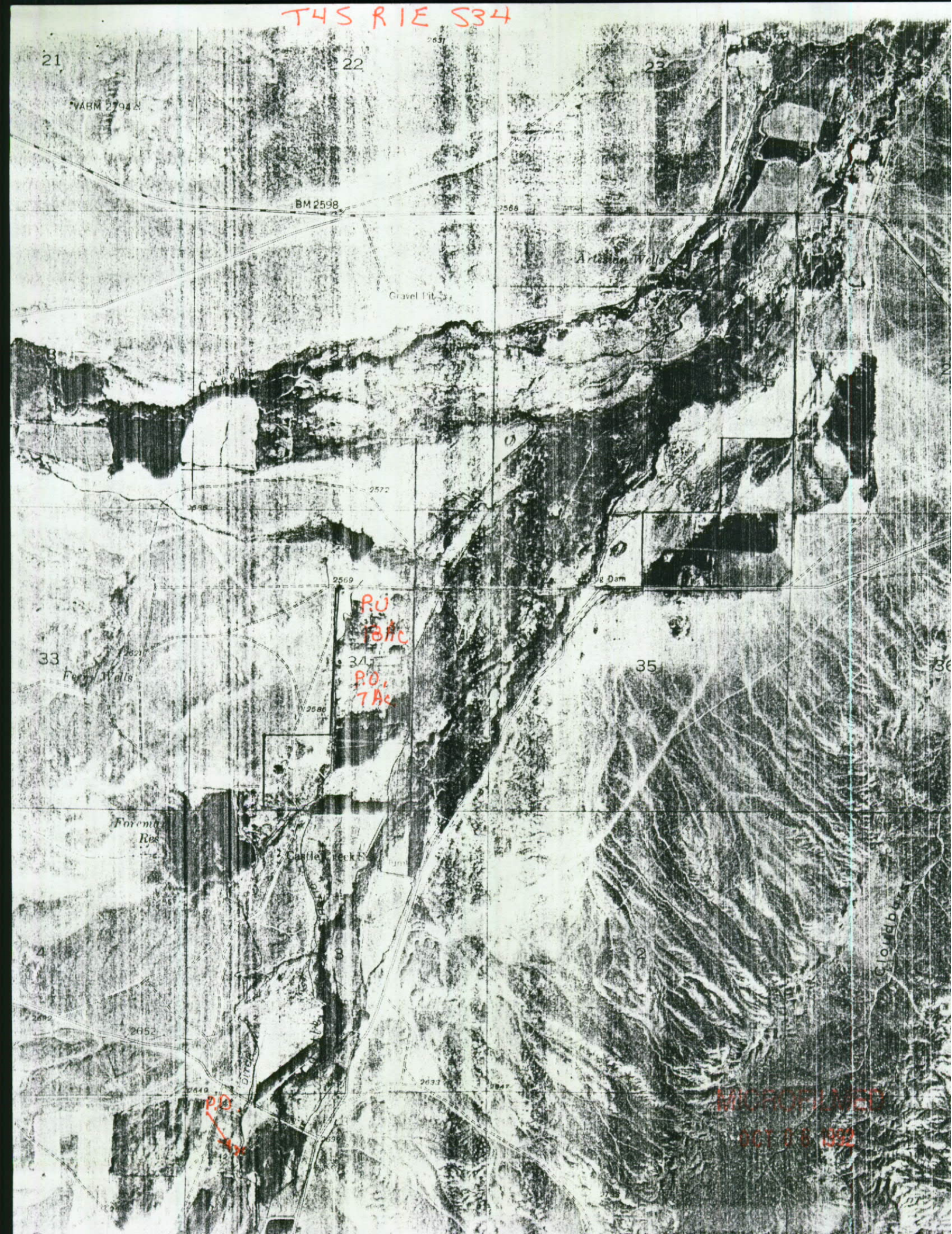


T4S R1E S34

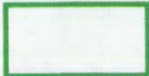
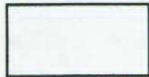
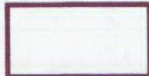


