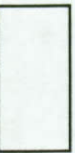
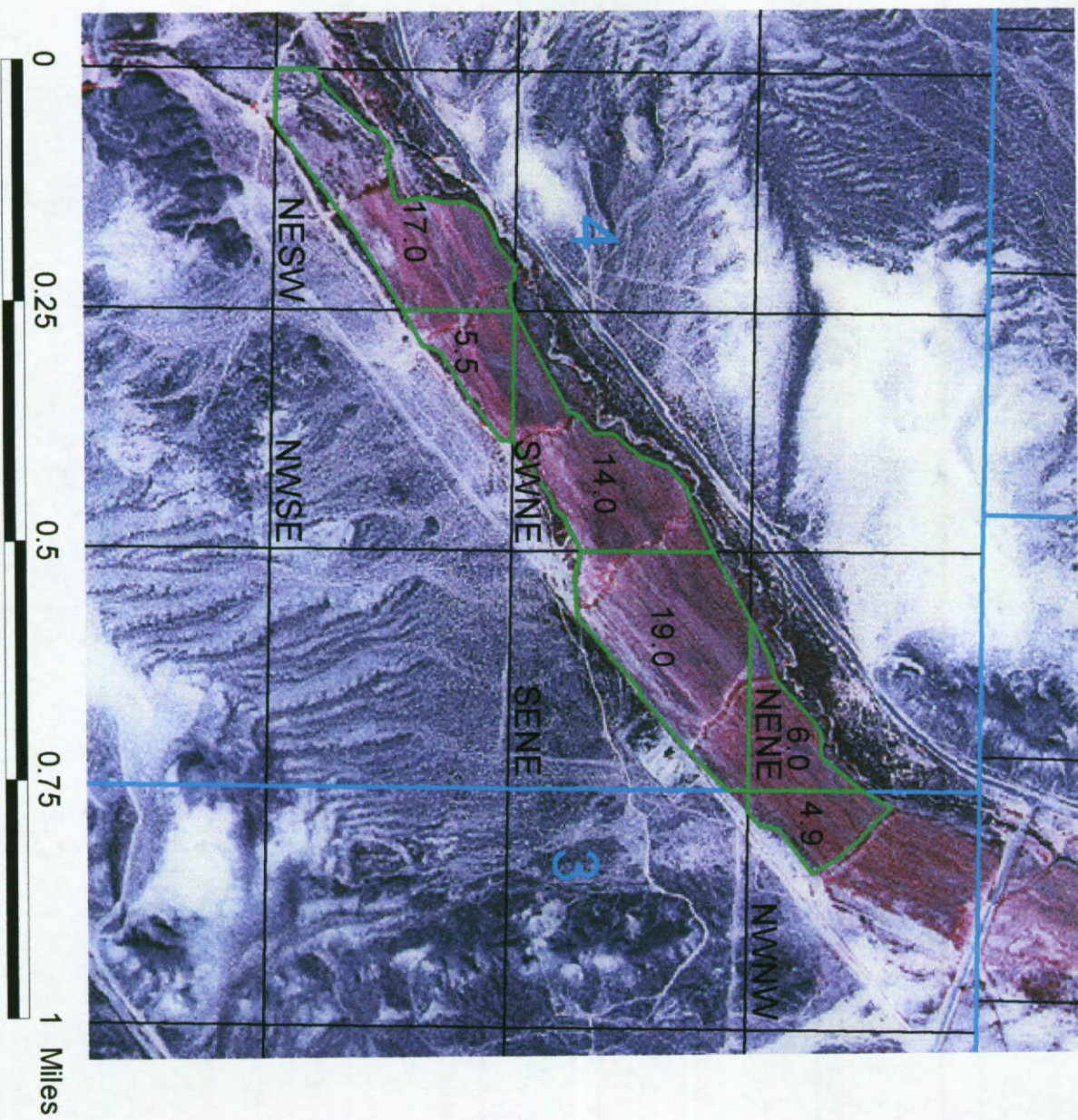


Idaho Department of Water Resources

Claim Number: 57-01207
Legal: T07S, R03E, S03, 04
Reviewed By:

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



30"

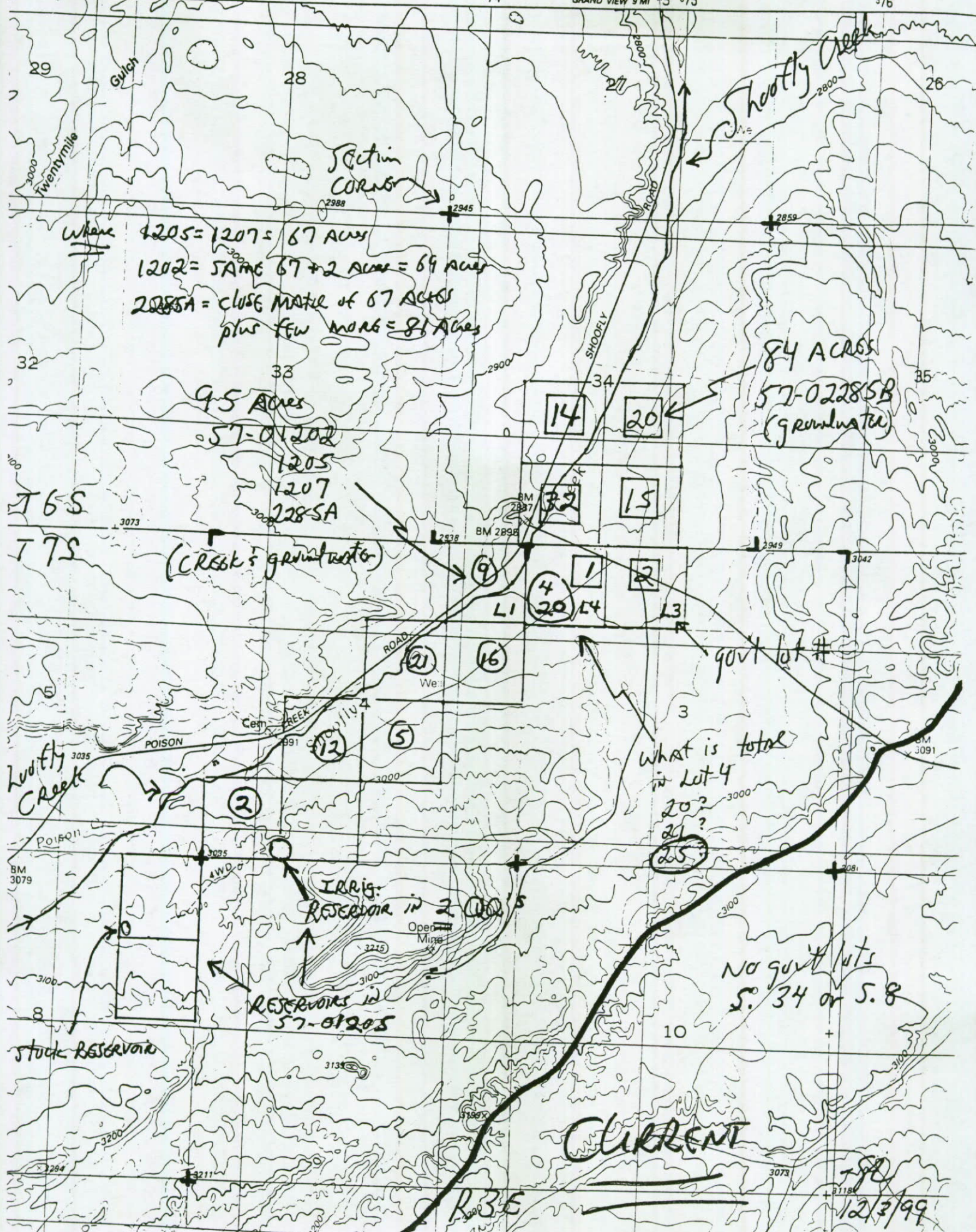
572000mE

573

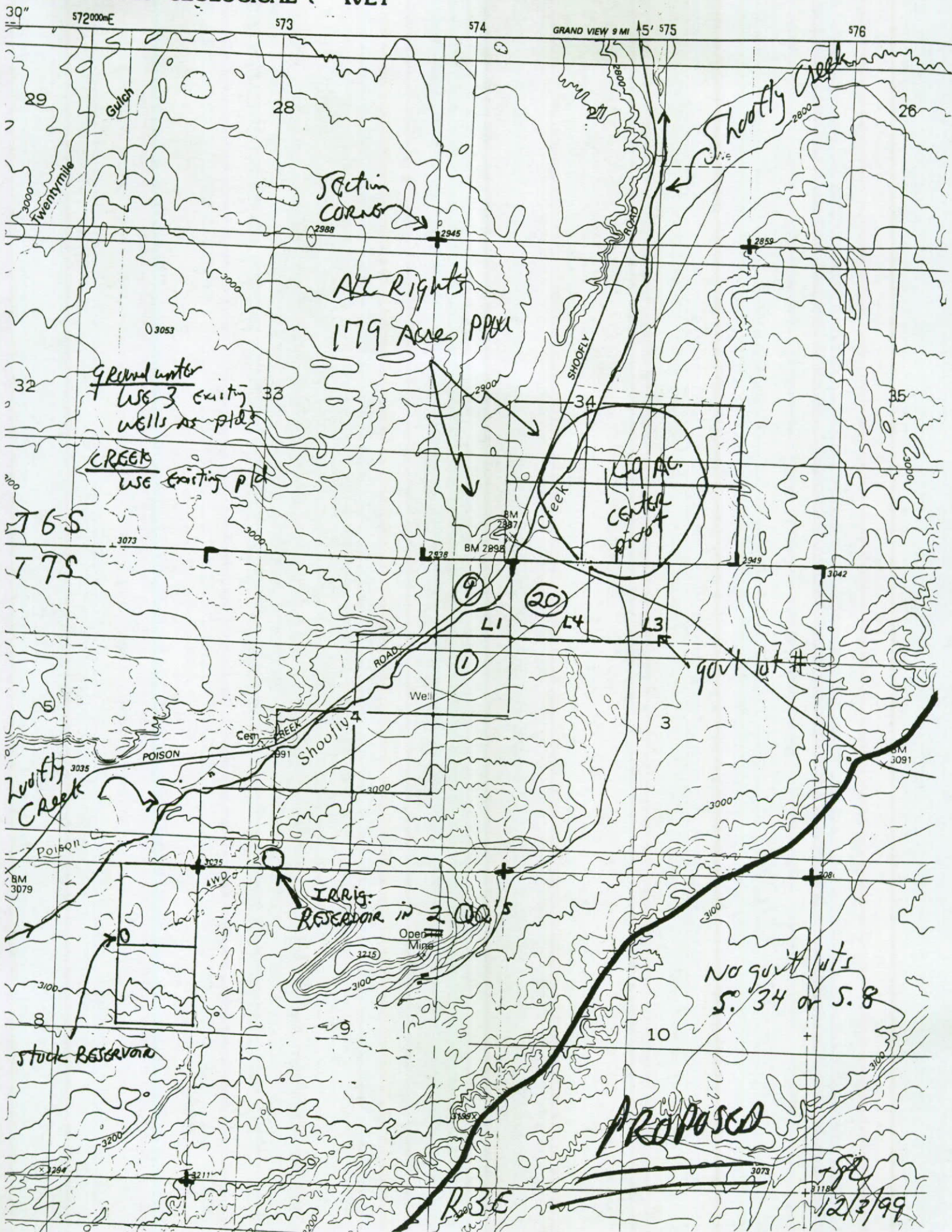
574

GRAND VIEW 9 MI 15' 575

576



DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY



IN THE DISTRICT COURT OF THE Third JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Owyhee

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF Upper Shoofly Creek
DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

<u>57-1207</u> I.D. No.	Map No.
\$ Fee Paid	Receipt No.

