  |     | PETROLEUM COMPANY INC       | R57-00160B /25.0 | - /             |                 |                |                  |
|             |     |     | SE  | NW  |     | PETROLEUM COMPANY INC.      | A57-00151A /30.0 | - /             |                 |                |                  |
|             |     |     | SE  | NW  |     | PETROLEUM COMPANY INC.      | A57-00160B /30.0 | - /             |                 |                |                  |
|             |     |     | SE  | NW  |     | PETROLEUM COMPANY INC.      | A57-00107A /40.0 | 57-00107A /40.0 |                 |                |                  |
|             |     |     | SE  | NW  |     | PETROLEUM COMPANY INC       | R57-00107A /25.0 | - /             |                 |                |                  |
|             |     |     | SE  | NW  |     | JONES , WALTER B.           | 57-00151 /       | 57-00151 /      |                 |                |                  |
|             |     |     | SE  | NW  |     | JONES , WALTER B.           | 57-00160 /       | 57-00160 /      |                 |                |                  |
|             |     |     | SE  | NW  |     | COX , WILLIAM E.            | 57-02259 /40.0   | 57-02259 /40.0  |                 |                |                  |
| 04S         | 01E | 24  | NE  | SW  |     | PETROLEUM COMPANY INC.      | A57-00098A /40.0 | 57-00098A /40.0 | 2.0             | 8              | 8                |
|             |     |     | NE  | SW  |     | PETROLEUM CONSTRUCTION INC. | A02-07281 /40.0  | 02-07281 /40.0  |                 |                |                  |
|             |     |     | NE  | SW  |     | PETROLEUM COMPANY INC       | R57-00151A / 8.0 | - /             |                 |                |                  |
|             |     |     | NE  | SW  |     | PETROLEUM COMPANY INC       | R57-00160B / 8.0 | - /             |                 |                |                  |
|             |     |     | NE  | SW  |     | PETROLEUM COMPANY INC.      | A57-00151A /20.0 | - /             |                 |                |                  |
|             |     |     | NE  | SW  |     | PETROLEUM COMPANY INC.      | A57-00160B /20.0 | - /             |                 |                |                  |
|             |     |     | NE  | SW  |     | PETROLEUM COMPANY INC.      | A57-00107A /40.0 | 57-00107A /40.0 |                 |                |                  |
|             |     |     | NE  | SW  |     | PETROLEUM COMPANY INC       | R57-00098A / 8.0 | - /             |                 |                |                  |
|             |     |     | NE  | SW  |     | PETROLEUM COMPANY INC       | R57-00107A / 8.0 | - /             |                 |                |                  |
|             |     |     | NE  | SW  |     | JONES , WALTER B.           | 57-00151 /       | 57-00151 /      |                 |                |                  |
|             |     |     | NE  | SW  |     | JONES , WALTER B.           | 57-00160 /       | 57-00160 /      |                 |                |                  |
|             |     |     | NE  | SW  |     | COX , WILLIAM E.            | 57-02259 /40.0   | 57-02259 /40.0  |                 |                |                  |
| TOTAL ACRES |     |     |     |     |     |                             | 80.00            | 80.00           | 28.00           | 33             | 33               |

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

IF YES SEE ATTACHED SHEET:

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

FIELD EXAMINER  
DATABASE Y

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PRESUMPTION FLAG:

0 for expanded acres

REMARKS:

EO1, FO6, FO7 & transfer condition

RECOMMENDATIONS:

TOTAL ACRES:

33

REVIEWED BY:

*[Signature]*

DATE:

12-3-91

EO1 - Each Castle Ch. st. shows the same 33 acres  
so total acres & Cons. use must be limited.  
All add up to 33" so no div. rates limited needed.

FO6 - All Castle Ch. st. direct from the same P.O.

FO7 - Overlap w/02-07281 - not yet examined so no  
limitation on acres unknown can be done.

Specific transfer condition - see attached copy  
of approved transfer.

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EO1 - Expansion of acres due to permissible place  
of use - sig. decel for 20cpx which is acres,  
as decision Auth. at 1" rate

## A. AJ CLAIMED USES:

PURPOSES  
A57-00098A IRRIGATION  
A57-00098A STOCKWATER  
A57-00098A DOMESTIC

MONTH/DAY  
FROM 04-01 TO 10-15  
FROM 01-01 TO 12-31  
FROM 01-01 TO 12-31

## DIVERSION QUANTITY

.200 CFS  
.050 CFS  
.040 CFS  
.200 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

## B. WR RECORDED USES:

PURPOSES  
57-00098A IRRIGATION  
57-00098A STOCKWATER  
57-00098A DOMESTIC

MONTH/DAY  
FROM 04-01 TO 10-15  
FROM TO  
FROM TO

## DIVERSION QUANTITY

.200 CFS  
.200 CFS  
.200 CFS  
.200 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG: *Add 0 for expanded aous*

## C. FIELD EXAM REQUIRED?

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

FIELD EXAMINER  
DATABASE N Y Y  
*AD*  
*AD*  
*AD*

## D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

REMARKS:

*Y(X) N( ) on irrig. only*  
*Y( ) N( ) Explain in remarks, below.*

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

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

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

FLOW MEASUREMENT REQUIRED?

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

B.

MEASUREMENT METHOD

*Theoretical* FLOW MEASUREMENT  
SEE ATTACHED CALCULATIONS. *[Signature]*

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

OTHER RIGHTS LISTED IN CLAIM: A57-00107A + 57-001608 + 57-00151A

LIST ALL RIGHTS WITH A SAME POJ AND IRRIGATION USAGE:

| CLAIM NO.  | SOURCE       | NAME                        | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|--------------|-----------------------------|-----------|----------------|-----------|----------------|
| A57-00098A | CASTLE CREEK | PETROLEUM COMPANY INC.      | 0.200     | 0.002          |           |                |
| A02-07281  | SNAKE RIVER  | PETROLEUM CONSTRUCTION INC. | 8.000     | 0.018          |           |                |
| R57-00098A | CASTLE CREEK | PETROLEUM COMPANY INC       | 0.200     | 0.006          |           |                |
| R57-00107A | CASTLE CREEK | PETROLEUM COMPANY INC       | 0.267     | 0.008          |           |                |
| A57-00107A | CASTLE CREEK | PETROLEUM COMPANY INC.      | 0.267     | 0.003          |           |                |
| A57-00151A | CASTLE CREEK | PETROLEUM COMPANY INC.      | 0.080     | 0.001          |           |                |
| R57-00151A | CASTLE CREEK | PETROLEUM COMPANY INC       | 0.080     | 0.002          |           |                |
| A57-001608 | CASTLE CREEK | PETROLEUM COMPANY INC.      | 0.260     | 0.005          |           |                |
| R57-001608 | CASTLE CREEK | PETROLEUM COMPANY INC       | 0.110     | 0.003          |           |                |

NO RIGHTS WITH SAME POJ BUT NOT USED FOR IRRIGATION

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  
ACRES 33 x 0.02 CFS/ACRE = .66 CFS  
(Taken from p/u review)

1b. CALCULATIONS

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 = 280.0 AF/A

ACRES 33 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 115.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A AF/A

ACRES \_\_\_\_\_ x DIVERSION VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL DIVERSION VOLUME \_\_\_\_\_ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ) N(X)

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

See next pg. for  
conclusion's & explanations

13.5 HP X 8.8 X 10%  
10' + (60 PSI X 2.3)

= 452.76  
128.47

= 3.05 cfs

NOTE: The total of all Castle Creek  
Rwy. diverting from this pt. of  
diversion is 2.5 cfs for 125 acres.  
Resutical shows that the pump  
can produce the 2.5 cfs.

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=====

RECOMMENDATIONS:

REC. DIV.  
VOL. AF/A

EXAMINER  
115.5  
DATABASE  
280.0

AF/A  
EXAMINER

REC. DIV  
RATE CFS

EXAMINER 20

00

0.300

0.040

0.200

TOTAL FOR THIS RIGHT

DATE: 12-3-91

2025年8月

Domestic use and is covered from ranch houses and etc. No in-house use found as incidental on 57-00097A, etc. The new deer started that all its Stockwater is covered by the new deer season - 4-15 to 10-15. To insure since Castle Creek the imp. shown in the non-ing. went to be used during the ing. shown in each Therefore, only the # of hds. is being shown on each. Therefore, only the # of hds. is being shown on each.

E01 - All Castle Ch. rts. for <sup>the</sup> limiter is needed up to 200.  
one so a total accu limiter all added up to 200.  
rate limiter is needed since from the same p.d.  
F06 - All Castle Ch. rights divergent from 07281 which is unknown.  
F07 - Do deal with the overlaps of 07281 & across unknown copy of  
F07 - Do been examined, therefore see attached copy of

Special transfer conditions.  
Approved transfer, pg 2.

## A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

## B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-00098

TOTAL DIVERSION RATE OF WR SPLITS

|          |             |     |
|----------|-------------|-----|
| DATABASE | EXAMINER    | CFS |
| 0.780    | <u>0.30</u> |     |

## SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| 57-00094             | A57-00098A               | 0.200             | R57-00098A                | 0.200            | 57-00098A           | 0.200             |
| 57-00103             | A57-10857                | 0.480             | R57-10857                 | 0.480            | 57-00094            | 0.300             |
| 57-00113             | A57-10857                | 0.480             | R57-10857                 | 0.480            | 57-00103            | 0.080             |
|                      |                          |                   | R57-10857                 | 0.480            | 57-00113            | 0.100             |
|                      |                          |                   |                           |                  | 57-00098B           | 0.100             |

TOTAL CFS 1.640

0.780

## 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<br>EXAMINER | DATABASE |
| <u>YES</u>        | N        |

## REMARKS:

*A + B = 1.30 cfs  
which was what  
orig rt. covered.*

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## AUTHENTICATION:

SIGNATURE:

*Jan Thura*

DATE:

*12-3-91*

NAME OF FIELD EXAMINER:

*LAW THURTE*

TITLE:

*Wm R. Thurston*

*Map, pictures, & system desc.  
Copy of transfer, or overlap right & proof reports  
of orig it & serials  
all all attached.*

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SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. A57-00098A, ETC.