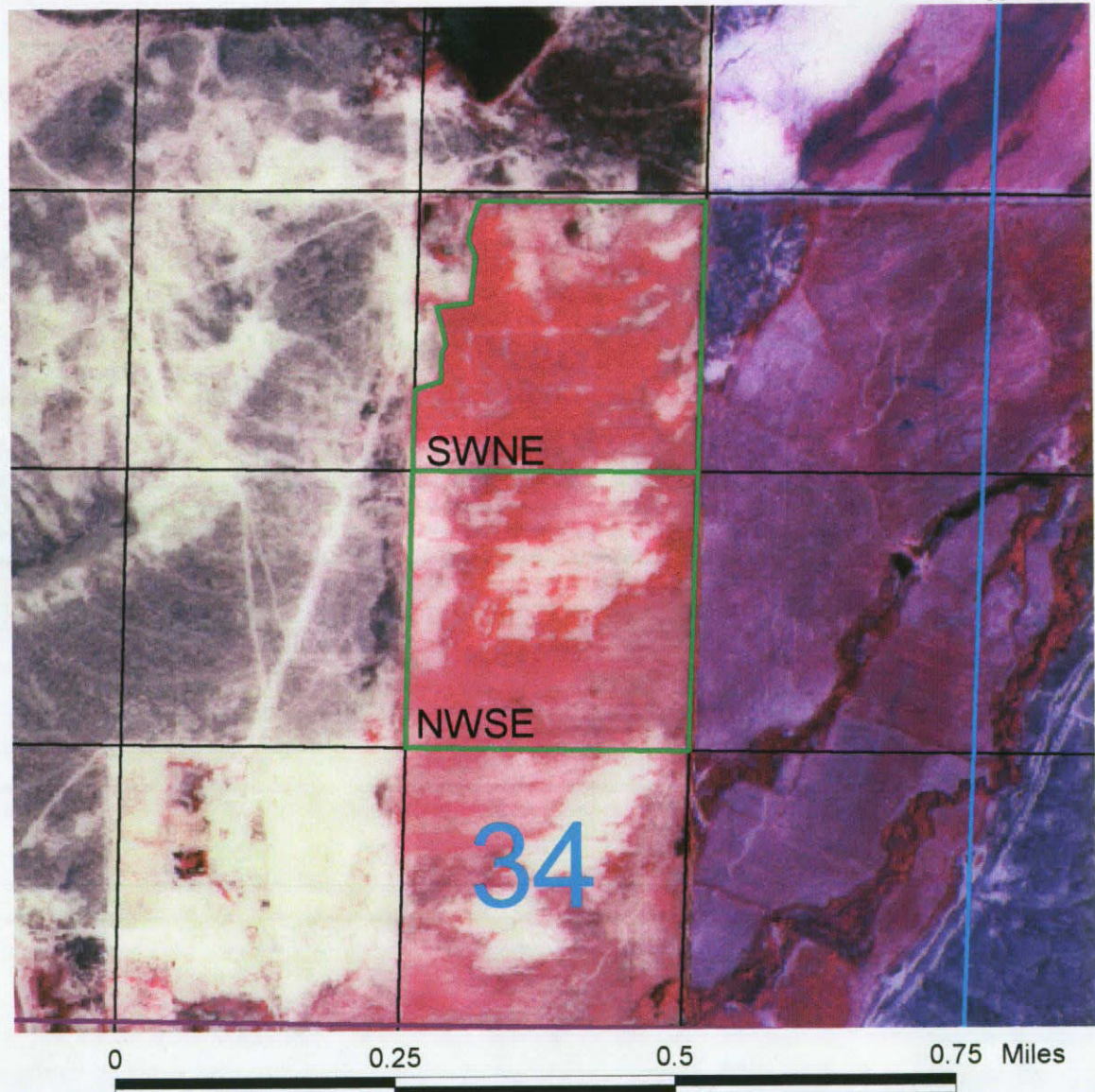
MICROFILMED
OCT 16 1992

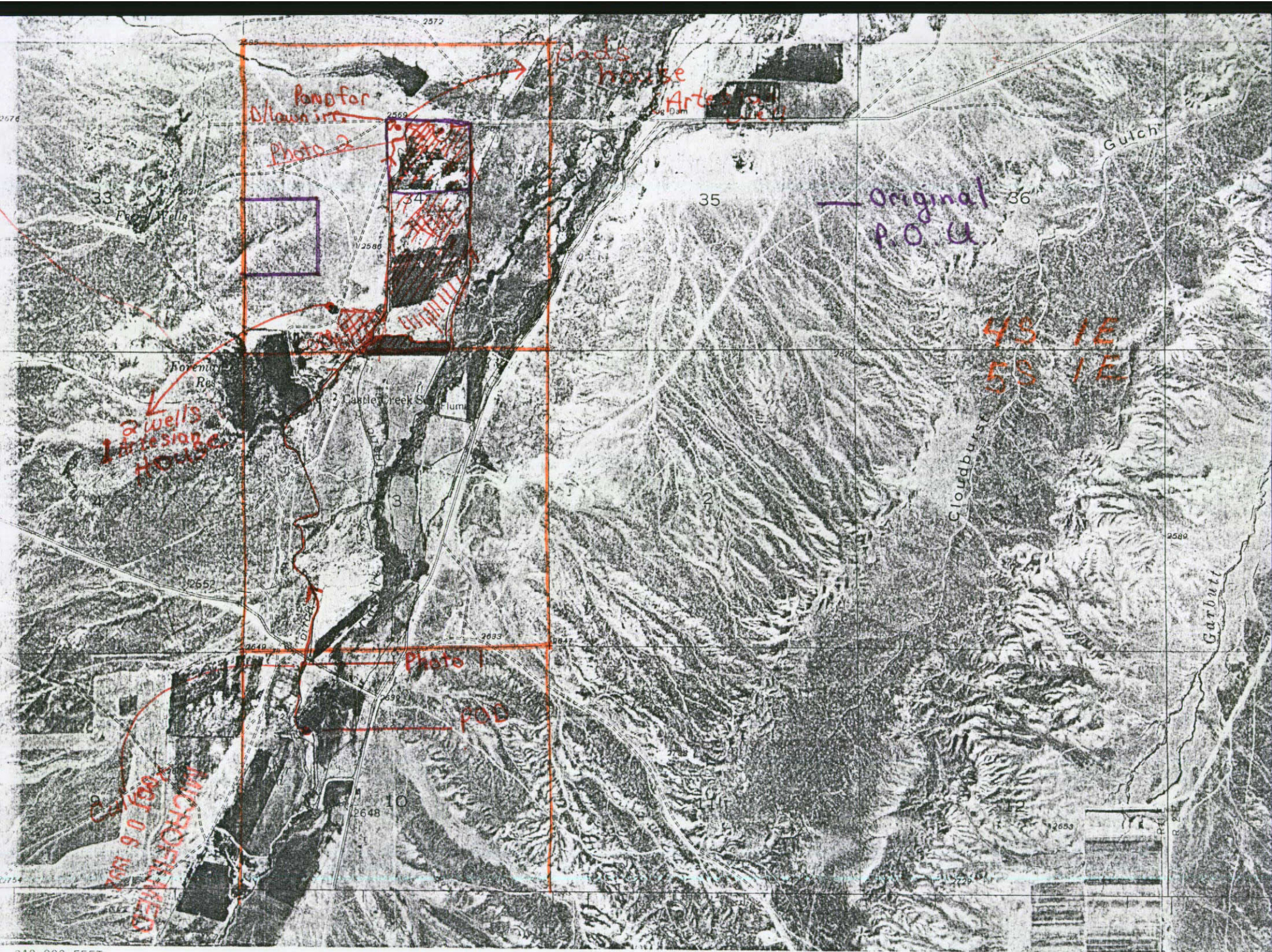
Idaho Department of Water Resources

Claim Number: 57-00223
Legal: T04S, R01E, S34
Reviewed By:

1987 Napp Photo

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





Pond's
house
Artesian
well

Original
P.O. U.

43 IE
53 IE

2 wells
Artesian
House

Photo 1
POB

2648
2649
2650
2651
2652
2653
2654
2655
2656
2657
2658
2659
2660
2661
2662
2663
2664
2665
2666
2667
2668
2669
2670
2671
2672
2673
2674
2675
2676
2677
2678
2679
2680
2681
2682
2683
2684
2685
2686
2687
2688
2689
2690
2691
2692
2693
2694
2695
2696
2697
2698
2699
2700
2701
2702
2703
2704
2705
2706
2707
2708
2709
2710
2711
2712
2713
2714
2715
2716
2717
2718
2719
2720
2721
2722
2723
2724
2725
2726
2727
2728
2729
2730
2731
2732
2733
2734
2735
2736
2737
2738
2739
2740
2741
2742
2743
2744
2745
2746
2747
2748
2749
2750
2751
2752
2753
2754
2755
2756
2757
2758
2759
2760
2761
2762
2763
2764
2765
2766
2767
2768
2769
2770
2771
2772
2773
2774
2775
2776
2777
2778
2779
2780
2781
2782
2783
2784
2785
2786
2787
2788
2789
2790
2791
2792
2793
2794
2795
2796
2797
2798
2799
2800
2801
2802
2803
2804
2805
2806
2807
2808
2809
2810
2811
2812
2813
2814
2815
2816
2817
2818
2819
2820
2821
2822
2823
2824
2825
2826
2827
2828
2829
2830
2831
2832
2833
2834
2835
2836
2837
2838
2839
2840
2841
2842
2843
2844
2845
2846
2847
2848
2849
2850
2851
2852
2853
2854
2855
2856
2857
2858
2859
2860
2861
2862
2863
2864
2865
2866
2867
2868
2869
2870
2871
2872
2873
2874
2875
2876
2877
2878
2879
2880
2881
2882
2883
2884
2885
2886
2887
2888
2889
2890
2891
2892
2893
2894
2895
2896
2897
2898
2899
2900
2901
2902
2903
2904
2905
2906
2907
2908
2909
2910
2911
2912
2913
2914
2915
2916
2917
2918
2919
2920
2921
2922
2923
2924
2925
2926
2927
2928
2929
2930
2931
2932
2933
2934
2935
2936
2937
2938
2939
2940
2941
2942
2943
2944
2945
2946
2947
2948
2949
2950
2951
2952
2953
2954
2955
2956
2957
2958
2959
2960
2961
2962
2963
2964
2965
2966
2967
2968
2969
2970
2971
2972
2973
2974
2975
2976
2977
2978
2979
2980
2981
2982
2983
2984
2985
2986
2987
2988
2989
2990
2991
2992
2993
2994
2995
2996
2997
2998
2999
3000

340 000 FEET
POB 53 IE S 10

A57-00223 @ 0.50 cfs

— Found Acres

A57-00224

A57-2314B

A57-2132B @ 0.32 cfs John Fuquay

SS, 1E

CARD NO.

TOWNSHIP

RANGE

EAST

6

5

4

3

2

1

7

8

9

10

11

12

18

17

16

15

14

13

19

20

21

22

23

24

30

29

28

27

26

25

4S 1E

31

32

33

34

35

36

18 37
40
34 40
40
20 38
2.5 40
16

MICROFILMED
OCT 06 1992

A57-00223

Photo #1



Conveyance ditch from creek, & culvert.

Photo #2



Irrigated land in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34.

See A57-02314 for more Photos.

MICROFILMED
OCT 06 1992

All Photos taken on 8-2-90 by L. Werner

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: A57-00223
Date Received: 11/28/1989
Receipt No: CDB059
Received By: SD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN E. FUQUAY 208-834-2495
Address: HC 79, BOX 2240
MURPHY, ID 83650

2. Date of Priority: AUG 10, 1912

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
05S	01E	10	SE	NW	NW		OWYHEE

5. Description of diverting works:
DAM, HEADGATE, & DITCH TO P/U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.500		
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.090		

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

8. Total consumptive use is 87.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER UP TO 400HD/RGE, DOMESTIC LAWN & GARD. IRR. 1 HOUSE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01E	34	SW	NE		IRR	18.0

A57-00223

Page 1

Date: 11/28/89

MICROFILMED

OCT 06 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	01E	34	NW SE		IRR	7.0
Section Acres						25.0
Total Acres						25.0

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:
N/A

14. Remarks:
SEE WR LICENSE 57-2046.

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

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

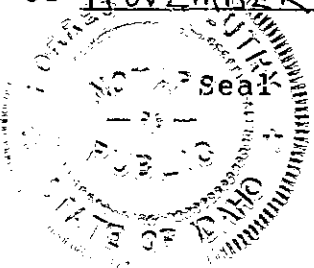
For Individuals:

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

Signature of Claimant(s): John E. Ferguson Date: 11-28-89
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of NOVEMBER 19 89
Shirley E. Kelly
Notary Public



Residing at BOISE, ID
My Commission Expires 11/08/1994

T4S R1E S34



21

22

23

VABM 2704

BM 2598

Gravel Pit

2572

2569

Dam

33

34

35

RJ
BAC
PO
7A

Foreman Res.