Notice is hereby given that Burghardt Co., Inc.
(Name of Claimant)

c/o Lulu Burghardt, Grand View, ID 83624 Telephone No. 834-2423
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 4/01/1943
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Shoofly Creek tributary to Snake River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|--|--|---|
| Quantity <u>1.34</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u> To <u>11/15</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity <u>.09</u>
(CFS, GPD, AF) | Use <u>Stockwater</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>1/1</u> To <u>12/31</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 1.43 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW $\frac{1}{4}$ NW $\frac{1}{4}$
Sec. 8, Twp. 7S, Rge. 3E, B.M., Owyhee County
Additional Points: SCI: 2720-3610(2)12.3
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. diversion dam and ditches
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
								<u>L.4</u>											
<u>7S</u>	<u>3E</u>	<u>3</u>						<u>4</u>											<u>4</u>
			<u>L.1</u>																
		<u>4</u>	<u>9</u>		<u>21</u>	<u>16</u>					<u>12</u>					<u>5</u>			<u>63</u>

Other rights: 57-1205, 57-1204, 57-1202 Total no. of acres 67

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks No signature necessary. Created by DWR after recommendation for Claims 57-0184 and 57-2109. (DVS 1/27/83)
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

(Date)

(Signature of Spouse)

Organization

State of _____

Organization

County of _____

Seal

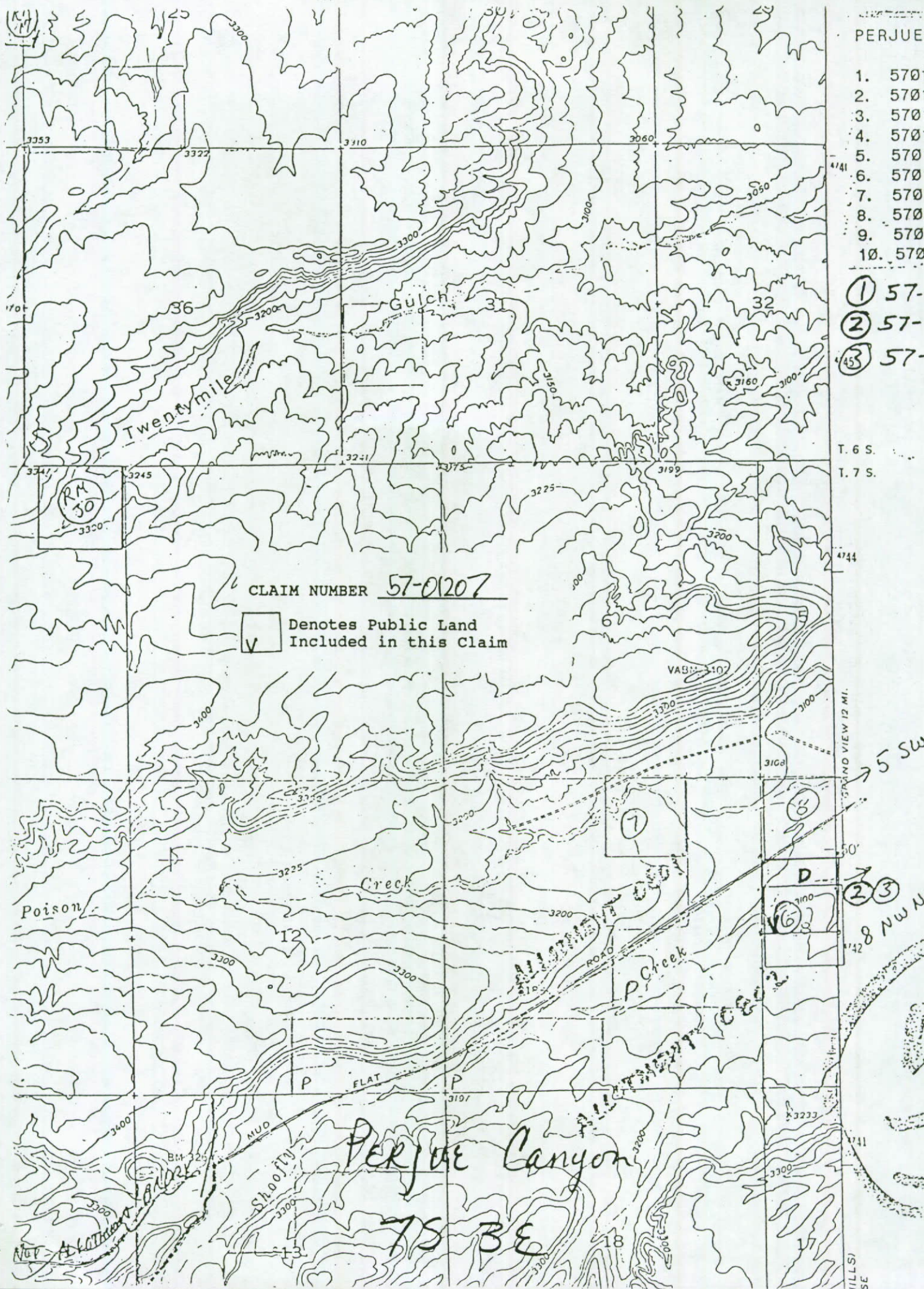
(Signature of Authorized Agent)

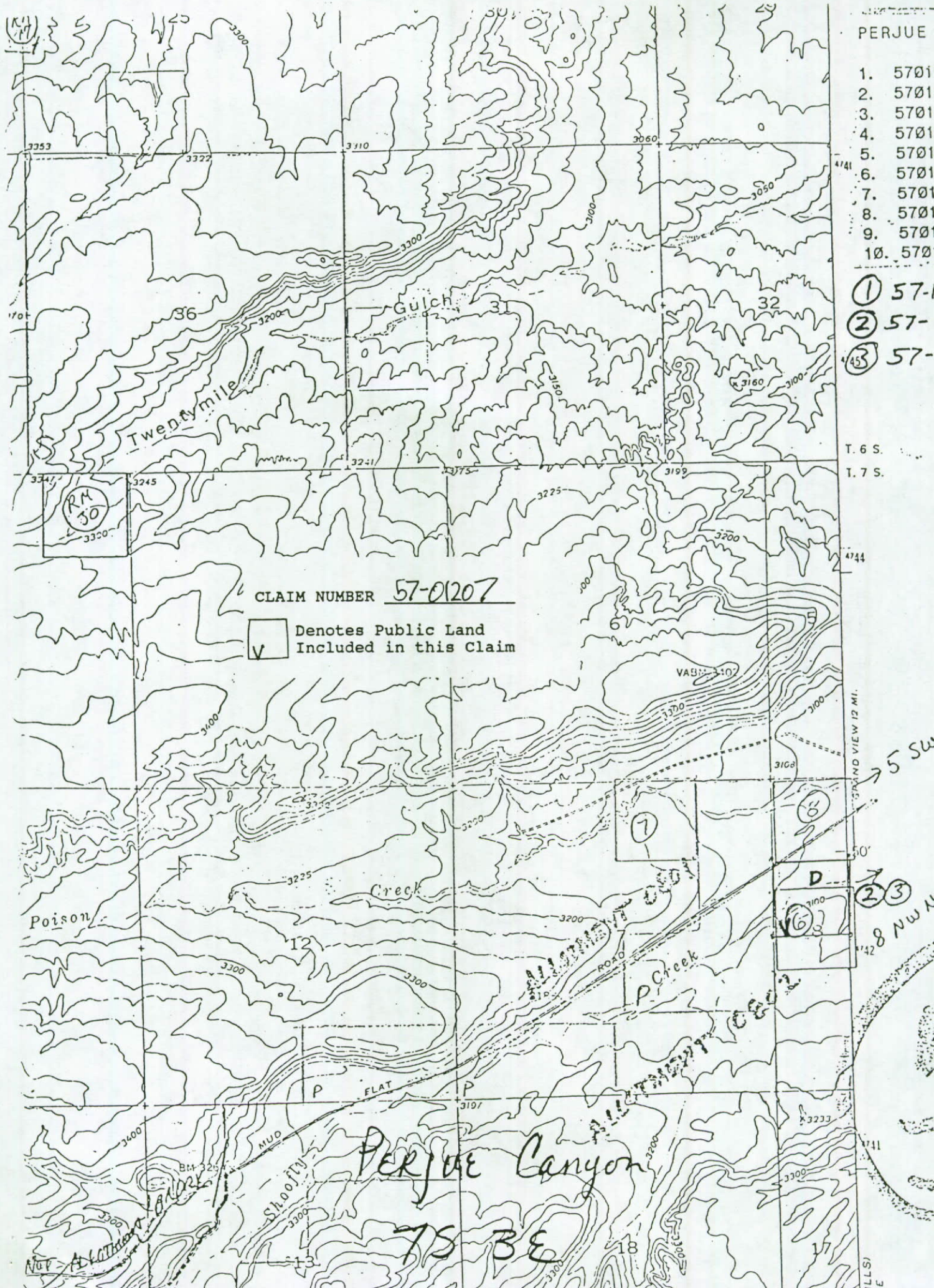
On this _____ day of _____, in the year _____ before me
a notary public, personally appeared _____

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires _____

Notary Public residing at _____





☒ Denotes Public Land
Included in this Claim

Denotes Public Land
Included in this Claim

CHALK¹⁶ HILLS ID
753E

IN THE DISTRICT COURT OF THE Third JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Owyhee

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF Upper Shoofly Creek
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

<u>57-1207</u>	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that Burghardt Co., Inc.
(Name of Claimant)

c/o Lulu Burghardt, Grand View, ID 83624 Telephone No. 834-2423
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 4/01/1943
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Shoofly Creek tributary to Snake River
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- | | | |
|--|--|---|
| Quantity <u>1.34</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u> To <u>11/15</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity <u>.09</u>
(CFS, GPD, AF) | Use <u>Stockwater</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>1/1</u> To <u>12/31</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 1.43 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW $\frac{1}{4}$ NW $\frac{1}{4}$
Sec. 8, Twp. 7S, Rge. 3E, B.M., Owyhee County
Additional Points: SCI: 2720-3610(2)12.3
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. diversion dam and ditches
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
								<u>L.4</u>											
<u>7S</u>	<u>3E</u>	<u>3</u>						<u>4</u>											<u>4</u>
			<u>L.1</u>																
		<u>4</u>	<u>9</u>		<u>21</u>	<u>16</u>				<u>12</u>				<u>5</u>					<u>63</u>
																			<u>67</u>

Other rights: 57-1205, 57-1204, 57-1202

Total no. of acres 67

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks No signature necessary. Created by DWR after recommendation for Claims 57-0184 and 57-2109. (DVS 1/27/83)
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

(Date) _____
State of _____ Organization _____
County of _____ ss. _____
Seal _____

(Signature of Claimant) _____
(Signature of Spouse) _____
(Signature of Authorized Agent) _____

On this _____ day of _____, in the year _____ before me
a notary public, personally appeared _____
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation,
partnership or _____) executed the same.

