

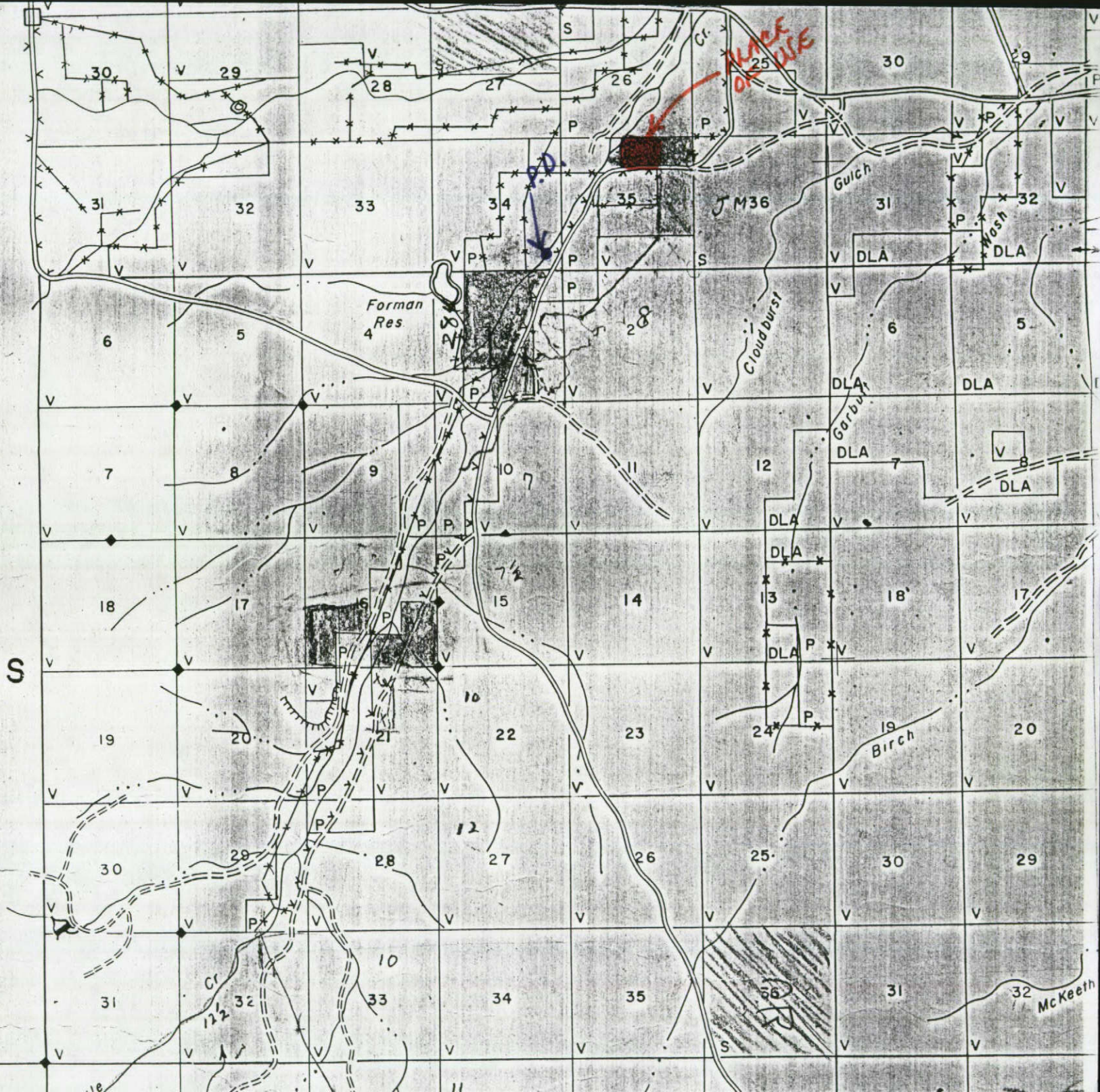
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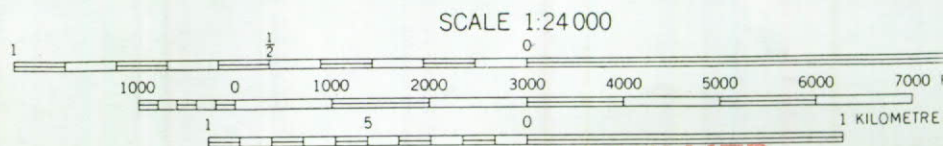
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Copies Of These Maps Can Be Obtained
At Bonneville Blue Print, Boise Idaho