2452

2440

2433

2427

Water Right Number - 57-00223

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***
MUNGER

JOHN

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
08/10/1912 14 D - DECREED

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
CASTLE CREEK SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

05S 01E 8 NE SW (73) OWYHEE

10 SWNW

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

01 - IRRIGATION 04/01 10/15 0.500
43 - DOMESTIC
04 - STOCKWATER

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.500

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

04S 01E 34 SW NE 18.0 01 IRRIGATION (73) OWYHEE
04S 01E 34 NW SW 7.0 01 IRRIGATION (73) OWYHEE

Total Acres: 25.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
SEE WR LICENSE 57-2046.

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

MICROFILMED
OCT 06 1992

Water right number - 57-00223

Adj. flag translation: Standard Water Right Number

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

+ - - - - Decree Plaintiff - - - +
JAMES L. DAVEY

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

+ - Decree Date - +
05/15/1923

+ - - Audit Fields - 02/11/86

05/01/88 CONVERT

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

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

MICROFILMED
OCT 06 1992

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00223

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	34			18												7		25
GIS						35.6												40.5		76.1
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 25

Total GIS Acres: 76.1

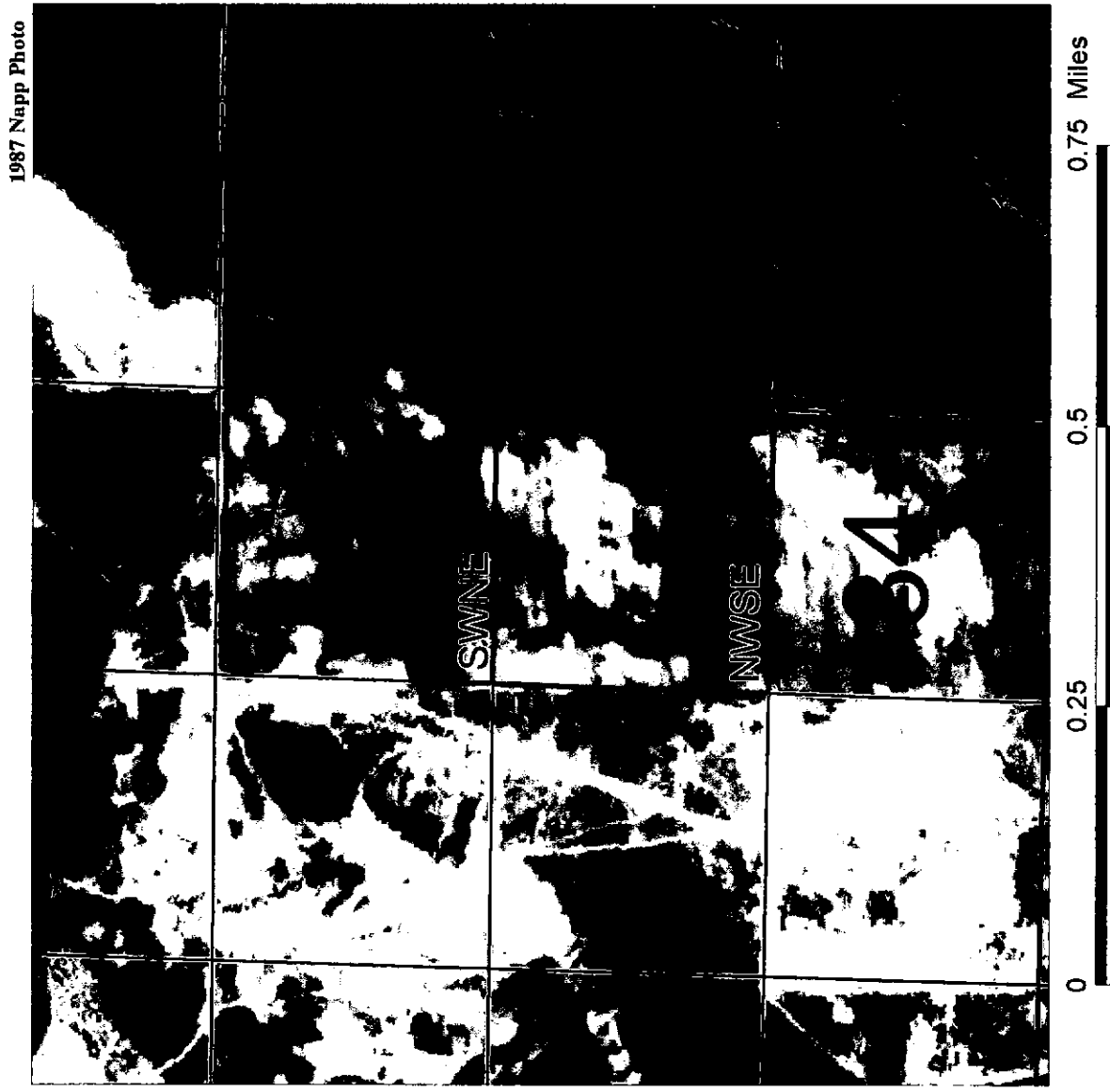
Overlapping FOU Claim #'s:

COMMENTS:

Per overlapping claim + claim map.

Idaho Department of Water Resources

- Claim Number: 57-00223
 Legal: T04S, R01E, S34
 Reviewed By:
- ☐ Point of Diversion
 (located outside view)
 - ☐ Place of Use
 - ☐ Section Lines
 - ☐ Quarter Quarter Lines
 - ☐ Township/Range Lines



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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-00223

1997 DEC 15 AM 10:48

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: JOHN E FUQUAY
HC 79 BOX 2240
MURPHY ID 83650

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.5 CFS

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

PRIORITY DATE: 08/10/1912

POINT OF DIVERSION: T05S R01E S10 SENWNW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.5 CFS
	STOCKWATER	Irrigation Season	0.09 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T04S R01E S34 SWNE 18 NWSE 7
25 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 57-02314 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 117.5 ACRES IN A SINGLE
IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

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

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

RULE 54(b) CERTIFICATE

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



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

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

DATE: 11/10/97
PAGE: 1

Water Source:	CASTLE CREEK	Tributary to:	SNAKE RIVER	Stage:	DECREED
Point(s) of Diversion:	T05S R01E S10		SENHNW		OWYHEE County

T05\$ R01E \$10 SENHJNH

Place of use Legal Description for: IRRIGATION

[illegible]

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

POU County: OUYHEE

Other Rights: N/A

Conditions of Approval:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks: POU1 USE OF THIS RIGHT WITH RIGHT NO. 57-02314 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 117.5 ACRES IN A SINGLE IRRIGATION SEASON.

EXP STOCKWATER, 400 RANGE CATTLE
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 57-00224, 57-02132B & 57-02314

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
		11/10/1997	

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

AJ0749NP
No. R57-00223

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

DATE: 11/10/97
PAGE: 2

Comments: Date: 09/17/1991 User-ID: WERNER Subject: DOMESTIC IRR.
DOMESTIC LAWN IRRIGATION INCLUDED WITH IRRIGATED ACREAGES.
Date: 08/24/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 8/19/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 2/14/92. DID NOT REVERIFY ANY PART OF CLAIM.

