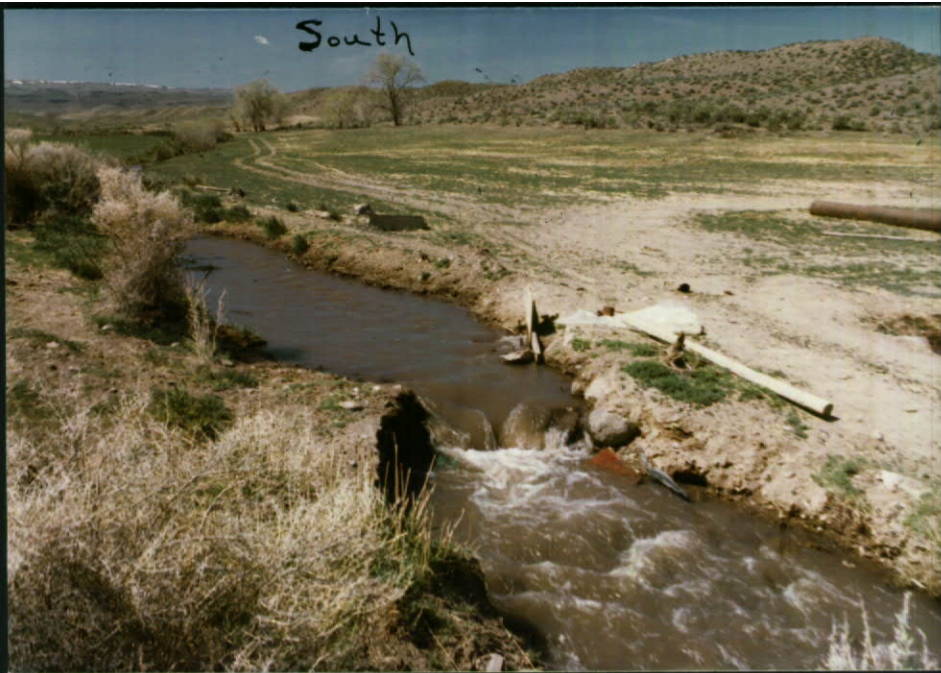


South

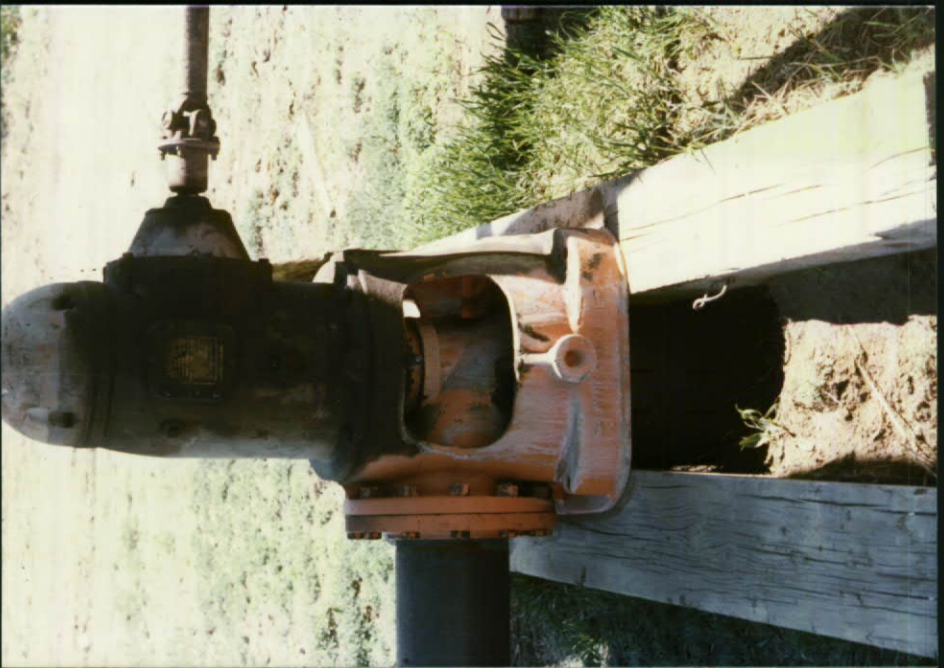






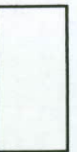






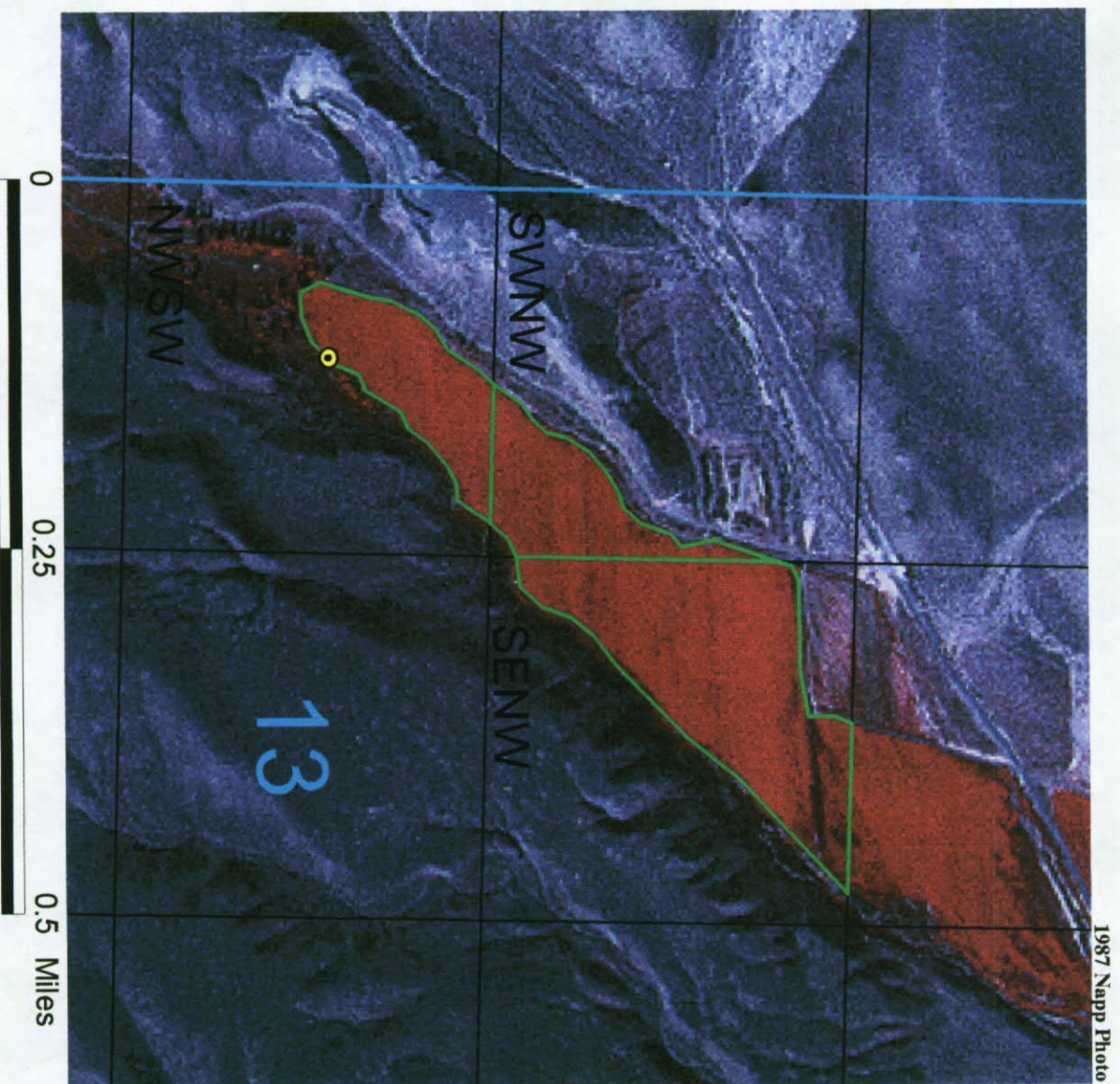
Idaho Department of Water Resources

Claim Number: 57-01220
Legal: T07S, R02E, S13
Reviewed By:

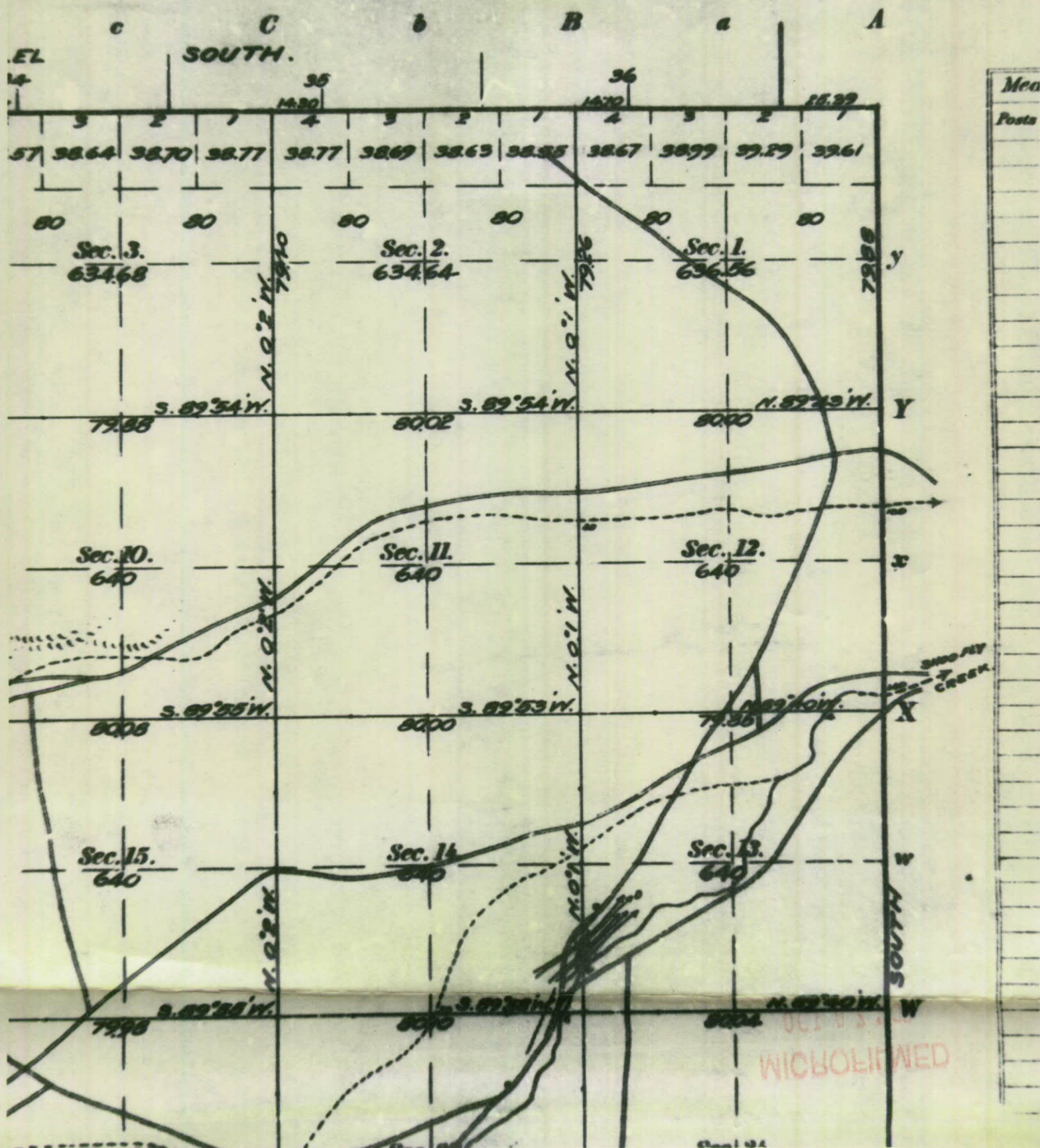
-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines

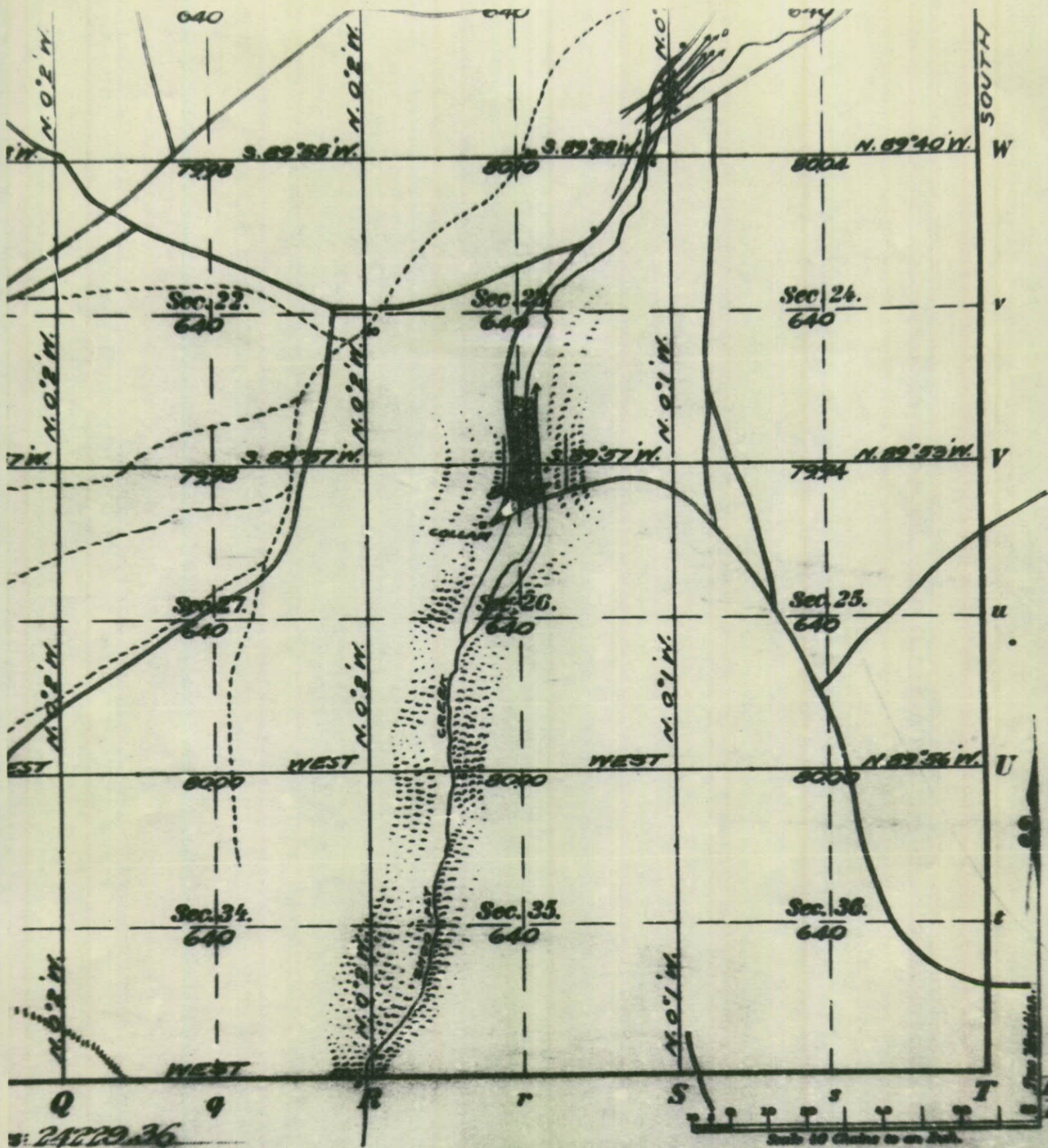


04/03



at of the Boise Meridian, Idaho.





24729.36

Near the line of	
1929	15.35 E.
1973	
1986	
1988	

The above Map of Township N. T. South, of
Boise Meridian, Section
notes of the survey thereof on file in this Office, which
Surveyor General's Office.
Boise City, Idaho
December 9, 1905.

NICHOLIFWED

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: A57-01220
Date Received: 11/17/1988
Receipt No: C003946
Received By: *[Signature]* 12/15/88

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAUL BLACK
Address: BOX 273
GRAND VIEW, ID 83624

Name: MATTIE BLACK
Address: BOX 273
GRAND VIEW, ID 83624

2. Date of Priority: DEC 21, 1886

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	02E	13	NW	SW			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	0.520		
STOCKWATER	01/01	12/31	0.050		2.70

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 HEAD RANGE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	02E	13	SW		NW		IRR	3.0
			SE		NW		IRR	15.0
			NW		SW		IRR	3.0
							Section Acres	21.0
							Total Acres	21.0

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:
57-7010

14. Remarks:

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

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Paul J Black Date: 12-15-88
Matthew L Black Date: 12-15-88

State of Idaho)
County of Ada) SS.

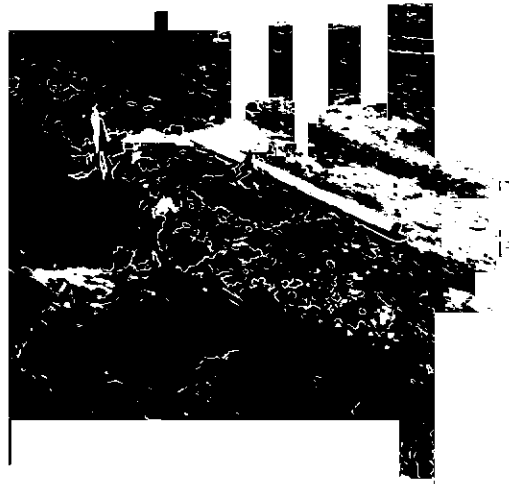
Subscribed and sworn (or affirmed) before me this 15 day
of December 19 88

[Signature]
Notary Public

Seal

Residing at Boise, ID

My Commission Expires June 10, 1994



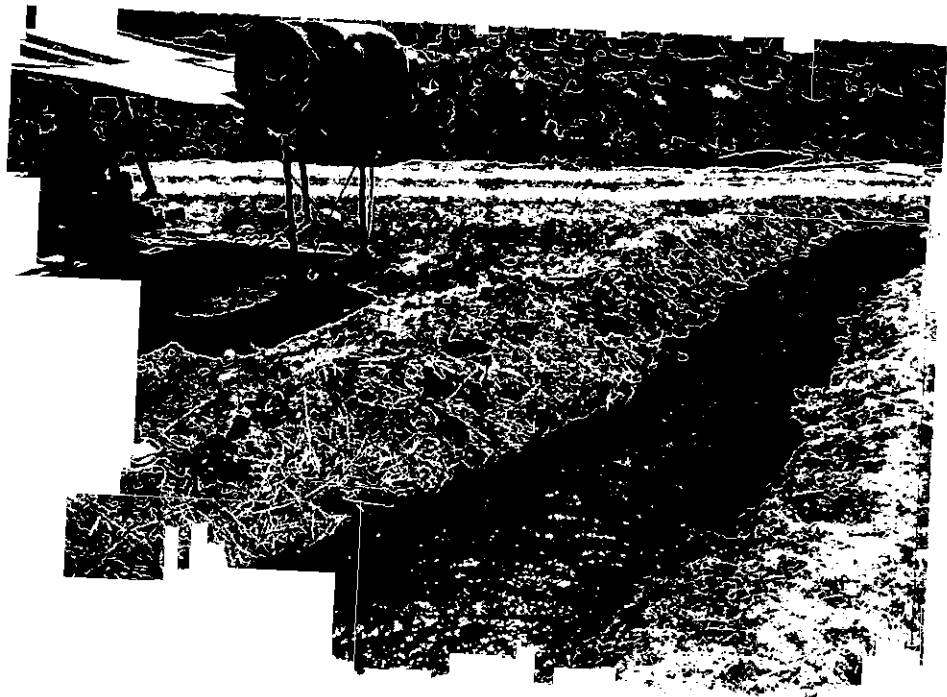
5/06/82
BLACK'S "COVE" DITCH DIVERSION.

NON IRRIGATED FIELD IS TO RIGHT
OF SHOOFLY CREEK. IRRIGATED FIELD
FROM ANOTHER DIVERSION IS TO
THE LEFT. MMS OLD IRRIGATED GROUND
WAS TO RIGHT ~~OF~~ (WEST) OF CREEK. OLD
DIVERSION ~~WAS~~ APPARENTLY NEAR
TREES IN BACKGROUND.



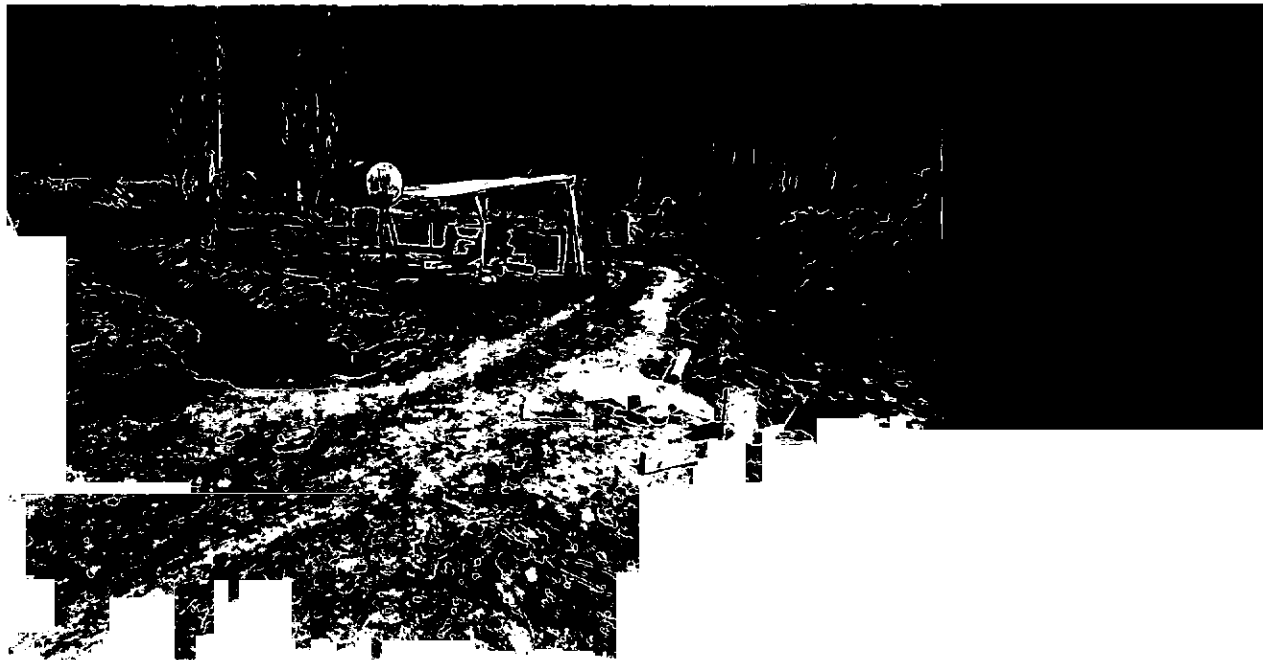
5/06/82

PUMP ON WELL THAT DIVERTS
INTO BLACK'S "COVE" DITCH.



5/06/82

TRANSECT ON BLACK'S "COVE" DITCH.
CREEK IS IN BACKGROUND. PUMP TO
LEFT IS FOR WELL DIVERTING INTO
SAME DITCH.



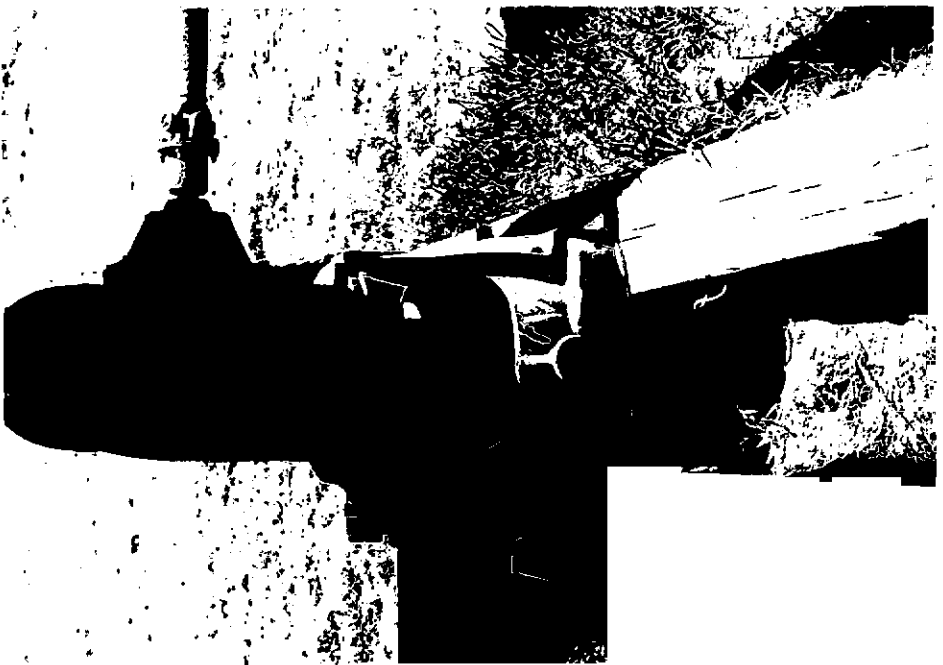
5/06/82

BLACK'S "COVE" DITCH DIVERSION
FROM SHOOFLY CREEK. BOARDS
AT DITCH INLET ARE REDUCING
DIVERSION RATE. DIESEL ENGINE
& PUMP IN CENTER ARE FOR
SUPPLEMENTAL WELL. MIMS HOMESTEAD
HOUSE IS UPPER LEFT. OLD DITCHES
ARE JUST BELOW ROAD BEHIND POPLARS.
OLD IRRIGATED GROUND WAS BETWEEN
MAIN ROAD AND SHOOFLY CREEK.



5/06/82

TRANSECT ON BLACK'S "COVE" DITCH.
CMP UP THE DITCH IS DIVERSION FROM
SHOOFLY CREEK.