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OCT 07 1992

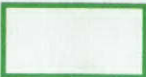
Idaho Department of Water Resources

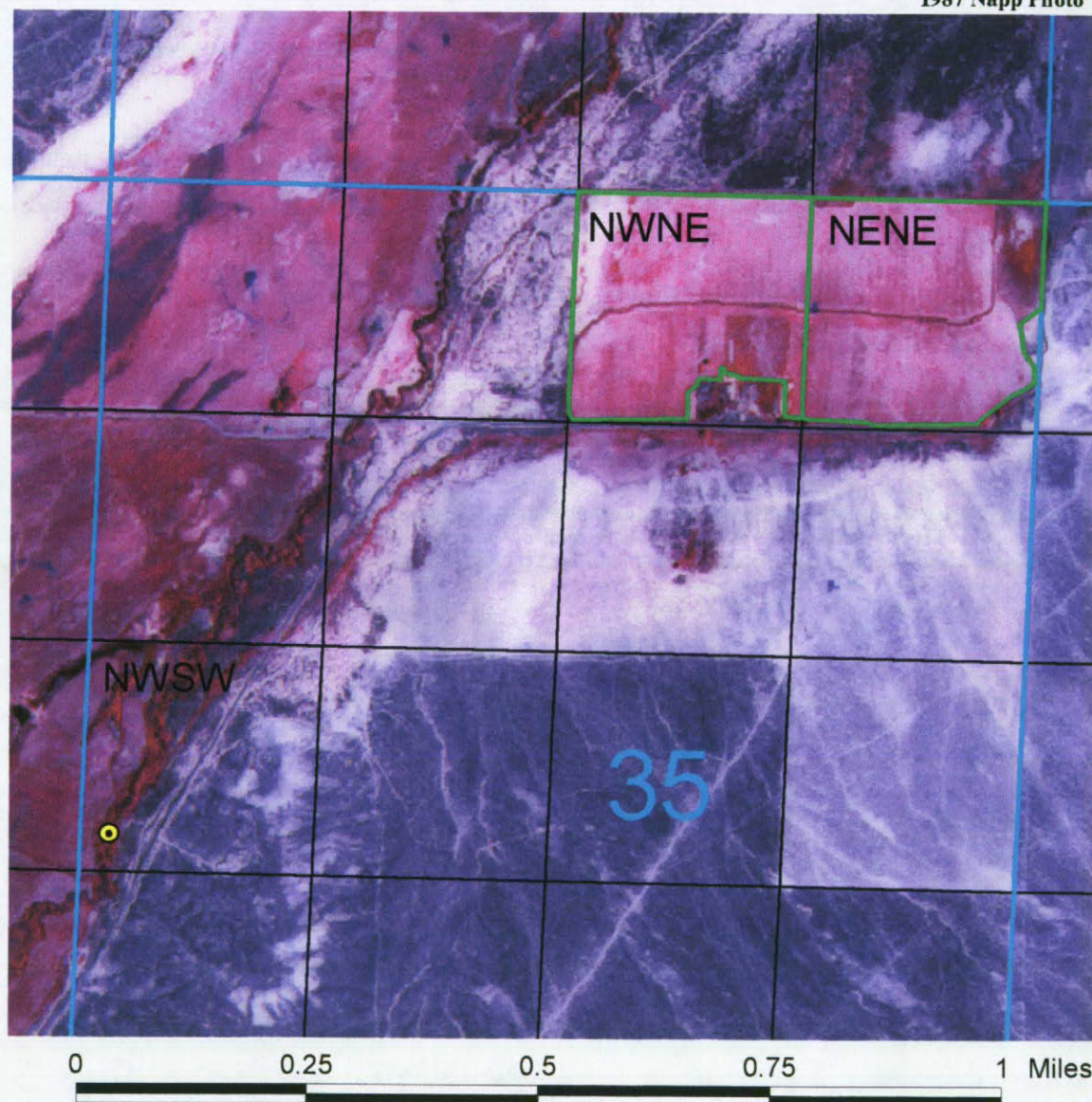
Claim Number: 57-00220A

Legal: T04S, R01E, S35

Reviewed By:

1987 Napp Photo

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





COX



out, permanent
stack yard

L. POD 57-002200A, 57-10479
S10N10SW

MICROFILMED
66 JUL 1952

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: A57-00220A
Date Received: 1/10/1989
Receipt No: W001912
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAY H COX 208-834-2286
Address: HC 79 BOX 2225
OREANA ID 83650

AND/OR

Name: CAROL J COX 208-834-2286
Address: HC 79 BOX 2225
OREANA ID 83650

2. Date of Priority: JUL 18, 1910

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	01E	35	SW	NW	SW		OWYHEE

5. Description of diverting works:
SMALL ROCK DAM; DITCH TO GRAVITY FLOW IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04S	01E	35	NE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	35	NW	NE		IRR	39.0
Section Acres							79.0
Total Acres							79.0

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:
57-10478

14. Remarks:
OWNERSHIP CHANGED BY KW 2/16/1996.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 5/15/1923

JAMES L. DAVEY
Decree Plaintiff

GEORGE F. BROWN ET AL
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: Aug. of 1995

LEGAL DESCRIPTION OF PROPERTY: Township 55 Range 1E - Section 3
43 1E - Section 35
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____.
 If you have additional legal descriptions, please attach separate sheet.

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

☒ Water Right Number(s) 57-00088, 57-00220A, 57-02129,
 Assigned by IDWR: 57-07209, 57-10478, 57-10857 & 57-10858

☐ Name and Address of Former Owner/Claimant(s)(Seller): Warren R. Taylor

HC 79, Box 2225Oreana ID 83659

☒ New Owner/Claimant (Purchaser): Jay H. Cox & Carol J. Cox

☒ New Mailing Address: HC 79, Box 2225
Oreana ID 83650

☒ New Telephone Number: (208) 834-2286

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

RECEIVED

FEB 09 1996

WATER RESOURCES
WESTERN REGION

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

☒ Signature of New Owner/Claimant(s): Jay H. Cox, Carol J. Cox Date 2-6-96

☐ Signature of Former Owner/Claimant(s): _____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 2/16/96 By: kw

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

SEP 25 1996

COPY

MORTGAGE

THE PARTIES: The parties hereto are JAY H. COX and CAROL J. COX, husband and wife, (herein called "Mortgagor") and WARREN R. TAYLOR and JOYCE D. TAYLOR, husband and wife, (herein called "Mortgagee").

MORTGAGE: The Mortgagor hereby mortgages to the Mortgagee that real property (herein called "premises" which term includes all buildings, structures, improvements, appurtenant BLM or state permits or leases, and fixtures now on or hereafter placed thereon) situated in Owyhee County, Idaho and described as follows:

See Exhibit "A" attached hereto, and by this reference made a part hereof.

SUBJECT TO that certain Mortgage recorded April 16, 1992, as Instrument No. 207639, records of Owyhee County Records.

TOGETHER WITH all water rights, ditch rights, rights of way, buildings, structures, improvements, fixtures, tenements, hereditaments and appurtenances now or hereafter thereto belonging or used in connection therewith.

SUBJECT TO taxes and assessments for the year 1994 and all subsequent years, together with any and all existing easements, rights of way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

OBLIGATIONS: This mortgage is given to secure each and all of the following obligations:

(1) The payment of the principal sum of \$232,000.00 plus interest thereon at the rate of 10.55% per annum according to the terms of one certain promissory note dated August 18, 1994, executed by the Mortgagor and payable to the Mortgagee, which note is due and payable in full on or before February 15, 2007.

MORTGAGE-1

RECEIVED

FEB 09 1996

WATER RESOURCES
WESTERN REGION

Microfilm

SEP 25 1996

(2) The full performance of each provision herein and in such note to be performed by the Mortgagor and the payment of all sums hereafter provided to be secured hereby, and all extensions of any of the foregoing.