Audit: 11/10/97 KWALKER

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

DATE: NOV-10-1997

PAGE: A-1

 RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00223

NAME AND ADDRESS: JOHN E FUQUAY
 HC 79 BOX 2240
 MURPHY ID 83650

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.5 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
 USED FOR STOCKWATER/ ADD NO RANGE CATTLE

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

PRIORITY DATE: 08/10/1912

POINT OF DIVERSION: T05S R01E S10 SENWNW Within Owyhee County

PURPOSE AND
 PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	<u>Irrigation Season</u> 04/01 10/13	0.5 CFS
<u>STOCKWATER</u>	<u>Irrigation Season</u>	0.09 CFS
<u>STOCKWATER</u>	04/01 10/13	0.09 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
 T04S R01E S34 SWNE 18 NWSE 7
 25 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 57-02314 IS LIMITED TO THE
 IRRIGATION OF A COMBINED TOTAL OF 117.5 ACRES IN A SINGLE
 IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

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

57-00223 (CONT.)

USE.

USE OF THIS RIGHT WITH RIGHT NO. 57-02314 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 411/2 AF AND TO THE IRRIGATION OF A COMBINED TOTAL OF 117/3 ACRES IN A SINGLE IRRIGATION SEASON.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00224, 57-02132B, 57-02314

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

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

STOCKWATER, 400 RANGE CATTLE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00224, 57-02132B & 57-02314

6/9/94

COMMUNICATION DOCUMENTATION

CLAIM NOS. A57-00085, 87, 100, 102, 108, 112,
114, 115, 121, 135, 147, 162 - CAROL GILBERT
Claim Nos. A57-00223, 00224, 02132B,
A57-02314 - JOHN FUQUAY.

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JAN SHURTE Date 5-8-95

Contact Person(s) JOHN FUQUAY - OREANA - CAME INTO OFFICE ON 5-8-95.

Nature of Contact TO INFORM THE DEPT. OF ACTION HE TOOK DUE TO FLOODING IN CASTLE CREEK.

Substance of Communication MR. FUQUAY CAME IN TO LET THE

DEPT. KNOW ABOUT AN EMERGENCY ACTION HE TOOK DUE TO FLOODING IN HIS DIVERSION DITCH FROM CASTLE CK. MR. FUQUAY STATES THAT CASTLE CREEK WAS FLOODING OUT OF ITS BANKS & INTO HIS DIVERSION DITCH TO FOREMAN RESERVOIR. THE RESERVOIR IS FULL & THE WATER IN THE DITCH BEGAN FLOODING ONTO THE COUNTY ROAD, THEREFORE, MR. FUQUAY CUT THE SIDE OF HIS DITCH, ~~PUTTING~~ ^{PUTTING} IN ANOTHER DITCH TO DIVERT THE WATER BACK TO THE CREEK. THIS DID STOP THE FLOW OF WATER OVER THE ROAD. THE DIVERSION DITCH & NEW DITCH DUG BACK TO THE CREEK BOTH CROSS OVER LAND OWNED BY DON BARNHILL (CAROL GILBERT CLAIMS) AND MR. BARNHILL HAS CALLED IN STATING THAT MR. FUQUAY'S ACTION HAVE CAUSED FLOOD DAMAGES TO HIS PROPERTY. GENE GIBSON OF OUR OFFICE IS PREPARING TO INVESTIGATE THE WHOLE SITUATION PER MR. BARNHILL'S CALL RELATING TO A STREAM CHANNEL ALTERATION VIOLATION. THIS MEMO IS TO DOCUMENT THE

SEP 25 1996
BE "AD" IN THE PERTINENT FILE

JUL 20 1994

ADJUDICATION MEMORANDUM

57-00085, 87, 100, 102, 108, 112, 114, 115, 121, 135, 147 & 162 - CAROL GILBERT - CASTLE
 CLAIM NO.: 57-00223, 224, 021328 & 02314 SUBJECT: PHONE CONVERSATION CONCERNING DITCH
 JOHN FUGUAY - CASTLE CREEK PROBLEMS BETWEEN THESE TWO RIGHT HOLDERS.
 EMPLOYEE: JAN SHURTE DATE: 8-17-93

On this date, John Fugway phoned concerning a dispute he is having with Don Bainhill who manages Carol Gilbert's property. Mr. Fugway stated that in the past he shared his diversion ditch, from Castle Creek with Carol Gilbert's deceased husband, John Gilbert, by allowing a diversion ditch or pipeline from his main ditch to Gilbert's ditch to use for irrigation. In return, John Gilbert supplemented Fugway with water from their hot well which flowed into Fugway's ditch. Then, according to John Fugway, the well water was stopped, therefore, he spoke with Don Bainhill concerning the ditch use and an argument began. Mr. Fugway closed the diversion off of his main ditch because the well water was stopped and approx. 2 wks ago, Don Bainhill, installed another pipeline from Fugway's main ditch over to his ditch. I informed both parties that this is a civil matter because it involves lateral ditches & not the diversion thru the main ditch from Castle Creek. Mr. Fugway stated he may seek civil action & I told him I would document the appropriate files with a memo about the conversation.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. 57-00223

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN E FUQUAY HC 79 BOX 2240 MURPHY ID 83650 (208) 834-2495	08/10/1912	IRRIGATION STOCKWATER	04-01 10-15 04-01 10-15	0.50 CFS 0.09 CFS	
					TOTAL DIVERSION: 0.50 CFS	

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

Point(s) of Diversion: T05S R01E S10 SENWNW

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	SUM
04S	01E	34	:	:	:	:	:	:	:	
			18	:	:	:	:	07	:	25.0
									TOTAL ACRES	25.0

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

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 400 HD RANGE CATTLE

Other Rights: N/A

Conditions of Approval:

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

Remarks: USE OF THIS RIGHT WITH RIGHT NO. 57-02314 IS LIMITED TO A TOTAL
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 411.2 AF AND TO THE
IRRIGATION OF A COMBINED TOTAL OF 117.5 ACRES IN A SINGLE
IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00224, 57-02132B, 57-02314

Dates: Exam Made Date: 08/02/1990 Verified Date: 09/22/1992

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

Comments: Date: 09/17/1991 User-ID: WERNER Subject: DOMESTIC IRR.
DOMESTIC LAWN IRRIGATION INCLUDED WITH IRRIGATED ACREAGES.

Date: 08/24/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 8/19/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 2/14/92. DID NOT REVERIFY ANY PART OF CLAIM.

Audit: 09/17/91 WERNER 11/22/91 WERNER 12/05/91 WERNER 01/08/92 WERNER

MICROFILMED

JUL 20 1994

DATE: 04/29/93
PAGE: 33

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. 57-00223

Audit:	02/14/92 WERNER	07/29/92 PR-PRODM	08/24/92 SCHULTZ	09/22/92 WERNER
	10/13/92 CFSHAW	12/05/92 ADT-SHAW		

MICROFILMED,

JUL 20 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 1, 1992

JOHN FUQUAY
HC 79 BOX 2240
MURPHY ID 83650

RE: Notices of Claim to a Water Right numbered 57-00223,
57-00224, 57-02132B and 57-02314.

Dear Mr. Fuquay;

We are in receipt of the Notice of Error you submitted on the
above water right claims.

I have enclosed a copy of a map, which along with my field
examination of your property, was used to calculate the number
of irrigated acres. Please review this map and outline the
missing acreages.

Return this information to my attention by September 15, 1992.
If I do not hear from you by that time I will assume that you
now agree with our recommendation and will take no further
action on the Notice of Error submitted in regard to these
claims.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure: Map

*9-22-92 - No response received. Changed notice
of error flag in data base to "B."
JRW*

MICROFILMED
OCT 06 1992

JUL-20-1992

NOTICE OF ERROR FORM

RECEIVED

AUG 19 1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

Department of Water Resources
Western Regional Office

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: AUG-20-1992

1. Water right number: 57-02314 - 57-00224 - 57-00223 - 57-02132B

2. Name: John Fuquay

Address: Hc. 70 Box 2240, Murphy, Id. 83650

MICROFILMED

OCT 06 1992

Weekday Telephone Number: 208-834-2495

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

combined total of Acres

4. Describe the changes you wish to have made in the proposed recommendation:

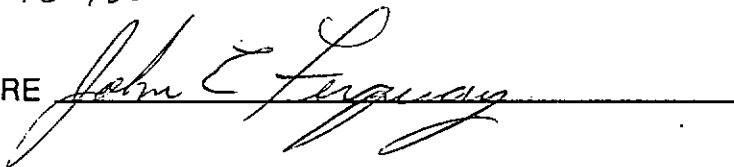
I wish to have a 16 acres added to total

5. Describe why you disagree with the proposed recommendation:

I have irrigated these 16 acres in past years
and plan to irrigate in near future

6. Date: 8-18-92

SIGNATURE

A handwritten signature in cursive script, appearing to read "John E. Ferguson", is written over a horizontal line.