My commission expires _____ Notary Public residing at _____

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: A57-01207
Date Received: 3/10/1989
Receipt No: 10002635
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BURGHARDT CO., INC.
Address: C/O LULU BURGHARDT
GRAND VIEW, ID 83624
2. Date of Priority: APR 01, 1943
3. Source: SHOOFLY CREEK Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	03E	8		SW	NW		OWYHEE
5. Description of diverting works:
DIVERSION DAM AND DITCHES
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.340		
STOCKWATER	01/01	12/31	0.090		4.70
7. Total Quantity Appropriated is:
1.430 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
S/350 HEAD RANGE
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	03E	3	NW	NW	4	IRR	4.0
Section Acres							4.0

A57-01207

Page 1

Date: 03/10/89

MICROFILMED

OCT 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	03E	4	NE		NE	1	IRR	9.0
			SW		NE		IRR	21.0
			SE		NE		IRR	16.0
			NE		SW		IRR	12.0
			NW		SE		IRR	5.0
							Section Acres	63.0
							Total Acres	67.0

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:
57-1205, 57-1202, 57-2285

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: 0

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): Burghardt Co. Date: _____

By Lulu M. Burghardt Date: 4/28/89
Sec. - Treas.

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 28th day

of April 19 89

Jan Spunt
Notary Public

Seal

Residing at Moscow ID
My Commission Expires 9-14-94

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-01207

Date: 3-7-03

	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	75	3E	3						4											4
GIS									4.9											4.9
Claim			4	9		21	16					12					5			63
GIS				6		13.8	19.1					16.7					5.5			61.1
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 67

Overlapping POU Claim #'s:

57-01202, 57-01205

Total GIS Acres: 66

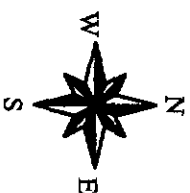
COMMENTS:

Per overlapping claim, POD estimated.

Idaho Department of Water Resources

Claim Number: 57-01207
Legal: T07S, R03E, S03, 04
Reviewed By:

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



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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-01207

1998 MAR -2 PM 2:48

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: OWYHEE CALCIUM PRODUCTS INC
PO BOX 159
GRANDVIEW ID 83624

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.43 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NOS. 57-01202 AND 57-02285A IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.99 CFS.

PRIORITY DATE: 04/01/1943

POINT OF DIVERSION: T07S R03E S08 SWNW Within OWYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	1.34 CFS
	STOCKWATER	01-01 12-31	0.09 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County
T07S R03E S03 Lot 4 (NNW) 4
S04 Lot 1 (NENE) 9 SWNE 21 SENE 16 NESW 12
NWSE 5
67 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-01202, 57-01205 AND
57-02285A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 95
ACRES IN A SINGLE IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

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

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

RULE 54(b) CERTIFICATE

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


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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 57-1207 V2

WATER RIGHT NUMBER: 57-1207 V2

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	BURGHARDT CO INC PO BOX 1159 GRAND VIEW, ID 83624 (208)834-2730
Original Owner	BURGHARDT CO INC C/O LULU BURGHARDT (INITIAL CLAIMANT) GRAND VIEW, ID 83624
Current Owner	OWYHEE CALCIUM PRODUCTS INC PO BOX 159 GRANDVIEW, ID 83624

Priority Date: 04/01/1943

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SHOOFLY CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.090 CFS	<u>4.70 AF</u>
IRRIGATION	<u>03/15 to 11/15</u>	1.340 CFS	<u>301.50 AF</u>
	<u>Total Diversion:</u>	1.430 CFS	<u>306.20 AF</u>

Location of Point(s) of Diversion

SHOOFLY CREEK	SW1/4NW1/4	Sec. 8, Twp 07S, Rge 03E, B.M.
OWYHEE County		

Place of UseIRRIGATION Within OWYHEE County

T06S R03E S34	NESW	17.0	T06S R03E S34	SESW	16.0
T06S R03E S34	NESE	19.0	T06S R03E S34	NWSE	36.0
T06S R03E S34	SWSE	40.0	T06S R03E S34	SESE	16.0
T07S R03E S03 Lot 3	NENW	5.0	T07S R03E S03 Lot 4	NWNW	20.0
T07S R03E S04 Lot 1	NENE	9.0	T07S R03E S04	SENE	1.0

Total Acres: 179

STOCKWATER same as IRRIGATIONConditions of Approval:

1. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 57-1207 V2

1. Quantity The total instantaneous diversion of water from the surface water point of diversion shall not exceed 8.43 cfs, nor a total combined annual volume of 355.5 af; and the total instantaneous diversion under Transfer 5665 shall not exceed 10.41 cfs nor a total combined annual volume of 864.2 af for the irrigation of 179 acres, stockwater and storage uses as described under each right.
2. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 67 ACRES WITHIN THE PLACE OF USE
- Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. Place of Use USE OF THIS RIGHT WITH RIGHT NOS. 57-1205, 57-2285A, AND 57-1202 IS LIMITED TO
- Irrigation THE IRRIGATION OF A COMBINED TOTAL OF 95 ACRES AND A TOTAL ANNUAL
 DIVERSION VOLUME OF 427.5 AF AT THE FIELD HEADGATE FOR IRRIGATION USE.
4. Quantity USE OF THIS RIGHT WITH RIGHT NOS. 57-2285A AND 57-1202 IS LIMITED TO A TOTAL
 COMBINED DIVERSION RATE OF 1.99 CFS.
5. Explanatory Stockwater use is for 350 range cattle.
6. Purpose of THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS
Use MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE
 USE OF WATER BEFORE MARCH 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.

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

In Re SRBA	)	Water Rights: 57-1202, 57-1205
	)	57-1207, 57-57-2285A, 57-2285B
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- XX IC § 42-222 transfer
 - XX Point of diversion XX Place of use
 - XX Period of use ☐ Nature of use
 - ☐ Split of water right ☐ Change in ownership
 - XX Other – Annual Volume, Remarks & Conditions
- ☐ IC § 42-219 license

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

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

DATED: 8/27/01

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 27, 2001, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

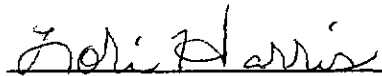
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Owyhee Calcium Products
PO Box 159
Grandview, ID 83624

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document

RECEIVED

JAN 19 2001

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5665

WATER RIGHT NO(S). 57-01202/57-02285A/57-02285B
57-01205/57-01207

RECEIVED

AUG 17 2000

WATER RESOURCES
WESTERN REGION

This is to certify that: OWYHEE CALCIUM PRODUCTS INC
PO BOX 159
GRAND VIEW ID 83624

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 57-01202 :			
Priority: 03/15/1954			
IRRIGATION	03/15 to 11/15	0.50 CFS	256.9 AF
STOCKWATER	01/01 to 12/31	<u>0.04 CFS</u>	<u>4.7 AF</u>
		0.50 CFS	261.6 AF
Right No. 57-02285A :			
Priority: 06/05/1965			
IRRIGATION	03/15 to 11/15	1.40 CFS	364.5 AF
Right No. 57-02285B :			
Priority: 06/05/1965			
IRRIGATION	03/15 to 11/15	1.42 CFS	378.0 AF
Right No. 57-01205 :			
Priority: 04/01/1948			
IRRIGATION STORAGE	01/01 to 12/31		49.3 AF
IRRIGATION FROM ST	03/15 to 11/15		49.3 AF
STOCKWATER STORAGE	01/01 to 12/31		4.7 AF
STOCKWATER FROM ST	01/01 to 12/31		4.7 AF
DIVERSION TO STORA	01/01 to 12/31	<u>7.00 CFS</u>	
		7.00 CFS	49.3 AF
Right No. 57-01207 :			
Priority: 04/01/1943			
IRRIGATION	03/15 to 11/15	1.34 CFS	301.5 AF
STOCKWATER	01/01 to 12/31	<u>0.09 CFS</u>	<u>4.7 AF</u>
		1.43 CFS	306.2 AF

Total * 10.41 CFS 864.2 AF *

TRANSFER NO. 5665
 WATER RIGHT NO(S). 57-01202/57-02285A/57-02285B
 57-01205/57-01207

SOURCE

Right Nos. 57-01202/57-02285A/57-2285B :
 GROUND WATER

Right Nos. 57-01205/57-01207 :
 SHOOFLY CREEK SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION:

Right Nos. 57-01202/57-02285A/57-2285B :
 SESESW , Sec. 34, Township 06S, Range 03E
 SENE , Sec. 4, Township 07S, Range 03E
 SWSW , Sec. 4, Township 07S, Range 03E
 OWYHEE County

Right Nos. 57-01205/57-01207 :
 SWNW , Sec. 8, Township 07S, Range 03E
 OWYHEE County

PLACE OF USE: IRRIGATION, IRRIGATION FROM STORAGE & STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	03E	3	Lot 3 NENW	5	Lot 4 NWNW	20		25
		4	NENE	9	SENE	1		10
		34	NESW	17	SESW	16	NESE 19	
6S	3E		NWSE	36	SWSE	40	SESE 16	144
Total number of acres irrigated:								179 **

PLACE OF USE: STOCKWATER FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
07S	03E	8	NENE

CONDITIONS OF APPROVAL AND REMARKS

1. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

TRANSFER NO. 5665
WATER RIGHT NO(S). 57-01202/57-02285A/57-02285B
57-01205/57-01207

CONDITIONS OF APPROVAL AND REMARKS

5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 6. The total instantaneous diversion of water from all ground water points of diversion shall not exceed 3.32 cfs, nor a total combined annual volume of 810.2 af; the total instantaneous diversion of water from the surface water point of diversion shall not exceed 8.43 cfs, nor a total combined annual volume of 355.5 af; and the total instantaneous diversion under Transfer 5665 shall not exceed 10.41 cfs, nor a total combined annual volume of 864.2 af for the irrigation of 179.0 acres, stockwater and storage uses as described under each right.
- ** 7. Right 57-01202 is limited to the irrigation of 69.0 acres in the place of use described above in a single irrigation season.
- ** 8. Right 57-01205 is limited to the irrigation of 67.0 acres in the place of use described above in a single irrigation season.
- ** 9. Right 57-01207 is limited to the irrigation of 67.0 acres in the place of use described above in a single irrigation season.
- ** 10. Right 57-02285A is limited to the irrigation of 81.0 acres in the place of use described above in a single irrigation season.
- ** 11. Rights 57-01202, 57-01205, 57-01207 and 57-02285A when combined shall not exceed the irrigation of 95.0 acres and a total annual diversion volume of 427.5 af at the field headgate for irrigation use.
- ** 12. Right 57-02285B is limited to the irrigation of 84.0 acres in the place of use described above in a single irrigation season.
13. Rights 57-01202, 57-02285A and 57-01207 when combined shall not exceed the total combined diversion rate of 1.99 cfs.
- * 14. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
15. The quantity of water decreed for stockwater use under Rights 57-01202, 57-01205 and 57-01207 is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day under each right.
16. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under Rights 57-01202 and 57-02285A, and shall only divert groundwater under these rights for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.