5/06/02
BLACK'S WELL NEXT TO "LOVE"
DITCH. LACKS ADEQUATE PROTECTION
OF GROUNDWATER RESOURCES.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western District
Statehouse — Boise, Idaho
83720

MICROFILMED
OCT 07 1992

PHOTOS



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-01220

Date: 3-7-03

	TMS	RNG	SEC	NE				NW				SW				SE				SUM
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	7S	2E	13							3	15		3							21
GIS										5.0	15		5.8							26.4
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 21

Overlapping FOU Claim #'s:

57-07010A

Total GIS Acres: 26.4

COMMENTS:

Per image interpretation. Claim map was not detailed enough.

Idaho Department of Water Resources

Claim Number: 57-01220
Legal: T07S, R02E, S13
Reviewed By:

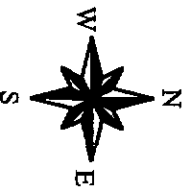
⊙ Point of Diversion

☐ Place of Use

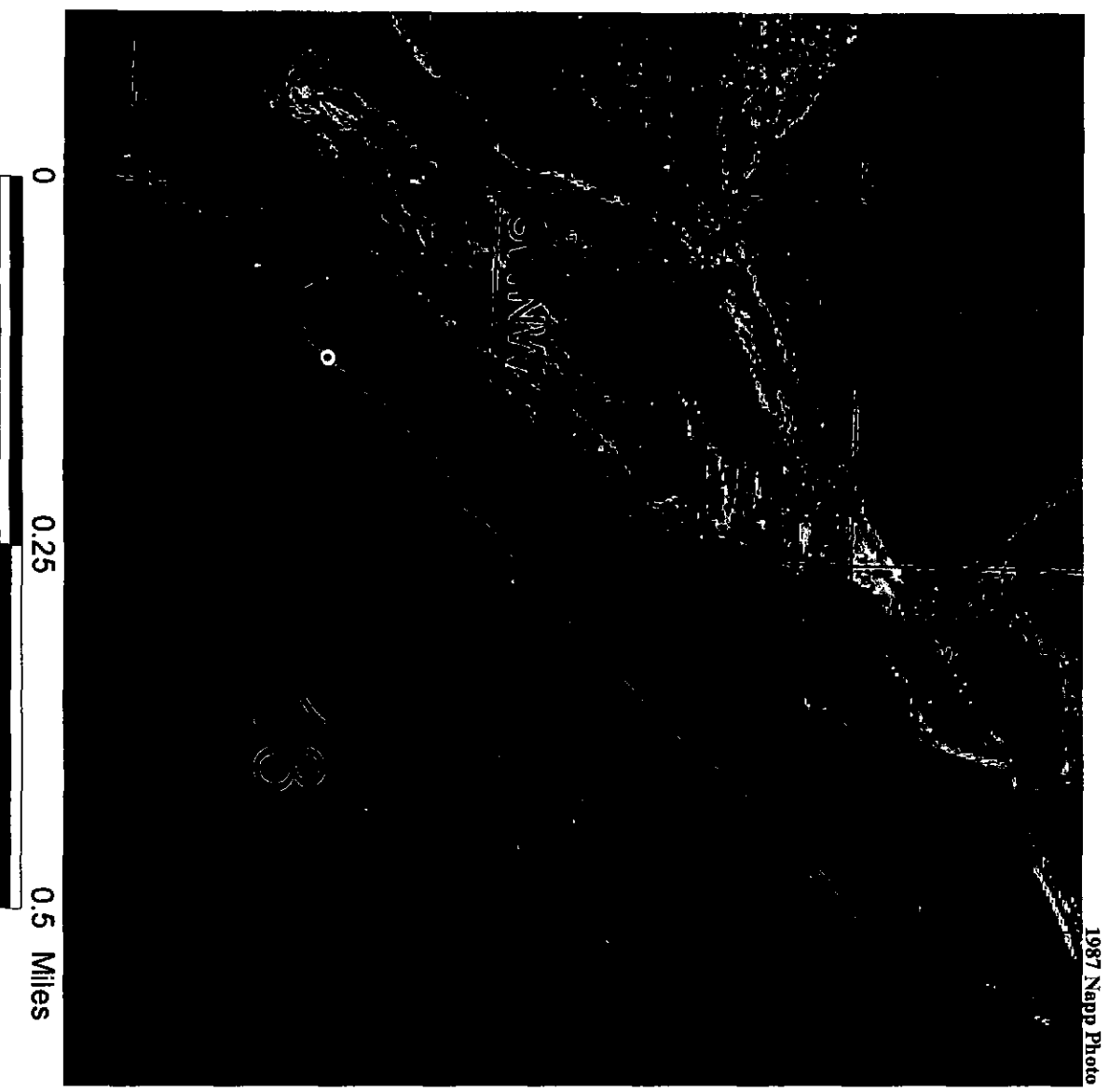
☐ Section Lines

☐ Quarter Quarter Lines

☐ Township/Range Lines



04/03



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

Important Information About Your Water Right

January 3, 2003

RECEIVED

JAN - 6 2003

Department of Water Resources

Paul Black
Mattie Black
PO Box 273
Grand View, ID 83624

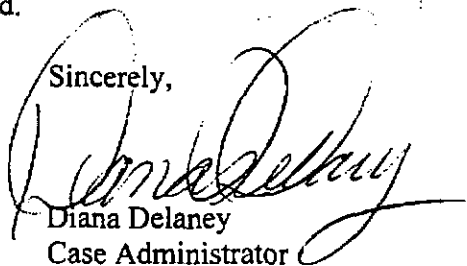
Dear Water Right Claimant(s):

This letter accompanies copies of an *Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc* (hereinafter "*Order*") for water right numbers 57-1220, 57-1222A, and 57-2108. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of these water rights. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for each of these water rights. As stated in the face of each *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). The *Order* also incorporates into the *Partial Decrees* an express statement that each *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). These *Orders*, in combination with the *Partial Decrees* that were issued for these water rights in November 1997, set forth all of the elements of your water rights. The Snake River Basin Adjudication (SRBA) Court suggests that you keep these documents in a safe location together with a copy of each *Partial Decree* to show evidence of these water rights. The original of these *Orders* and the original of each *Partial Decree* for these water rights are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Orders* are entered *Nunc Pro Tunc*, meaning that the *Orders* will be treated as if they were issued on the same date that the *Partial Decrees* were originally issued.

Sincerely,



Diana Delaney
Case Administrator

2003 JAN 3 PM 4 40

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

In Re SRBA	)	Water Right 57-1220
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on November 25, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on July 26, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 2, IDWR Basin 57, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 to 11-15

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before 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.

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

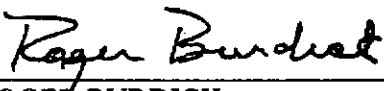
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

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

RULE 54(b) CERTIFICATE

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

Dated January 3, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

RECEIVED

DEC - 1 1997

Department of Water Resources
Adjudication Bureau

1997 NOV 25 PM 4: 40

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

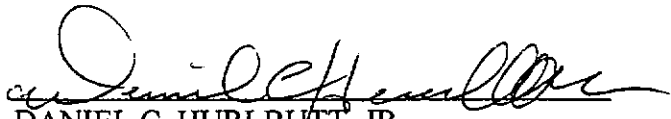
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-01220
_____	)	

On July 30, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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

Therefore, IT IS ORDERED that water right 57-01220 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 25, 1997.


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

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-01220

1997 NOV 25 PM 4:40
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: PAUL BLACK
MATTIE BLACK
PO BOX 273
GRAND VIEW ID 83624

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.52 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 57-07010A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.74 CFS.

PRIORITY DATE: 12/21/1886

POINT OF DIVERSION: T07S R02E S13 NWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	Irrigation Season	0.52 CFS
STOCKWATER	STOCKWATER	01-01 12-31	0.05 CFS

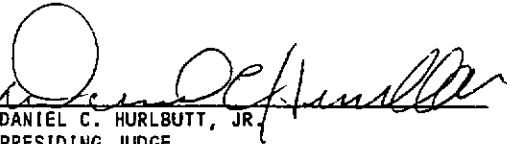
PLACE OF USE: IRRIGATION Within Owyhee County
T07S R02E S13 SWNW 3 SENW 15 NWSW 3
21 ACRES TOTAL

Place of use for STOCKWATER is same as IRRIGATION

USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 70 ACRES IN A SINGLE IRRIGATION
SEASON.

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.


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

RULE 54(b) CERTIFICATE

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



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

RECEIVED

DEC - 1 1997

Department of Water Resources
Adjudication Bureau

1997 NOV 25 PM 4: 40

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 57-01220
_____	)	

On July 30, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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

Therefore, IT IS ORDERED that water right 57-01220 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 25, 1997.


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

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-01220

1997 NOV 25 PM 4:40
DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

NAME & ADDRESS: PAUL BLACK
MATTIE BLACK
PO BOX 273
GRAND VIEW ID 83624

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.52 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 57-07010A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.74 CFS.

PRIORITY DATE: 12/21/1886

POINT OF DIVERSION: T07S R02E S13 NWSW Within OMYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.52 CFS
	STOCKWATER	01-01 12-31	0.05 CFS

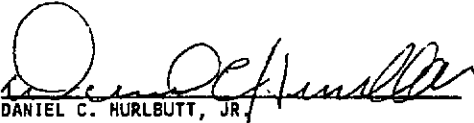
PLACE OF USE:	IRRIGATION	Within OMYHEE County
	T07S R02E S13	SNNW 3 SENW 15 NWSW 3
	21 ACRES TOTAL	

Place of use for STOCKWATER is same as IRRIGATION

USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 70 ACRES IN A SINGLE IRRIGATION
SEASON.

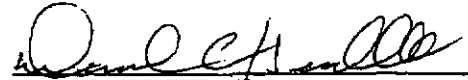
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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


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

RULE 54(b) CERTIFICATE

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



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

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)
_____)

1997 JUL 30 PM 2:34
SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR TWIN FALLS CO., IDAHO
Water Right 57-01220 FILED *AK*

NAME & ADDRESS: PAUL BLACK
MATTIE BLACK
PO BOX 273
GRAND VIEW ID 83624

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 0.52 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 57-07010A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.74 CFS.

PRIORITY DATE: 12/21/1886

POINT OF DIVERSION: T07S R02E S13 NWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	0.52 CFS
STOCKWATER		01-01 12-31	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T07S R02E S13 SNW 3.0 SENW 15.0 NWSW 3.0
21.0 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 70 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: 7/30/97

AK
FRITZ/X. HAEMMERLE
Special Master
Snake River Basin Adjudication

RECEIVED

JUL 31 1997

Department of Water Resources
Adjudication Bureau

1997 JUL 30 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *PL*

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

In Re SRBA

) Subcase 57-01220

)
)
)
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.

There was no objection to this water right. The Special Master obtained jurisdiction to this water right because the water right overlapped with an objected to water right. The objected to water right having been resolved; now therefore

IT IS THEREFORE RECOMMENDED that subcase 57-01220 be decreed as recommended in the attached *Special Master's Report and Recommendation for Partial Decree*.

DATED 9/30/, 1997.


FRITZ X. HAEMMERLE

Special Master, Reporting Area 2
Snake River Basin Adjudication

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

1997 JUL 30 PM 2:34

In Re SRBA)
)
Case No. 39576)
)
)
)
)

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR DIVISION OF COURT - SRBA
TWIN FALLS CO., IDAHO
Water Right 57-01220 FILED *dk*

NAME & ADDRESS: PAUL BLACK
MATTIE BLACK
PO BOX 273
GRAND VIEW ID 83624

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.52 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 57-07010A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.74 CFS.

PRIORITY DATE: 12/21/1886

POINT OF DIVERSION: T07S R02E S13 NWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	Irrigation Season	0.52 CFS
STOCKWATER	STOCKWATER	01-01 12-31	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T07S R02E S13 SWNW 3.0 SENW 15.0 NWSW 3.0
21.0 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 70 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: 7/30/97

Fritz X. Waehmerle
FRITZ X. WAEHMERLE
Special Master
Snake River Basin Adjudication

1997 JUL 30 PM 2:34

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-01220

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on July 30, 1997, with sufficient first-class postage prepaid to the following:

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

PAUL & MATTIE BLACK
PO BOX 273
GRAND VIEW, ID 83624



DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
07/30/97

1997 JUL 30 PM 2:34

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

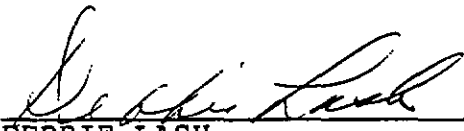
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-01220

On July 30, 1997, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (A01), Section 9.

Pursuant to SRBA Administrative Order 1, Section 14b, any party to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S REPORT AND RECOMMENDATION within 21 days following the date of publication of the filing of the Special Master's report in the Docket Sheet except parties to the subcase who failed to file a Motion to Alter or Amend before the Special Master (A01, Section 9f). The Notice of Challenge shall appear on the Docket Sheet and shall be served on parties to the subcase(s) covered by the challenged report and the SRBA Court Reporter.

DATED July 30, 1997.


DEBBIE LASH
Deputy Clerk

RECEIVED

MAY 16 1997

Department of Water Resources
Adjudication Bureau

1997 MAY 15 PM 1:14

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA
Case No. 39576

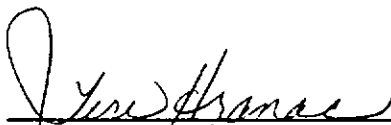
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-01220

On May 15, 1997, Special Master FRITZ X HAEMMERLE
lodged a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY
SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative
Order 1 section 9 (f).