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																								
C	JOHN E FUQUAY HC 79 BOX 2240 MURPHY ID 83650 (208) 834-2495	08/10/1912	IRRIGATION STOCKWATER	04-01 10-15 04-01 10-15	0.50 CFS 0.09 CFS																																																																																																																									
					TOTAL DIVERSION:	0.50 CFS																																																																																																																								
Water Source: CASTLE CREEK		Tributary to: SNAKE RIVER		Stage: DECREED																																																																																																																										
Point(s) of Diversion:		T05S R01E S10	SENWNW	OWYHEE County																																																																																																																										
Place of use Legal Description for: IRRIGATION																																																																																																																														
<table border="0"> <tr> <td colspan="4"></td> <td>NE</td> <td>NW</td> <td>SW</td> <td>SE</td> <td colspan="4"></td> </tr> <tr> <td></td> <td>NENE</td> <td>NWNE</td> <td>SWNE</td> <td>SENE</td> <td>:</td> <td>NENW</td> <td>NWNW</td> <td>SWNW</td> <td>SENW</td> <td>:</td> <td>NESW</td> <td>NWSW</td> <td>SWSW</td> <td>SESW</td> <td>:</td> <td>NESE</td> <td>NWSE</td> <td>SWSE</td> <td>SESE</td> <td>:</td> <td></td> </tr> <tr> <td>T</td> <td>R</td> <td>S</td> <td>:</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>:</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>:</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>:</td> <td>SUM</td> </tr> <tr> <td>04S</td> <td>01E</td> <td>34</td> <td>:</td> <td></td> <td></td> <td>18</td> <td>:</td> <td></td> <td></td> <td>:</td> <td></td> <td></td> <td></td> <td></td> <td>:</td> <td></td> <td></td> <td></td> <td></td> <td>:</td> <td></td> </tr> <tr> <td colspan="19"></td> <td>07</td> <td>25.0</td> </tr> <tr> <td colspan="19"></td> <td>TOTAL ACRES</td> <td>25.0</td> </tr> </table>											NE	NW	SW	SE						NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	SUM	04S	01E	34	:			18	:			:					:					:																					07	25.0																				TOTAL ACRES	25.0
				NE	NW	SW	SE																																																																																																																							
	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:																																																																																																										
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	SUM																																																																																																									
04S	01E	34	:			18	:			:					:					:																																																																																																										
																			07	25.0																																																																																																										
																			TOTAL ACRES	25.0																																																																																																										

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

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 400 HD RANGE CATTLE

Other Rights: N/A

Conditions of Approval:

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

Remarks: USE OF THIS RIGHT WITH RIGHT NO. 57-02314 IS LIMITED TO A TOTAL
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 411.2 AF AND TO THE
IRRIGATION OF A COMBINED TOTAL OF 117.5 ACRES IN A SINGLE
IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00224, 57-02132B, 57-02314

Dates: Exam Made Date: 08/02/1990 Verified Date: 02/14/1992

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

Comments: Date: 09/17/1991 User-ID: WERNER Subject: DOMESTIC IRR.
DOMESTIC LAWN IRRIGATION INCLUDED WITH IRRIGATED ACREAGES.

Audit: 09/17/91 WERNER 11/22/91 WERNER 12/05/91 WERNER 01/08/92 WERNER
02/14/92 WERNER 07/29/92 PR-PROD

MICROFILMED
OCT 06 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-00223

"R" RECORD

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	IN-OFFICE VERIFICATION WHOM/DATE	VERIFIED BY CODE (SEE BELOW)	FIELD EXAM BY WHOM/DATE	CLAIMANT CONTACT NEEDED - Y/N*	REVIEW COMPLETED WHOM/DATE	DATA ENTRY COMPLETED WHOM/DATE	FINAL VERIFICATION DATE ENTERED WHOM/DATE
PRIORITY	N		6	8-2-90 L. Werner				
PT. OF DIV.	Y		5, 4	R. McCarthy	Y			
SOURCE	N		6					
PL. OF USE	Y		1, 2, 4, 5		Y			
DIV. AMOUNT CFS/AF			6					
CONSUMPTIVE USE			ADS Standards					
NATURE OF USE			6					
PERIOD OF USE			6					
BASIS OF CLAIM			6					
REMARKS								

VERIFICATION CODES

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

TOPO MAP/ORTHO-PG = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAEP PHOTOS = 4
 FIELD EXAM = 5
 * OTHER(SEE COMMENTS) = 6 *Same as cleared*

COMMENTS:

And C. U. restrictions - Overlaps w/ A57-2314B

MICROFILMED
OCT 06 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:04:28
06/26/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-00223

LAST: FUQUAY
ADDRESS: HC 79, BOX 2240
CITY: MURPHY
PHONE NUMBER: 208-834-2495

FIRST: JOHN E.
STATE: ID ZIP: 83650

OWNER CODE: C

LAST: MUNGER
ADDRESS:
CITY: OREANA
PHONE NUMBER: 208-000-0000

FIRST: JOHN
STATE: ID ZIP: 83659

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: SEE WR LICENSE 57-2046.

MICROFILMED
OCT 06 1992

DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet For

SRBA Claim Verification Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Claim Verification Report(CVR)
- ☒ Copy of Adjudication Claim
- ☒ Copies of pertinent files(prev. rts., exams, etc.)
- ☐ Well Inspection Form (If Needed)
- ☒ Copy of U.S.G.S. Quad map, orthophotoquad, or NAPP photography
- ☒ Check P.D. & P.U. desc. for Govt. Lots(if a lot is found, a copy of the Govt. plat is needed to add the lot onto the R claim file later.)
- ☒ Check CVR for P.D. overlap(see page titled Pt. of Div. Review Sheet)
- ☒ Check AJ & WR P/D indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap ☒ yes ☐ no If yes: ☐ copy of claims & water rights incl?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☒ Other: OK- Well vs surface water
- ☒ Check CVR for P.U. overlaps(see page titled Pl. of Use Review Sheet)
- ☒ Check AJ & WR P/U indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap ☒ yes ☒ no If yes: ☐ copy of claims & water rights incl?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☒ Increase number of acres within tracts
☐ Different source for same acres
☐ Other: _____
- ☒ Appointment Letter Sent? _____ (initial & date)
- ☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed CVR Form
- ☒ Photographs of Point(s) of Diversion and Place of Use
- ☒ Completed map outlining Point(s) of Diversion and Place of Use.

C. Review and Processing:

Claim No. submitted for weekly exam completed prog. report? ☒ Yes ☐ No
Exam completed date data entered on claim Yes LRW 9-17-91 (initial & date)
Claim Verification Report completed Yes 2-11-91 (initial & date)
Was CVR spot-checked by Supervisor? ☐ Yes ☐ No _____ (initial & date)
R claim file created 9-17-91 LRW (initial & date)
Recommendations entered on R claim file LRW 9-17-91 (initial & date)

MICROFILMED
OCT 06 1992

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

See phone conversation memo this file

MICROFILMED
OCT 06 1992

T48, RIE, Sec. 34

258

Castle Butte

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER A 57-223, 224 + 2314B

NAME OF CONTACT Karen Fuguey

PHONE NO. 834-2495 ADJ. AGENT Linda

DATE SET FOR EXAM _____

LOCATION Y at Catholic church, go straight past cemetery,
follow rd. it will take a sharp left, then
watch for a gravel rd. to the left on a knoll
when you start seeing reservoir be watching for
gravel rd. Approx 7 miles out of Orsma.

Diverting at full rates? _____

Type of measuring devices? _____

Places to make measurements? _____

Type of system? (pipeline, ditches) _____

How many laterals are used? _____

Length and size of mainline? _____

Size of Motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler head? _____

COMMENTS: Husband not in - he will call me back.
Possible to set up w/ stake on 7-30. They are
busy w/ calving.