REMARK
OUT

REMARK POLY
* 106

POLY
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GEN

Leave in

57-01202

57-02285A

NOT
NOT

TRANSFER NO. 5665
WATER RIGHT NO(S). 57-01202/57-02285A/57-02285B
57-01205/57-01207

CONDITIONS OF APPROVAL AND REMARKS

GEN 17. If the surface water right(s) appurtenant to the place of use under Rights 57-01202 and 57-02285A is sold, transferred, leased or used on any other place of use, these rights to divert ground water shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

GEN 18. The irrigation storage pond is located within the S1/2SW, S4, and the stockwater storage pond is located within the NENE, S8, T07S, R03E.

Dated this 15 day of August, 2000

Should only go on the G.W.R.

J. Glen Saylor
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5665

(REVISED)

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED

DEC 14 1999

WATER RESOURCES
WESTERN REGIONName of applicant Owyhee Calcium Products, Inc. Phone (208) 834-2281Post Office address P.O. Box 159, Grand View, Idaho 83624

A. PURPOSE OF TRANSFER - See Attachment A

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes _____

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE - See Attachment A

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred See Att. A cubic feet per second and/or _____ acre-feet per annum.

3. Source of water _____ tributary to _____

4. Point(s) of Diversion: See Attachment A

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
06S	03E	34									17			16	19	36	40	16	144
07S	03E	03					5	20											25
07S	03E	04	9			1													10
																			179

Total acres _____

PART 1

6. General Information:

a. Description of diversion system Existing wells, pumps and surface water
diversion systems to pivot sprinkler

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The lands from which these water rights are being transferred
will no longer be irrigated.

d. Remarks:

Pivot system will cover 149 acres. 30 additional acres will also
be irrigated within this Permissible Place of Use.

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 _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: See attached copies of Special Master's Recommendations for descriptions of water rights as recorded.
 - a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____
 - b. License No. _____ Issued by the Idaho Department of Water Resources.
 - c. Claim No. _____ on file with the Idaho Department of Water Resources.
 - d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water _____ tributary to _____
4. Date or priority _____
5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of 1 or more consecutive years of non-use?
 No _____ If yes, describe _____

DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

See Attached Map.

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that 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.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 13th day of December, 1999.

Joy E. Berchowitz
(Notary Public)

My commission expires 12-27-2000

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by [Signature] Date 12/14/99 Protest filed by _____

Prelim. check by [Signature] Fee 100.00

Receipted by [Signature] Date 12/14/99 W0025983

Published in Owyhee Avalanche Copies of protest forwarded by _____

Pub. dates 3-14-8-00 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

ATTACHMENT A

A. PURPOSE OF TRANSFER

This transfer proposes to add existing points of diversion to groundwater right numbers 57-02285A, 57-02285B, and 57-01202, and to consolidate the irrigation place of use for these groundwater rights and overlapping surface water right numbers 57-01205 and 57-01207. The changes are proposed to facilitate installation of a pivot sprinkler irrigation system.

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
57-02285A	06/05/1965	1.40cfs/427.5AFA*	Irrigation	03/15 - 11/15
57-02285B	06/05/1965	1.42cfs/378.0AFA	Irrigation	03/15 - 11/15
57-01202	03/15/1954	.50cfs	Irrigation	03/15 - 11/15
		.04cfs	Stockwater	01/01 - 12/31
		.50cfs/427.5AFA*	Total	

Source: Groundwater

Points of Diversion:	T06S R03E Section 34 SESESW	Well	
	T07S R03E Section 04 SENE	Well	
	T07S R03E Section 04 SWSW	Well	All in Owyhee County

57-01205	04/01/1948	49.3AFA	Irrigation Storage	01/01 - 12/31
		49.3AFA	Irrigation f/Storage	03/15 - 11/15
		4.7AFA	Stockwater Storage	01/01 - 12/31
		4.7AFA	Stockwater f/Storage	01/01 - 12/31
		7.00cfs	Diversion to Storage	01/01 - 12/31
		7.00cfs/49.3AFA	Total	
57-01207	04/01/1943	1.34cfs	Irrigation	03/15 - 11/15
		.09cfs	Stockwater	01/01 - 12/31
		1.43cfs*	Total	

Source: Shoofly Creek tributary to the Snake River

Point of Diversion: T07S R03E Section 8 SWNW in Owyhee County

*Water rights 57-02285A and 57-01202 are limited to a combined diversion volume of 427.5AFA; Water rights 57-02285A, 57-01202 and 57-1207 are limited to a combined flow rate of 1.99 cfs.

2. Total Amount of Water being transferred is 854.8AFA and 10.41 cfs.
4. Points of Diversion: 3 existing wells to be used as points of diversion for all groundwater rights; 1 existing point of diversion on Shoofly Creek to be used for surface water rights.
5. Place of use: For irrigation place of use for all water rights, please see Page 1 of corrected Application for Transfer of Water Right.

Place of Use for Stockwater under Water Right nos 57-01202 and 57-1207 is the same as for Irrigation

Place of Use for Irrigation Storage under water right number 57-01205 is SWSW and SESW of T07S R03E S04.

Place of use for Stockwater Storage and Stockwater from Storage under water right number 57-01205 is as currently recorded.

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-022858

1998 MAY 20 PM 2:07

DISTRICT COURT-SRBA
TWIN FALLS IDAHO
FILED

NAME & ADDRESS: OMYHEE CALCIUM PRODUCTS INC
PO BOX 159
GRAND VIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 1.42 CFS
378.0 AFY

PRIORITY DATE: 06/05/1965

POINT OF DIVERSION: T06S R03E S34 SESW Within OMYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE IRRIGATION	PERIOD OF USE Irrigation Season	QUANTITY 1.42 CFS 378.0 AFY
-------------------------------	------------------------------	------------------------------------	-----------------------------------

PLACE OF USE:	IRRIGATION	Within OMYHEE County			
	T06S R03E S34	NESW 14	SESW 32	NWSE 20	SWSE 15
	T07S R03E S03	Lot 3 (NENW) 2	Lot 4 (NWNW) 1		
	84 ACRES TOTAL				

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

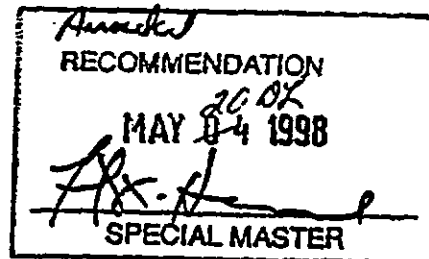
THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE
ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN
ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING
THE CHANGE.

FAILURE TO COMPLY WITH THE CONDITIONS OF THE ADMINISTRATIVE
ORDER IS CAUSE FOR IDWR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE
APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

RULE 54(b) CERTIFICATE

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

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



PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-022858

PAGE 1
APR-21-1998

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-01205

1998 MAR -2 PM 2:48
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: OMYHEE CALCIUM PRODUCTS INC
PO BOX 159
GRAND VIEW ID 83624

SOURCE: SHOOFLY CREEK TRIBUTARY: SHAKE RIVER

QUANTITY: 7.00 CFS
49.3 AFY

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

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION: T07S R03E S08 SWNW Within OMYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION STORAGE	01-01 12-31	49.3 AFY
	IRRIGATION FROM STORAGE	Irrigation Season	49.3 AFY
	STOCKWATER STORAGE	01-01 12-31	4.7 AFY
	STOCKWATER FROM STORAGE	01-01 12-31	4.7 AFY
	DIVERSION TO STORAGE	01-01 12-31	7.00 CFS

PLACE OF USE: IRRIGATION STORAGE Within OMYHEE County
T07S R03E S04 SWSW

IRRIGATION FROM STORAGE Within OMYHEE County
T07S R03E S03 Lot 4 (NWNW) 4
S04 Lot 1 (NENE) 9 SWNE 21 SENE 16 NESW 12
NWSE 5

67 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-01202, 57-01207 AND
57-02285A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 95
ACRES IN A SINGLE IRRIGATION SEASON.

STOCKWATER STORAGE Within OMYHEE County
T07S R03E S08 NENE

STOCKWATER FROM STORAGE Within OMYHEE County
T07S R03E S08 NENE

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

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

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-01202

1998 MAR -2 PM 2: 48

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: OWYHEE CALCIUM PRODUCTS
PO BOX 159
GRANDVIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 0.5 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NO. 57-02285A IS LIMITED TO A
COMBINED ANNUAL DIVERSION VOLUME OF 427.5 AF.

PRIORITY DATE: 03/15/1954

POINT OF DIVERSION: T07S R03E S04 SWSW Within OWYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.5 CFS
	STOCKWATER	01-01 12-31	0.04 CFS

PLACE OF USE:	IRRIGATION	Within OWYHEE County
	T07S R03E S03 Lot 4 (NWNW) 4	
	S04 Lot 1 (NENE) 9	
	SWSW 2	SWNE 21 SENE 16 NESW 12
		NWSE 5
	69 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT NOS. 57-01205, 57-02285A, AND
57-01207 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 95
ACRES IN A SINGLE IRRIGATION SEASON.

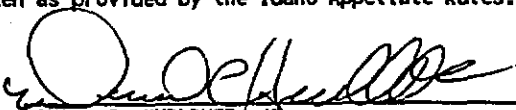
Place of use for STOCKWATER is same as IRRIGATION

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

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

RULE 54(b) CERTIFICATE

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


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

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-02285A

1998 MAR -2 PH 2: 48

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: OWYHEE CALCIUM PRODUCTS INC
PO BOX 159
GRAND VIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 1.4 CFS

USE OF THIS RIGHT WITH RIGHT NO. 57-01202 IS LIMITED TO A
COMBINED ANNUAL DIVERSION VOLUME OF 427.5 AF.

USE OF THIS RIGHT WITH RIGHT NO. 57-01207 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.99 CFS.