These documents are served only on parties to the subcase.
They are not served on the Presiding Judge. Parties to this subcase
may file a Motion to Alter or Amend with the Special Master, but
must do so before May 29, 1997.

DATED May 15, 1997.



TERI HRANAC
Deputy Clerk

1997 MAY 15 PM 1:1

DISTRICT COURT - SRB
TWIN FALLS CO., IDAH

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	)	Subcase 57-01220
	)	
Case No. 39576	)	PRELIMINARY SPECIAL
	)	MASTER'S REPORT

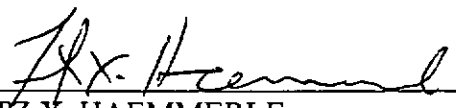
FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409(1990). 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.

There was no objection to this water right. The Special Master obtained jurisdiction to this water right because the water right overlapped with an objected to water right. The objected to water right having been resolved, now therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-01220 be decreed as recommended in the attached *Preliminary Special Master's Report and Recommendation for Partial Decree*.

DATED May 15, 1997.



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

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

In Re SRBA)
Case No. 39576)
_____)

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-01220

1997 MAY 15 PM 1:14
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: PAUL BLACK
MATTIE BLACK
PO BOX 273
GRAND VIEW ID 83624

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.52 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 57-07010A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.74 CFS.

PRIORITY DATE: 12/21/1886

POINT OF DIVERSION: T07S R02E S13 NWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	Irrigation Season	0.52 CFS
STOCKWATER	STOCKWATER	01-01 12-31	0.05 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T07S R02E S13	SWNW 3.0 SENW 15.0 NWSW 3.0
	21.0 ACRES TOTAL	

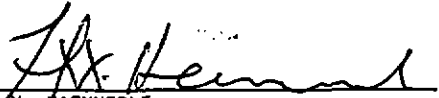
USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 70 ACRES IN A SINGLE IRRIGATION
SEASON.

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: MAY 15 1997


FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

1997 MAY 15 PM 1:14

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

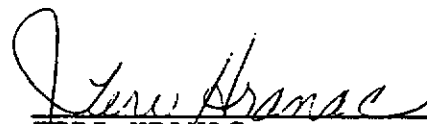
Water Right(s): 57-01220

CERTIFICATE OF MAILING

I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 15, 1997, with sufficient first-class postage prepaid to the following:

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

PAUL & MATTIE BLACK
PO BOX 273
GRAND VIEW, ID 83624



TERI HRANAC
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
05/15/97

AJ0749NP
No. R57-01220

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

DATE: 11/14/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PAUL BLACK	12/21/1886	IRRIGATION	03-15 11-15	0.52 CFS	
C	MATTIE BLACK		STOCKWATER	01-01 12-31	0.05 CFS	
	PO BOX 273					
	GRAND VIEW ID 83624					
				TOTAL DIVERSION:	0.52 CFS	

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

Point(s) of Diversion: 107S R02E S13 NMSW OWYHEE County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE												
T	R	S	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07S	02E	13	:	:	:	03	15	:	:	03	:	:	:	:	:	:	:	21.0
TOTAL ACRES																	21.0	

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

POU County: OWYHEE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

57-01220	57-01222	57-02108	57-07010	57-07010A	57-07010B	57-07331	57-07331A	57-07331B	A57-01220
A57-01222	A57-02108	A57-07010	A57-07331	R57-01222	R57-01222A	R57-01222B	R57-02108	R57-11508	

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

57-01220 57-07010 57-07010A A57-01220 R57-07010

Conditions of Approval:

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

Remarks: QNT USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.74 CFS.

POU USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 70 ACRES IN A SINGLE IRRIGATION
SEASON.

EXP STOCKWATER, 100 RANGE CATTLE

Dates: Exam Made Date: Verified Date: 11/14/1997 Objection Filed Date:

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

AJ0749NP
No. R57-01220

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

DATE: 11/14/97
PAGE: 2

Audit: 11/14/97 MSCHULTE

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

DATE: NOV-14-1997

PAGE: A-1

RIGHTS FROM: SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-01220

NAME AND ADDRESS: PAUL BLACK
MATTIE BLACK
PO BOX 273
GRAND VIEW ID 83624

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.52 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR STOCKWATER, 100 HD CATTLE

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

USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.74 CFS.

PRIORITY DATE: 12/21/1886

POINT OF DIVERSION: T07S R02E S13 NWS Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		<u>Irrigation Season</u>	0.52 CFS
		~~03/13~~ 11/13	
STOCKWATER		01-01 12-31	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T07S R02E S13 SWNW 3 SENW 15 NWSW 3
21 ACRES TOTAL

Place of use for STOCKWATER is same as IRRIGATION

USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 70 ACRES IN A SINGLE IRRIGATION
SEASON.

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

57-01220 (CONT.)

USE.

USE OF THIS RIGHT WITH RIGHT 57/07010 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.78 CFS, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 232 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 72 ACRES IN A SINGLE IRRIGATION SEASON.
0.170 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
DELIVERY OF THIS RIGHT.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
STOCKWATER, 100 RANGE CATTLE

AJ0749NP
No. R57-01220

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

DATE: 11/13/97
PAGE: 1

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

C	PAUL BLACK	12/21/1886	IRRIGATION	03-15 11-15	0.52 CFS	
C	MATTIE BLACK		STOCKWATER	01-01 12-31	0.05 CFS	
	PO BOX 273					
	GRAND VIEW ID 83624					
			TOTAL DIVERSION:		0.52 CFS	

Water Source: SHOOFLY CREEK Tributary to: SNAKE RIVER Stage: DECREED
Point(s) of Diversion: T07S R02E S13 NWSW OMYHEE County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE	
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW
T	R	S	: Lt	Ac	Lt	Ac	Lt
07S	02E	13	:	03	15	:	03
				TOTAL ACRES			
				21.0			

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

POU County: OMYHEE

Other Rights: SEE REMARKS

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

57-01220	57-01222	57-02108	57-07010	57-07010A	57-07010B	57-07331	57-07331A	57-07331B	A57-01220
A57-01222	A57-02108	A57-07010	A57-07331	R57-01222	R57-01222A	R57-01222B	R57-02108	R57-11508	

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

57-01220	57-07010	57-07010A	A57-01220	R57-07010
----------	----------	-----------	-----------	-----------

Conditions of Approval:

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

Remarks: QNT USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.74 CFS.

POU USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 70 ACRES IN A SINGLE IRRIGATION SEASON.

EXP STOCKWATER, 100 NO CATTLE

AJ0749NP
No. R57-01220

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

DATE: 11/13/97
PAGE: 2

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Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
Audit:	00/00/00	Presumption Flag:	

=====

AJ0749NP
No. R57-01220

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

DATE: 07/16/92
PAGE: 1

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

C	PAUL BLACK	12/21/1886	IRRIGATION	03-15 11-15	0.52 CFS	
C	MATTIE BLACK		STOCKWATER	01-01 12-31	0.05 CFS	
	PO BOX 273					
	GRAND VIEW ID 83624					
				TOTAL DIVERSION:	0.52 CFS	

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

ONYHEE County

Point(s) of Diversion: 107S R02E S13 NWSW

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE	
NAME	NWNE	SENE	NEW	NWNW	SWNW	SESW	SESE
T	R	S	Lt	Ac	Lt	Ac	Lt
07S	02E	13	:	03	15	:	03
							TOTAL ACRES
							21.0
							21.0

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

POU County: ONYHEE

Non-Irrigation Uses: STOCKWATER, 100 HD CATTLE

Other Rights: SEE REMARKS

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

A57-01220 A57-01222 A57-02108 A57-07331 R57-01222 R57-02108 R57-07331

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

A57-01220 R57-07010

Remarks: USE OF THIS RIGHT WITH RIGHT 57-07010 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.78 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 252 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 72 ACRES IN A SINGLE IRRIGATION SEASON. 0.10 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

Dates: Exam Made Date: 01/11/0091 Verified Date: 07/16/1992

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

Audit: 07/16/92 HOWERTON

MICROFILMED
OCT 07 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-01220

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 V11/91	6	N		
PT. OF DIV.						
SOURCE						
PL. OF USE						
DIV. AMOUNT CPS/AP			ADD AF			
CONSUMPTIVE USE			ADD CW 6			
NATURE OF USE						
PERIOD OF USE						
BASIS OF CLAIM						
REMARKS						

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 ADDED REMARK FOR DITCH LOSS

MICROFILMED

OCT 07 1992

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: _____

MICROFILMED

OCT 07 1992

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

Remarks: (Comments pertinent to field examination)

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

CLAIM NUMBER: 57-01220

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 2.1 x 0.02 CFS/ACRE = .42 CFS
(Taken from p/u review)

SEE OVERLAP
ANAL. SAT.

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 2.1 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 73.5 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(X) N()

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

Combined with 57-07010

" DIVERSION = 1.78 cfs

" Annual CU VOL = 252 AF

" Acres = 72

0.10 CFS Conv. loss

MICROFILMED

OCT 07 1992

CLAIMANT: BLACK, PAUL & MATTIE
 AGENT: RON HOWERTON DATE: AUG 28 1991
 GIVEN: _____

ACRES OVERLAPPING: 15
 IRRIGATION METHOD: FLOOD % SPRINKLER %

DELIVERY LOSS FACTOR USED:
 (SOURCE) % = % (SOURCE)
 (SOURCE) % = %

RANGE OF RECOMMENDABLE DIVERSION RATES & VOLUMES

SOURCE	ACRES	DIVERSION RATE		C.U. VOL
		MIN	MAX	

ANALYSIS

SOURCE	NUMBER	ACRES	PRIORITY	CLAIMED CFS	CUM. CFS
SHOFLY CR.	A57-1220	21	12/21/1886	.52	
GW	A57-7010	66	2/6/1968	1.62	2.14
		87		2.14	

ANALYSIS FOR CLAIM NO.: A57-1220

Standard Conditions: when combined with 7010 the total combined diversion rate

Standard Remarks: is 1.78 CFS, combined consumptive use vol is 252 AF, combined acres in a single irrig season is 72 acres

1) # 1220 21 ACRES AT 0.025/ACRE * (.0247619) = .52 CFS
 # 7010 66 ACRES AT 0.025/ACRE * (.0245455) = 1.62 CFS
 TOTAL ACRES 87 * (.0245455) = 2.14 CFS (cum CFS)
 OVERLAP 15 (87 ACRES) (.0246537) = 1.78 CFS (LIMITING CFS)
 72 ACRES (72 ACRES) (.0246537) = 1.78 CFS (LIMITING CFS)
 DITCH LOSS CALC. (A+B ÷ 2) STANDARD REMARK-DOZ

1. IN/ACRE = 21 X .02 = .42	2. CLAIMED CFS (MINUS) IN/AC RATE = .52 CFS	DITCH LOSS RATE = .10 CFS

MICROFILMED
OCT 07 1992

OVERLAP REVIEW FOR A57-1220 COMBINED WITH A57-7010

	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		
SUR. A57	1220	75	2E	13							3	15	3								21	21

	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		
G.W. A57	7010	75	2E	12												2			17	6	25	25
				13	11			9	3	15	3										41	66

	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		
OVERLAP TOTAL		75	2E	12												2			17	6	25	
				13	11			9	6	15	6										47	72

	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		

15 ACRES OVERLAP

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6/81

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFFDate 3/29/83Right No. 57-1220Claimant BLACK

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☐ Previous Statutory Claim.☐ Permits, valid or lapsed. Number(s) if different than above _____☐ Decree. Name & date _____☒ Conveyance Loss Calculations. See printout included.☒ EVALUATING WATER NEEDS STUDY☐ Title abstract. ☐ In file. Or, Name & location _____☐ County records. ☐ In file. Or, Name & location _____☒ Affidavits. ☒ In file.☒ Posted Notices, Water Locations Notices. ☒ In file. 57-1219☒ Deed Records. ☒ In file. & 57-1219 Or, Name & location _____☐ Patent Records. ☐ In file. Or, Name & location _____☐ Metzker Maps. Identify _____☐ A.S.C.S. Records. Year & Photograph No. _____☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____☐ Historical Books. Name(s) & location _____☐ Interview(s). Attach conversation memorandum.☒ Other GOVT. PLAT SURVEY - 1898 APPROVED☐ _____Field Exam Made: ☒ Yes ☐ No Date _____☒ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement _____ cfs. Amount recommended _____ cfs.

Type of measuring device: CURRENT METER Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. PERJUE CAPP 2493-77-134, ^{1977 U-2} _____Field Photographs Taken ☒ Yes ☐ NoMemorandum in file ☒ Yes ☐ No

Remarks _____

MEMORANDUM

TO: FILE 57-1220
FROM: Don Shaff *DS*
DATE: March 29, 1983
RE: Recommendation of Diversion Rate

The land for this water right is part of the same system for water right 57-7010. The conditions for recommending more than one inch per acre ~~are~~ ^{are} the same as those described in 57-7010. Reference should be made to that memorandum in 57-7010 to understand the recommendation of .52 cfs for this water right.