MICROFILMED
OCT 06 1992

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-00223 IRRIGATION	FROM 04-01 TO 10-15	.500 CFS
A57-00223 DOMESTIC	FROM 01-01 TO 12-31	.020 CFS
A57-00223 STOCKWATER	FROM 01-01 TO 12-31	.090 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.500 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-00223 IRRIGATION	FROM 04-01 TO 10-15	.500 CFS
57-00223 DOMESTIC	FROM TO	.500 CFS
57-00223 STOCKWATER	FROM TO	.500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.500 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>2</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<u>2</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>2</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N()

RECOMMEND TO WR STANDARDS OR OTHER? Y(X) N() Explain in remarks, below.

REMARKS:

MICROFILMED
OCT 6 1992

A. AJ CLAIM: # A57-00223 PRIORITY DATE: 08-10-1912 STAGE: D
B. WR RECORD: # 57-00223 PRIORITY DATE: 08-10-1912 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(X)
IF YES EXPLAIN.

REMARKS:

Right no 57-2046 superceded by this right.

RECOMMENDED PRIORITY DATE:
08-10-1912

REVIEWED BY

Linda Womers

DATE

2-8-91

MICROFILMED
OCT 06 1992

Name of Party	Source of Water	Date of Priority	Alt. in inches.	Des. of Land (Contd)	Sec.	Twp.	Range.	County
John Munger (water license #8602)	Castle Creek	Aug. 10, 1912	25 (.5 sec. ft)	SWNE NWSE	34	4S	1E	B.M.

Edna Munger (water license #2776)	Castle Creek	Sept. 2, 1915	20 (.4 sec. feet)	SWSE	34	4S	1E	B.M.
--------------------------------------	--------------	---------------	----------------------	------	----	----	----	------

Charles Johnson.

Alder Cr. 188157-022415
and John- 188157-022415
son Peter- 188157-022415
voir. Mar. 31, 1921 57-022415
(1.08
sec. ft.
188157-022415)

✓ Thomas D. Henderson.
(water license #6151)

Castle Creek May 20, 1913
57-0236

Fred D. Henderson and Thomas D. Henderson.
(water license #9895)

Castle Creek Nov. 11, 1913 - 57-0237

MICROFILMED

D. C. 20

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY.
A57-00223	05S	01E	10	SE	NW	NW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A57-00224 NONE
A57-02314B

WR RECORDS IN SAME 40 ACRE TRACT

57-02132

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.
57-00223	05S	01E	3		NE	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:

When did change in diversion point occur? P.O.D. in section 3 is
rediversion from the reservoir. See A57-2314B L.R.W.
7-9-91

MICROFILMED
OCT 06 1992

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>5S</u>	<u>1E</u>	<u>10</u>	~~NE~~	~~SW~~	<u>NW</u>	<u>—</u>	<u>OWY</u>
			<u>SE</u>	<u>NE</u>	<u>—</u>	<u>—</u>	

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

REVIEWED BY:

Linda Warner

DATE:

2-8-91 - 2-11-91

MICROFILMED
OCT 06 1992

SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. A57-00223

The water is diverted from the creek by means of a rock dam and plastic dam diversion to the ditch. The ditch runs in a northerly direction to the inflow of Foreman reservoir. The inflow is located in T5S, R1E, Section 3, NESWNW.

Outflow from the reservoir is located in T5S, R1E, Section 3, SENWNW via ditch to the places of use. The ditches at the places of use are cement lined. This is a gravity flow system.

There is a pond located in the NWSWNE of Section 34, T4S, R1E. This pond is at the end of the ditch system and is used for the domestic lawn irrigation by means of pump and pipeline.

MICROFILMED
OCT 06 1992

A. ROOT WATER RIGHT NUMBERS: A57-00223

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	O-P QUAD	FIELD EXAM.	RECOMM. ACRES
04S	01E	34	SW	NE		FUQUAY, JOHN E.	A57-00223 /18.0	57-00223 /18.0	40.0			
			SW	NE		FUQUAY, JOHN E.	A57-02314B /	- /				
04S	01E	34	NW	SE		FUQUAY, JOHN E.	A57-00223 / 7.0	- /	39.0			
TOTAL ACRES							A57-00223	25.00	18.00	79.00	37 40 77	18 7 25

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
NY

PRESUMPTION FLAG:

REMARKS:

Changed from decree. Sec. 34, NW SW ir. produced. AJO 4 shows no claim for this P.O.U. No ir. shown on O-P quad or Napp. O-P is a 1974 map. As to the acreage he is claiming - these P.O.U. are being ir. as claimed on this right. The sparse areas seen on the map are the result of alkali soils. The P.O.U. claimed have been ir. since 1974.

RECOMMENDATIONS:

TOTAL ACRES: 25

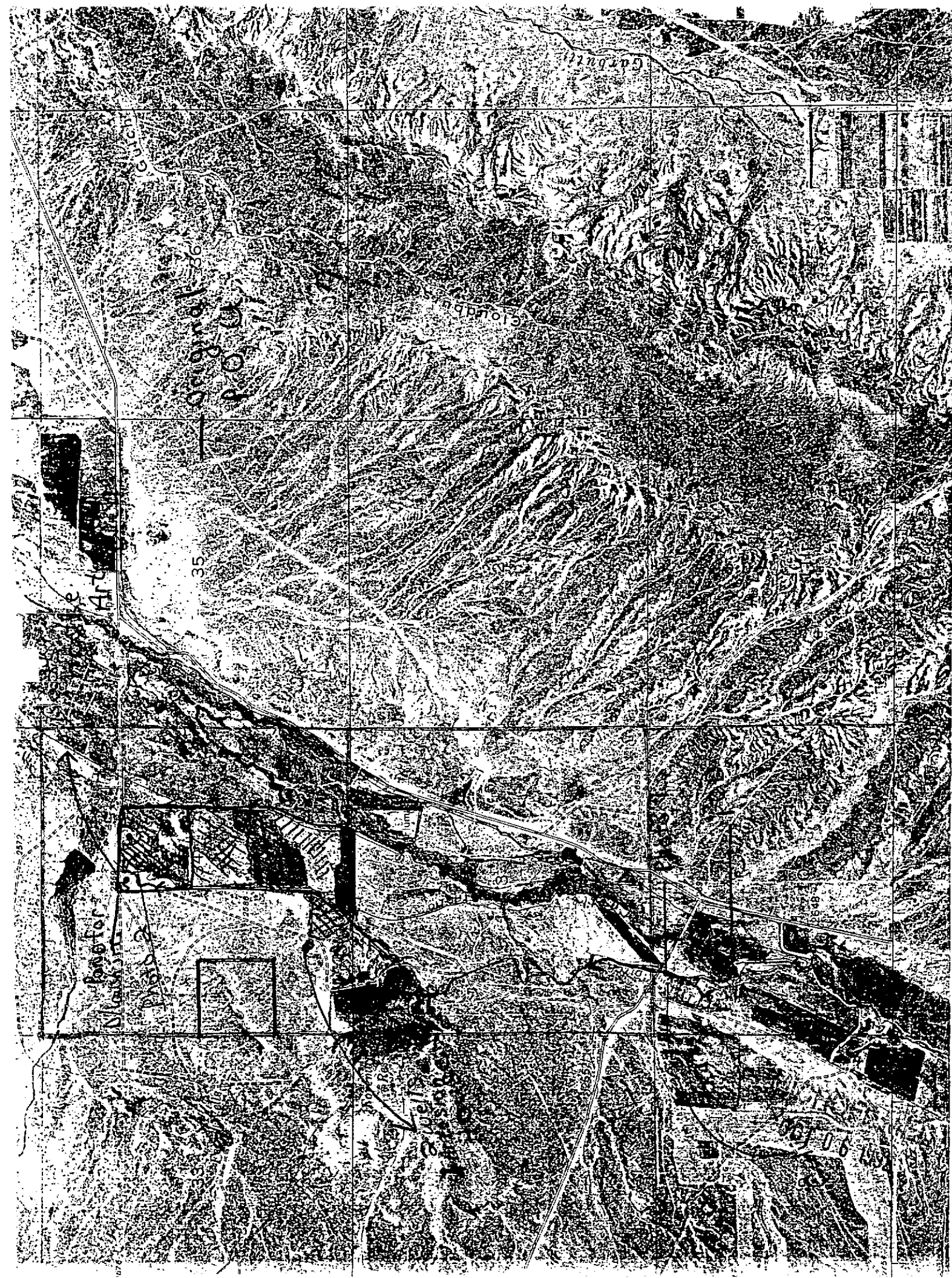
REVIEWED BY:

Linda Warner

DATE:

2-11-91

MICROFILMED
OCT 06 1992



Original 36
P.O. 1

35

Booster

Photo 2

340 000 FEET

A57-00223 @ 0.50 cfs

A57-00224

A57-2314B

A57-2132B @ 0.32 cfs John Fuquay

— Found Acres

CARD NO.