PRIORITY DATE: 06/05/1965

POINT OF DIVERSION: T07S R03E S04 SENE Within OWYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	1.4 CFS

PLACE OF USE:	IRRIGATION	Within OWYHEE County
	T07S R03E S03 Lot 4 (NNW)20	
	S04 Lot 1 (NENE) 9	SWNE 21 SENE 16 NESW 10
		NWSE 5
	81 ACRES TOTAL	

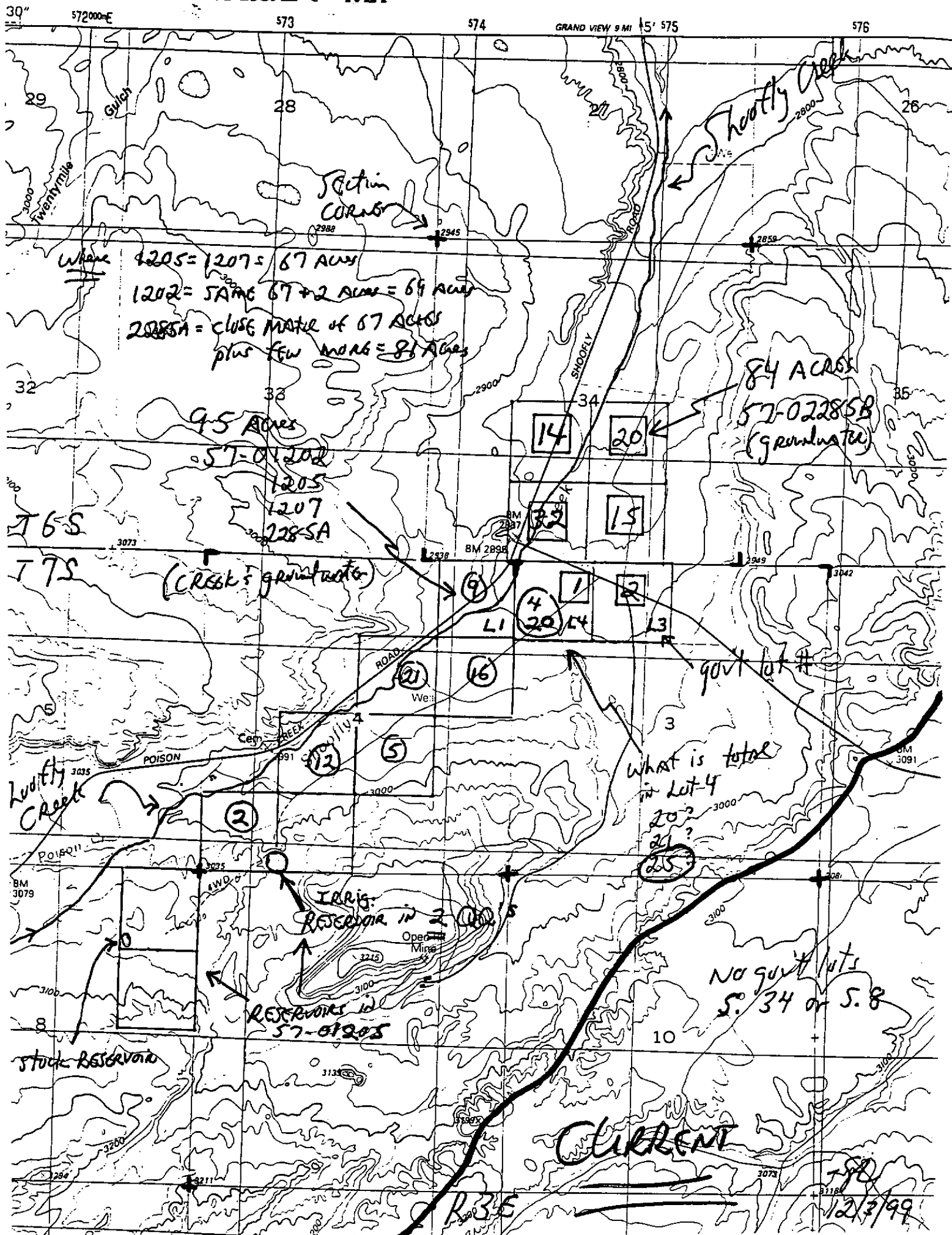
USE OF THIS RIGHT WITH RIGHT NOS. 57-01205, 57-01202 AND
57-01207 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 95
ACRES IN A SINGLE IRRIGATION SEASON.

RULE 54(b) CERTIFICATE

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


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

DEPARTMENT OF THE INTERIOR
NITED STATES GEOLOGICAL SURVEY



Section corner

ALL RIGHTS 179 ACRES PPKL

Grand water use 3 existing 38 wells as plat

CREEK use existing plat

100 AC. center plot

ROAD

Well

Shoofly Creek

Poison Creek

JARRIS Reservoir in 200's

Open Mine

Stock Reservoir

PROPOSED

RBE

No govt lots S. 34 or 5.8

12/3/99

PROPOSES

12/3/99

1998 MAR -2 PM 2: 48
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

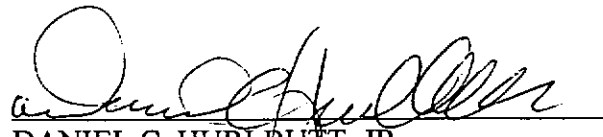
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-01207
_____	)	

On January 7, 1998, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-01207 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED March 2, 1998.



DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-01207

1998 MAR -2 PM 2: 48

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: OWYHEE CALCIUM PRODUCTS INC
PO BOX 159
GRANDVIEW ID 83624

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.43 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NOS. 57-01202 AND 57-02285A IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.99 CFS.

PRIORITY DATE: 04/01/1943

POINT OF DIVERSION: T07S R03E S08 SWNW Within OWYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	1.34 CFS
STOCKWATER		01-01 12-31	0.09 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County
T07S R03E S03 Lot 4 (NWNW) 4
S04 Lot 1 (NENE) 9 SWNE 21 SENE 16 NESW 12
NWSE 5
67 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-01202, 57-01205 AND
57-02285A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 95
ACRES IN A SINGLE IRRIGATION SEASON.

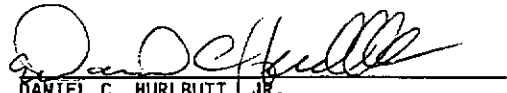
Place of use for STOCKWATER is same as IRRIGATION

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

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

RULE 54(b) CERTIFICATE

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


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

1998 MAR 03 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA

Case No. 39576

)
)
)
)
CERTIFICATE OF MAILING

Water Right(s): 57-01207

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 57-01207 was mailed
on March 03, 1998, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

OWYHEE CALCIUM PRODUCTS INC
Represented by:
DANIEL V. STEENSON
599 W BANNOCK ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

CERTIFICATE OF MAILING

PAGE 1
03/03/98

USDI BLM

Represented by:

U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk

RECEIVED

JAN 12 1998

Department of Water Resources
Adjudication Bureau

1998 JAN -7 AM 10:06

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA

Case No. 39576

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

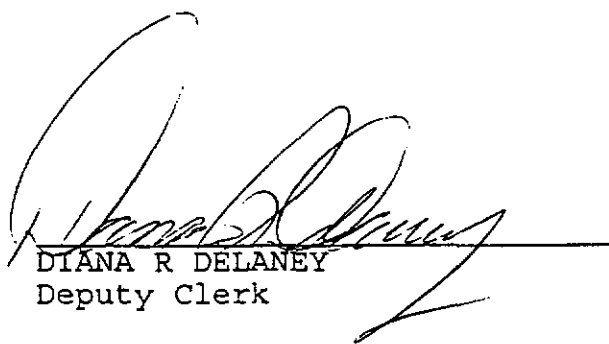
Water Right(s): 57-01207

On January 07, 1998, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED January 07, 1998.


DIANA R. DELANEY
Deputy Clerk

1998 JAN -7 AM 10:06

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA	)	Subcase 57-01207
	)	
Case No. 39576	)	SPECIAL MASTER'S REPORT
_____	)	

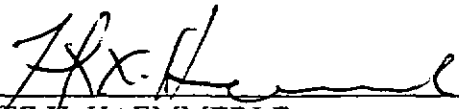
FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

An objection to the *Director's Report* for water right 57-01207 was filed. Subsequently, the objection was withdrawn by stipulation of the parties; therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-01207 be decreed as recommended in the attached *Special Master's Report and Recommendation for Partial Decree*.

DATED January 7, 1998.



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

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

In Re SRBA)
Case No. 39576)
_____)

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-01207

1998 JAN -7 AM 10:06
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: OWYHEE CALCIUM PRODUCTS INC
PO BOX 159
GRANDVIEW ID 83624

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.43 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NOS. 57-01202 AND 57-02285A IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.99 CFS.

PRIORITY DATE: 04/01/1943

POINT OF DIVERSION: T07S R03E S08 SWNW Within OWYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	1.34 CFS
STOCKWATER		01-01 12-31	0.09 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County
T07S R03E S03 Lot 4 (NNWN) 4
S04 Lot 1 (NENE) 9 SWNE 21 SENE 16 NESW 12
NWSE 5
67 ACRES TOTAL

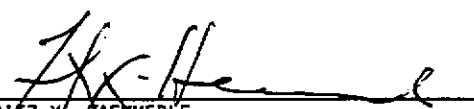
USE OF THIS RIGHT WITH RIGHT NOS. 57-01202, 57-01205 AND
57-02285A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 95
ACRES IN A SINGLE IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

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

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

DATED: 1/7/98


FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-01207

PAGE 1
DEC-30-1997

Water Right Number - A57-01207

Adj. Flag Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
BURGHARDT CO., INC.

1 - C/O LULU BURGHARDT

2 -

3 -

City- GRAND VIEW

State- ID Zip- 83624

Phone -

+ - - - - Priority Date - - - - + + - - - - Region - - - - + + - - - - Stage - - - - + + - - - - Status - - - - +
04/01/1943 14 ERROR IN REGION S - STATUTORY CLAIM

+ - - - - Source - - - - + + - - - - Tributary - - - - + + - - - - Snake River

+ - - - - Point of Diversion - - - - + + - - - - Stream Index (Blank if no Index Code)

Twn Rng Sec Tract Lot RFlg County (73) OWYHEE 272.0 361.0 12.3

+ - - - - Description - - - - + + - - - - Period From - - - - + + - - - - Water Use - - - - + + - - - - Diversion Rate - - - - + + - - - - Diversion Volume - - - - +

01 - IRRIGATION
04 - STOCKWATER03/15 11/15
01/01 12/311.340
0.090335
4.70

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

339.7

1.430

234.5

+ - - - - Twn Rng Sec Tract Lot Acres Place of Use - - - - + + - - - - Description - - - - + + - - - - County - - - - +

07S	03E	3	NW NW	4	4.0	01	IRRIGATION	(73)	OWYHEE
07S	03E	4	NE NE	1	9.0	01	IRRIGATION	(73)	OWYHEE
07S	03E	4	SW NE		21.0	01	IRRIGATION	(73)	OWYHEE
07S	03E	4	SE NE		16.0	01	IRRIGATION	(73)	OWYHEE
07S	03E	4	NE SW		12.0	01	IRRIGATION	(73)	OWYHEE
07S	03E	4	NW SE		5.0	01	IRRIGATION	(73)	OWYHEE