PREPAYMENT PENALTY: There is no penalty for prepayment of the obligations after January 1, 1995, secured hereby and the principal and interest may be prepaid at any time.

MORTGAGOR AGREES: The Mortgagor agrees with the Mortgagee during the continuance hereof as follows: (1) that the Mortgagor shall pay and perform all of the obligations secured hereby when due and according to their terms; (2) that the Mortgagor shall pay before all or any part thereof becomes delinquent all taxes, assessments and other charges of every kind, both general and special, which have heretofore been or which may hereafter be levied on or against the premises, or this mortgage, or the obligations secured hereby; (3) that the Mortgagor shall promptly pay and satisfy all liens or encumbrances that are or may become liens on the premises or any part thereof superior to the lien of this mortgage; (4) that the Mortgagor shall at all times keep all of the buildings and improvements on the premises, including those hereafter placed thereon, continually insured against loss by fire in the sum of the full insurable value thereof or the sum of the unpaid balance of the obligations secured hereby, whichever is less, in a reliable insurance company with the loss, if any, payable to the Mortgagee as the Mortgagee's interest may appear at the time of such loss and if any insured buildings or improvements on the premises are destroyed or damaged from any cause insured against under such fire insurance policies, the money collected under such insurance policies shall be applied, at the Mortgagor's option, either to the payment of the obligations secured by this mortgage or to the reconstruction of the buildings or improvements so destroyed or damaged; (5) that the Mortgagor shall keep the buildings and improvements now on or hereafter placed on the premises in good repair at all times and will not commit or suffer any waste of such buildings and improvements or the premises; (6) that if the Mortgagor fails to pay any taxes, assessments, charges, liens, encumbrances or insurance premiums as herein provided, or fails to pay any other sum or keep any other agreement provided for herein, then the Mortgagee may, at the Mortgagee's option, pay or perform the same and all expenditures so made shall be added to and become a part of the debt secured by this mortgage and shall bear interest at the rate provided herein, without waiver,

however, of any right arising to the Mortgagee for breach of agreement and this mortgage may be foreclosed at any time while the Mortgagor neglects to repay any sum so paid by the Mortgagee plus such interest; (7) that if litigation is commenced to foreclose this mortgage, the Mortgagee shall be entitled to the appointment of a receiver to collect the rents and profits arising out of the premises during the pendency of such foreclosure and to apply the same to the balance remaining due on the obligations secured by this mortgage, first deducting all proper charges and expenses attending the execution of such trust; (8) and that if litigation is instituted to collect any obligation secured hereby, or to foreclose this mortgage, or to enforce any of the agreements contained in this mortgage, the Mortgagor agrees to pay a reasonable attorney's fee in such litigation together with all court costs including the costs of procuring title reports for such foreclosure, all of which shall be a lien upon the premises and secured by this mortgage.

FORECLOSURE: If the Mortgagor fails to pay when due any obligation secured by this mortgage or defaults in performing any of the provisions herein to be performed by the Mortgagor, or has falsely warranted any fact herein, or becomes bankrupt or insolvent, or if the premises are attached or levied upon, or if proceedings of any kind are taken to foreclose any lien on the premises or any part thereof regardless of whether such lien is prior or subsequent to the lien of this mortgage, then the Mortgagee may immediately and without notice declare all obligations secured hereby as immediately due and proceed to foreclose this mortgage as provided by law. If the sale proceeds on foreclosure fail to satisfy all obligations secured hereby, the Mortgagor jointly and severally agrees to pay the deficiency.

INTERPRETATION: Time is of the essence of each provision hereof. A waiver by the Mortgagee of one or several defaults in performance of any provision hereof to be performed by the Mortgagor shall not be construed as being a waiver of such provision itself or any subsequent default in performance thereof. Singular terms shall be read as if written in the plural when the context so requires or permits.

BINDING EFFECT: The agreements herein shall apply to and bind the heirs, executors, administrators, successors and assigns of the respective parties.

MORTGAGE-3

Wichita
SEP 25 1936

DATED:

August 18, 1994

Jay H. Cox
Mortgagor: Jay H. Cox

Carol J. Cox
Mortgagor: Carol J. Cox

Address: HC 79, Box 2225

Oreana, Idaho 83650

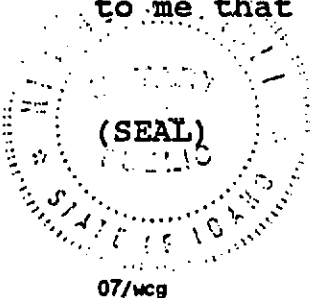
STATE OF IDAHO)

County of Owyhee)

:ss

On this 18th day of August, 1994, before me, the undersigned, a Notary Public, personally appeared JAY H. COX and CAROL J. COX, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Nicholas K. Ishii
Notary Public for Idaho
Commission expires: Jan. 31, 2000



MORTGAGE-4

Microfilm
SEP 25 1996

Exhibit "A" Land Description
File No. 01752

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

Section 35: N $\frac{1}{2}$ NE $\frac{1}{2}$, SE $\frac{1}{2}$ NE $\frac{1}{2}$, NE $\frac{1}{2}$ SE $\frac{1}{2}$

IN TOWNSHIP 5 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY,
IDAHO

Section 3: Lots 2, 3, SW $\frac{1}{2}$ NE $\frac{1}{2}$, SE $\frac{1}{2}$ NW $\frac{1}{2}$, NE $\frac{1}{2}$ SW $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{2}$

IN TOWNSHIP 7 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY,
IDAHO

Section 3: SW $\frac{1}{2}$ NW $\frac{1}{2}$, NW $\frac{1}{2}$ SW $\frac{1}{2}$

Section 4: Lot 1, SE $\frac{1}{2}$ NE $\frac{1}{2}$

IN TOWNSHIP 7 SOUTH, RANGE 1 WEST, B. M., OWYHEE COUNTY,
IDAHO

Section 13: E $\frac{1}{2}$

Section 24: E $\frac{1}{2}$

IN TOWNSHIP 8 SOUTH, RANGE 1 WEST, B. M., OWYHEE COUNTY,
IDAHO

Section 1: SW $\frac{1}{2}$ SE $\frac{1}{2}$

Section 11: Lots 1, 2, 3, 4, NE $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{2}$