SS, 1E
TOWNSHIP

RANGE

EAST

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

48 1E

18 37
40
34 40
40
20 38
2.5 40
16

MICROFILMED
OCT 06 1992

Fuquay

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		
223	4S	1E	34			18											7			25	

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		
224	4S	1E	34															26		20	

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		
21328	4S	1E	34															16		16	

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		
2314B	4S	1E	34			37								25		40	38			117.5	117.5

MICROFILMED
OCT 06 1992

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-00223	IRRIGATION	FROM 04-01 TO 10-15	.500 CFS
A57-00223	DOMESTIC	FROM 01-01 TO 12-31	.020 CFS
A57-00223	STOCKWATER	FROM 01-01 TO 12-31	.090 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			.500 CFS

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-00223	IRRIGATION	FROM 04-01 TO 10-15	.500 CFS
57-00223	DOMESTIC	FROM TO	.500 CFS
57-00223	STOCKWATER	FROM TO	.500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			.500 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<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(X) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

The domestic use is for lawn irr. of his fathers house which is owned by the claimant. Located in sec 34, SW NE.

Stockwater is incidental to irrigation.

MICROFILMED
OCT 06 1992

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(X) N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.500 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)

DATABASE EXAMINER

N

FIELD

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: N/A

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A57-00223	DOMESTIC	FUQUAY , JOHN E.	FROM 01-01 TO 12-31	.020 CFS	
A57-00223	STOCKWATER	FUQUAY , JOHN E.	FROM 01-01 TO 12-31	.090 CFS	
A57-02314B	DIVERSION TO STORAGE	FUQUAY , JOHN E.	FROM 10-01 TO 03-15	45.000 CFS	
A57-02314B	DOMESTIC FROM STORAGE	FUQUAY , JOHN E.	FROM 01-01 TO 12-31		1.20 AF/A
A57-02314B	DOMESTIC STORAGE	FUQUAY , JOHN E.	FROM 01-01 TO 12-31		1.20 AF/A

Culvert dimensions are approximately 3' Dia. - 9-12-91 ^{rw}
can be full. ~~4' x 4'~~ Culvert

MICROFILMED
OCT 06 1992

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 25 x 0.02 CFS/ACRE = 0.50 CFS
(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 = 87.5 AF/A

ACRES 25 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 87.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 25 x DIVERSION VOL. AF/A FOR AREA 5.0 =

TOTAL DIVERSION VOLUME 122.5 AF/A

V(d.r.)

$0.50 \text{ cfs} \times 1.9835 \text{ AF/d} \times 198 \text{ d} = 196.4 \text{ AF/A}$

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

Overlap w/ A57-02314 B

S.R.:

FOG: Other rights w/ same POB = 57-00224, 57-02132B, 57-02314,

MICROFILMED
OCT 16 1992

RECOMMENDATIONS:

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

TOTAL FOR THIS RIGHT

REVIEWED BY: Shirley Warner

DATE: 2-11-91

RECOMMENDATIONS:		Flow	Con. Use
Irrigation	4-1 to 10-15	0.50	87.5
* Stockwater	~~1-1 to 12-31~~	~~0.09~~	~~10/A~~
	Total	~~0.09~~	87.5
* Stockwater	4-1 to 10-15 0.05	0.50	

- * Deleted the stockwater uses under item 6, Stockwater, as decreed is only for usage incidental to irr. 12-5-91 LRW
- * Added it on again per Castle cr. decree language & adj. standards. 2-20-92 - LRW

MICROFILMED
OCT 16 1992

CLAIM INVESTIGATION LOG: CLAIMANT CONTACT CHECKLIST

Name and address (p.1)

___ Change in address/ownership

Priority

___ Claim based on recent decree; priority claimed later than decreed priority (I-C, p. 2)

Other claims based on decree

___ More recent adjudication (II-B-2, p. 5)

___ Priority claimed less than five years after date of decree (II-E-1-a, p. 7)

___ Priority claimed more than five years after date of decree (II-E-1-b, p. 7)

Claim based on recent license

___ Priority claimed earlier than licensed priority (III-B-2, p. 9)

___ Priority claimed later than licensed priority (III-C, p. 10)

Other claims based on license

___ Prior adjudication (IV-B-2, p. 13)

___ Priority claimed earlier than licensed priority (IV-D-2, p. 14)

___ Priority claimed less than five years after date license issued (IV-E-1, p. 16)

___ Priority claimed more than five years after date license issued (IV-E-2, p. 16)

Claim based on permit

___ Priority claimed earlier than permit proposed priority (V-D-2, p. 19)

Claim based on beneficial use (including statutory claim)

___ Date of beneficial use

___ Prior adjudication (VI-B-2, p. 23)

Claim based on posted notice

___ Prior adjudication (VII-B-2, p. 27)

___ Priority claimed same as date of posting (VII-E, p. 28)

___ Priority claimed earlier than date of posting (VII-F, p. 28)

___ Priority claimed later than date of posting (VII-G, p. 29)

___ Claim based on second presumption; date of beneficial use

Source

___ ~~X~~ Date of change (I-C, p. 37; III-C, p. 40)

Point of Diversion

___ ~~X~~ Date of change (I-C, p. 48; III-C, p. 51) *Date diversion usage began? - OK*

Nature of Use, Amount of Each NU, and Total Amount

Claim based on decree or license

___ Total amount discrepancy (I-A-2, p. 61; II-A-2, p. 70)

___ Total amount claimed greater than decreed or licensed amount
(I-B-2-b, p. 62; II-B-2-b, p. 70)MICROFILMED
OCT 06 1992

☐ Claim based on recent decree or license, total amount claimed less than decreed or licensed amount (I-B-3-b, p. 62)
☐ Claim based on older decree or license, total amount claimed less than decreed or licensed amount (II-B-3-b, p. 71)
☐ Claim based on older decree, NU not stated in decree (II-C-4, p. 72)
☐ Claim based on recent decree or license, date of change (I-D, p. 63)
☐ Claim based on older decree or license, date of change (II-D, p. 74)
☐ Verify change (I-E-1-c, p. 65; II-E-1-c, p. 76; I-F-3, p. 67; II-F-3, p. 77)
☐ Additional NU (I-G-2, p. 67; II-G-2, p. 79)
☐ Injury (I-H-4, p. 68; II-H-4, p. 80)

☐ Claim based on permit; claim less than permit (III-B-3, p. 83)

☐ Claim based on beneficial use (including statutory claim or posted notice)

☐ Verify current use (IV-A-3, p. 85)
☐ Unclaimed verified NU(s) or amounts (IV-B-2, p. 86)
☐ Reasonableness of verified use (IV-C-2, p. 87)
☐ Increase in total amount (IV-D-2, p. 87)
☐ Date of change (IV-G, p. 90)
☐ Alternate NU: injury (IV-I-5, p. 93)
☐ Additional NU (IV-J-3, p. 94)

Season of Use

☐ Claim based on older decree; SU not stated in decree; SU in excess of IDWR standard (I-B-3, p. 98)
☐ Claim based on decree or license, increase in SU (I-D, p. 99)
☐ Claim based on beneficial use (including statutory claim, posted notice, 2nd presumption), claimed SU in excess of IDWR standards (III-C, p. 104)

Place of Use

☐ Claim based on decree or license
☐ Verify change (I-B-3, p. 108; II-B-3, p. 113; III-B-3, p. 120; IV-B-3, p. 124)
☐ Date of change (I-C, p. 109; II-C, p. 115; III-C, p. 121; IV-C, p. 126)
☐ Claim based on beneficial use
☐ Verify current use (VI-A-3, p. 131)
☐ Verified PU not claimed (VI-B-3, p. 132)
☐ Date of change (VI-D, p. 133)

Change in Place of Use Attachment

☐ Evidence of ownership (I-A, p. 136)
☐ Right claimed is supplemental right, injury (II-C-4, p. 138)
☐ Injury (III-B, p. 140)

Forfeiture Attachment

☐ Total forfeiture, resumption of use (I-E, p. 145)
☐ Partial forfeiture, resumption of use (II-E, p. 148)

Other

☐ Describe:

MICROFILMED
OCT 06 1992

A57-00223

Photo #1



Conveyance ditch from creek, > culvert.