Total Acres: 67.0

- - - - - Diversion Means - DIVERSION DAM AND DITCHES

- - - - - Non-Irrigation Use - S/350 HEAD RANGE

- - - - - Other Rights for Same Use - 57-1205, 57-1202, 57-2285

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

MICROFILMED

OCT 07 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR0723NP
(OD-26)

Adj. flag translation: ADJUDICATION CLAIM

Water right number - A57-01207

[illegible]

05/01/88 CONVERT

+ - - Audit Fields - 02/11/86

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

[illegible]

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF
Upper Shoofly Creek
DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

57-1207	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that Burghardt Co., Inc.
(Name of Claimant)

c/o Lulu Burghardt, Grand View, ID 83624 Telephone No. 834-2423
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 4/01/1943

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Shoofly Creek tributary to Snake River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 1.34 Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

4² AFA Quantity .09 Use Stockwater Period of Use From 1/1 To 12/31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 1.43 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 NW 1/4
Sec. 8, Twp. 7S, Rge. 3E, B.M., Owyhee 73 County
Additional Points: SCI: 2720-3610(2)12.3

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
diversion dam and ditches

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
7S	3E	3						L.4											4
								4											
		4	L.1																63
			9			21	16				12					58			

Other rights: 57-1205, 57-1204, 57-1202, 57-2285A Total no. of acres 67

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 5/350 Range

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks No signature necessary. Created by DWR after recommendation for Claims 57-0184 and 57-2109. (DVS 1/27/83)

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

(Date)

(Signature of Spouse)

Organization

State of

Organization

County of

Seal

(Signature of Authorized Agent)

On this day of , in the year before me
a notary public, personally appeared

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires

Notary Public residing at

1/27/83

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Sleeper Creek
DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

57-1202	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that Burghardt Co., Inc.

(Name of Claimant)

c/o Delta Burghardt, Grand View, ID 83624

(Mailing Address)

(Zip Code)

Telephone No. 834-2420

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 4/31/1943
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Sleeper Creek tributary to Snake River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | |
|----------|----------------|-----|-------------------------------------|--------------------|------------|------------|------------------------|
| Quantity | 1.34 | Use | Irrigation | Period of Use From | 3/15 | To | 11/15 |
| | (CFS, GPD, AF) | | (Domestic, irrigation, stock, etc.) | | (Mo., Day) | (Mo., Day) | (Both dates inclusive) |
| Quantity | .09 | Use | Stockwater | Period of Use From | 1/1 | To | 11/15 |
| | (CFS, GPD, AF) | | (Domestic, irrigation, stock, etc.) | | (Mo., Day) | (Mo., Day) | (Both dates inclusive) |
| Quantity | | Use | | Period of Use From | | To | |
| | (CFS, GPD, AF) | | (Domestic, irrigation, stock, etc.) | | (Mo., Day) | (Mo., Day) | (Both dates inclusive) |
| Quantity | | Use | | Period of Use From | | To | |
| | (CFS, GPD, AF) | | (Domestic, irrigation, stock, etc.) | | (Mo., Day) | (Mo., Day) | (Both dates inclusive) |
- (4) 1.43 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SW 1/4 NW 1/4 Sec. 8, Twp. 7S, Rge. 3E, B.M., Owyhee County
Additional Points: SCI: 2720-3610(2)12.3
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. diversion dam and ditches
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
								1.4											1.4
		3						4											4
			1.1																1.1
		4	9		21	16					12					5			60

Other rights: 57-1205, 57-1204, 57-1202

Total no. of acres 67

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:
- (8) Remarks No signature necessary. Created by SWR after reauthorization for Idaho Water 1-1-1999. (CWS 1/27/99)
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

(Date)

(Signature of Spouse)

Organization

State of

Organization

County of

ss,

Seal

(Signature of Authorized Agent)

On this day of , in the year before me a notary public, personally appeared

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires

Notary Public residing at



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 27, 2001

OWYHEE CALCIUM PRODUCTS
PO BOX 159
GRANDVIEW ID 83624

Dear Sirs:

Enclosed is a copy of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right.

The change to your water right was a result of an approved transfer. This notification to the Court does not affect the previous approval of this transfer or your water right. You will be notified of any future action on your water right by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

JS:lh
Enclosures

No. 57-01207

OWNER
CODE

NAME & ADDRESS

BURGHARDT CO INC
C/O LULU BURGHARDT
GRAND VIEW ID 83624

PRIORITY
DATE

WATER USE	IRRIGATION	STOCKWATER
-----------	------------	------------

USE PERIOD
FROM TO
03-15 11-15
01-01 12-31

DIVERSION RATE DIVERSION VOLUME

1.34 CFS
0.09 CFS

TOTAL DIVERSION: 1.43 CFS

Water Source: SHOOFLY CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T07S R03E S08

SWNTW

Place of use Legal Description for: IRRIGATION

NE NW

445

35

[illegible]

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

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 350 HD CATTLE

Other Rights: SEE REMARKS

Remarks:

USE OF THIS RIGHT WITH RIGHT 57-01202, 57-01205 AND 57-02285A IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 332.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 95 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 57-01202 AND 57-02285A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.99 CFS.

Dates:

Exam Made Date: 01/11/1991

Verified Date: 03/17/1992

Misc:

Water District Number: 57K

Field Inspection Flag:
Presumption Flag:

Audit:

02/06/91	HOLT	02/06/91	HOLT	02/19/91	HOLT	05/17/91	HOLT
08/27/91	HOWERTON	08/29/91	HOWERTON	09/11/91	HOWERTON	09/13/91	HOWERTON
09/17/91	HOWERTON	09/20/91	HOWERTON	11/11/91	HOWERTON	11/17/91	HOWERTON
12/14/91	HOWERTON	03/17/92	HOWERTON	07/29/92	PR-PRODM	10/13/92	CPSHAW
22/05/92	ADT-SHAW						

MICROFILMED
JUL 20 1994

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

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

Case No. 57-01207 -0001

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

RESPONSE TO OBJECTION

Petitioner,

vs.

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

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

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JUL 20 1994

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ Source: I respond to the objection concerning the source of water.
3. ☒ Quantity: I respond to the objection concerning:
 - 3a. ☒ The total quantity of water used in cubic feet per second.
 - 3b. ☒ The total quantity of water stored in acre feet per year.
4. ☒ Priority Date: I respond to the objection concerning the priority date.
5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
7. ☒ Purposes of Use: I respond to the objection concerning the purpose(s) of use.

II. STATEMENT OF THE RESPONSE

2. Person who filed objection:
 Name: US BUREAU OF LAND MANAGEMENT
 IDAHO STATE OFFICE
 3380 AMERICANA TERRACE
 BOISE ID 83706-2544
3. If this response is filled by an attorney:
 Attorney Name(s): DANIEL L. STECKEL
 Attorney Address: DEPUTY ATTORNEY GENERAL(S)
 IDAHO DEPARTMENT OF WATER RESOURCES
 P.O. BOX 44449
 BOISE, ID 83711-4449
 Attorney Phone No.: (208) 327-7900

8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I respond to the objection concerning:
- 9a. ☒ The legal description of the place of use.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.
12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12a. ☒ This water right being recommended at all.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 2, 3, 3a., 3b., 4, 5, 7, 8, 9, 9a., 10, 11, 12 and 12a. and all allegations of the objection regarding these items, IDWR responds as follows:

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

CHANGES TO THE DIRECTOR'S REPORT

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

(Over)

MICROFILMED
JUL 20 1994

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

No. of
Pages

Notice of Claim No. A57-01207

3

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

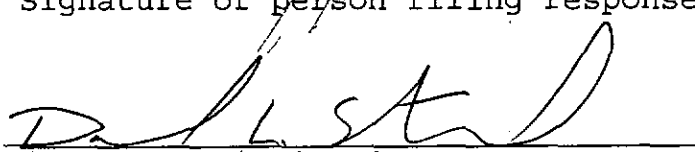
Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

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



Signature of person filing response

By:



(Attorney signing in representative capacity)

Subscribed and sworn to before me this 25th day of June, 1993.



Notary Public for Idaho

Residing at: Boise

My Commission expires: 11-14-1998

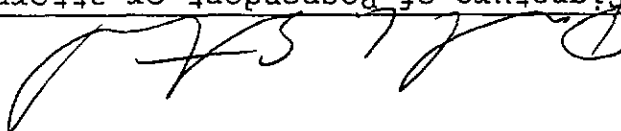
MICROFILMED
JUL 20 1994

(Over)

CERTIFICATE OF MAILING

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

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One copy to the owner of the water right, and you must fill in the following information:
Name: BURGARDT CO INC
Address: C/O LULU BURGARDT
GRAND VIEW ID 83624
3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:
Name: US DEPT OF JUSTICE
Address: K JACK HAUGRUD & DARIA J ZANE
550 W FORT ST
PO BOX 33
BOISE ID 83734


Signature of Respondent or attorney
mailing on Respondent's behalf

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-01207
Date Received: 3/10/1989
Receipt No: 10002635
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BURGHARDT CO., INC.
Address: C/O LULU BURGHARDT
GRAND VIEW, ID

83624

2. Date of Priority: APR 01, 1943

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	03E	8	SW		NW		OWYHEE

5. Description of diverting works:
DIVERSION DAM AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.340		
STOCKWATER	01/01	12/31	0.090		4.70

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/350 HEAD RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	03E	3	NW	NW	4	IRR	4.0
Section Acres							4.0

A57-01207

Page 1

Date: 03/10/89

MICROFILMED

OCT 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	03E	4	NE	NE	1	IRR	9.0
			SW	NE		IRR	21.0
			SE	NE		IRR	16.0
			NE	SW		IRR	12.0
			NW	SE		IRR	5.0
						Section Acres	63.0
						Total Acres	67.0

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:
57-1205, 57-1202, 57-2285

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: 0

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): Burghardt Co. Date: _____

By Lulu M. Burghardt Date: 4/28/89
Sec. Treas.

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of April 19 89 Jan Thute
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94

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

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

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

Petitioner,

vs.

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

Respondents.