Section 12: W $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{2}$

Section 21: E $\frac{1}{2}$ NE $\frac{1}{2}$

Section 22: SW $\frac{1}{2}$ NW $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{2}$

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BARBARA JAYO

OWYHEE COUNTY RECORDER

BY *Lo. Shadwick*

DEPUTY

Barbara Jayo
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FEB 15 1936

INDEXED

UNRECORDED

EXHIBIT A

SEP 25 1936

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
SNAKE BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00220A
Date Received: / /
Receipt No: W001912
Received By: _____

RECEIVED
OCT 09 1991

Department of Water Resources
AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WARREN R. TAYLOR 208-834-2339
Address: HC 79 BOX 2225
OREANA ID 83659

2. Date of Priority: JUL 18, 1910

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	01E	35	SW	NW	SW		OWYHEE

5. Description of diverting works:
SMALL ROCK DAM; DITCH TO GRAVITY FLOW IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	35	NE	NE		IRR	40.0
			NW	NE		IRR	39.0

A57-00220A

Page 1

Date: 10/03/91

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OCT 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	79.0
					Total Acres	79.0

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:
57-10478

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 5/15/1923

JAMES L. DAVEY
Decree Plaintiff

vs GEORGE F. BROWN ET AL
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

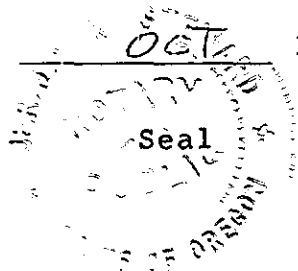
Signature of Claimant(s): Warren R Taylor Date: 10-4-91

Date: _____

State of ^{OR}~~Idaho~~)
County of LAKE) SS.

Subscribed and sworn (or affirmed) before me this 4th day

of OCT 19 91



James R. Shaw
Notary Public

Residing at LAKEVIEW OR

My Commission Expires 10-31-92

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: A57-00220A
Date Received: 1/10/1989
Receipt No: W002912 \$50
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WARREN R. TAYLOR 208-834-2339
Address: HC 79, BOX 2225
OREANA, ID 83659

2. Date of Priority: JUL 18, 1910

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	01E	34		SE	SE		OWYHEE

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	35	NW	NE		IRR	40.0
Section Acres							40.0

A57-00220A

Page 1

Date: 01/10/89

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OCT 07 1992

10. Place of Use: Continued

Total Acres 40.0

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:

CLAIM NO. A57-07209 & B/U ADJUDICATION CLAIM TO BE FILED.

14. Remarks:

DESC. OF DIVERTING WORKS - SMALL ROCK DAM IN CREEK WITH GRAVITY
FLOW DITCHES TO IRRIGATED LANDS.

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:

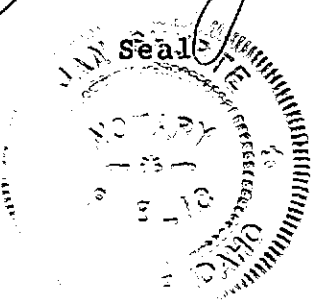
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

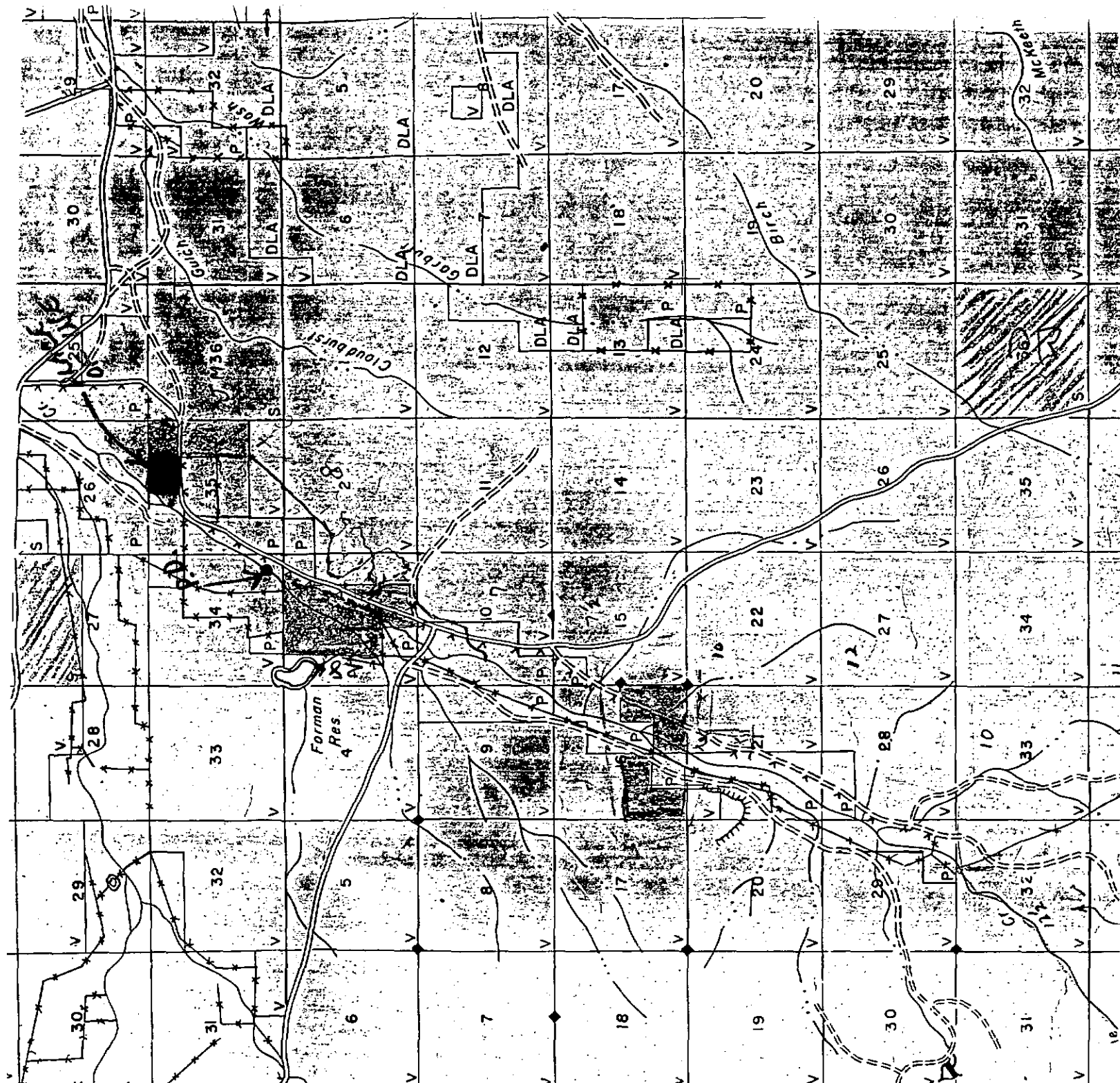
Signature of Claimant(s): Warren R Taylor Date: 1-10-89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of January 19 89
Jan Shulte
Notary Public
Residing at Meridian ID
My Commission Expires 9-14-94