Small rock & earth dam in Castle Creek diverts water thru a ditch\* on the northwest side of the creek which flows approx. 20' to a small pond which from which the water is pumped via a 13.5 hp diesel motor & Berdeley pump primer for a Cornell centrifugal pump. Water is pumped from the pond thru a 4" inflow pipe with a screen which is on a float in the pond. Pump is on a platform east of the pond and 4" inflow pipe to pump with a 4" outlet from pump then to a 6" mainline to sprinkler system. All sprinkler irrigated. Motor # F5L912 & 2300 RPM for diesel motor.

Pipeline runs North & South to irrigate the 33 acres in SE NW & NE SW, Sec. 24, SE SW, SW SW.

Pipeline also runs south to irrigate the 14 acres in the SW SW, then along

driveaway & under Highway 78 to irrigate the land in the NW NW, Sec. 25. \*Entire area can be diverted thru ditch at times, so in this situation the creek flows thru the diversion pond & back to its natural channel.

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CHAIN NO 57-00098A, ETC.



ROCK DAM IN  
CASTLE CK.  
FOR DITCH  
DIVERSION TO  
POND



DITCH FROM CK.  
INTO POND

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TAKEN 10-18-90 by Jan Thurst

A57-000 Q8A, ET.



HOLDING POND  
FROM WHICH  
WATER IS  
PUMPED TO  
SPRINKLERS



PUMP PLAT-  
FORM WITH  
INLET PIPE  
FROM POND

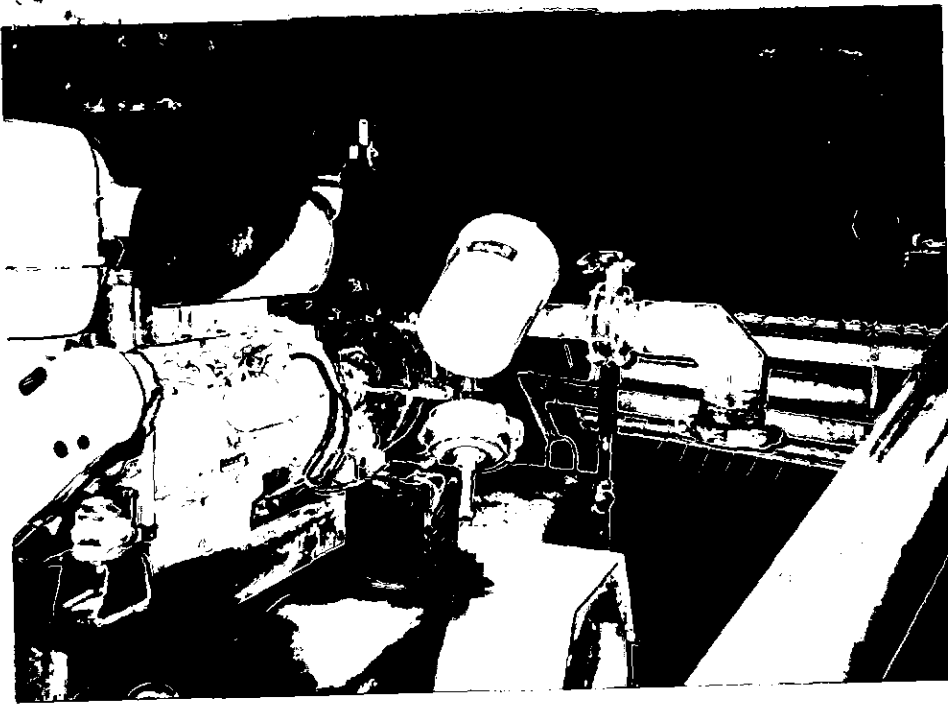
(NOTE: PUMP  
REMOVED  
OCT 07 1992  
MICROFILMED AT

TIME OF EXAM,

TAKEN 10-18-90 by Jan Thunite

A57-00048A, ER

DIESEL MOTOR  
& PUMP WITH  
OUTLET PIPES  
(IN STORAGE  
AT TIME OF  
EXAM)



PLACE OF  
USE FACING  
NORTHEAST FROM  
PUMP - Approx.  
SENW & NESW  
See. 24.  
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TAKEN ON 10-18-90 by Jan Thute

A57-00098A

Field in the  
NWNW, Sec. 25  
looking north-  
west towards  
Castle Creek -  
from the well  
used in A57-  
10457.

TAKEN 10-18-90 by  
Jan Thurtel

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Old (D) Number -

1  
1  
1  
1  
1

1 - 3801 21ST ST.

**WALTER B.**

**City- LUBBOCK**  
**Phone - 208-000-0000**

City-  
Phone - 208-000-0000

Stage - - - +  
D - DECRED

+ - - - - Tributaries of Snake River

```
-- -- -- -- -- Stream Index (Blank if no Index Code) --
```

(73) OWYHEE

- - - Diversion Rate

04/01 10/15

capacity - + - Total

| Serial Number | Description |
|---------------|-------------|
| 1             | ...         |
| 2             | ...         |
| 3             | ...         |
| 4             | ...         |
| 5             | ...         |
| 6             | ...         |
| 7             | ...         |
| 8             | ...         |
| 9             | ...         |
| 10            | ...         |
| 11            | ...         |
| 12            | ...         |
| 13            | ...         |
| 14            | ...         |
| 15            | ...         |
| 16            | ...         |
| 17            | ...         |
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| 19            | ...         |
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| 92            | ...         |
| 93            | ...         |
| 94            | ...         |
| 95            | ...         |
| 96            | ...         |
| 97            | ...         |
| 98            | ...         |
| 99            | ...         |
| 100           | ...         |

(73 ) OWYHEE

Total Acres: 80.0

+ - - Diversion Means - DAM &amp; DITCHES

+ - - ~~No~~ Irrigation Use :-

+ ~~other~~ Rights for Same Use -

Copies of existing water right split after  
transfer was approved. Gladys Cox  
L.D. was 283 number 57-5855

Adj. flag translation: Standard Water Right Number

[illegible]

| Field            | Value        | Field            | Value        | Field                 | Value |
|------------------|--------------|------------------|--------------|-----------------------|-------|
| 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      | - P   |
| Decree Date      | - 05/15/1923 | Presumption Flag | -            | Microfilm Roll Number | -     |

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Water Right Number - 57-00098B

Adj. Flay Translation: Standard Water Right Number

Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*

JONES

WALTER B.

1 -  
2 -  
3 -  
City-  
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +  
06/01/1985 14 D - DECREED+ - - Source - - - - - + + - - - - - Tributary - - - - - +  
CASTLE CREEK SNAKE RIVER+ - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) +  
Twn Rng Sec Tract Lot Rflg County+ - - - - - Description - - - - - Water Use - - - - - Diversion Rate Diversion Volume +  
Code01 - IRRIGATION  
04 - STOCKWATER  
43 - DOMESTIC

04/01 10/15 0.100

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +  
0.100+ - - - - - - - - - - - Place of Use - - - - - Description - - - - - County - - - - - +  
Twn Rng Sec Tract Lot Acres Code  
04S 01E 24 SW NW 01 IRRIGATION (73 ) OWTSEE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - - +  
SEE AGREEMENT IN TRANSFER FILE 57-0098.+ - - - - - - - - - - - Old Water Right Numbers - - - - - +  
No Old Water Right Numbers found.+ - - - - - - - - - - - Conditions of Approval - - - - - +  
No Conditions of Approval found.MICROFILMED  
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Water right number - 57-00098B Adj. flag translation: Standard Water Right Number

+ - - - - Decree Plaintiff - - - +  
JAMES L. DAVEY, ET. AL.

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

+ - Decree Date - +  
05/15/1923

+ - - Audit Fields - 02/11/86

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      | - P   |
| Decree Date      | - 05/15/1923 | Presumption Flag | -            | Microfilm Roll Number | -     |

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State-  
Zip-

| 01E | 04S | 13 | SW NE | 40.0 | 01 | IRRIGATION | (73) | 0MYHEE |
|-----|-----|----|-------|------|----|------------|------|--------|
| 01E | 04S | 13 | SE NW | 40.0 | 01 | IRRIGATION | (73) | 0MYHEE |
| 01E | 04S | 13 | NE SW | 40.0 | 01 | IRRIGATION | (73) | 0MYHEE |
| 01E | 04S | 13 | SE SW | 40.0 | 01 | IRRIGATION | (73) | 0MYHEE |
| 01E | 04S | 13 | NW SE | 40.0 | 01 | IRRIGATION | (73) | 0MYHEE |
| 01E | 04S | 13 | SW SE | 40.0 | 01 | IRRIGATION | (73) | 0MYHEE |
| 01E | 04S | 24 | NW NE | 40.0 | 01 | IRRIGATION | (73) | 0MYHEE |
| 01E | 04S | 24 | NE NW | 40.0 | 01 | IRRIGATION | (73) | 0MYHEE |
| 01E | 04S | 24 | SE NW | 40.0 | 01 | IRRIGATION | (73) | 0MYHEE |
| 01E | 04S | 24 | NE SW | 40.0 | 01 | IRRIGATION | (73) | 0MYHEE |
| 01E | 04S | 25 | NW NW | 40.0 | 01 | IRRIGATION | (73) | 0MYHEE |

**Total Acres:** 440.0

- Diversion Means - PUMP &amp; CANAL

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**OCT 07 1992**

Water right number - 02-07281 Prefix Translation: WATER RIGHT

+ - - - Non-Irrigation Use -

+ - - - Other Rights for Same Use -

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

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

+ - - - Conditions of Approval - - - - -

01B - The permit holder shall either install a measuring device or  
- provide a certified measurement by a professional engineer or  
- install and access port or other device as specified by the  
- Department.