Case No. 57-01207
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

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

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

(Over)

OBJECTION - 1

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

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

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

2. Owner of the water right:

Name: Claimant: Burghardt Co. Inc.
c/o Lulu Burghardt
Address: Grand View, Idaho 83624

3. If this objection is filed by an attorney:

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

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

II. STATEMENT OF THE OBJECTION

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

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

(Over)

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

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

CHANGES TO THE DIRECTOR'S REPORT

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

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

REASONS SUPPORTING EACH BOX CHECKED

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

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

1. Map of claim showing federal parcel(s).
2. Copy of BLM conflicting claim or late claim.

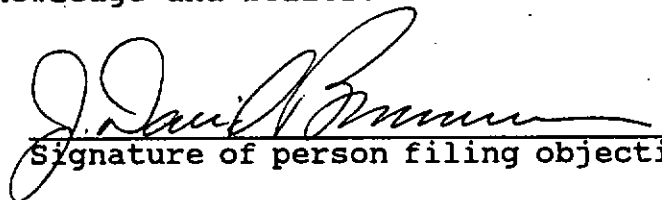
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

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

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


Signature of person filing objection

By:

(Attorney signing in
representative capacity)

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


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

(Over)

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

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

1. Original to:

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

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

Owner name: Burghardt Co. Inc.
c/o Lulu Burghardt
Owner's Address: Grand View, Idaho 83624

3. One copy to:

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

4. One copy to:

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

Greg A. McDonald
Signature of objector or attorney
mailing on objector's behalf

AJ5856NP

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

DATE: OCT
PAGE: A-1

AJ

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

PURPOSE OF USE
FROM TO

MAXIMUM
QUANTITY

BASIS

SOURCE: SHOOFLY CREEK

TRIBUTARY: SNAKE RIVER

57-11490

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

01/01/1875 STOCKWATER

01-01 12-31

1.1

CFS

BENE

NON-IRRIGATION-USES:

STOCKWATER, 4964 RANGE CATTLE

TOTAL QUANTITY:

1.1

CFS

POINT OF DIVERSION:

T07S R02E S23

SWNE (B)
SWNE (E)

PLACE OF USE: STOCKWATER

T07S R02E S23

SWNE

REMARKS: THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING

ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY

USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

BLM RECORD ID = 5701680953

57-11491

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

01/01/1875 STOCKWATER

01-01 12-31

.53

CFS

BENEFICIAL USE

Wildlife

NON-IRRIGATION-USES:

STOCKWATER, 2314 RANGE CATTLE

TOTAL QUANTITY:

.55

CFS

POINT OF DIVERSION:

T07S R03E S08

SWNW (B)
SWNE (E)

PLACE OF USE: STOCKWATER

T07S R03E S08

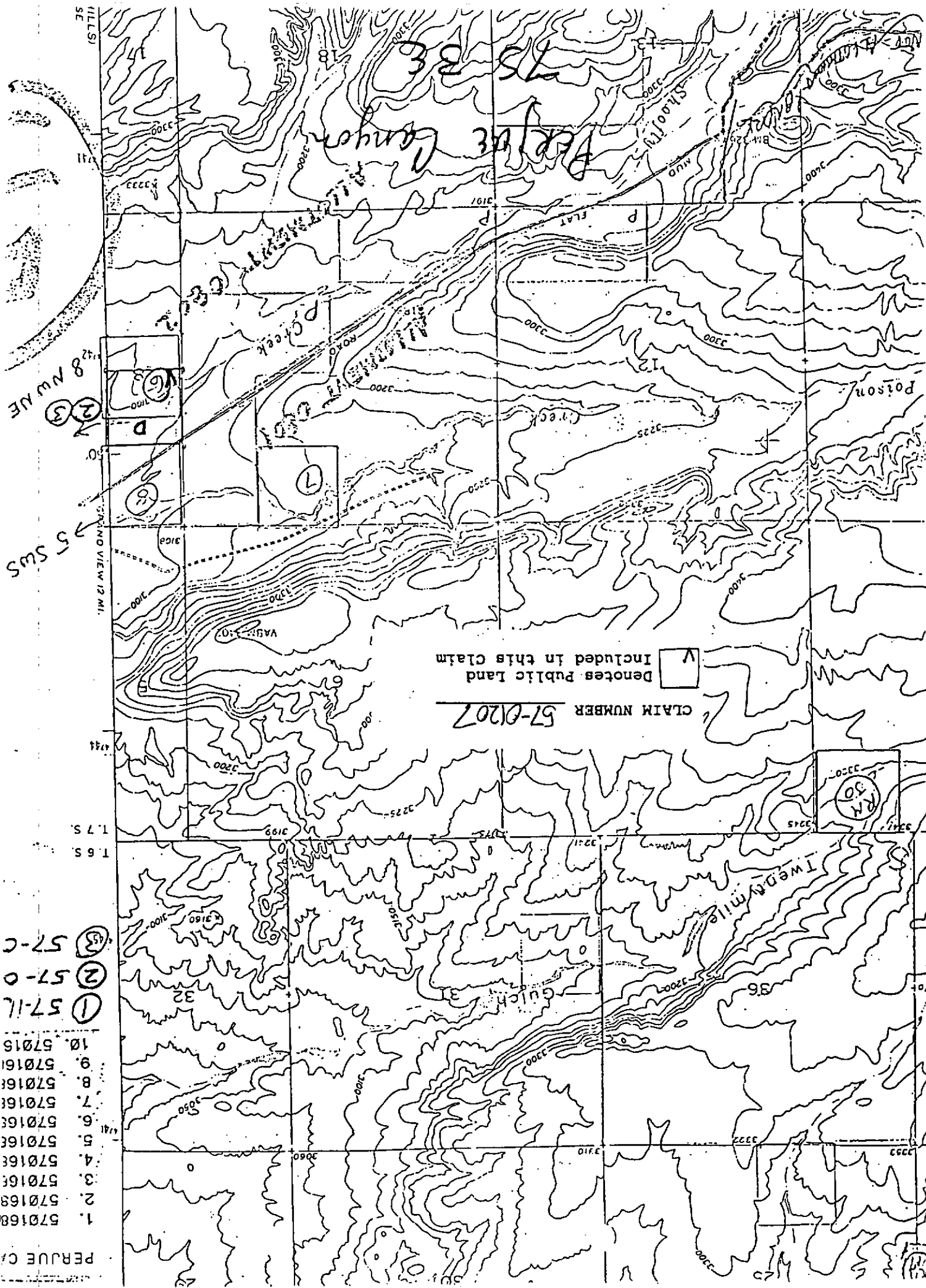
SWNW

REMARKS: THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING

ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY

USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

BLM RECORD ID = 5701680954



☒ Denotes Public Land
Included in this Claim

Denotes Public Land
Included in this Claim

CHACK¹⁶ MILLS ID
7538

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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

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

PRIORITY DATE: 1884-01-01
IDWR WATER RIGHT NO. 5701680954
BLM NUMBER: 5701680954
BASIS OF CLAIM: BENEFICIAL USE
BASIN NO.: 57

SOURCE	TRIBUTARY TO
SHOOFLY CREEK	SNAKE RIVER

DESCRIPTION OF DIVERSION WORKS
INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER	1.100	0.00	0101	1231
GROUNDWATER RECHARGE	0.010	0.00	0101	1231
TOTAL:	1.110 CFS	0.00 AF		

NON-IRRIGATION USES
S/4964 RANGE CATTLE W/VAR AMT

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
07S	03E	08		SW	NW	00	OWYHEE

PLACE OF USE							OWNED	IRRIGATED ACRES
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY		
07S	03E	08	SW	NW	00	OWYHEE	YES	0.0
07S	03E	08	SW	NW	00	OWYHEE	YES	0.0
07S	03E	08	NW	NE	00	OWYHEE	YES	0.0
07S	03E	08	NW	NE	00	OWYHEE	YES	0.0

BLM NUMBER: 5701680954

PAGE 2

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: 67.0 ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE -1884

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)DATE: 08/05/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BURGHARDT CO INC C/O LULU BURGHARDT GRAND VIEW RD 83624	04/01/1943	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	1.34 CFS 0.09 CFS	
TOTAL DIVERSION:					1.43 CFS	

Water Source: SHOOFLY CREEK Tributary to: SNAKE RIVER Stage: DECREED

Point(s) of Diversion: T07S R03E S08 SNW OMYHEE County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		
T	R	S	Ac	Lt	Ac	Lt	Ac	SUM
07S 03E	3	:	:	:	:	:	:	:
07S 03E	4	:	:	:	:	:	:	:
21	16	:	:	:	:	:	:	:
04-04	:	:	:	:	:	:	:	:
12	:	:	:	:	:	:	:	:
05	:	:	:	:	:	:	:	:
TOTAL ACRES								67.0

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

POU County: OMYHEE

Non-Irrigation Uses: STOCKWATER, 350 HD CATTLE

Other Rights: SEE REMARKS

Other Water Rights with Same Point(s) of Diversion and Source:

A57-01204 A57-01205 A57-01207 A57-11491 R57-01204 R57-01205

Other Water Rights Listing Overlapping Place(s) of use:

A57-01202 A57-01207 A57-02285A A57-02285B R57-01202 R57-02285A R57-02285B

Remarks: USE OF THIS RIGHT WITH RIGHT 57-01202, 57-01205 AND 57-02285A IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 332.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 95 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NOS. 57-01202 AND 57-02285A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.99 CFS.

Dates: Exam Made Date: 01/11/1991 Verified Date: 03/17/1992

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

Audit: 00/00/00

MICROFILMED
OCT 07 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-01207

VR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	N	Rdh 1/11/91	6	N		
PT. OF DIV.						
SOURCE						
PL. OF USE						
DIV. AMOUNT CFS/AF			ADP AF			
CONSUMPTIVE USE			ADD CW			
NATURE OF USE			6			
PERIOD OF USE						
BASIS OF CLAIM						
REMARKS						

DATA ENTRY COMPLETED
BY JA DATE 2-6-91
Added date
Case #, etc.
FINAL RECOMMENDATION
BY _____ DATE _____

VERIFICATION CODES

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

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

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

COMMENTS: SAME AS DECREE

IN-OFFICE MATCH

OCT 07 1992

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET

(use in place of the CVR for small Domestic/Stock exams)

~~MATCH~~

1. ☒ No Change NAME
NEW OWNER: _____
☐ No Change ADDRESS
NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date; claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____.
(if the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☒ No Change - SOURCE
Source is different than that claimed:
Source found: _____
4. ☒ No Change - POINT OF DIVERSION
Point of diversion is different than the claim
New P/D: Twp. ____, Rge. ____, Sec. ____, ____ 1/4 ____ 1/4 ____ 1/4
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete desc., complete items missing, IF KNOWN.
Additional comments in remarks.
HP of pump ____ Pump Ser. # ____ Pumping water level ____
Well depth ____ Motor Ser. # ____ Static water level ____
Casing size ____ Method of irr. _____
6. ☒ No Change - WATER USES
Different uses, (list uses found).
Use ____ From ____ To ____ Amount ____ cfs ____ af
Use ____ From ____ To ____ Amount ____ cfs ____ af
7. ☒ No Change - TOTAL VOLUME
Incomplete on claim, the total is, -- -- ____ cfs ____ af
Change found, the new total is, -- -- -- ____ cfs ____ af
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
Incomplete on claim - Exam found:
Domestic - No. of homes ____ Stockwater - No. of head ____
Other: _____

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10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4,

Remarks: (Comments pertinent to field examination)

CHAIN INCORRECTLY SHOWS BASIS AS "STATUTORY", CHANGED
TO DECREED.

MAP IN FILE A57-01201

ATTACHMENTS:

Attached to
This Form.

Attachments are
in Permit File.

PHOTOS (optional) ☐
MAP ☐
SYSTEM DIAGRAM ☐

☐
☐
☐

☐ Changes found during exam or additional information in the permit file, see permit file.