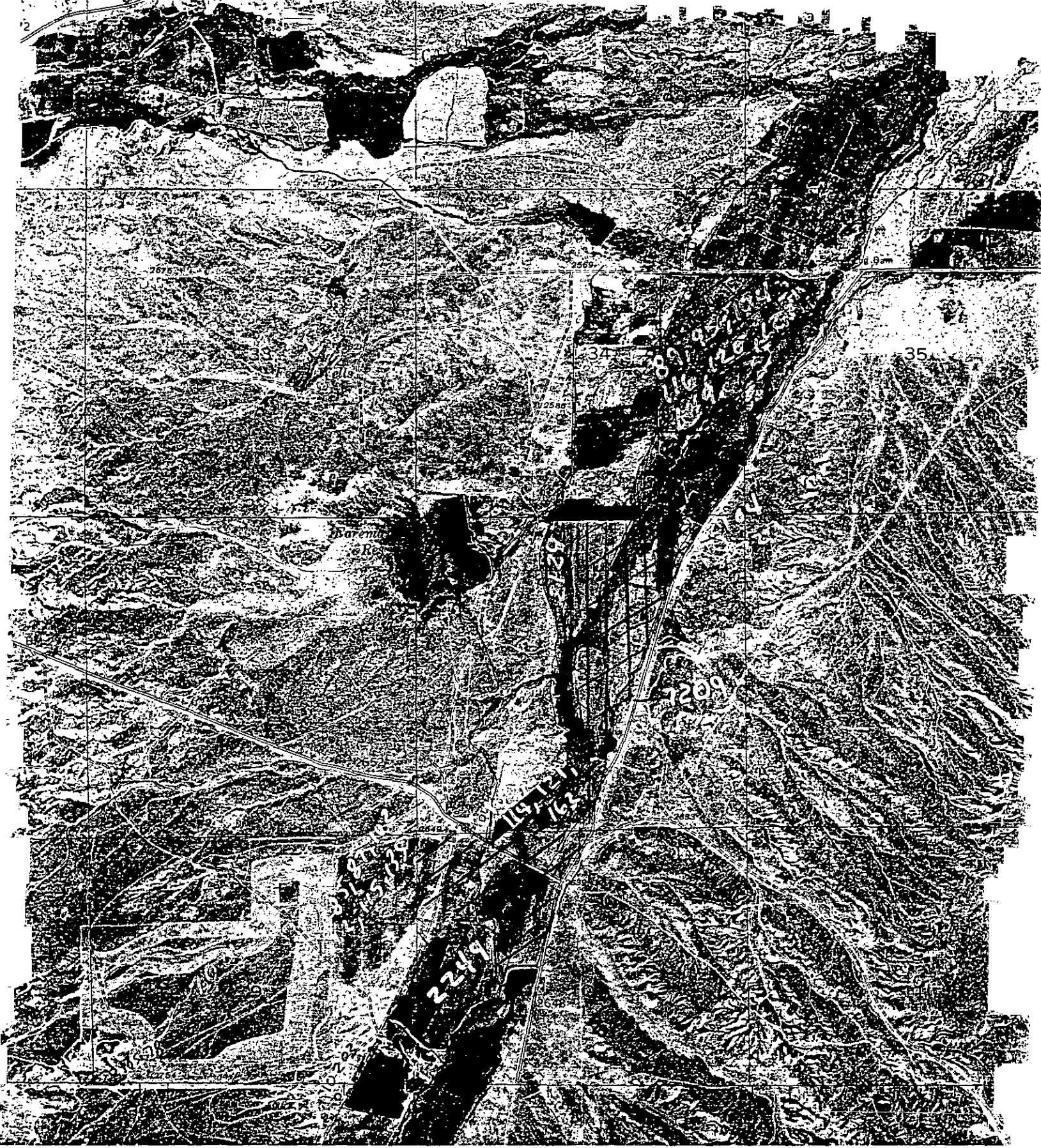


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MICROFILMED

1992

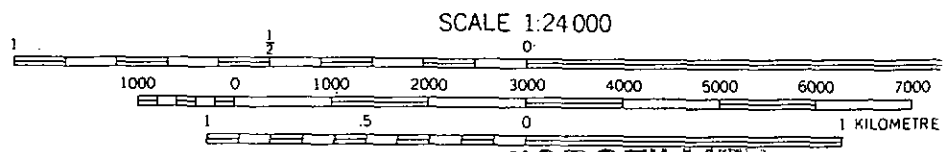
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258

1:24,000-scale
1974
Grids: Idaho coordinate
(ator)
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um

NORTH



MICROFILMED
Copies Of These Maps Can Be Obtained
At Bonneville Blue Print, Boise Idaho
DEC 10 1982

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00220 A

Date: 5-23-03

	TNS	RNG	SEC	NE				NW				SW				SE				SUM
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	45	1E	35	40	39															79
GIS				37	36															73
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 79

Overlapping FOU Claim #'s:

57-10478

Total GIS Acres: 73

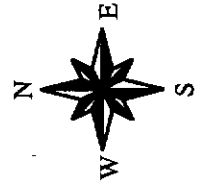
COMMENTS:

County data doesn't indicate any ownership. Per Claim map.