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M E M O

TO: File No. 57-1220
FROM: Don Shaff *DS*
DATED: January 12, 1983
SUBJ: Priority Date Analysis

When this claim and claim No. 57-1219 were taken together, it became obvious some confusion may have existed around the turn of the century as to the lands encompassed in the Mims homestead. This discrepancy left a lingering doubt as to which lands Mims irrigated under the 1886 water right.

In 1883 Mims filed a notice of ranch location and 1886 filed the posted notice of the water right for those lands. In 1899 Mims completed the process to acquire patent to the lands. His affidavit and the testimony of two witnesses stated he established a residence in September, 1884 and raised crops on 20 to 25 acres for at least 12 years. The witnesses had not known Mims since 1884. He swore a crop had been grown on the land continuously ^{from} ~~for~~ the time he occupied the land. This could have placed the earliest crop grown in 1885. Patent to the land was issued in 1900, but Suzanne Turmes, wife of Wenzel Turmes, purchased the land from Mims in December, 1899. This sale was six months after the decree of the Turmes water right out of the Turmes v. Mims lawsuit.

To the north of the Mims homestead in the S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 13, Joseph Turmes, son of Wenzel & Suzanne Turmes, filed a desert land entry. In 1917 Suzanne Turmes sold .8 cfs of the Mims water right to Joseph Mims. In the contract it was not clear if this was the 1886 water right or a 1902 water right based on a ^{constitutional} ~~constitutional~~ appropriation. Two affidavits of use of water filed in 1917 state that water was used on this land since 1902. The affidavits state the water was formally used by Joseph Mims on lands that were supposed to be part of his homestead that was sold to Suzanne Turmes in 1899.

The conclusion is that water was appropriated for the land in the S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13 - 19 acres - under the 1886 appropriation of Joseph Mims. This land as it turns out is not part of his homestead but was irrigated by him. The laws at that time allowed the appropriation of water on the public domain. The land surveys done in 1898 further indicate that ~~the~~ ^{was} lands were irrigated. The location of the ditches in 1898 would require lands north of the Mims homestead to be irrigated in order for 20 acres to be irrigated from these ditches.

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page 2

memo - file No. 57-1220

A water right with a priority date of December 21, 1886 will be recommended for the lands on 57-1220 despite the fact they were not a part of the actual Mims homestead. The decree issued in 1899 stated only that the appropriation of Mims was junior to that of Wenzel ~~Turnes~~ ^{Turnes}. The decree did not deny Joseph Mims a water right.

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1/13/83 DVS

* MCALLISTER'S MODIFICATION OF MORITZ *
* LOSS CALCULATION FOR *
* THE COVE DITCH - CONCRETE 1 OF 2 *
* WATER RIGHT NO. *

Q DIVERTED: 1.32 TYPE OF SOIL: CONCRETE
Q DELIVERED: 1.28 SOIL CONSTANT: .24 (FEET/DRY)
PERCENTAGE LOSS: 2.8 LENGTH OF HEAD OF DITCH: .00
LENGTH OF DELIVERY SECTION: .90

LOSS TABLE FOR DELIVERY

MILE	Q	LOSS	Q DELIVERED
1	(CFS)	1 (CFS)	1 (CFS)
.90	1	-.01	.04 1.28

$$1.28 + .21 + .04 = 1.53 \quad 16\frac{3}{4}\% \text{ LOSS}$$

Qr Lr Le

Qr = DIVERSION REQUIRED AT FIELD

Lr = LOSS AT HEAD OF DITCH, UNPAVED EARTH. Calc on 2 OF 2

Le = LOSS IN CONCRETE DITCH

1/13/83 DVS

* MCHILLISTER'S MODIFICATION OF MORITZ *

* LOSS CALCULATION FOR

* THE COWE DITCH - HEAD, GROW 2 OF 2

* WATER RIGHT NO.

Q DIVERTED: 1.59

TYPE OF SOIL: OTHER

Q DELIVERED: 1.38

SOIL CONSTANT= 2.00 (FEET/DRY)

PERCENTAGE LOSS: 15.3

LENGTH OF HEAD OF DITCH: .46

LENGTH OF DELIVERY SECTION: .00

LOSS TABLE FOR HEAD OF DITCH

MILE	1	Q	1	LOSS
	1	(CFS)	1	(CFS)
	.46	1	1.38	1
				.21

1.38 Q_{DECT} USED BECAUSE 5 ACRES WAS IRRIGATED ALST

OF THE CREEK UNDER AN OLD DITCH USED FOR THE

ENTIRE MILES - TURNS PLACES IN SEC. 13, 15, 16, 17, 18

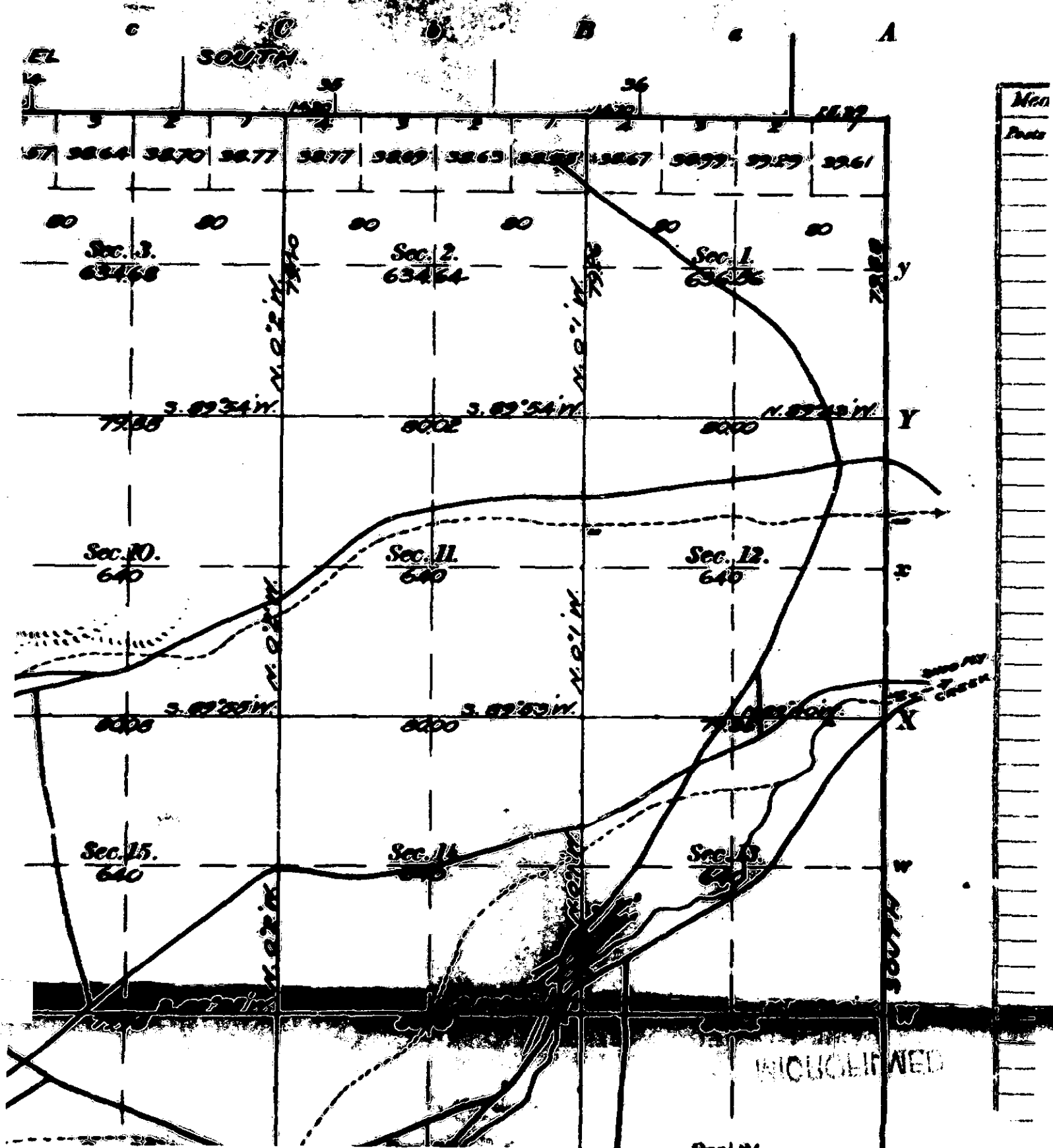
1.28 USED ON 1 OF 2 BECAUSE THE ABOVE 5 ACRES

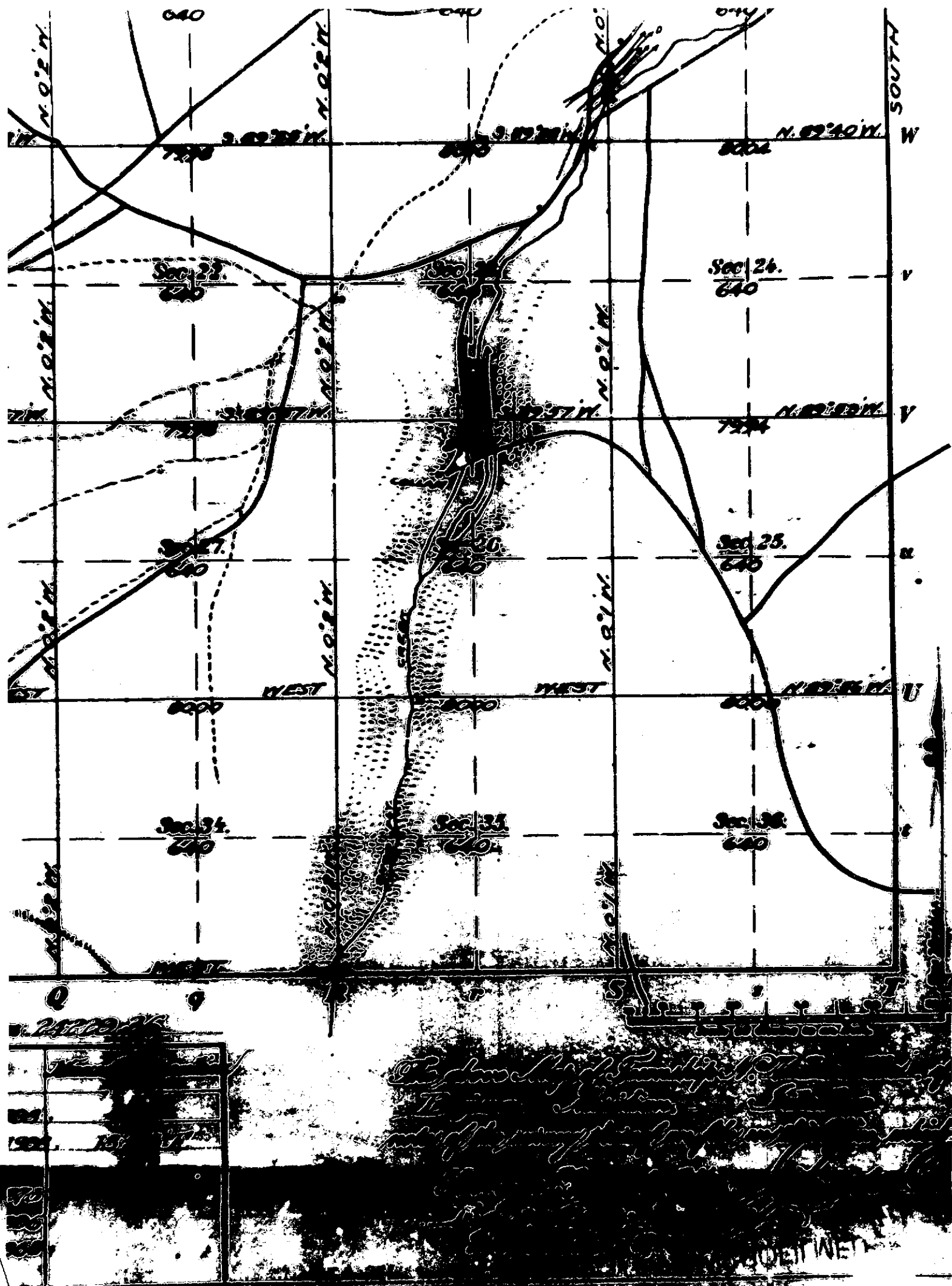
WAS NOT IRRIGATED FROM A CONCRETE DITCH

AND THE LAND WAS AT THE VERY START OF THE

OLD DITCH.