012 - Water shall not be diverted under this permit unless the flow of  
- the Snake River at the U.S. Geological Survey stream gaging  
- station at Murphy exceeds 3,300 c.f.s. and at Weiser exceeds  
- 4,750 c.f.s.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - - - Decree Date - - - +  
00/00/0000

+ - - - Comments - - - - - No Comments Found - - - - -

+ - - - Audit Fields - 09/22/87 04/30/88 CONVERT 04/10/89 CURTIS

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

|                   |              |                  |              |                  |     |
|-------------------|--------------|------------------|--------------|------------------|-----|
| Proof Due Date    | - 05/01/1989 | Field Exam Made  | - 00/00/0000 | Field Exam Fee   | - R |
| Approved/Denied   | - 05/02/1979 | Protested Date   | - 00/00/0000 | Swan Falls       | - Y |
| Proof Made Date   | - 03/27/1989 | Hearing Date     | - 00/00/0000 | Temporary Right  | - P |
| Exam to S.O. Date | - 00/00/0000 | Verified Date    | - 02/11/1985 | DLE/Carey Act    | - 2 |
| Order Show Cause  | - 00/00/0000 | Receipt Number   | -            | Water District   | -   |
| Licensed Date     | - 00/00/0000 | Appl Received    | - 00/00/0000 | Transfer/Amended | -   |
| Decree Date       | - 00/00/0000 | Presumption Flag | -            |                  |     |

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OCT 07 1992

57-010

total number of cases to be reported 80

# MICROTE

requested changed, omit part B) 1885--0.20 cfs  
1887--0.27

1. Amount of water: a. 0.47 total cubic feet per second  
b. \_\_\_\_\_ &/or  
\_\_\_\_\_ acre feet per annum

2. Point of diversion SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 24 Township 4S  
Range 1E, B.M., Owyhee County  
Additional points

3. Place of use:

[illegible]

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

a. Amount of water to be diverted 0.47 c.f.s. &/or \_\_\_\_\_ acre feet

b. Point(s) of diversion SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 24 Township 4S  
Range 1E, B.M., Owyhee County

Additional points:

c. Description of diverting works Small check dam with ditch to place of use.

d. Describe the reasons for applying for a change in the point(s) of diversion Point of diversion  
is not being changed from transfer approved on 7-12-76. The transfer is  
filed to correct the description of the place of use and to conform with the  
agreement attached.

2. Change in place of use

a. Describe the lands or place of use to which the right will be transferred:

[illegible]

Total number of acres to be irrigated 80

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

[illegible]

## NOTICE OF AGREEMENT

We, William E. Cox and Gladys J. Cox being the owners of the SW $\frac{1}{4}$ NW $\frac{1}{4}$  Sec 24 T4S-R1E B.M., Owyhee County and Dr. Donald Bricker being the owner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 24 T4S-R1E B.M., hereby agree that those certain water rights described in the Davey vs. Brown decree<sup>as</sup> follows:

15 miner's inches of Castle Creek water with priority of 1885, and

20 miner's inches of Castle Creek water with priority of 1887, both being appurtenant to the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 24 T4S-R1E B.M.

be divided between the Coxes and Dr. Bricker on a one-third--  
two thirds basis respectively shown below:

William and Gladys Cox shall have 5 inches of the 1885 water right and 6 2/3 inches of the 1887 water right for a total of 11 2/3 inches

Dr. Bricker shall have 10 inches of the 1885 water right and 13 1/3 inches of the 1887 water right for a total of 23 1/3 inches.

The rights are understood to be used on their separate properties.

March 23, 1977  
Date

William E. Cox  
Signature

March 23, 1977  
Date

Signature Shadup J. Cox

March 25, 1977  
Date

Signature

3. Remarks This application for transfer is being submitted to conform with the attached agreement between William E. Cox, Gladys Cox and Dr. Don Bricker.

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

X Leon R. G. [Signature]  
(Signature of applicant)

Subscribed and sworn to before me this 17<sup>th</sup> day of August, 19 77

[Signature]  
(Notary public)

My commission expires 8/22/77

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_, and said application is hereby \_\_\_\_\_.

1. Approval of said application is subject to the following limitations and conditions:

The applicant is entitled to divert at the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 24, Twp. 4S, Rge. 1E, only the amount of water at the old point of diversion located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 26, Twp. 4S, Rge. 1E, less a 20% loss.

That measuring devices be installed in Castle Creek at the old point of diversion and in the ditch at the new point of diversion.

That water will not be impounded at the new point of diversion if there is not water to which the applicant is entitled.

Witness my hand this 30 day of August, 19 77

[Signature]

### FOR DEPARTMENT USE ONLY

Received by [Signature] Date 8-18-77  
Prelim. check by [Signature] Fee No additional fee req'd  
Received by G #6120 Date 12/7/76  
Published in Owyhee Nugget  
Pub. dates Dec 16 & 23 re-Jan 13 & 20  
Watermaster recommendation requested on \_\_\_\_\_  
rec'd. \_\_\_\_\_

Protest filed by \_\_\_\_\_  
Copies of protest forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial  
by JS

NOTE: THIS  
TRANSFER IS SUPERCEDED  
BY ATTACHED TRANSFER  
APPROVED IN 1977

57-0203  
57-0203  
Identification No.  
Transfer No. 1958

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT  
To Change the Point of Diversion and/or the Place of Use

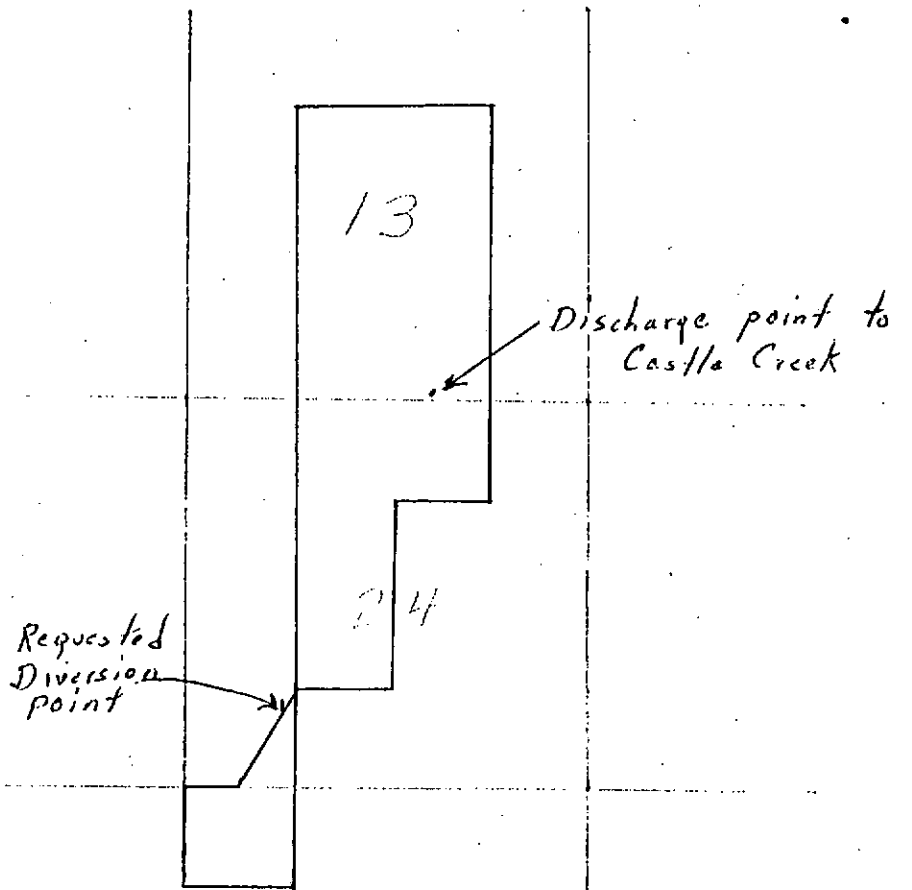
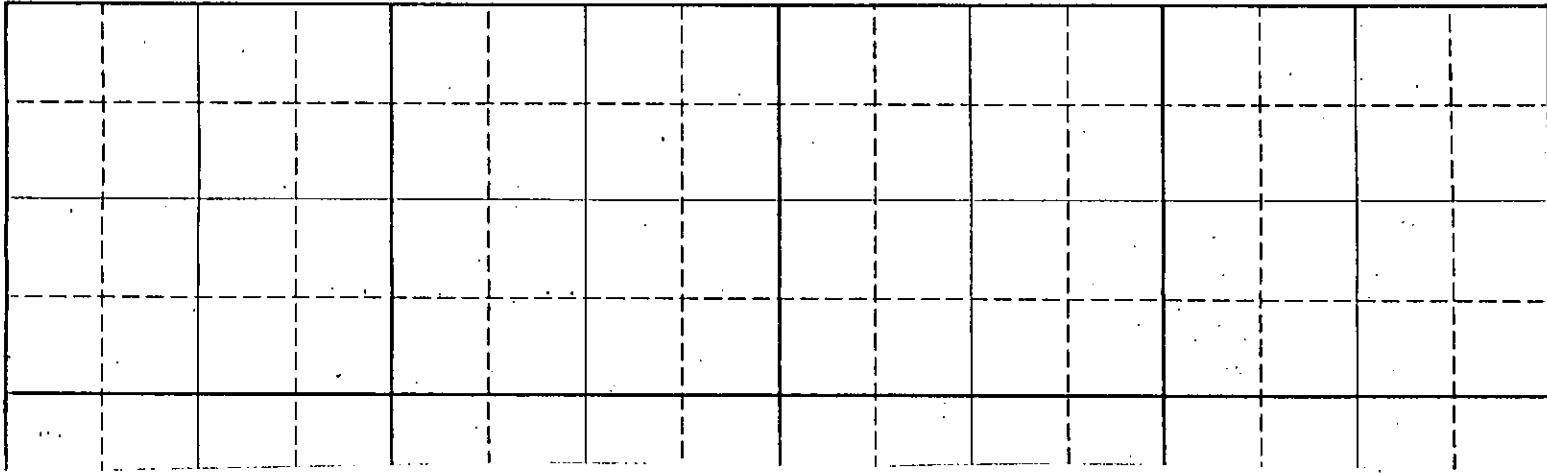
1. Name of Right Holder DR. DONALD BRICKER  
Post office address 3801 21st Street, Lubbock, Texas
2. Right obtained by:  
1885 - Walter B. Jones (SE 1/4 NW 1/4, Sec. 24, T4S, R1E) - 57-0202  
1887 - Walter B. Jones (NE 1/4 SW 1/4, Sec. 24, T4S, R1E) - 57-0203  
a. Decree to \_\_\_\_\_ in Case of James L. Davey  
(Name)  
vs. George F. Brown, et al, Dated May 15, 1923 in 3rd Judicial District Court  
(Name of Court)  
Court, County of Owyhee
- b. License No. \_\_\_\_\_ issued by the State of Idaho, Department of Reclamation.
3. Source of water Castle Creek tributary to Snake River  
(Name of stream or source)
4. Date of Priority 1885 (0.15 cfs), 1887 (0.4 cfs)
5. Amount of water a. 0.55 c.f.s. and/or  
b. \_\_\_\_\_ acre feet/annum
6. Water is used for Irrigation from March 1 to Oct. 1  
(Month, Day) (Month, Day)
7. Original location of point of diversion is SE 1/4 SW 1/4 of Section 26  
Township 4 S, Range 1 E, B.M., in Owyhee County;  
Additional points of diversion, if any \_\_\_\_\_
8. Lands presently irrigated or place of use:

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 4 S  | 1 E   | 24   |        |        |        |        |        |        | 40     | 40     | 40     |        |        |        |        |        |        |        | 80     |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres presently irrigated 80

MICROFILMED

Total number of acres to be irrigated \_\_\_\_\_



25

T.H. P.I.E.

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

MICROFILMED

b. Do you intend to make the transfer permanent? \_\_\_\_\_

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: \_\_\_\_\_

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

X Donald L. Bruckner  
(signature of applicant)

Subscribed and sworn to before me this 7<sup>th</sup> day of October, 1974

Carroll S. Spunkhaver  
(notary public)

My commission expires 8/22/77

**ACTION OF STATE RECLAMATION ENGINEER  
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 57-0202, 57-0203,  
and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

1. The applicant is entitled to divert at the new point of diversion only  
the amount of water at the old point of diversion located in SE 1/4 SW 1/4, Sec. 26,  
T4S, R1E less a 20% loss. 2. That measuring devices be installed in Castle  
Creek at the old point of diversion and in the ditch at the new point of  
diversion. 3. That water will not be impounded at the dam at the new  
point of diversion if there is not water to which the applicant is entitled.

Witness my hand this 12 day of July, 1976

L. Keith Higgins  
DIRECTOR

**FOR DEPARTMENT USE ONLY**

Received by [Signature] Date 10-11-73

Protest filed by: \_\_\_\_\_ Date \_\_\_\_\_

Prelim. check by [Signature] Date 24 Oct 1973

Miss S. Nefferton Nov 16, 1973

Fee received by [Signature] Date 10/24/73 Fee \$ 30.00

Approved for publication by \_\_\_\_\_

Published in Overton Press Dates 11-8, 11-15-73

Hearing held 6-30-76

Watermaster Recommendation sent 4-1-74

RECEIVED  
OCT 11 1973  
STATE ENGINEER  
DIVISION

| Name of Party                        | Source of Water | Date of<br>Priority | Acres<br>line     | in<br>cs | Description of<br>L                                                                                                 | Sec. | Twp. | Range    |
|--------------------------------------|-----------------|---------------------|-------------------|----------|---------------------------------------------------------------------------------------------------------------------|------|------|----------|
| Thomas A. Foreman                    | Castle Creek    | 1874                | 10)               |          | SE $\frac{1}{4}$ SE $\frac{1}{4}$                                                                                   | 27)  |      |          |
|                                      |                 | 1885                | 20)               |          | E $\frac{1}{2}$ SW $\frac{1}{4}$                                                                                    |      |      |          |
|                                      |                 | 1887                | 10)               |          | W $\frac{1}{2}$ SE $\frac{1}{4}$                                                                                    | 26)  | 4 S. | 1 E B.M. |
|                                      |                 | 1895                | 5)                |          | SW $\frac{1}{4}$ SW $\frac{1}{4}$                                                                                   |      |      |          |
|                                      |                 | 1896                | 15)               |          | NW $\frac{1}{4}$ NW $\frac{1}{4}$                                                                                   | 35)  |      |          |
|                                      |                 | 1899                | 20)               |          |                                                                                                                     |      |      |          |
|                                      |                 | 1902                | 10)               |          |                                                                                                                     |      |      |          |
|                                      |                 | 1906                | 10)               |          |                                                                                                                     |      |      |          |
|                                      |                 | 1908                | 10)               |          |                                                                                                                     |      |      |          |
| Thomas A. Foreman                    | Castle Creek    | 1897                | 50                | 57-0205  | (E $\frac{1}{2}$ NE $\frac{1}{4}$ )<br>(SW $\frac{1}{4}$ NE $\frac{1}{4}$ )<br>(NE $\frac{1}{4}$ SE $\frac{1}{4}$ ) | 26   | 4 S. | 1 E B.M. |
| successor to<br>Charles H. Morhouse) |                 |                     |                   | 57-0201  |                                                                                                                     |      |      |          |
| Emsey Crill                          | Castle Creek    | 1878                | 8 )               |          | (W. Sparks                                                                                                          |      |      |          |
| successor to Wilbur                  |                 | 1900                | 7 $\frac{1}{2}$ ) |          | (Ranch in                                                                                                           |      |      |          |
| Assman                               |                 |                     |                   | 57-0207  | (SW $\frac{1}{4}$ NW $\frac{1}{4}$ )<br>(Sec. 9; SE $\frac{1}{4}$ )<br>(NW $\frac{1}{4}$ , sec. 10                  |      | 7 S. | 1 W B.M. |
| Emsey Crill                          | Castle Creek    | 1884                | 8)                |          | (Formerly                                                                                                           |      |      |          |
|                                      |                 | 1904                | 2)                |          | (F. Zwicher                                                                                                         |      |      |          |
|                                      |                 | 1911                | 2)                |          | (Ranch in                                                                                                           |      |      |          |
|                                      |                 |                     |                   |          | (SE $\frac{1}{4}$ Sec. 9                                                                                            |      |      |          |
|                                      |                 |                     |                   |          | (SW $\frac{1}{4}$ Sec. 10                                                                                           |      | 7 S. | 1 W B.M. |
| Emsey Crill                          | Castle Creek    | 1913                | 8                 |          | W $\frac{1}{2}$ NE $\frac{1}{4}$                                                                                    | 16   | 7 S. | 1 W B.M. |
| Emsey Crill                          | Pixley Creek    | 1913                | 11                |          | SW $\frac{1}{4}$ NW $\frac{1}{4}$                                                                                   | 10   | 7 S. | 1 W B.M. |
| Thomas D. Henderson                  | Castle Creek    | 1885                | 20)               |          | (W $\frac{1}{2}$ SW $\frac{1}{4}$                                                                                   | 24)  | 4 S. | 1 E B.M. |
| Donald Henderson                     |                 | 1887                | 35)               |          | (E $\frac{1}{2}$ SE $\frac{1}{4}$                                                                                   | 23)  |      |          |
| Walter B. Jones                      | Castle Creek    | 1885                | 15)               |          | (S $\frac{1}{2}$ NW $\frac{1}{4}$                                                                                   |      |      |          |
| successor to                         |                 | 1887                | 20)               |          | (NE $\frac{1}{4}$ SW $\frac{1}{4}$                                                                                  | 24   | 4 S. | 1 E B.M. |
| Bobbie Devine &                      |                 | 1906                | 6)                |          |                                                                                                                     |      |      |          |
| Robert J. Kelley)                    |                 | 1908                | 20)               |          |                                                                                                                     |      |      |          |
| John Malmberg                        | Castle Creek    | 1886                | 30                |          | SE $\frac{1}{4}$ SW $\frac{1}{4}$                                                                                   | 3    |      |          |
| successor to                         |                 | 1887                | 5                 |          | (E $\frac{1}{2}$ SW $\frac{1}{4}$ )                                                                                 |      |      |          |
| Martha Henderson                     |                 | 1890                | 5                 |          | NW $\frac{1}{4}$ NW $\frac{1}{4}$                                                                                   | 10   | 5 S. | 1 E B.M. |
|                                      |                 | 1896                | 4)                |          |                                                                                                                     |      |      |          |
|                                      |                 | 1908                | 8)                |          |                                                                                                                     |      |      |          |
| Hilt Carothers                       | Castle Creek    | 1888                | 20)               |          | SW $\frac{1}{2}$ SW $\frac{1}{2}$                                                                                   | 23   | 6 S. | 1 W B.M. |
| (successor to                        |                 | 1903                | 5                 |          |                                                                                                                     |      |      |          |
| Fred T. Smith                        |                 |                     |                   | 57-0231  |                                                                                                                     |      |      |          |
| Martha Henderson                     | Castle Creek    | 1897                | 7                 |          | (NW $\frac{1}{4}$ SW $\frac{1}{4}$ )<br>(SW $\frac{1}{4}$ NW $\frac{1}{4}$ )                                        | 25   | 4 S. | 1 E B.M. |
| William Gordy                        | Castle Creek    | 1898                | 15                | 57-0206  | E $\frac{1}{2}$ NW $\frac{1}{4}$<br>NE $\frac{1}{4}$ SW $\frac{1}{4}$<br>(lands formerly owned<br>by John Goodman)  | 23   | 7 S. | 1 W B.M. |
| (successor to<br>E. F. Dunham)       |                 |                     |                   |          |                                                                                                                     |      |      |          |
| John Henderson                       | Castle Creek    | 1899                | 3)                |          | NW $\frac{1}{4}$ NW $\frac{1}{4}$                                                                                   | 25   | 4 S. | 1 E B.M. |
|                                      |                 | 1902                | 7)                |          |                                                                                                                     |      |      |          |
|                                      |                 | 1906                | 3)                |          |                                                                                                                     |      |      |          |
| George F. Brown                      | Castle Creek    | 1901                | 15)               |          | NW $\frac{1}{4}$ NW $\frac{1}{4}$                                                                                   | 10   | 7 S. | 2 W B.M. |
| and James E. Murphy                  |                 | 1902                | 5)                |          | W $\frac{1}{2}$ SW $\frac{1}{4}$                                                                                    | 3    |      |          |
| (Successors to                       |                 | 1904                | 5)                |          |                                                                                                                     |      |      |          |
| Victor Gabica)                       |                 | 1905                | 5)                |          |                                                                                                                     |      |      |          |
|                                      |                 | 1907                | 10)               |          |                                                                                                                     |      |      |          |
|                                      |                 | 1908                | 5)                |          |                                                                                                                     |      |      |          |