Idaho Department of Water Resources

Claim Number: 57-00220A
Legal: T04S, R01E, S35
Reviewed By:

1987 Napp Photo



⊙ Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines



Township/Range Lines

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 57-00220A

1997 JUN 23 AM 11:21
DISTRICT COURT-SRBA
TWINFALLS CO., IDAHO
FILED _____

NAME & ADDRESS: JAY H COX
CAROL J COX
HC 7 BOX 2225
OREANA ID 83650

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.4 CFS

USE OF THIS RIGHT WITH RIGHT NO. 57-10478 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.92 CFS.

PRIORITY DATE: 07/18/1910

POINT OF DIVERSION: T04S R01E S35 SWWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.4 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T04S R01E S35	NENE 40.0 NWNE 39.0
	79.0 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT NO. 57-10478 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 79.0 ACRES IN A SINGLE
IRRIGATION SEASON.

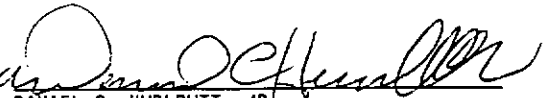
DATED:


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

RULE 54(b) CERTIFICATE

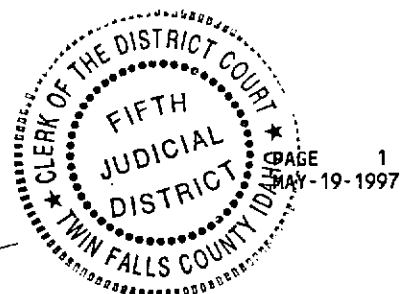
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment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

DATED:


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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-00220A

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



2002-DEC 24 PM 3 47

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 57-220A
	)	
	)	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 December 15, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on July 26, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 2, IDWR Basin 57, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

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

PERIOD OF USE: 04-01 to 10-15

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

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

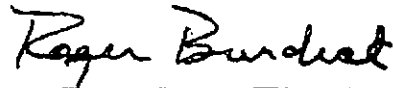
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

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

RULE 54(b) CERTIFICATE

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

Dated December 24, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

Important Information About Your Water Right

December 24, 2002

Carol J Cox
HC 79 Box 2225
Oreana, ID 83650

Jay H Cox
3119 Gemstone Dr
Meridian, ID 83642

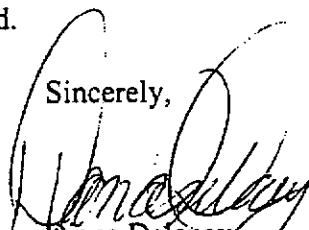
Dear Water Right Claimant(s):

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 57-88, 57-220A, 57-2129, and 57-7209. 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 on December 15, 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

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 57-00220A

1997 JUN 23 AM 11: 21

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: JAY H COX
CAROL J COX
HC 7 BOX 2225
OREANA ID 83650

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.4 CFS

USE OF THIS RIGHT WITH RIGHT NO. 57-10478 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.92 CFS.

PRIORITY DATE: 07/18/1910

POINT OF DIVERSION: T04S R01E S35 SWNWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE IRRIGATION	PERIOD OF USE Irrigation Season	QUANTITY 0.4 CFS
-------------------------------	------------------------------	------------------------------------	---------------------

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T04S R01E S35	NENE 40.0 NWNE 39.0
	79.0 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT NO. 57-10478 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 79.0 ACRES IN A SINGLE
IRRIGATION SEASON.

DATED:


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

RULE 54(b) CERTIFICATE

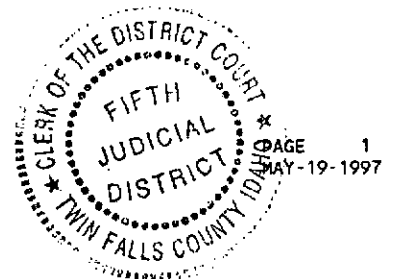
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment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

DATED:


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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-00220A

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



AJ0749NP
No. 57-00220A

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

DATE: 02/16/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAY H COX	07/18/1910	IRRIGATION	04-01 10-15	0.40 CFS	
C	CAROL J COX HC 7 BOX 2225 OREANA ID 83650 (208) 834-2286					
				TOTAL DIVERSION:	0.40 CFS	

D WARREN R TAYLOR
HC 79 BOX 2225
OREANA ID 83650
(208) 834-2339

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T04S R01E S35

SWNWSW

OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
04S	01E	35	:	40		39														79.0	
																				TOTAL ACRES	79.0

POU County: OWYHEE

Other Rights: SEE REMARKS

Conditions of Approval:

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

Remarks: 0.34 CFS OF RIGHT NO. 57-10478 IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
USE OF THIS RIGHT WITH RIGHT NO. 57-10478 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.92 CFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 276.5 AF, AND TO THE IRRIGATION
OF A COMBINED TOTAL OF 79.0 ACRES IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00220B AND 57-10478.

Dates: Exam Made Date: 08/28/1990 Verified Date:

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

RECORDED
SEP 25 1996

AJ0749NP
No. 57-00220A

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

DATE: 02/16/96
PAGE: 2

=====

Comments: Date: 10/27/1992 User-ID: WELSH Subject: DATA ENTRY CHANGE
ZIP CODE CORRECTION MADE TO FINAL BASIN 57 CLAIM.

Date: 05/24/1995 User-ID: DSHAW Subject: 10/27/92 DATA ENTRY TO CORRECT ZIP CODE
FURTHER EXPLANATION OF DATA ENTRY

Date: 02/16/1996 User-ID: KWALKER Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED BY KW 2/16/1996.

Audit: 02/16/96 KWALKER

RECORDED
SEP 25 1996

RECEIVED

FEB 13 1996

Department of Water Resources
Adjudication Bureau

RECEIVED

APR 12 1996

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE IDAHO DEPARTMENT OF WATER RESOURCES
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS WESTERN REGION

57-00088, 57-00220A, 57-02129, 57-07209, 57-10478, 57-10858

In Re SRBA

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

Case No. 39576

this document was accepted by the SRBA court 2/9/96
CM system was not updated because there is no

INSTRUCTIONS FOR USE CM record - no objection

This form is to be used to provide notice of a change in address of a party or to substitute a party whose water right was recommended in a director's report. *The filing of Standard Form 3 cannot result in a contested matter and a hearing will not be scheduled.* If completed as directed, the form will be accepted by the court and no further orders will issue. Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) (1986) where a water right recommendation is not before the court.