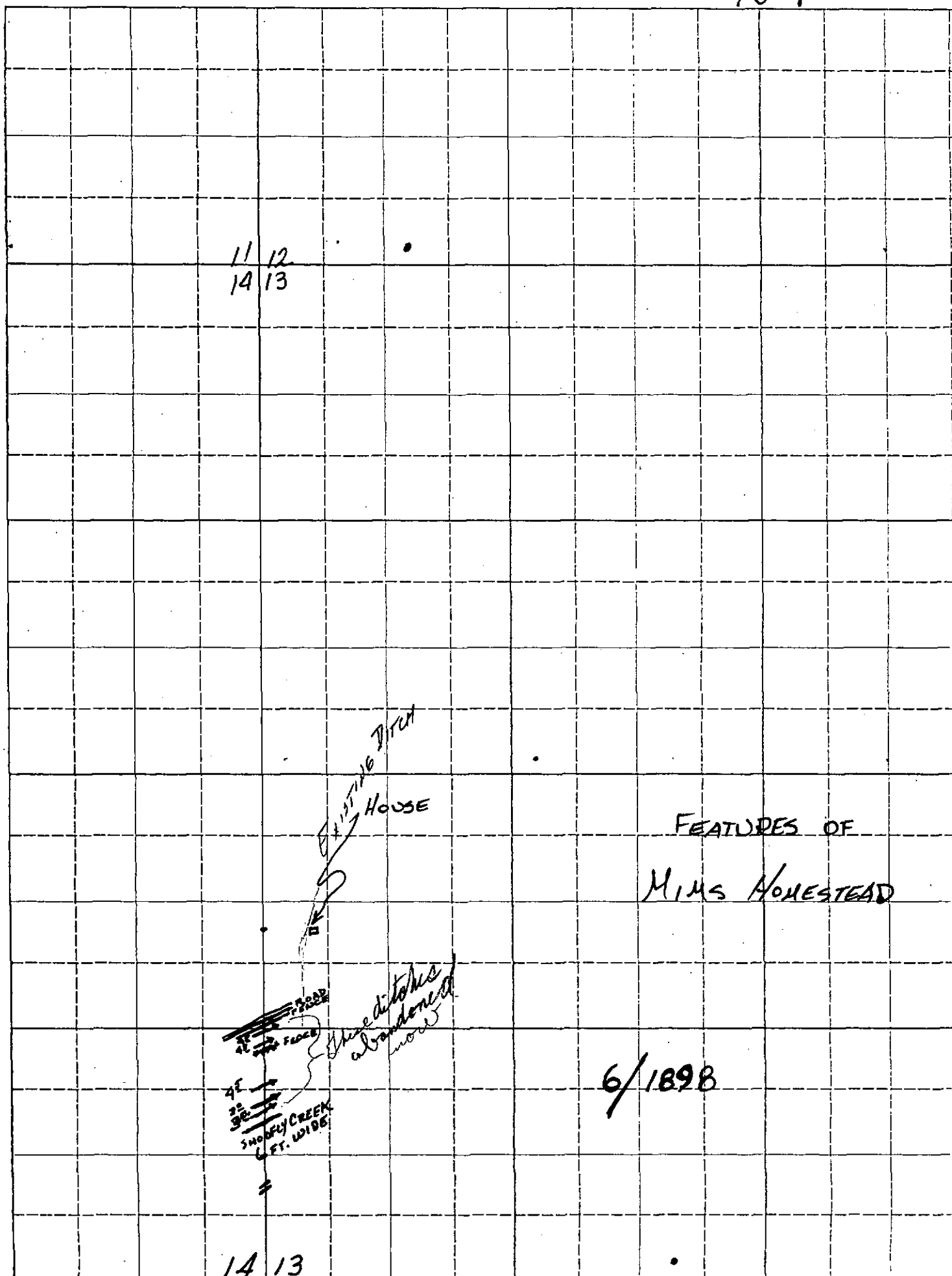
et of the Boise Meridian, Idaho.





11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number township and range number.

N 1



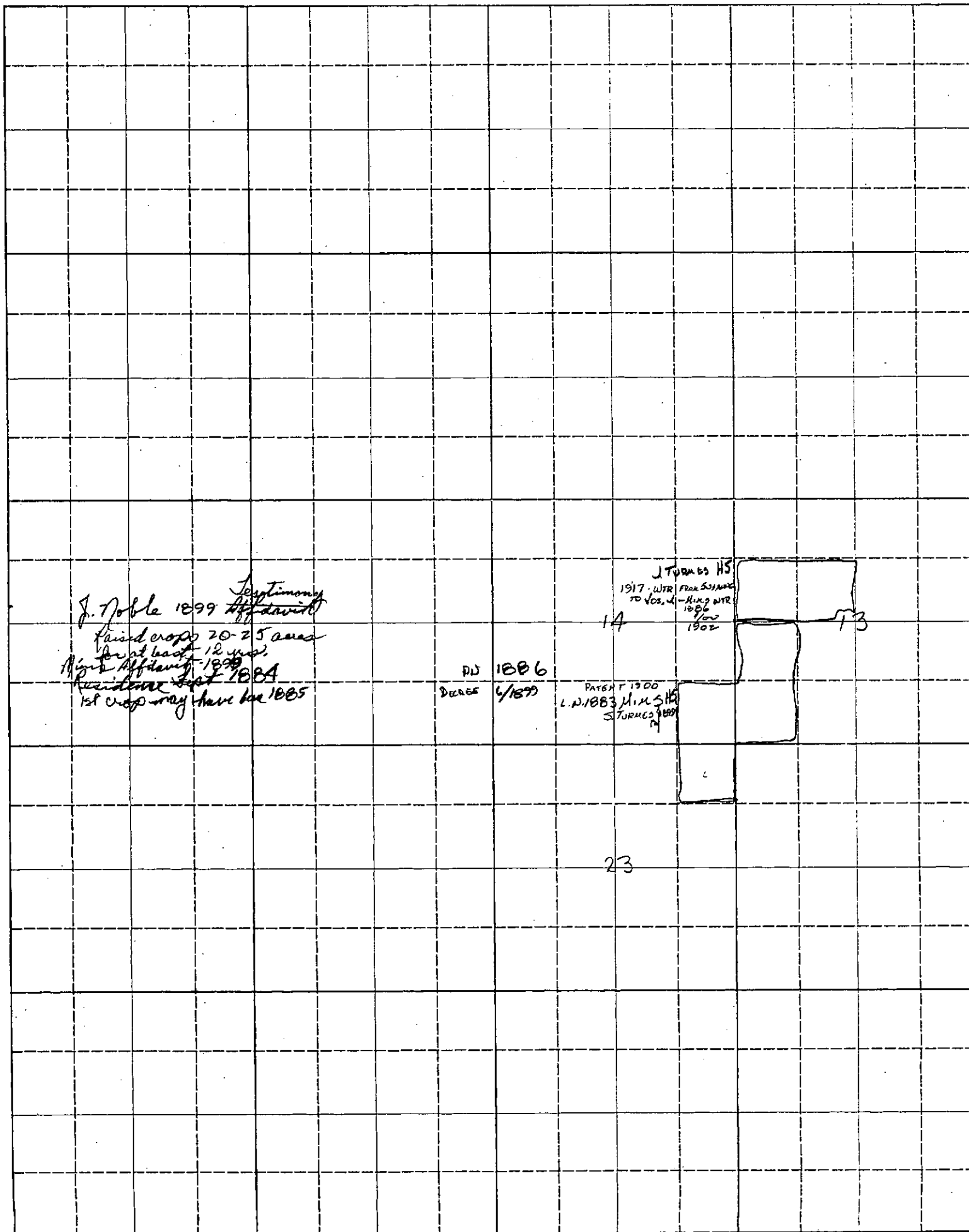
Scale: 1/2 inches equal 1 mile.
1 660 FT.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters the State of Idaho as herein set forth.

(Applicant)

179
12 A
90

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

(Applicant)

SURVEYOR'S NOTES

PAGE 1 OF

LINE BTW S. 13 & 14, T 7S, R 2E FROM S. COR. p. 25, Vol. 155

6/1898

- 462 FT ~~SHOOFLY CREEK~~ OLD ROAD CROSSED
- 864⁶ FT SHOOFLY CREEK ABOUT 6 FT WIDE
- 891 FT A DITCH, 3 FT. WIDE COURSE NE
- 943⁸ FT A DITCH, ABOUT 3 FT. WIDE. COURSE NE
- 1062⁶ FT A DITCH, ABOUT 4⁵ FT WIDE. COURSE NE
- 1214⁴ FT A FENCE COURSING NW & SE
- 1237⁵ FT. A DITCH, ABOUT 4⁵ FT WIDE COURSE NE
- 1313⁴ FT A DITCH, ABOUT 4⁵ FT WIDE COURSE NE
- 1339⁸ FT A FENCE COURSE NE & SW
- 1346⁴ FT A ROAD COURSE NE & SW
- 1848 FT A HOUSE EAST OF LINE ABOUT 264 FT.

LINE BTW S. 26 & 35, T 7S, R 2E FROM ^E COR p. 33, Vol. 155

- 3854⁴ FT SHOOFLY CREEK, ABOUT 15 FT WIDE

LINE BTW S. 23 & 26, T 7S, R 2E FROM ^E ~~SE~~ COR p. 35, Vol. 155

- 1914 FT A FENCE COURSE N & S
- 2316⁶ FT A DITCH ABOUT 6 FT WIDE COURSE N. ENTER CULTIVATED FIELD COURSE N. & S.
- 2475 FT SHOOFLY CREEK ABOUT 15 FT WIDE
- 2758⁸ FT LEAVE CULTIVATED FIELD COURSE N & S. A DITCH ABOUT 6 FT WIDE COURSE N.
- 2772 A ROAD
- 2933⁷ A FENCE
- 3300 COLLAM'S (COLLEN'S) HOUSE BEARS S. ABOUT 1056 FT

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LINE BTW S. 14¹ 23, T 75, R 2E FROM ^E~~E~~ COR p. 37-38, Vol. 155.

346⁵ FT SHOOFLY CREEK ABOUT 9 FT WIDE

419¹ FT A ROAD

452¹ FT A FENCE

633⁶ FT A FENCE

No ditches intersected on this line June 18, 1898

LINE BTW S. 7¹ 18, T 75, R 3E FROM W. COR p. 83-84., Vol. 149, 7/14/1898

52⁸ FT OLD WAGON ROAD COURSE NE-SW

3735⁶ FT DRY WATER COURSE 30 FT WIDE, COURSE NE.

LINE BTW S. 3¹ 4, T 75, R 3E FROM S. COR p. 96, Vol. 149

4019⁴ FT WAGON ROAD

4342⁸ FT DENSE WILLOWS COURSE E-W

4646⁴ FT DRY BED SHOOFLY CREEK ABOUT 23 FT. WIDE, COURSE E. LEAVES WILLOWS.

LINE BTW S. 4¹ 5, T 75, R 3E FROM S. COR p. 98-99, Vol. 149

724⁰⁷ FT A FENCE COURSE E-W

993³ FT A DITCH, ABOUT 3 FT WIDE, COURSE E.

1049⁴ FT A DITCH, ABOUT 3 FT WIDE, COURSE E.

1115⁴ FT DRY BED OF SHOOFLY CREEK, ABOUT 15 FT WIDE, COURSE E.

1122 FT DENSE WILLOWS

1207⁸ FT A DITCH ABOUT 4⁵ FT, COURSE E. ALONG FENCE.

1237⁵ FT CORRAL FENCE COURSE NW-SE

1255⁹⁸ FT A DITCH ABOUT 3 FT WIDE COURSE E.

1300³ FT LEAVE WILLOWS

1305⁴⁸ FT FENCE COURSE NE-SW

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1412⁴ FT A STABLE BEARS E ABOUT 15 FT DISTANCE.

1425⁶ FT TURMASSES (TURMIS'S) HOUSE BEARS E. 330 FT DISTANCE

1432² FT FENCE COURSE E-W

1485 FT FENCE COURSE E-W

1590⁶ FT WAGON ROAD COURSE E-W

LINE BTW S. 748, T 75, R 3E FROM S. COR. P. 84-85, Vol. 149

2836 FT DRY BED SHOOFLY CREEK, ABOUT 121 FT WIDE, 10 FT DEEP, COURSE NE

3781⁸ FT OLD WAGON ROAD COURSE NE-SW

3953⁴ FT A DITCH ABOUT 7⁵ FT WIDE, COURSE NE

4032⁶ FT WAGON ROAD, COURSE N 25° E & S 25° W

4818 FT DRY BED POISON CREEK 303 FT WIDE, 20 FT DEEP, COURSE E.

Copied from Vol. 149, ~~p. 85~~ 86
~~Cont.~~ Cont. from p. 85

and 8

- 12.30 Over gently rolling ground, through dense undergrowth
dry bed of Shofly Creek 150 lbs wide,
course N.E., 10 ft deep.
- 25.60 Wagon Road, course N. 20° E.
- 30.00 Dry bed of Poison Creek 15 ft. deep, cause N.E.
- 37.50 Leave creek bed from S.W., enter dense undergrowth
- 40.03 Set a lava stone, etc.
- 60.07 The Cor. of Secs 5, 6, 7, & 8
Land, gently rolling
Soil, sandy loam, 1st rate
No timber
Dense undergrowth 72.07 chs
S. 85° 56' W on random line bet. Sec. 6 & 7

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Subdivision of T. 7 S. R. 2 E. continued

chains 80.00	N. of cor. The cor. of sec. 25, 24, 35 and 36 Sand rolling Soil 3rd rate No timber
40.00	N. 0° 1' W. bet. sec. 25 and 26 Over rolling land, through scattering undergrowth Set a breast stone 14 x 9 x 6 ins 10 ins in the ground for 4 sec. cor. marked 4 on W. face; dig pits 18 x 18 x 12 ins N and S. of stone 3 ft. dist and raised a mound of earth 3 1/2 ft. base 1 1/2 ft. high W. of cor. Old road course N.W. and S.E. Set a breast stone 15 x 9 x 7 ins 10 ins in the ground for cor. of sec. 23, 24, 25 and 26, marked with 2 notches on S. and 1 notch on E. edges; dig pits 18 x 18 x 2 ins in each sec. 5 ft. dist. and raised a mound of earth 4 ft. base 2 ft. high W. of cor.
72.70 80.00	