MICROFILMED

*Copies from transfer app.*

WEEKS, YOST, BRAUNER, WHITE & AHRENS, P. A.

ATTORNEYS AND COUNSELORS AT LAW

112 9TH AVENUE SOUTH

P. O. BOX 247

NAMPA, IDAHO 83651

LEON R. WEEKS  
WILLIAM F. YOST  
WM. J. BRAUNER  
TERRENCE R. WHITE  
EDWARD D. AHRENS

TELEPHONE  
AREA CODE 208  
466-9272

August 17, 1977

**RECEIVED**  
AUG 18 1977

Department of Water Resources  
Western Regional Office

*Do Not  
File*

Mr. L. Glen Saxton, P.E.  
Western Regional Supervisor  
Department of Water Resources  
92 South Cole Road  
Boise, Idaho 83705

Re: Application for Transfer  
No. 57-0202 and 57-0203 -  
Bricker

Dear Glen:

This is to acknowledge receipt of your letter dated August 1, 1977, received in my office August 3, 1977 concerning the above referenced matter. As you will remember, I discussed the same with you in Kent Foster's office at Idaho Falls during our meeting on August 3.

I have not had the opportunity to visit your office and initial the change on the application to make it conform to the Agreement, and therefore I have signed and am returning to you herewith the Amended Application for filing in Dr. Bricker's records at your office.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

WEEKS, YOST, BRAUNER,  
WHITE & AHRENS, P.A.

*Leon R. Weeks*  
Leon R. Weeks

LRW:cs

Enc.

cc: Dr. Donald L. Bricker

**MICROFILMED**

August 1, 1977

Re: Application for Transfer No. 57-0202 & 57-0203  
(Dr. Don Bricker)

Leon R. Weeks  
WEEKS, YOST, BRAUNER, WHITE & AHRENS, P.A.  
P. O. Box 247  
Nampa, ID 83651

Dear Mr. Weeks:

Thank you for your letter of July 6, 1977 and the executed copy of the agreement between your client Dr. Bricker and William and Gladys Cox.

The Department still has the pending issue of application for transfer before us that could be resolved in either of two (2) ways. One would be to visit this office and initial a change on the application to make it conform with the agreement. The other would be to sign and return the amended application for transfer enclosed which also conforms to the agreement. There are no fees required with the amendment since it will not need to be readvertised.

Thank you for your perseverance in this matter.

If you have questions concerning the enclosed amended application, please contact me.

Sincerely,

L. GLEN SAXTON, P.E.  
Western Regional Supervisor

LGS:rf

Enc.

C  
O  
P  
Y

RECORDED

WEEKS, YOST, BRAUNER, WHITE & AHRENS, P. A.

ATTORNEYS AND COUNSELORS AT LAW

112 9TH AVENUE SOUTH

P. O. BOX 247

NAMPA, IDAHO 83651

LEON R. WEEKS  
WILLIAM F. YOST  
WM. J. BRAUNER  
TERRENCE R. WHITE  
EDWARD D. AHRENS

TELEPHONE  
AREA CODE 208  
466-9272

July 21, 1977

RECEIVED  
JUL 22 1977

Department of Water Resources  
Western Regional Office

Mr. L. Glen Saxton, P.E.  
Western Regional Supervisor  
Department of Water Resources  
92 South Cole Road  
Boise, Idaho 83705

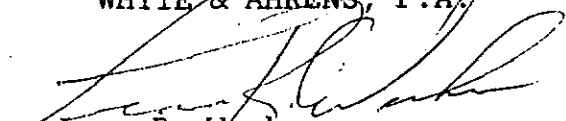
Dear Glen:

Enclosed herewith is Notice of Agreement which has now been executed by all the concerned parties.

Kindly file the same in the appropriate files.

Very truly yours,

WEEKS, YOST, BRAUNER,  
WHITE & AHRENS, P.A.

  
Leon R. Weeks

LRW:cs

cc: Donald L. Bricker, w/enc.

cc: Darrel Matthews, w/enc.

RECEIVED

WEEKS, YOST, WHITE & AHRENS, P.A.

ATTORNEYS AT LAW  
112 9TH AVENUE SOUTH  
NAMPA, IDAHO 83651

LEON R. WEEKS  
WILLIAM F. YOST  
TERRENCE R. WHITE  
EDWARD D. AHRENS

P. O. BOX 247  
TELEPHONE 466-9272

July 6, 1977

RECEIVED  
JUL 7 1977

Department of Water Resources  
Western Regional Office

Mr. L. Glen Saxton, P.E.  
Western Regional Supervisor  
Department of Water Resources  
92 South Cole Road  
Boise, Idaho 83705

Re: Application for Transfer  
No. 57-0202 and 57-0203

Dear Glen:

Thank you for your letter of June 29,  
received in this office on June 30, 1977 concern-  
ing the above referenced matter.

I have an appointment to meet with Darrel  
Matthews next Wednesday, July 13, 1977 at 4:00 P.M.  
I will reply to your letter immediately thereafter.

Very truly yours,

WEEKS, YOST, BRAUNER,  
WHITE & AHRENS, P.A.

  
Leon R. Weeks

LRW:cs

WEEKS, YOST, WHITE & AHRENS, P.A.

*YH*

June 29, 1977

Re: Application for Transfer No. 57-0202 & 57-0203

Leon R. Weeks  
112-A 9th Avenue South  
Nampa, ID 83651

Dear Mr. Weeks:

Pursuant to your letter of May 24, 1977, please advise me if you have had the opportunity yet to discuss the above referenced matter with Dr. Bricker's agent, Mr. Darrel Matthews.

Sincerely,

L. GLEN SAXTON, P.E.  
Western Regional Supervisor

LGS:rf

cc: Darrel Matthews

RECEIVED

WEEKS, YOST, WHITE & AHRENS, P.A.

ATTORNEYS AT LAW  
112 9TH AVENUE SOUTH  
NAMPA, IDAHO 83651

LEON R. WEEKS  
WILLIAM F. YOST  
TERRENCE R. WHITE  
EDWARD D. AHRENS

P. O. BOX 247  
TELEPHONE 466-9272

May 24, 1977

RECEIVED  
MAY 25 1977

Department of Water Resources  
Western Regional Office

Mr. L. Glen Saxton, P.E.  
Western Regional Supervisor  
Department of Water Resources  
92 South Cole Road  
Boise, Idaho 83705

Re: Application for Transfer  
No. 57-0202 and 57-0203  
(Dr. Don Bricker)

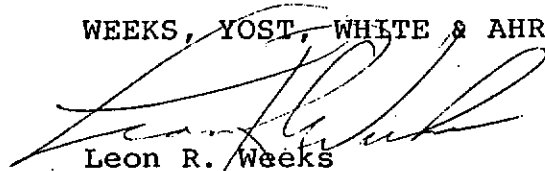
Dear Mr. Saxton:

I am in receipt of your letter of May 17, 1977, received in my office May 18, 1977, concerning the above referenced matter.

I would like to have the opportunity to discuss the same with Dr. Bricker's agent, Mr. Darrel Matthews. I should be able to do so within the next two weeks, and will then reply to your letter.

Very truly yours,

WEEKS, YOST, WHITE & AHRENS, P.A.



Leon R. Weeks

LRW:cs

cc: Dr. Donald Bricker

cc: Mr. Darrel Matthews

MICROFILMED

May 17, 1977

Re: Application for Transfer No. 57-0202 & 57-0203  
(Dr. Don Bricker)

C  
Leon R. Weeks  
112-A 9th Avenue South  
Nampa, ID 83651

O  
Dear Mr. Weeks:

This office has attempted to resolve the protest against the above referenced application for transfer on several occasions.

P  
The latest conference held on March 23, 1977 was attended by the protestants, Mr. Darrel Matthews and myself. That conference was adjourned with an understanding of how the two (2) water rights could be divided between Dr. Bricker and the Coxes assuming both parties were in agreement. The protestants have agreed to the proposed division, but you and your client apparently have not.