This form has been adopted by the court in Re SRBA, Twin Falls County Case 39576, *SRBA Administrative Order 1 Rules of Procedure* (amended 6/21/93), Section 4Ac(3), which may be consulted for further information.

A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here. Follow the instructions on the form or it will not be accepted for filing. The Verification and the Certificate of Mailing must be completed.

Standard forms may be obtained from the Idaho Department of Water Resources or the SRBA Court.

right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of the "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The Substitution shall be filed by the new claimant/purchaser.

57-00088, 57-00220A, 57-02129
57-07209, 57-10478, 57-10857

I am the new claimant/purchaser of 57-10858

(Insert each water right number)

My name is Jay H. Cox AND/OR CAROL J. Cox

My address is HC 79, Box 2225, CREANA, IDAHO 83650

My phone number is: Work 208 834-2286 Home SAME

The name and address of the prior claimant/seller who I wish to be substituted for are:

WARREN R. TAYLOR HC 79, Box 2225

CREANA, IDAHO 83650

Warren R. Taylor
Signature of prior claimant/seller

Jay H. Cox AND/OR Carol J. Cox
Signature of new claimant/purchaser

If an attorney is filing this form on behalf of a water right claimant or party in the SRBA, the attorney must complete the following information, in addition to the information required above.

Attorney name _____

Attorney of record for _____

(Identify party/claimant)

Attorney address and phone number: _____

- ☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.
- ☐ A *Notice of Appearance* accompanies this form indicating which party and water rights I represent.

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

I certify that on 2-7, 1996, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or 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. A *Change of Address* was served on each party, or if they are represented by an attorney you must serve the attorney, in each subcase in which you are a party, at the following address(es):

3. A *Consent to Substitution of Party* was served on the prior claimant/seller, or if they are represented by an attorney you must serve the attorney, at the following address(es):

4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 16, 1996

RE: Notice of Claims to Water Right Nos. 57-00088, 57-02129, 57-10857,
57-10858, 57-07209, 57-00220A & 57-10478

Jay H. &/or Carol J. Cox
HC 79, Box 2225
Oreana, ID 83650

Dear Mr. and Mrs. Cox:

We have received the Change of Ownership Form 42-1409(7) in connection with the above referenced claims. Enclosed are computer generated profile reports of the information on these claims, which now reflect the change of ownership to the Department's records. These profile reports show you as the current owner (C) and Warren Taylor as the director's report owner (D). As we have discussed, these claims were previously submitted to the Snake River Basin Adjudication (SRBA) Court in Twin Falls to be decreed as a part of the Department's Director's Report for water rights in Basin 57.

Although the Department's records have been changed to reflect this ownership change, SRBA Judge Daniel C. Hurlbutt, Jr. has issued a Court Order dated June 17, 1993, requiring that any claimant with a claim submitted for final decree must complete Standard Form 3 before the Court's records for the decree will be changed to reflect the new owner. Standard Form 3 was given to you when you were in the office last week. If you need another form, please contact this office as soon as possible.

Please be advised that Ron Howerton (who attended the Castle Creek Water District meeting) is preparing a new listing of rights for Castle Creek to replace the list given out at the water district meeting. You should be receiving a copy from him in the mail within the next week. As I stated on your answering machine, we found that your Claim No. 57-00220A was not on that listing because the water district flag was not data entered on that claim. Also, Claim No. 57-10478 was not included because it is only a beneficial use claim and cannot be delivered until the decree is issued by the court.

If you have any questions concerning Standard Form 3, please do not hesitate to contact me at (208)334-2190 or the SRBA Court at (208)736-3011.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

Microfilm

SEP 25 1996

AJ5809NP
No. 57-00220A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/29/93
PAGE: 30

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WARREN R TAYLOR HC 79 BOX 2225 OREANA ID 83650 (208) 834-2339	07/18/1910	IRRIGATION	04-01 10-15	0.40 CFS	
TOTAL DIVERSION:					0.40 CFS	

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T04S R01E S35

SWNWSW

OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
04S	01E	35	:	40		39														79.0	
																				TOTAL ACRES	79.0

POU County: OWYHEE

Other Rights: SEE REMARKS

Conditions of Approval:

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

Remarks: 0.34 CFS OF RIGHT NO. 57-10478 IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
USE OF THIS RIGHT WITH RIGHT NO. 57-10478 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.92 CFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 276.5 AF, AND TO THE IRRIGATION
OF A COMBINED TOTAL OF 79.0 ACRES IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00220B AND 57-10478.

Dates: Exam Made Date: 08/28/1990 Verified Date:

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

Comments: Date: 10/27/1992 User-ID: WELSH Subject: DATA ENTRY CHANGE
ZIP CODE CORRECTION MADE TO FINAL BASIN 57 CLAIM.

Audit: 10/22/91 MCCARTHY 11/07/91 MCCARTHY 07/17/92 MCCARTHY 07/29/92 PR-PRODM
10/13/92 CPSHAW 10/27/92 WELSH 12/05/92 ADT-SHAW

SEP 25 1996

AJ0749NP
No. R57-00220A

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

VERIFIED BY R. McCarthy
7-17-92

DATE: 07/17/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WARREN R TAYLOR HC 79 BOX 2225 OREANA ID 83659 (208) 834-2339	07/18/1910	IRRIGATION	04-01 10-15	0.40 CFS	
TOTAL DIVERSION:					0.40 CFS	

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T04S R01E S35

SWNWSW

OWYHEE County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE					
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: SUM
04S	01E	35	:	40		39					:								:						: 79.0
TOTAL ACRES																							: 79.0		

POU County: OWYHEE

Other Rights: SEE REMARKS

Conditions of Approval:

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

Remarks: 0.34 CFS OF RIGHT NO. 57-10478 IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
USE OF THIS RIGHT WITH RIGHT NO. 57-10478 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.92 CFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 276.5 AF, AND TO THE IRRIGATION
OF A COMBINED TOTAL OF 79.0 ACRES IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00220B AND 57-10478.