Photo #2



Irrigated land in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34.

See A57-02314 for more Photos.

MICROFILMED
OCT 06 1992

All Photos taken on 8-2-90 by L. Werner

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

See A57-00091 for claimant contact info.

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-00223

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.500

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-00223	0.500	-		57-00223	0.500
	TOTAL CFS	0.500				0.500

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
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: Linda W. Womur

DATE: 2-11-91

NAME OF FIELD EXAMINER: Same

TITLE: Sc. W. R. Agent

6-10-1992
MICROFILMED

TO: A57-02314B, A57-00223
FROM: Linda Werner
DATE: 7/29/91

JOHN FUQUAY WAS IN THE OFFICE ON THIS DATE TO DISCUSS THE LETTER MAILED TO HIM DATED 7/18/91.

HE STATED THAT THE PLACES OF USE CLAIMED ON A57-00223 HAVE BEEN IN EFFECT SINCE HE BOUGHT THE PLACE 14 YEARS AGO AND ALSO HAS BEEN USED THAT WAY BY THE FORMER OWNER, BOB COLLETT. THE ORTHO-PHOTO QUAD DATED 1974 INDICATES THAT THIS IS THE CASE. SINCE THIS WAS DECREED MORE THAN FIVE YEARS PRIOR TO THE SRBA THE MAP WILL SUFFICE AS EVIDENCE.

A57-02314B

1. CLAIMANT INDICATED HE WOULD LIKE TO AMEND SEASON OF USE ON CLAIM TO 1/1 TO 12/31 FOR IRRIGATION FROM STORAGE AND 10/1 TO 4/1 FOR DIVERSION TO STORAGE.

2. CLAIMANT DID NOT AGREE WITH ME ON THE NUMBER OF IRRIGATED ACRES. MR. FUQUAY INDICATED THAT 30 ACRES HAVE BEEN IRRIGATED IN THE SE1/4SW1/4. HE HAS NOT IRRIGATED IT SINCE 1988 BECAUSE OF THE PUMPING COSTS BUT THE DIVERSION WORKS ARE THERE. HE ALSO INDICATED THAT THE DITCH WHICH RUNS ALONG THE WEST SIDE OF THE EAST HALF HAS BEEN MOVED TO RUN WITH THE FENCE LINE. ALSO, THE PORTION OF LAND IN THE SE CORNER OF THE SW1/4SE1/4 IS IRRIGATED. I NEED TO RETURN TO HIS PLACE BECAUSE OF A DISCREPANCY IN THE VOLUME OF THE RESERVOIR. THE DAM SAFETY RECORDS SHOW A VOLUME OF 200 ACRE-FEET AND THE LICENSE LISTS THE VOLUME OF ~~2300~~ 1205 A/F. I WILL REVIEW ACREAGES AT THIS TIME.

3. RESERVOIR VOLUME-AS STATED ABOVE. CLAIMANT AGREES THAT THE RESERVOIR IS NOT AS LARGE AS ~~2300~~ 1205 A/F. HE BELIEVES THAT IT COULD BE MORE LIKE 700 A/F.

MICROFILMED
OCT 06 1992

John E. Fuquay
HC 79, Box 2240
Murphy, ID 83650

MAILING DATE: July 18, 1991

RESPONSE DATE: August 5, 1991

RE: NOTICE OF CLAIM NO[S]: A57-02314B and A57-00223

Dear Mr. Fuquay,

We are currently in the process of preparing the above referenced Notice(s) of Claim for court decree in the Snake River Basin Adjudication. During this review certain questions arose concerning the claims listed above. All claims with an A57 prefix number are being reviewed at this time. If you have other claims with this prefix, that are not shown here, we may be contacting you again if questions should arise during their review. Also, if you filed other claims with yet a different prefix for the claim number, such as A02, A51 or A55, please be advised that these claims will be reviewed at a later date. The following claims require the information or changes listed:

Claim No(s): A57-00223

Our initial investigation of this claim indicates that there has been a change in the place of use as follows:

<u>Original Place of Use</u>	<u>Claimed Place of Use</u>
T4S, R1E, Sec. 34, SW1/4NE1/4 NW1/4SW1/4	T4S, R1E, Sec. 34, SW1/4NE1/4 NW1/4SE1/4

A water right owner who has made a change in the use of his right prior to November 19, 1987 may claim this change in the Snake River Basin Adjudication. We may recommend the right as changed, however, only if the change meets certain requirements.

Before your claim can be recommended, you must provide us with the date the change was made and submit some evidence tending to support that date. If the change was prior to November 19, 1987, then you must include the month, day and year. If the change occurred after November 19, 1987, then a specific date is not necessary and you need only support that the change occurred after November 19, 1987. An information sheet is enclosed that describes the types of evidence that can be submitted to support the date of change. Enclosed is a map which shows the way it was decreed vs the way it was claimed.

The 1974
O-Pquad
map
substantiates
the a irr.
at the
new p.o.u.
also that
irr. at the
old p.o.u.
has been
stopped.

MICROFILMED
OCT 06 1992

Your response must be received by the date noted above. If no response is received your claim to water for the new places of use will not be recommended to be decreed.

Claim No(s): A57-02314B

This claim is based on the license which is for your stored water. This was licensed for the storage amount of 1205 acre-feet per annum. That was based on 241 irrigated acres at 5 acre-feet per acre per annum. You have claimed 140 acres on this claim. My findings from the field and from our 1974 ortho-photo quad yield 112.5 acres. Idaho code 42-202 states that no more than 5.0 acre-feet per acre of stored water used for irrigation can be claimed. Also, all waters stored must be put to beneficial use. Based on this information I can recommend this claim in the following ways.

1)				
<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>C.F.S.</u>	<u>A.F.A.</u>
Irrigation Storage	1/1	12/31		1205.0
Irrigation from Storage	3/15	11/15		562.5
Diversion to Storage	3/15	11/15	45.0	
2)				
Irrigation Storage	1/1	12/31		562.5
Irrigation from Storage	3/15	11/15		562.5
Diversion to Storage	3/15	11/15	45.0	

The only difference between numbers one and two is the irrigation storage. If you were to go with number one, the claim would be filed as licensed (except with a smaller irrigation from storage amount). That would leave a remaining storage amount of 642.5 acre-feet. This would not satisfy the statute that states that all water must be beneficially used. In order to fulfill this requirement you could amend your claim to include a wildlife usage, keeping in mind that you should file your claim the way the water is used.

If you do not wish to add another usage to this claim, you could file as suggested above on the basis that the remaining 642.5 acre-feet is held as carry-over for the next year in the event of a dry year. This water must be beneficially used and you will need to show that this excess amount is necessary.

MICROFILMED
OCT 06 1992

Page 3

The second mode of filing would be based on the amount of water that is actually stored and used for your irrigation needs. Your claim will not need to be amended; however, the irrigation storage amount would be different than the original license.

Please contact me as soon as possible. I would like to discuss any ideas, questions or comments you may have.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures: IDWR Information Sheet
Map

9-12-91. Since this letter was written a field exam has been completed to determine the actual reservoir capacity. This was done on 8-20-91 by John Wiestra & myself. It was determined that the reservoir capacity is 607 AF.

MICROFILMED

OCT 06 1992

July 5, 1990

John E. Fuquay
HC 79, Box 2240
Murphy, ID 83650

RE: Adjudication claim numbers: A57-00223, A57-00224 and
A57-02314B

Dear Mr. Fuguay:

The Department of Water Resources will be conducting beneficial use and water right claim verification examinations in your area during the week of July 16. 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 during the above week. 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

T 4 S, R 1 E, Sec 34

MICROFILMED
OCT 06 1992