Subdivision of T. 7 S. R. 2 E. continued

chains	Sand rolling Soil 3rd rate No timber
40.00 79.94	S 89° 56' E, on a random line bet. sec. 24 and 25 Set timber 4 sec. cor. Intersect E. ldy. of the Tps. 6 & 10 N. of cor. of sec. 19, 24, 25 and 30 which is a stone marked and witnessed as described by the Surveyor General Thence I run N. 84° 53' W. over a true line bet. sec. 24 and 25 Over rolling land, through scattering undergrowth Set a breast stone 15 x 8 x 6 ins 10 ins in the ground for 4 sec. cor marked 4 on N. face; and raised a mound of stone 2 ft. base 1 1/2 ft. high N. of cor. Road course N.W. and S.E. Road course N and S.
39.97 64.00 71.02	

Subdivisions of T. 7 S. R. 2 E. continued

79.4	The cor. of sec. 23, 24, 25 and 26 Sand rolling Soil coarse No timber
40.00	N. 0° 1' W. bet. sec. 23 and 24 Over rolling land, through scattering undergrowth
54.00	Set a basalt stone 15x5x7 ins 10 ins in the ground for 4 sec. cor. marked 1/4 sec W. face; and raised a mound of stone 2 ft. base 1 1/2 ft. high W. of cor. Some rolling land, descend over hilly land course N.E. and S.W.
80.00	Set a basalt stone 15x5x6 ins 8 ins in the ground for cor. of sec. 13, 14, 23 and 24, marked with 3 notches on S. and 1 notch on E. edges; and raised a mound of stone 2 ft. base 1 1/2 ft. high W. of cor. Sand rolling and hilly

Subdivisions of T. 7 S. R. 2 E. continued

	Soil 2nd cut No timber
40.00	S 89° 00' E. on a sand dune line bet. sec. 12 and 24 Set timber 1/4 sec. cor. Intersect E. ldy of the Twp. 30 2 1/2 mi N. of cor. of sec. 13, 18, 14 and 24 which is a stone marked and witnessed as described by the Surveyor General Thence S on N. 89° 40' W. on a line line bet. sec. 12 and 24 Over rolling land, through scattering undergrowth
40.00	Set a basalt stone 12x10x8 ins 8 ins in the ground for 1/4 sec. cor. marked 1/4 sec N. face; and raised a mound of stone 2 ft. base 1 1/2 ft. high N. of cor. Old road course N and S. Sec are rolling land, descend over hilly land course N and S.
67.50	
69.00	

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Subdivision of T 7 S. R. 2 E. continued

chain	80.04	The cor. of sec. 13, 14, & 3 End 24 Sund rolling and hilly Soil 3rd rate No timber
7.00		11,001' W bet. sec. 13 End 14
13.10		Over hilly land, descending through scattering windings with Road course N.E. End S.W.
		Foot 11' descent, Shos Fly Creek 4 aka wide course N.E.
13.50		Thence over rolling land
14.30		Ditch 11' wide course N.E.
16.10		Ditch 11' wide course N.E.
18.40		Ditch 3 aka wide course N.E.
18.75		Fence course NW. and S.E.
19.90		Ditch 3 aka wide course N.E.
20.30		Ditch 3 aka wide course N.E.
20.40		Fence course N.E. and S.W.
28.00		Road course N.E. and S.W.
		A house bears E. about 4.00 ch. dist.
40.00		Set a basalt stone 18x7x6 ins 12 ins in the ground for

Subdivision of T 7 S. R. 2 E. continued

chain		4 sec. cor. marked 4 on W fence and raised a mound of stone 2 ft. base - 12 ft. high No. of cor. brown course N.E.
40.00		Road course E 4x12.
57.00		Set a basalt stone 16x12x8 ins. 11 ins in the ground for cor. of sec. 11, 12, 13 End 14, marked, with 4 notches on S. and 1 notch on E. edges; dug pits 18x18x12 ins in each sec. 5 ft. dist. and raised a mound of earth 4 ft. base 12 ft. high W. of cor. Sund hilly and rolling Soil 3rd rate No timber
40.00		S. 89° 40' E. on a mound line bet. sec. 12 End 13
79.85		Set timber 4 sec. cor. Intersect E. bdy. of the T 7, at cor. of side 7, 12, 13 End 18, which is a stone marked and witnessed as described

Subdivision of T. 7 S. R. 2 E. continued

chains	bet. secs. 26 and 35
40.00	Set temp. 4 sec. cor.
80.00	Intersect N. and S. line at cor. of secs. 25, 26, 35 and 36
	Thence I run on a long line West, bet. secs. 26 and 35
	Over rolling land, through scattering undergrowth
44.00	Set a basalt stone 15 x 6 x 7 ins 10' ins. in the ground for 4 sec. cor. marked 4 on N. line; and raised a mound of stone 2 ft. base 1 1/2 ft. high N. of cor.
50.00	Top of Shoo-Fly Creek bluff course N and S.
	Descend over mountain and land
58.40	Foot of descent about 100 ft. below top of bluff
	Shoo-Fly Creek 10 x 15 wide course N. Ascend
75.00	Top of bluff about 100 ft. thence over bench above creek, course N and S, 1/2
80.00	This cor. of secs. 26, 27, 34 and 35

Subdivision of T. 7 S. R. 2 E. continued

chains	Sand rolling and mountainous Soil 3rd rate No timber
	Mountainous land 25.00 chas
40.00	N. 0° 2' W. bet. secs. 26 and 27 Over rolling land, through scattering undergrowth
	Set a basalt stone 17 x 6 x 6 ins 12 ins in the ground for 4 sec. cor. marked 4 on W. facing, and raised a mound of stone 2 ft. base 1 1/2 ft. high W. of cor.
80.00	Set a basalt stone 12 x 6 x 6 ins 12 ins in the ground for cor. of secs. 27, 28, 26 and 27, marked with rivets on S and E. edges; and raised a mound of stone 2 ft. base 1 1/2 ft. high W. of cor.
	Sand rolling Soil 3rd rate No timber
	East on a random line

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Subdivisions of T 7 S. R 2 E. continued

chains	bet. sec. 7 & 8 and 7 & 6
40.00	Set temp. 1/4 sec. cor.
80.07	Intersect N. and S. line 7 E. 1/4 S. of cor. of sec. 7 & 8, 7 & 6 and 7 & 6
	Thence S. 89° 57' W. on a true line bet. sec. 7 & 8 and 7 & 6
	Over rolling land, through scattering undergrowth
74.05	Top of Shovelby Creek bluff, course N. and S., descent over mountainous land.
79.00	Fence course N. and S.
37.00	Foot of descent, about 75 ft. below top of bluff - three over bottom land
35.10	Ditch 4 E. wide course N.
37.50	Center cultivated field course N. and S.
	Shovelby Creek 10 E. wide course N.
40.03 1/2	Set a basalt stone 16 x 8 x 5 ins. 11 ins. in the ground for 1/4 sec. cor. marked 1/4 on N. line; dug pits 18 x 18 x 15 ins. E. and W. of stone 3 ft. dist. and raised a mound

Subdivisions of T 7 S. R 2 E. continued

chains	of earth 35 ft. base 12 ft. high 71 ft. cor. fence cultivated field course N. and S.
41.80	Ditch 4 E. wide course N.
42.00	Road course N. and S.
	Useful over hilly land
44.46	Fence course N. and S.
52.00	Collan's house bears S. about 16.00 chas. dist
61.00	Top of ascent about 75 ft. above creek, center rolling land course N. and S.
80.07	The cor. of sec. 7 & 8, 7 & 6 and 7 & 7
	Land rolling mountainous soil 3rd rate
	No timber
	Mountainous land 745 chas.
	N. 0° 2' W. bet. sec. 7 & 8 and 7 & 3
	Over rolling land, through scattering undergrowth
34.70	Down 70 E. wide course N. and S.
40.00	Set a basalt stone 16 x 10 x 6 ins. 11 ins. in the ground for 1/4 sec. cor.

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Subdivision of T. 2 S. R. 2 E. continued

marked 4 on W. fence; dug pits
18 x 15 x 15 ins N. and S. of stone
3 ft. dist and raised a mound
of earth 3 ft. base 1 1/2 ft. high
W. of cor.
Road course E and W.
Set a basalt stone 14 x 9 x 4 ins
10 ins in the ground for cor. of
secs. 14, 15, 20 and 23, marked
with 3 notches on S. and 2
notches on E. edges; dug pits
18 x 18 x 15 ins in each sec. 5 ft.
dist. and raised a mound of
earth 4 ft. base 7 ft. high W. of
cor.
Sand mulling
Soil 3 rd rate
No timber

N 84° 57' E. on a round
line bet. secs. 14 and 23
Set trip 74 sec. cor
Intersect N and S. line 7200 N.
of cor. of secs. 13, 14, 23 and 24

Subdivision of T. 2 S. R. 2 E. continued

Thence S on
S 84° 56' W. on a brace line bet
secs 14 and 23
Over mulling land, through
scattering undergrowth
Shov fly Creek 6 ft. wide course
N. 70° E.
Road course N.E. and S.W.
Fence course N.E. and S.W.
Fence course N.E. and S.W.
Dism 30 ft. wide course N.E.
Set a sandstone 16 x 9 x 6 ins 11
ins in the ground for 4 sec. cor
marked 4 on N. fence; dug pits
18 x 18 x 15 ins E and W. of stone
3 ft. dist and raised a mound
of earth 3 ft. base 1 1/2 ft. high
N. of cor.
The cor. of secs. 14, 15, 20 and 23
Sand mulling
Soil 3 rd rate
No timber

June 18, at this cor. I set off 23° 26'
on the decl. arc. and at 0 hr 1 m 11.11

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40.00
80.10

U-200
-63

AA # 090143

11:15 AM

APPROX 60 FT FROM CK.

STATE OF IDAHO

CLEAR & WARM

DEPARTMENT OF RECLAMATION

5/06 1982 DISCHARGE MEASUREMENT NOTES

NWSW, S. 13 T 73, R 2E

BACK DITCH (COVE DITCH)

at SHOOFLY CREEK

Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjusted for hor. angle or	Area	Discharge
						At point	Mean in vertical			
1 st	EW									
2 nd		0 ³		10	44					
3 rd		0 ³		20	41					
4 th		0 ⁶		30	41					
5 th		0 ⁶		25	46					
6 th		0 ³		10	40					
7 th	EW									
										2.608

NOT AT FULL DIVERSION CAPACITY.
BOARDS AT INLET TO REDUCE
DIVERSION.

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MEASUREMENT LOCATION BLACK COVE DITCH
 MEASURED BY DS
 ON 5/06/82
 LEGAL DESCRIPTION SEW4 SEC 13 TWP 07S RNG 02E
 W = 2.218N + .022 FOR N <= 1
 W = 2.224N + .016 FOR N > 1

DISTANCE FROM INITIAL POINT	DEPTH	AREA	REVOLUTIONS	TIME	VELOCITY	DISCHARGE
FEET	FEET	SQ. FT.		SEC	FT/SEC	CFS
1.200	.000	.000	0	.000	.000	.000
2.000	.300	.390	10	44.000	.526	.205
3.000	.350	.350	20	41.000	1.104	.386
4.000	.600	.600	30	41.000	1.645	.987
5.000	.600	.600	25	46.000	1.227	.736
6.000	.300	.510	10	40.000	.577	.294
7.200	.000	.000	0	.000	.000	.000
TOTALS		2.450				2.608

5/10/82
 10:00 AM

SEP 24 1917

287122

AFFIDAVIT OF USE OF WATER

I, J. F. Noble, residing at Bruneau
Owyhee County, Idaho, do solemnly swear that I am well acquainted
with the lands in the South Half of the Northwest Quarter of Section
Thirteen, Township Seven South, Range Two East, Boise Meridian,
Idaho; that to my personal knowledge Mrs. Susanne Turmes has used
sufficient water from Shoofly Creek through the ditches and rights
purchased by her of Joseph Mims to irrigate twenty-five acres planted
to alfalfa and located upon the above-described lands for a period
of more than 16 years; that these lands were supposed to be a
part of the old Joseph Mims homestead, which Mrs. Susanne Turmes
purchased in 1899, and that the beneficial use of the water has been
continuous since that date.

(Signed) J. F. Noble
Subscribed and sworn to before me this 17-day of September
1917.

D. H. Utter
Notary Public
Residing at Bruneau, Idaho.
My commission expires July 19, 1921

This Indenture, Made this 4th day of December
in the year of our Lord, one thousand ~~and~~ ^{eight} hundred and ninety-nine between
Joseph Mims (widower)
Grand View County of Owyhee State of Idaho
the party of the first part, and Mrs. Suannne Turmes
Grand View County of Owyhee State of Idaho
the party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of
Fourteen Hundred DOLLARS
lawful money of the United States of America, to him in hand paid by the said party of the
second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these
presents do grant, bargain, sell and convey and confirm unto the said party of the second part,
and to her heirs and assigns forever, all the following described real estate, situated in
Owyhee County, State of Idaho, to-wit:

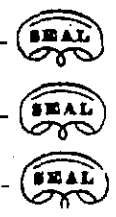
The northeast quarter of the northeast quarter of Section No. 23
and the southeast quarter of the southeast quarter of Section No. 14
and the west half of the southwest quarter of Section No. 13 in
Township No. 7 South of Range No. 2 East, containing 160 acres,
together with the water rights used thereon and appropriated there-
for,

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belong-
ing or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues
and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in
equity, of the said party of the first part;

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together
with the appurtenances, unto the party of the second part, and to her heirs and assigns forever.
And the said party of the first part, and his heirs, the said promises in the quiet and peaceable
possession of the said party of the second part, her heirs and assigns, against the said party
of the first part, and his heirs and against all and every person and persons whomsoever, lawfully
claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his
hand and seal the day and year first above written.