Dates: Exam Made Date: 08/28/1990 Verified Date: 07/17/1992

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

Audit: 07/17/92 MCCARTHY

MICROFILMED
OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:18:10
08/28/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-00220A

LAST: TAYLOR
ADDRESS: HC 79 BOX 2225
CITY: OREANA
PHONE NUMBER: 208-834-2339

FIRST: WARREN R.
STATE: ID ZIP: 83659

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
N

CLAIM REMARKS: (DESC. OF DIVERTING WORKS - SMALL ROCK DAM IN CREEK WITH GRAVITY)
FLOW DITCHES TO IRRIGATED LANDS.) → out

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 8/28/90

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

See Memo in 57-00088.

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A. AJ CLAIM: # A57-00220A PRIORITY DATE: 07-18-1910 STAGE: D

B. WR RECORD: # 57-00220 PRIORITY DATE: 07-18-1910 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(✓)
IF YES EXPLAIN.

REMARKS: Claimed as decreed.

RECOMMENDED PRIORITY DATE:
07-18-1910

REVIEWED BY RMF

DATE 9/20/91

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-00220A	04S	01E	34		SE	SE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A57-10478 NONE
A57-10750

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-00220	04S	01E	35		NW	SW		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER
Y
N

REMARKS:

Pod was found and mapped as originally depicted.

FOG: 57-00220B, 57-10478

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>45</u>	<u>1E</u>	<u>35</u>	<u>SW</u>	<u>NW</u>	<u>SW</u>	<u>---</u>	<u>Cherokee</u>

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

REVIEWED BY:

RTF

DATE:

10/2/91

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A. ROOT WATER RIGHT NUMBERS: A57-00220A
A57-00220

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	01E	35	NW	NE		TAYLOR, WARREN R.	A57-00220A /40.0	- /	39.0	39.0	39.0
						TAYLOR, WARREN R.	A57-10478 /40.0	- /			
						HENDERSON, JAMES		57-00220 /20.0			
						NE NE				40.0	40.0
						TOTAL ACRES	A57-00220A	40.00	39.00		79.0

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(✓)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Y

PRESUMPTION FLAG:

REMARKS:

Acres irrigated are mapped on following page. An
amended claim is needed to show the entire place
of use.

Orthophotograph dated 1974 (Cattle Butte) shows these

RECOMMENDATIONS:

TOTAL ACRES: 79.0

REVIEWED BY: RMF

DATE: 10-22-91

lands irrigated.

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-00220A IRRIGATION	FROM 03-15 TO 11-15	.400 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.400 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-00220 IRRIGATION	FROM 04-01 TO 10-15	1.040 CFS
57-00220 DOMESTIC	FROM TO	1.040 CFS
57-00220 STOCKWATER	FROM TO	1.040 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.040 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(☒)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N() Explain in remarks, below.

REMARKS:

Recommend as previously decreed.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 0.400 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.040 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

** If an amount smaller than the original diversion rate is **

** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

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

FIELD
DATABASE EXAMINER
Y N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: CLAIM NO. A57-07209 & B/U ADJUDICATION CLAIM TO BE FILED.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-00220A	CASTLE CREEK	TAYLOR , WARREN R.	0.400	0.010		
A57-10478	CASTLE CREEK	TAYLOR , WARREN R.	1.600	0.020		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

Right has been split.

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D. *for total acres*

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 79.0 x 0.02 CFS/ACRE = 1.58 CFS + 0.34 = 1.92
(Taken from p/u review)

1b. CALCULATIONS

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 = 140.0 AF/A

ACRES 79.0 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 276.5 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.)

E09: 57-10478, 1.92, 276.5, 79.0

Add conveyance loss as figured in 57-10478

D03: 0.34, 10478

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
<u>irrigation</u>	<u>4/1 10/15</u>	<u>0.40</u>		
TOTAL FOR THIS RIGHT		<u>0.40</u>		

REVIEWED BY: RNF DATE: 10/3/91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-00220

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	1.040	<u>1.04</u>	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-00220A	0.400	-		-	
-	A57-00220	1.040	-		57-00220	1.040
TOTAL CFS		1.440				1.040

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE	FIELD EXAMINER
N	_____

REMARKS:

Recommendation of splits will total original flow rate.

AUTHENTICATION:

SIGNATURE: *Quarrell H. Carthy*

DATE: 10/2/91

NAME OF FIELD EXAMINER: *RMF*

TITLE: *Sr. Wtr. Res. Agent*

OCT 07 1992

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:18:10
08/28/90

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A57-00220A

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		RMF 8-28-90		4,5,6	RMF 10-22-91	RMF 10-22-91	
POINT OF DIV	Y			N				
SOURCE				Y				
PLACE OF USE				N				
DIV. AMOUNT CFS/VOLUME	Y			Y				
CONSUMPTIVE USE				N				
PURPOSES				Y				
PERIOD OF USE	Y			N				
BASIS OF CLAIM				Y				
REMARKS	Y			N				
				Y				

"VERIFIED BY" CODES

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

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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OCT 07 1992

August 10, 1990

Address
Address
Address

Warren Taylor

RE: Claims filed in the Snake River Basin Adjudication

Dear

The Department of Water Resources will soon be conducting beneficial use and water right claim verification examinations in your area. An examination is needed to verify your water use in order to issue a water right license and/or decree.

Information on your permit or claim which may need to be verified includes source of water, type of usage, amount of water used and legal description of the point of diversion and/or place of use. In some cases we may need documentation verifying the date of priority as claimed in the Snake River Basin Adjudication.

In order to expedite these field examinations, we request that you call our office at (208) 334-2190 and establish an appointment. Although it is not mandatory that you accompany the field examiner, it would be helpful for you or someone who knows the details of your water right to go with the examiner should questions arise during the exam. It may also be necessary for the system to be operated normally at the time of the exam.

Please advise me within seven days of the date of this letter as to the best time for us to perform this field exam.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

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OCT 07 1992