Y  
Please advise me in this matter in order that I will know if you concur with the proposal (making a hearing unnecessary) or if I should schedule the matter.

Thank you for your attention to this matter.

Sincerely,

L. GLEN SAXTON, P.E.  
Western Regional Supervisor

LGS:rf

cc: Darrel Matthews

ENCLOSURE

C  
O  
P  
Y  
March 11, 1977

Re: Application for Transfer (Dr. Don Bricker)

Mr. Darrel Matthews  
3322 Americana Terrace  
P. O. Box 7085  
Boise, Idaho 83707

Dear Mr. Matthews:

This letter will confirm the conference scheduled at the Western Regional Office at 92 South Cole Road on Wednesday, March 23, 1977, at 10:00 a.m.

The purpose of the conference is to resolve any matters related to the protest against the above referenced application for transfer.

If you have any questions, please contact me.

Sincerely,

L. GLEN SAXTON, P.E.  
Western Regional Supervisor

LGS:lp

RECEIVED

C  
O  
P  
Y

March 11, 1977

Re: Application for Transfer (Dr. Don Bricker)

Mr. William E. Cox  
Oreana, Idaho 83659

Dear Mr. Cox:

This letter will confirm the conference scheduled at the Western Regional Office at 92 South Cole Road on Wednesday, March 23, 1977, at 10:00 a.m.

The purpose of the conference is to resolve any matters related to the protest against the above referenced application for transfer.

If you have any questions, please contact me.

Sincerely,

L. GLEN SAXTON, P.E.  
Western Regional Supervisor

LGS:lp

ENCLOSURE

342-5457

*Darrel Matthews*  
APPRAISER

JOHNSTON & COMPANY  
*Real Estate Appraisers*  
*Counselors*

3322 AMERICANA TERRACE  
POST OFFICE BOX 7085  
BOISE, IDAHO 83707  
~~BOISE, IDAHO 83707~~

MICROFILMED

February 10, 1977

Re: Application for Transfer of Water Right No.  
57-0202, 57-0203 (Dr. Don Bricker)

Owyhee Nugget  
Harsing,  
Idaho 83639

Gentlemen:

Enclosed is a copy of the original notice for the above referenced application for transfer and the affidavit of publication received by our office. Note that there is a discrepancy in the two notices.

We are requesting that you publish the enclosed notice at your expense.

Upon receipt of an affidavit of publication for the correct notice, we will forward the bill for the first publication to our accounting section.

Your cooperation in this matter is greatly appreciated.

Sincerely,

RITA FLECK  
Secretary

RF

Enc.: Copy of original notice  
Copy of affidavit  
Legal notice

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 57-0202, 57-0203

Notice is hereby given that DR. DON BRICKER.

of 3801 21st Street, Lubbock, Texas has applied to the Department of Water  
Resources  
~~ADMINISTRATION~~ for a change of place of use of the waters of Castle Creek trib, Snake River

The right sought to be changed is evidenced by a decree in the case of James  
L. Davey, et. al. vs George F. Brown, et. al. and is recorded as follows.

Amount: 0.70 cfs Priority: 1885 - 57-0202 - 0.30  
1837 - 57-0203 - 0.40

Point of Diversion: S $\frac{1}{2}$ SW $\frac{1}{4}$  Sec 24 T4S-R1E B.M., Owyhee County

The water is used for irrigation purposes from Mar 1 to Oct 1  
within the S $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 24 T4S-R1E B.M.

TO BE CHANGED AS FOLLOWS

Amount: 0.70 cfs

Point of Diversion: no change

The water will be used for irrigation purposes from Mar 1 to Oct 1 within  
the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 24 T4S-R1E B.M.

Any protests against approval of the proposed change of water right appli-  
cation must be filed with the Department of Water ~~ADMINISTRATION~~ Resources on or before  
March 3, 1977

R. KEITH HIGGINSON  
Director

Published in the Owyhee Nugget, Marsing, ID  
on February 17, 1977 and February 24, 1977

MICROFILMED

# PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

S.S.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 13 day of January 1977, and the last publication being on the 20 day of January 1977;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes  
PUBLISHER

Subscribed and sworn to before me this 20 day of Jan 1977.

Leona L. Hawes  
NOTARY PUBLIC

My commission expires 9-10-80

## NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 57-0202, 57 - 0203

Notice is hereby given that DR. DON BRICKER, of 3801 21 Street, Lubbock, Texas has applied to the Department of Water Administration for a change of place of use of the waters of Castle Creek trib. Snake River.

The right sought to be changed is evidenced by a decree in the case of James L. Davey, et. al. vs George F. Brown, et. al. and is recorded as follows. Amount: 0.70. Priority: 1885 - 57-0202-0.30 1887 - 57-0203 - 0.40. Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 24, T. 4 S., R. 1 E., B. M., Owyhee County. The water is used for irrigation purposes from Mar. 1 to Oct. 1 within the S $\frac{1}{2}$ SW $\frac{1}{4}$ , Sec. 24, T. 4 S., R. 1 E., B. M.

## TO BE CHANGED AS FOLLOWS:

Amount: 0.70.

Point of Diversion: No Change.

The water will be used for irrigation purposes from Mar. 1 to Oct. 1 within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 24, T. 4 S., R. 1 E., B. M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before January 31, 1977.

R. KEITH HIGGINSON,  
Director.

Published in The Owyhee Nugget, Marsing, ID on January 13, 1977, and January 20, 1977.

(S) **RECORDED**

February 4, 1977

Mr. Leon R. Weeks  
Weeks, Yost, White & Ahrens, P.A.  
Attorneys at Law  
P. O. Box 95  
Nampa, Idaho 83651

RE: Application for Transfer 57-0202 & 57-0203

Dear Mr. Weeks:

Enclosed is a protest against the approval of the above referenced application for transfer.

The transfer as proposed would in fact remove water from the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 24, T. 4S., R. 1E., owned by William Cox. When I suggested you amend the rate to be transferred from 0.55 cfs to 0.70 cfs, I was under the impression that all of the 0.70 cfs was used only on the land of the applicant, Dr. Bricker, and none was used on the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 24, T. 4S., R. 1E., owned by Mr. Cox.

From a discussion with Mr. Darryl Matthews, however, it appears that in the first transfer, 0.15 cfs was purposely not transferred from the original land. This 0.15 cfs was apparently to remain on the 40 acre tract owned by Mr. Cox. If this is the case, the application could be amended from 0.70 cfs back to 0.55 cfs and a letter solicited from Mr. Cox by the applicant essentially stating that he (Mr. Cox) had no objection to 0.55 cfs being changed from the original three forty acre tracts to the two forty acre tracts owned by Dr. Bricker provided that 0.15 cfs was to remain on the 40 acre tract owned by Mr. Cox.

If some suitable arrangement such as described above could be negotiated, the Department could approve the application. If not, the present application could not be approved, but the prior transfer would remain valid.

UNRECORDED

Leon R. Weeks  
Page 2  
February 4, 1977

Please advise me within 15 days of your intent with regard to the application. If some arrangement can be worked out in the 15 day period, the matter will not have to be scheduled for hearing.

If you have questions, please contact me.

Sincerely,

L. GLEN SAXTON, P.E.  
Western Region Supervisor

LGS:lp

Enclosure

cc: Darrel Matthews

COPY  
MICROFILMED



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2190

January 7, 1977

Re: Notice of Proposed Change of Water Right No: 57-0202 & 57-0203  
Dr. Don Bricker

Owyhee Nugget  
Marsing,  
Idaho 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

-----  
(Signature of Claimant)

Sincerely,

RECEIVED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 57-0202, 57-0203

Notice is hereby given that DR. DON BRICKER  
of 3801 21 Street, Lubbock, Texas has applied to the Department of Water  
~~Administration~~ for a change of place of use of the waters of Castle Creek trib. Snake River

The right sought to be changed is evidenced by a decree in the case of James L. Davey, et. al. vs George F. Brown, et. al. and is recorded as follows.

Amount: 0.70 Priority: 1885 - 57-0202 - 0.30  
1837 - 57-0203 - 0.40

Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 24 T4S-R1E B.M., Owyhee County

The water is used for irrigation purposes from Mar 1 to Oct 1  
within the SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 24 T4S-R1E B.M.

TO BE CHANGED AS FOLLOWS

Amount: 0.70

Point of Diversion: no change

The water will be used for irrigation purposes from Mar 1 to Oct 1 within the  
SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 24 T4S-R1E B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before  
January 31, 1977

R. KEITH HIGGINSON  
Director

Published in the The Owyhee Nugget, Marsing, ID  
on January 13, 1977 and January 20, 1977

APPLICATION FOR TRANSFER OF WATER RIGHT

57-0202  
NO. 57-0203

RECEIVED  
DEC 20 1916

Department of Water Resources  
Western Regional Office

RECOMMENDATION OF WATERMASTER

I, George W. Joss, watermaster of Castle Creek,  
of Water District No. 5751, County of Canyon, State of Idaho,  
whose address is Rt 13 Box 249 Grand View Idaho 83624  
have read the attached copy of the application for transfer of water right for \_\_\_\_\_  
Mr. Sam Bricker, and to the best of my knowledge believe the  
(name)  
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend  
that the Director of the Department of Water Resources approve the transfer subject to  
the following conditions: that a suitable measuring  
device and head gate be installed when  
ever needed

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-  
quested for the following reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated at \_\_\_\_\_, Idaho, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

George W. Joss  
(signature)

RECEIVED

December 20, 1976

Re: Application for Transfer No. 57-0202 & 57-0203  
(Dr. Don Bricker)

George M. Gess  
Route B, Box 249  
Grandview, ID 83624

Dear Mr. Gess:

Enclosed is a copy of the above referenced application for transfer and a form entitled: Recommendation of Watermaster.

Please review the transfer and complete the form. Return the form to this office as soon as possible.