Signed, sealed and delibered in the presence of
E. M. Wolfe and
Attie C. Brady
Witnesses to signature by
Mark of Joseph Mims
his Joseph X Mims mark



Bruneau, Idaho, September 10th, 1917

I hereby certify that the within instrument is a true copy of the deed executed by Joseph Mims (widower) to Mrs. Susanne Turmes.

D. A. Utter

Notary Public
Residing at Bruneau, Idaho.
My commission expires July 19, 1921

No. 2252 C

Warranty Deed

Joseph Mims

TO

Susanne Turmes

Dated December 4th 1899

STATE OF IDAHO } ss.
County of Owyhee }

I hereby certify that this instrument was filed for record at the request of

F. M. Wolfe

at minutes past 9

o'clock A. M., this 7th

day of December 1899

in my office and duly recorded in Book

7 of Deeds

at page 393

E. L. Ballard

Ex-Officio Recorder

By J. S. St. Clair

Deputy

Fees, \$ 1.50

Notary Public

F. M. Wolfe

year in this certificate first above written

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and

and acknowledged to me that ~~Joseph Mims~~ executed the same.

known to me to be the person whose name is subscribed to the within instrument

Joseph Mims

me, F. M. Wolfe a Notary Public in and for said

On this 4th day of December in the year 1899, before

STATE OF IDAHO } ss.
County of Elmore }

This Indenture, Made this 10th day of September

in the year of our Lord, one thousand nine hundred and seventeen between Susanne Turmes (widow)

of Grand View, County of Owyhee, State of Idaho

the party of the first part, and Joseph J. Turmes

of Grand View, County of Owyhee, State of Idaho

the party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One DOLLARS

lawful money of the United States of America, to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell and convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described water rights, situated in

Owyhee County, State of Idaho, to-wit: Consisting of dams, ditches, and rights acquired by beneficial use of water on the South Half of the Northwest Quarter of Section 13 of Township 7 South, Range 2 East, Boise Meridian, Idaho, said rights being 40 Miners' inches, equivalent to .8 of one second foot of water from the annual flow of Shoofly Creek, a tributary of Snake River in Owyhee County, Idaho; and the party of the first part's title is based upon the laws of the State of Idaho regarding the beneficial use of its waters for irrigation and other purposes, said use having been continuous for a period of fifteen years, and from rights acquired by purchase of Joseph F. Mims, recorded in Book 3 of Water Rights, page 151, among the records of Owyhee County, Idaho.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part;

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said party of the first part, and her heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said party of the first part, and her heirs and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of

Lucien Turmes

Wenzel Turmes

D. A. Uttar

Susanne Turmes



STATE OF IDAHO, }
County of Owyhee } ss.

On this 15th day of September in the year 1917, before me, D. A. Utter a Notary Public in and for said County, personally appeared Susanne Turmes known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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

D. A. Utter
Notary Public
Residing at Bruneau, Idaho

Warranty Deed

TO

Dated _____ 19__

STATE OF IDAHO }
County of _____ } ss.

I hereby certify that this instrument was filed for record at the request of

at _____ minutes past

o'clock _____ M., this _____

day of _____ 19__

in my office and duly recorded in Book _____

of _____

at page _____

Ex-Officio Recorder.

By _____ Deputy

Fees, \$ _____

Notary Public

I hereby certify that the within instrument is a true copy of the original deed executed by Susanne Turmes to Joseph J. Turmes and in witness whereof I have hereunto affixed my official seal.
Bruneau, Idaho, September 17, 1917

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBJECT: Irrigation Water Needs

DATE July 28, 1982

TO: Paul Black
Box 273
Grandview, Idaho

The purpose of this letter is to show the amount of water needed to irrigate alfalfa on silt loam and fine sandy loam soils.

Method of irrigation is surface from concrete ditches.

Gross seasonal need for alfalfa from the Soil Conservation Service Irrigation Guide is 34.18". This figure is based on 100% efficiency.

Gross alfalfa needs for summer months are:

June = 6.21"	average consumptive use = .21"/day
July = 8.19"	average consumptive use = .26"/day
August = 6.53"	average consumptive use = .21"/day

When determining irrigation needs the peak month needs to be met.

Recent surface irrigation trials by the Soil Conservation Service on very sandy soils ranged from 10% to 20%. However, with good management 25% to 30% efficiency should be achieved with the soils on this farm.

Based on 27% efficiency surface irrigation for alfalfa, 2 miners inches per acre would be needed.

Marlin Porter

Marlin Porter
Soil Conservation Technician
Mtn. Home, Idaho



MICROFILMED

OCT 07 1992

AJ5809NP
No. 57-01220

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/19/93
PAGE: 5

OWNER
CODE

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

DIVERSION
RATE

DIVERSION
VOLUME

C PAUL BLACK

C MATTIE BLACK

PO BOX 273

GRAND VIEW ID 83624

12/21/1886

IRRIGATION
STOCKWATER

03-15 11-15
01-01 12-31

0.52 CFS
0.05 CFS

0.52 CFS

TOTAL DIVERSION:

Water Source: SHOOFLY CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T07S R02E S13

NWSW

OWYHEE County

Place of use Legal Description for: IRRIGATION

NE

NW

SW

SE

T R S : Lt Ac Lt Ac Lt Ac

NENE NWNE SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE : SUM

Lt Ac Lt Ac Lt Ac

Lt Ac Lt Ac Lt Ac

Lt Ac Lt Ac Lt Ac

Lt Ac Lt Ac Lt Ac

Lt Ac Lt Ac Lt Ac

Lt Ac Lt Ac Lt Ac

21.0
21.0

07S 02E 13 :

:

03

15

03

:

:

:

21.0
21.0

TOTAL ACRES

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

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 100 HD CATTLE

Other Rights: SEE REMARKS

Remarks:

USE OF THIS RIGHT WITH RIGHT 57-07010 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.78 CFS, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 252 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 72 ACRES IN A SINGLE IRRIGATION SEASON.
0.10 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
DELIVERY OF THIS RIGHT.

Dates:

Exam Made Date: 01/11/0091

Verified Date: 07/16/1992

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit:

02/06/91 HOLT 02/06/91 HOLT 02/19/91 HOLT 05/17/91 HOLT
09/06/91 HOWERTON 09/12/91 HOWERTON 09/13/91 HOWERTON 09/20/91 HOWERTON
11/11/91 HOWERTON 12/14/91 HOWERTON 03/19/92 HOWERTON 07/16/92 HOWERTON
07/29/92 PR-PRODM 10/13/92 CFSHAW 12/05/92 ADT-SHAW

MICROFILMED
JUL 20 1994

Water Right Number - A57-01220 Adj. Plat Translation: ADJUDICATION CLAIM Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - - + - - - - Address - - - - - + - - - - +

*** C - CURRENT OWNER ***
BLACK PAUL
1 - BOX 273
2 -
3 -
City- GRAND VIEW State- ID Zip- 83624
Phone -
1 - BOX 273
2 -
3 -
City- GRAND VIEW State- ID Zip- 83624
Phone -

BLACK MATTIE
+ - - - - Priority Date - - - + + - - - Region - - - +
12/21/1886 / 14 ERROR IN REGION
+ - - - - Source - - - - +
SHOOFLY CREEK /

+ - - - - Stage - - - - + + - - - Status - - - +
S - STATUTORY CLAIM DECREED
+ - - - - Tributary - - - - +
SNAKE RIVER

+ - - - - Point of Diversion - - - - +
Stream Index (Blank if no Index Code)
Twn Rng Sec Tract Lot RPlg County
07S 02E 13 NW SW / (73) OWYHEE 272.0 361.0 14.7

+ - - - - Water Use - - - - +
Period From Period To Diversion Rate Diversion Volume
Code Description
01 - IRRIGATION 03/15 11/15 0.520 / 2.70 /
04 - STOCKWATER 01/01 12/31 0.050 /

+ - - - - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.520 / 73.5

+ - - - - Place of Use - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 02E 13 SW NW 3.0 / 01 IRRIGATION (73) OWYHEE
07S 02E 13 SE NW 15.0 / 01 IRRIGATION (73) OWYHEE
07S 02E 13 NW SW 3.0 / 01 IRRIGATION (73) OWYHEE

Total Acres: 21.0 /
+ - - - - Diversion Means - DIVERSION DAM AND DITCHES
+ - - - - Non-Irrigation Use - S/100 HEAD RANGE
+ - - - - Other Rights for Same Use - 57-7010

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

Presumption Flag

MICROFILMED
OCT 07 1992

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

57-1220	
I.D. No.	Map No.
\$65.00	24138
Fee Paid	Receipt No.

Notice is hereby given that Paul and Mattie Black
(Name of Claimant)

Box 273, Grandview, ID 83624

(Mailing Address)

(Zip Code)

Telephone No. 834-2467

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) 12/21/1886 March 1, 1902 (Affidavits of S.R. and J.F. Noble dated 9/17/17) copies att

(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 1.0 cfs. .52 Use Irrigation Period of Use From 2/13/15 To 10/31/11
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

2³ AFA Quantity .05 cfs. Use Stockwater Period of Use From Yr. 11 around 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) 1.05 cfs. .52 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source NW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 13 Twp. 7S Rge. R2E B.M., Owyhee County

Additional Points: SC1: 2720-3610(2) 14.7

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 concrete ditches (4,758 foot system)

(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 $\frac{1}{4}$	
7S	2E	13							5	15									20
									3	15	3								21 16 40

OTHER RIGHTS: 57-7010

Total no. of acres 21 20 40

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

NOTE: Include here the type and number of stock watered: Cattle (100 approx.) SEP 9 1982

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

(8) Remarks 1 cfs. based on 1917 Noble affidavits showing 25 acres irrigated
acres always irrigated, 4 acres added back in in 1968 after ditch improve-

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use. ments made water more availab
☐ 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.

Sept 6, 1952
(Date)

Individual Paul & Mattie Black
(Signature of Claimant)
Mattie L. Black
(Signature of Spouse)

State of Idaho Organization _____

County of Owyhee ss. _____ Seal _____

(Signature of Authorized Agent)

On this 1st day of Sept, in the year 1952 before me
a notary public, personally appeared Paul & Mattie L. Black, H&W
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 THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Owyhee

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**

57-1220	
I.D. No. \$ 65.00	Map No. 24138
Fee Paid	Receipt No.

Notice is hereby given that Paul and Mattie Black

Box 273, Grandview, ID 83624

(Name of Claimant)

Telephone No. 834-2467

(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) March 1, 1902 (Affidavits of S.R. and J.F. Noble dated 9/17/17) copies attach
- (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>1.0 cfs.</u> | Use <u>Irrigation</u> | Period of Use From <u>7/1</u> To <u>10/31</u> |
| (CFS, GPD, AF) | (Domestic, irrigation, stock, etc.) | (Mo., Day) (Mo., Day) |
| | | (Both dates inclusive) |
| Quantity <u>.05 cfs.</u> | Use <u>Stockwater</u> | Period of Use From <u>Yr. around</u> To <u></u> |
| (CFS, GPD, AF) | (Domestic, irrigation, stock, etc.) | (Mo., Day) (Mo., Day) |
| | | (Both dates inclusive) |
| Quantity <u></u> | Use <u></u> | Period of Use From <u></u> To <u></u> |
| (CFS, GPD, AF) | (Domestic, irrigation, stock, etc.) | (Mo., Day) (Mo., Day) |
| | | (Both dates inclusive) |
| Quantity <u></u> | Use <u></u> | Period of Use From <u></u> To <u></u> |
| (CFS, GPD, AF) | (Domestic, irrigation, stock, etc.) | (Mo., Day) (Mo., Day) |
| | | (Both dates inclusive) |
- (4) 1.05 cfs. TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

- (5) A) Point of Diversion: Give location of point where water is diverted from its source. 13 Sec. 7S, Twp. 7S, Rge. R2E, B.M., Owyhee County

Additional Points:

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 concrete ditches (4,750 foot system)

- (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 AC
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	2E	13																	20

Total no. of acres

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

Stock

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

Cattle (100 approx.)

SEP 3 1982

- (7) If you are claiming water as a member of an organization, list name of organization: Department of Water Resources
- (8) Remarks 1 cfs. based on 1917 Noble affidavits showing 25 acres always irrigated, 4 acres added back in 1968 after division of water made water more available
- (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:

Paul & Black

(Signature of Claimant)

Mattie L. Black

(Signature of Spouse)

State of Idaho

Organization

County of Idaho

ss.

Seal

(Signature of Authorized Agent)

On this 1st day of Sept

in the year 1982

before me

a notary public, personally appeared Paul J. Black and Mattie L. Black, H & W,
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 U.C. Black) executed the same.

My commission expires

Notary Public residing at Base Idaho