DATE EXAM CONDUCTED: 1/11/91

FIELD EXAMINER:

Ron Howerton

Signature

Ron Howerton

OVERLAP REVIEW FOR: 1202, 1205, 1207, 2285A

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
GW	1202	75	3E	3					4												4	
				4	9		21	16					12		2				5		65	69
GW	2285A	75	3E	3					20												20	
				4	9		21	16					10						5		61	81

GW
TOTAL
ACRES

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
		75	3E	3					20												20	
				4	9		21	16					22		2				5		75	(95)

SURF

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	1207	75	3E	3					4												4	
				4	9		21	16					12						5		63	(67)
	(1205)																					

COMBINED
WITH
SURF, (STORAGE)
N/A

GW + SURF

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
		75	3E	3					20												20	
				4	9		21	16					22		2				5		75	(95)

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2.8.25

ANALYSIS

[illegible]

D. RATE/VOLUME CALCULATIONS: (IRRIGATION) 1b. CALCULATIONS

1a. IRRIGATION RATE 67 x 0.02 CFS/ACRE = 0.02 CFS
ACRES (Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 67 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 234.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

COMBINED WITH (1202 & 2285A) = 95 ACRES

CU. VOL 1' 1' = 332.5 AF

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State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF

Date 1/27/83

Right No. 57-1207

Claimant BURGHARDT

Recommendation differs from claim: ☐ Yes ☒ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☒ License 57-2109

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☒ Decree. Name & date TURKES vs. HINES, 1899

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☒ Affidavits. ☐ In file. IN BRIEF IN OPPOSITION TO ADJUNCTION

☒ Posted Notices, Water Locations Notices. ☐ In file. IN CLAIMANT'S MEMO.

☒ Deed Records. ☐ In file. Or, Name & location MEMO. OF CLAIMANTS

☒ Patent Records. ☐ In file. Or, Name & location MEMO. OF CLAIMANTS

☐ Metzker Maps. Identify _____

☒ A.S.C.S. Records. Year & Photograph No. 9/12/1950 8/01/1957 5/17/46
CVS-26-96, CVS-19T-45

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☒ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☒ Other MEMO OF CLAIMANT & DEPOSITIONS - L. BURGHARDT, P. BLACK,
C. BRIGGS & M. MASSINGALE

Field Exam Made: ☒ Yes ☐ No Date APRIL 30 & MAY 1, 1982 1/26/83
SEE MEMO.

☐ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement IN 57-1207 0184 70 cfs. Amount recommended 143 cfs.

Type of measuring device: CURRENT METER - AA Meter No. 090143

Condition Good Date 4/30/82 Time 2 PM

Adjudication Photo(s) Used: Name or No. CHALK HILLS

Field Photographs Taken ☒ Yes ☐ No CAMERA FAILED

Memorandum in file ☒ Yes ☐ No

Remarks _____

M E M O

TO: Files No. 57-0184, 57-1207 & 57-2109
FROM: Don Shaff *DS*
DATED: January 27, 1983
SUBJ: Review Analysis

or license It is difficult to deny the presence of a water right recorded by decree, but the evidence indicates this is required.

Remnants of many old ditches both north and south of the creek above the rock house and at the rock house indicate repeated attempts were made by the claimant's predecessors to continue irrigating this land. The evidence undeniably indicates Wenzel Turmes developed a water right for land around the rock house north of the creek. This land still appears in a semi-cleared state although Atriplex species is scattered throughout all the fields north of the creek. This indicates a definite lack of intensive agricultural cultivation. The fields are without any sign of past crops or pasture. The ditches have long since been abandoned and no other signs of diversion works for these fields north of the creek are present.

To the south of the creek in the area of the Joe Turmes's homestead there ~~was~~ *were* also signs of old ditches. The diversions were accomplished by a series of hillside ditches dumping into natural drainways picked up again and dumped to another drainage basin or into yet another ditch until the water would reach the fields. These ditches are now abandoned and the water is supplied by the ditch passing through each of the Burkhardt reservoirs. With the development of Joe Turmes land some additional irrigated land was picked up on Wenzel Turmes's land. Some of this land on both Turmes' ground is irrigated still today.

The affidavits filed by the defendants and the depositions taken for the hearing on the preliminary injunction seem to verify that any crops that were grown *at least* after 1938 were of a short season variety. Rye is a grass that requires little or no water and has a short growing season. Various individuals stated that rye

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had been grown ^{on} some of these fields. ~~Wild~~ alfalfa from the previous owners apparently was able to exist as wildy scattered plants ³ ~~to~~ ^{de} spite the ^{lack of any} long term seasonal irrigation. The presence of the alfalfa would not by itself ~~would not~~ indicate these fields were irrigated very long into the growing season. The affidavit of Flossie Cullen, a predecessor of the defendant, stated she and her husband, Fletcher, would use as much or all of the available water that they needed on the Cullen and Mims places belonging now to the defendants. Paul Black has stated in interviews and through his deposition that he has diverted water in the same way from 1951 to the present. Both individuals indicated they could not use all of the water during the peak flows of the spring and water would pass on down stream. This information, the crops grown and the diversion of water, would indicate that the Black's and their predecessors have taken water from the creek without any regard ^{to} any downstream user whether the downstream user was using water or not.

A question of availability of water to the Burkhardt land must be raised. Inconclusive eval^uations indicate the soils of the creek and the Burkhardt ditch may not allow water that might leave the last diversion ^{of Blacks} ~~to~~ reach the Burkhardt fields. This would occur when there was little water in the creek. On January 27, 1983 I observed an estimated more than 1 cfs flowing 100 to 200' downstream ^{of} ~~to~~ the Black's last diversion and that water had disappeared from the creek bed before it had passed Mike Black's land downstream. It is, therefore, very possible the same conditions would exist during the summer season. In that respect, the Black's and their predecessors used the water on their fields so it would not be wasted and not be lost to any of the appropriators.

In light of the patterns of use developed since 1938, the two recorded water rights (57-0184 & 57-²¹⁰⁹~~1207~~) are considered abandoned or forfeited and any water use excercised by the Burkhardts is junior to the rights of the defendants, Blacks, up to the 1943 diversion of the Burkhardts. That water right is represented by claim No. 57-1207 since this diversion and beneficial use of water began at that date. It would be ^{an} administrative nightmare to have the Burkhardts with a partial season water right. The required intensive measurement would be prohibitive

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page 3

Files No. 57-0184, 57-1207 & 57-2109

and the timing of the end of the right ^{for the shortened period of use} would vary to the extent to make the method unworkable. Therefore, the Blacks through 1943 have a water right senior to that of the Burkhardts. The Burkhardts may use any water that exceeds the the earlier water right of the Blacks. This would allow the commonly termed floodwater, to be used by the Burkhardts in a manner that they apparently used ^{since 1943.} ~~from 1943 on~~. In the same way the Blacks could use their allotted amount of water when the flows in the creek drop down to those amounts. A conveyance loss for 57-1207 has not been attached to the right because such a designation is not necessary. With the same date of priority, No. 57-1204 has been recommended for a diversion to storage rate of 7.0 cfs. Within the same ditch and at this amount, the claimants are able to take the amount of water for No. 57-1207 and the loss is compensated by the 7.0 cfs. The 7.0 cfs is the normal near maximum capacity of the Burkhardt diversion. On April 30, 1982 at near peak conditions this was the amount of water coming down the creek and moving into the Burkhardt diversion that entirely diverted the creek except for any percolation down through the soil. The creek below the diversion was ^{on April 30, 1982,} dry and no water flowed through the creek until Poison Creek entered into Shoofly Creek.

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BURGHARDT'S

Was present ditch put in when got property in 1943. ^{No. 12} ^{deposition}
 Other ditches east of creek. '51-'57.
 Ditch west of creek, along road any sign
 Other PD's.

23 acres on rock house side of creek
 abandoned. Thrown tractor pump in creek. ⁸⁵² ^{from Turner's} ^{up to trench line} ⁸² ^{all dead}

? Thru at Shoofly Creek in NWDE, S. 8

? Ditch from Shoofly Creek in SESE, S. 5

? 2.2 acres in SWSW, S. 4 ^{NESE, S. 4} ~~5.5~~ ^{plus present ground}
 up to for Turner license abandoned until Burghardt picked it
 back up - ex. of 2.2 acres.

Ground from 5.5 in NESE, S. 4 on up creek was
 present in 1946/5/17.

Reservoir in SWSW, S. 4 was present in some form
 on 5/17/46. No water stored at that date. Small amount
 of stored water remaining 9/12/50. (Fields) from 5.5 on down
 to end of J. Turner ^{fields} definitely ^{not} cultivated.
 No storage appearing on 8/01/57

On 5/17/46, perhaps 2.2, 3.5 & small strip about 3 acres
 in SE⁴, S. 4 might have been irrigated by ditch flowing by
 present Rock House Reservoir.

9/12/50 and earlier, no sign of Rock House Res.
 Appears on 8/1/57 about 1 acre surface area of storage possibly

Fields from 2.2 on down except 3.5 appear cultivated
 on 8/01/57.

On 5/09/69 about 1 acre of surface area **MICROFILMED**
 Res in SWSW, S. 4 No storage behind dam in SEDE, S. 8 OCT 07 1992

65² with line
Cone land

Old dam in O of NE⁴, S B had about 1/2 acre surface area behind it on 5/09/69.

On 5/09/69 sump in SWSW, S. 4 irrigates 2, 2 & 3, 5. Only from 5.5 excluding 5.5 (NESW, S. 4) on down ~~was~~ appears cultivated. Both wells in by that date.

~~Black~~ 23.9 acres in fields below corals on 5/09/69 for Cullen phase.
10.4 above house on same date.

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IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____
Shoofly Creek
DRAINAGE BASIN.NOTICE OF CLAIM
TO A
WATER RIGHT

I.D. No.	Map No.
\$	Fee Paid
	Receipt No.

Notice is hereby given that Burghardt Co., Inc.

(Name of Claimant)

c/o Lela Burghardt, Grand View, ID 83624

(Mailing Address)

(Zip Code)

Telephone No. 954-0600

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 6/31/1948
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Shoofly Creek tributary to Sage River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|--|--|---|
| Quantity <u>1.36</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>7/15</u> To <u>11/15</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity <u>.09</u>
(CFS, GPD, AF) | Use <u>Stockwater</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>7/15</u> To <u>11/15</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 1.45 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source S.R. ¼ _____ ¼ _____
Sec. 8, Twp. 7S, Rge. 3E, B.M., Dayton County
Additional Points: SGI: 2720-2610(2)12.3
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. diversion dam and ditches

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
								L.4											
7S	3E	3						4											
			L.1																
		4	9		21	16					12								

Water rights: 57-1235, 57-1236, 57-1237

Total no. of acres _____

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks 20 acre water right. Created by 57-1235, 57-1236, 57-1237.
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Date)

(Signature of Claimant)

Organization

(Signature of Spouse)

State of _____

Organization

County of _____

ss.

Seal

(Signature of Authorized Agent)

On this _____ day of _____, in the year _____ before me
a notary public, personally appeared _____

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires _____

Notary Public residing at _____