Sincerely,

ROBERT W. HAMILTON  
Supervisor of Water Distribution

RWH:rf

Enc.

RECEIVED



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2190

December 10, 1976

RE: Notice of Proposed Change of Water Right No. 75-0202, 57-0203 — Dr. Don Bricker

Owyhee Nugget,  
Marshing, ID 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

-----  
(Signature of Claimant)

Sincerely,

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

57-0202  
NO. 57-0203

Notice is hereby given that DR. DON BRICKER,  
of Lubbock, Texas has applied to the Department of Water  
Resources ~~XXXXXXXXXXXX~~ for a change of place of use of the waters of Castle Creek trib. Snake River.

The right sought to be changed is evidenced by a decree in the case of James L. Davey, et. al. va George F. Brown, et. al. and is recorded as follows.  
Amount: 0.55 Priority: 1885-- 57-0202 - 0.15 c.f.s.  
1887 - 57-0203 - 0.40 c.f.s.

Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 24 T4S-R1E B.M., Owyhee County

The water is used for irrigation purposes from March 1 to October 1  
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 24 T4S-R1E B.M.

TO BE CHANGED AS FOLLOWS

Amount: 0.55

Point of Diversion: No change

The water will be used for irrigation purposes from March 1 to October 1  
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$  & NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 24 T4S-R1E B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before  
January 3, 1977.

R. KEITH HIGGINSON  
Director

Published in the Owyhee Nugget, Marsing, ID

on December 16, 1976 and December 23, 1976.

Microfilm

November 22, 1976

State of Idaho  
Department of Water Resources  
Western District - Annex 3  
Statehouse  
Boise, ID 83720

Attention: Mr. L. Glen Saxton

Dear Mr. Saxton:

I have reviewed the proposed water rights transfer for Dr. Donald Bricker and acknowledge that the water rights have been used on the lands to which the right is to be transferred.

This water right has not been used on NW4SW4, Section 24, T4S, R1E, B.H., which is owned by ~~myself~~. Therefore, I have no objection to the proposed transfer.

Sincerely yours,

*William E. Cox*

William E. Cox

Oreana, Idaho 83659

WEC/s

RECEIVED

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That I, DONALD L. BRICKER, of Lubbock, County of Lubbock, State of Texas, have made, constituted and appointed, and by these presents do make, constitute and appoint LEON R. WEEKS, of Nampa, County of Canyon, State of Idaho, my true and lawful attorney for and in my name, place and stead, and for my use and benefit, to ask, demand, sue for, recover, collect and receive all such sums of money, debts, dues, accounts, legacies, bequests, interest, dividends, annuities and demands whatsoever, as are now or shall hereafter become due, owing, payable or belonging to me, and have, use and take all lawful ways and means in my name or otherwise for the recovery thereof, by attachments, arrests, distress or otherwise, and to compromise and agree for the same, and acquittances, or other sufficient discharges for the same for me and in my name, to make, seal and deliver; to bargain, contract, agree for, purchase, receive, and take lands, tenements, hereditaments and accept the seisin and possession of all lands, and all deeds and other assurances in the law therefor, and to lease, let, demise, bargain, sell, remise, release, convey, mortgage and hypothecate lands, tenements and hereditaments upon such terms and conditions, and under such covenants as he shall think fit. Also, to bargain and agree for, buy, sell, mortgage, hypothecate and in any and every way and manner deal in and with goods, wares and merchandise, choses in action, and other property in possession or in action, and to make, do and transact all and every kind of business of whatsoever kind or nature, and also for me and in my name and as my act and deed to sign, seal, execute, deliver and acknowledge such deeds, leases and assignment of leases, covenants, indentures, agreements, mortgages, hypothecations, bottomries, charter-parties, bills of lading, bills, bonds, notes, receipts, evidences of debt, releases and satisfaction of mortgages, judgments and other debts, and such other instruments in writing of whatever kind and nature as may be necessary or proper in the premises.

Giving and granting unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as I might or could do if personally present (with full power of substitution or revocation), hereby ratifying and confirming all that my said attorney (or his substitute or substitutes) shall lawfully do or cause to be done by virtue of these presents.

This Power of Attorney shall not be affected by disability of the principal.

IN WITNESS WHEREOF, I have hereunto set my hand  
this 27 day of December, 19 76.

Donald L. Bricker  
Donald L. Bricker

STATE OF TEXAS           )  
                                  ) ss.  
County of Lubbock       )

On this 27<sup>th</sup> day of December, 19 76, before me, the undersigned, a Notary Public in and for said State, personally appeared DONALD L. BRICKER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

(SEAL)

Samuel L. Mauer  
Notary Public for Texas  
Residing at Lubbock, Texas  
My commission expires 6-1-77

MICROFILMED

July 12, 1976

Re: Transfer No. 57-0202/57-0203

Dr. Donald Bricker  
3801 21st Street  
Lubbock, Texas 79410

Dear Dr. Bricker:

Enclosed is a copy of your approved Application for Transfer No. 57-0202/57-0203. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:mef

Enclosure

RECEIVED

FOR OTHER CORRESPONDENCE, PLEASE SEE FILE 57-0202



# 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 4 South Range 2 East 1/4 of 1/4 of 1/4 Govt. Lot 1/4, BM.  
 Lot 1/4, Block 1/4, Subdivision/Townsite 1/4.  
 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 RESOURCES  
WESTERN REGION

☐ Water Right Number(s)  
Assigned by IDWR: \_\_\_\_\_

☐ 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 Warranty Deed #216317  
proof attached: \_\_\_\_\_

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

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

Date

☐ Signature of Former Owner/Claimant(s): \_\_\_\_\_

Date

Date

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

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 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

## INSTRUCTIONS

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

DEPT OF WATER RESOURCES  
JAN 8 1981  
Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

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

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

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

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

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

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

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

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

2077

WARRANTY DEED

RECEIVED  
JAN 04 1996  
Department of Water Resources

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

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

RECEIVED  
JAN 08 1996

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: SE1NW1, SW1NE1, E1SW1, W1SE1

Section 24: NE1SW1, E1NW1, NW1NE1, that part of the  
SW1SW1 lying East of Castle Creek.

Section 25: Lot 4 (NW1NW1) LESS a strip of land 100 feet  
wide lying in the SW1SW1, Sec. 24, and the  
NW1NW1, 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 SW1SW1, 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 NW1NW1,  
Sec. 25.

PARCEL NO. 2:  
IN TOWNSHIP 4 SOUTH, RANGE 2 EAST, B. M., OWYHEE COUNTY,  
IDAHO

Section 7: SW1SE1

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

21631

21631

FILED

RECORDED

21631

POOR ORIGINAL

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 or federal lands authorizing the issuance thereon.

All repayment contracts between any jurisdiction 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 covenant 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

Thomas T. Nicholson

Diane Rae Nicholson

STATE OF IDAHO, COUNTY OF OWYHIE

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.

Notary Public for Idaho  
Residing at Boise, Idaho  
Commission Expires: 7/1/96

MICROFILMED  
SEP 25 1995

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: **A57-00098A**  
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 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, 1885

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

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 & HANDLINES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 10/15 | 0.200  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.050  |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.040  |      |        |

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

8. Total consumptive use is 280.0 Acre Feet Per Annum.

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**OCT 07 1992**

9. Non-irrigation uses:

DOMESTIC/1 HOME; STOCK/UP TO 200 HD CATTLE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 04S      | 01E   | 24      | SE     | NW  |     | IRR           | 40.0  |
|          |       |         | NE     | SW  |     | IRR           | 40.0  |
|          |       |         |        |     |     | Section Acres | 80.0  |
|          |       |         |        |     |     | Total Acres   | 80.0  |

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:

A57-00107A

14. Remarks:

APPROVAL OF SAID APP. IS SUBJECT TO THE FOLLOWING LIMITATIONS AND CONDITIONS: THE APPLICANT IS ENTITLED TO DIVERT AT THE POINT OF DIVERSION IN THE SWSW, S24, T4S, R1E, ONLY THE AMOUNT OF WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S26, T4S, R1E. LESS A 20 PER CENT LOSS. THAT MEASURING DEVICES BE INSTALLED IN CASTLE CK. AT THE OLD POINT OF DIVERSION AND IN THE DITCH AT THE NEW POINT OF DIVERSION. THAT WATER WILL NOT BE IMPOUNDED AT THE NEW POINT OF DIVERSION IF THERE IS NOT WATER TO WHICH THE APPLICANT IS ENTITLED.

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

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

DAVEY

Decree Plaintiff

BROWN

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 \_\_\_\_\_

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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 A57-00153  
Former Claimant(s): 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

Recorded ☐  
Microfilmed ☐  
Indexed ☐

Platted ☐  
Dead 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~~ <sup>Calif.</sup>, 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 ~~XXXXXXX~~ 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 NAME)  
By Dennis C. Fox  
PRESIDENT

Attest:  
SECRETARY

CAT. NO. NN00632  
TO 1948 CA (11-83)  
(Agent of Corporation)

**TICOR TITLE INSURANCE**

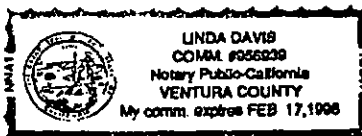
, A. D. 19

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 Dennis C. 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

Linda Davis



(This area for official notarial seal)

Address

City & State

Zip

the secretary  
the within and  
n of its board  
affixed is the

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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

BY *Barbara Jayo*  
DEPUTY

BARBARA JAYO  
OWYHEE COUNTY RECORDER

92 APR 9 PM 2 42

FILED-RECORDED

207591  
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: A57-00098A  
Date Received: 1/19/1989  
Receipt No: W2300  
Received By: LA

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, 1885

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

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 & HANDLINES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 10/15 | 0.200 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.050 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.040 |      |        |

7. Total Quantity Appropriated is:  
0.200 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/UP TO 200 HD CATTLE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot           | Use | Acres |
|----------|-------|---------|--------|-----|---------------|-----|-------|
| 04S      | 01E   | 24      | SE     | NW  |               | IRR | 40.0  |
|          |       |         | NE     | SW  |               | IRR | 40.0  |
|          |       |         |        |     | Section Acres |     | 80.0  |
|          |       |         |        |     | Total Acres   |     | 80.0  |

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:  
A57-00107A

14. Remarks:

APPROVAL OF SAID APP. IS SUBJECT TO THE FOLLOWING LIMITATIONS AND CONDITIONS: THE APPLICANT IS ENTITLED TO DIVERT AT THE POINT OF DIVERSION IN THE SWSW, S24, T4S, R1E, ONLY THE AMOUNT OF WATER AT THE OLD POINT OF DIVERSION LOCATED IN THE SESW, S26, T4S, R1E. LESS A 20 PER CENT LOSS. THAT MEASURING DEVICES BE INSTALLED IN CASTLE CK. AT THE OLD POINT OF DIVERSION AND IN THE DITCH AT THE NEW POINT OF DIVERSION. THAT WATER WILL NOT BE IMPOUNDED AT THE NEW POINT OF DIVERSION IF THERE IS NOT WATER TO WHICH THE APPLICANT IS ENTITLED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

DAVEY

Decree Plaintiff

vs

BROWN

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: \_\_\_\_\_

For Organizations:

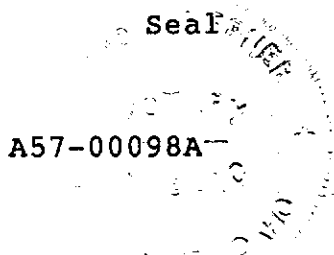
I do solemnly swear or affirm that I am Pres- of  
Petroleum Const Inc. Title  
Organization that I have signed the foregoing  
document in the space below as Pres of  
Title  
Petroleum Const Inc. and that the statements contained in the  
Organization  
foregoing document are true and correct.

R.E. Fox  
Signature of Authorized Agent  
Pres Petroleum Const Inc  
Title and Organization  
2-13-89  
Date

State of Idaho )  
County of ADA ) SS.

Subscribed and sworn (or affirmed) before me this 13 day  
of Feb 19 89

Linda Warner  
Notary Public



Page

Residing at Boise ID  
My Commission Expires 12-8-89  
Date: 02/18/89  
MICROFILMED  
OCT 07 1992

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT **APPROVED**  
To Change the Point of Diversion and/or the Place of Use

AMENDED

AMENDED

Name of applicant Dr. Don Bricker Phone \_\_\_\_\_

Post office address 3801 21st Street, Lubbock, Texas

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:  
a. Decree to 1885-Walter B. Jones--57-0202  
1887-Walter B. Jones--57-0203 (Name)  
in case of James L. Davey, et. al. vs George F. Brown, et. al.  
dated 5-15-1923 in 3rd Judicial District county of Owyhee  
(Name of court)  
b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources  
c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant  
acquired with purchase of land
3. Source of water Castle Creek tributary to Snake River
4. Date of priority 1885--0.30, 1887--0.40
5. Water is used for the following purposes:  
amount 0.70 cfs for irrigation purposes from 3-1 to 10-1  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(month/day -- both dates inclusive)
6. Total amount of water under right: a. 0.70 cubic feet per second  
b. \_\_\_\_\_ &/or  
acre feet per annum
7. Location of original point of diversion is SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 24  
Township 4S Range 1E B M in Owyhee County  
Additional points of diversion, if any \_\_\_\_\_

8. Lands irrigated or place of use:

| TWP | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|-----|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 4S  | 1E    | 24   |        |        |        |        |        | X      | X      | X      |        |        |        |        |        |        |        |        | 80     |
|     |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

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B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B) 1885--0.20 cfs  
1887--0.27

1. Amount of water: a. 0.47 total cubic feet per second  
&/or  
b. acre feet per annum

2. Point of diversion SW ¼ SW ¼, Section 24 Township 4S  
Range 1E, B.M., Owyhee County  
Additional points

3. Place of use:

| TWP. | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |       | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|--------|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼   |        |
| 4S   | 1E    | 24   |     |     |     |     |     |     | X   | X   | X   |     |     |     |     |     |     |       | 80     |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | total | 80     |

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

a. Amount of water to be diverted 0.47 c.f.s. &/or acre feet  
b. Point(s) of diversion SW ¼ SW ¼, Section 24 Township 4S  
Range 1E, B.M., Owyhee County  
Additional points

c. Description of diverting works Small check dam with ditch to place of use.  
d. Describe the reasons for applying for a change in the point(s) of diversion Point of diversion is not being changed from transfer approved on 7-12-76. The transfer is filed to correct the description of the place of use and to conform with the agreement attached.

2. Change in place of use

a. Describe the lands or place of use to which the right will be transferred:

| TWP. | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 4S   | 1E    | 24   |     |     |     |     |     |     |     | 40  | 40  |     |     |     |     |     |     |     | 80     |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigate. Show clearly the land involved by section, township and range number.

[illegible]

## NOTICE OF AGREEMENT

We, William E. Cox and Gladys J. Cox being the owners of the SW $\frac{1}{4}$ NW $\frac{1}{4}$  Sec 24 T4S-R1E B.M., Owyhee County and Dr. Donald Bricker being the owner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 24 T4S-R1E B.M., hereby agree that those certain water rights described in the Davey vs. Brown decree<sup>as</sup> follows:

15 miner's inches of Castle Creek water with priority of 1885, and

20 miner's inches of Castle Creek water with priority of 1887, both being appurtenant to the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 24 T4S-R1E B.M. 167

be divided between the Coxes and Dr. Bricker on a one-third--  
two thirds basis respectively shown below:

William and Gladys Cox shall have 5 inches of the 1885 water right and 6 2/3 inches of the 1887 water right for a total of 11 2/3 inches

Dr. Bricker shall have 10 inches of the 1885 water right and 13 1/3 inches of the 1887 water right for a total of 23 1/3 inches.

The rights are understood to be used on their separate properties.

March 23, 1977  
Date

William E. Cox  
Signature

March 23, 1977  
Date

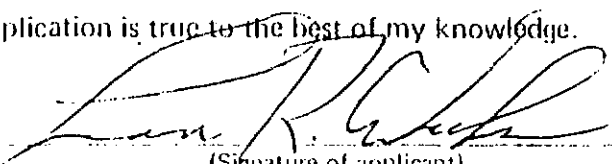
Signature *Blaise J. Cox*

March 25, 1977  
Date

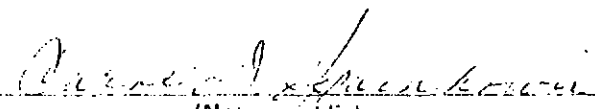
Signature

3. Remarks This application for transfer is being submitted to conform with the attached agreement between William E. Cox, Gladys Cox and Dr. Don Bricker

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

X   
(Signature of applicant)

Subscribed and sworn to before me this 17<sup>th</sup> day of August, 19 77

  
(Notary public)

My commission expires 8/22/77

#### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. and said application is hereby

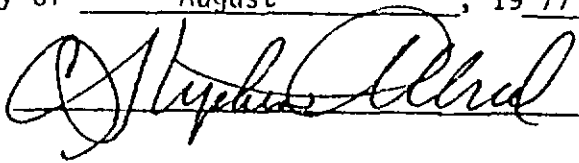
1. Approval of said application is subject to the following limitations and conditions:

The applicant is entitled to divert at the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 24, Twp. 4S, Rge. 1E, only the amount of water at the old point of diversion located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 26, Twp. 4S, Rge. 1E, less a 20% loss.

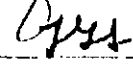
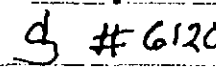
That measuring devices be installed in Castle Creek at the old point of diversion and in the ditch at the new point of diversion.

That water will not be impounded at the new point of diversion if there is not water to which the applicant is entitled.

Witness my hand this 30 day of August, 19 77



#### FOR DEPARTMENT USE ONLY

Received by  Date 8-18-77  
Prelim. check by  Fee No additional fee req'd  
Receipted by  #6120 Date 12/7/76  
Published in Owyhee Nugget  
Pub. dates Dec 16 & 23 re-Jan 13 & 20  
Watermaster recommendation requested on  
rec'd.

Protest filed by  
Copies of protest forwarded by  
Hearing held by Date  
Recommended for approval denial  
by JS.

# IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00098 A Date: 12-13-03

|       | 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  |    |    |    |    |    |    |    | 25 | 8   |    |    |    |    |    |    |    | 33   |
| GIS   |     |     |     |    |    |    |    |    |    |    | 26 | 7.4 |    |    |    |    |    |    |    | 33.4 |
| Claim |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |    |    |    |    |      |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |    |    |    |    |      |
| Claim |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |    |    |    |    |      |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |    |    |    |    |      |
| Claim |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |    |    |    |    |      |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |    |    |    |    |      |
| Claim |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |    |    |    |    |      |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |    |    |    |    |      |

Number of POD's 1

Total Claimed Acres: 33

Overlapping FOU Claim #'s:

57-00160 B

Total GIS Acres: 33.4

COMMENTS:

per claim map

# Idaho Department of Water Resources

Claim Number: 57-00098A

Legal: T04S, R01E, S24

Reviewed By:

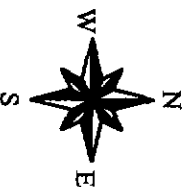
⊙ Point of Diversion

☐ Place of Use

☐ Section Lines

☐ Quarter Quarter Lines

☐ Township/Range Lines



0 0.25 0.5 Miles

