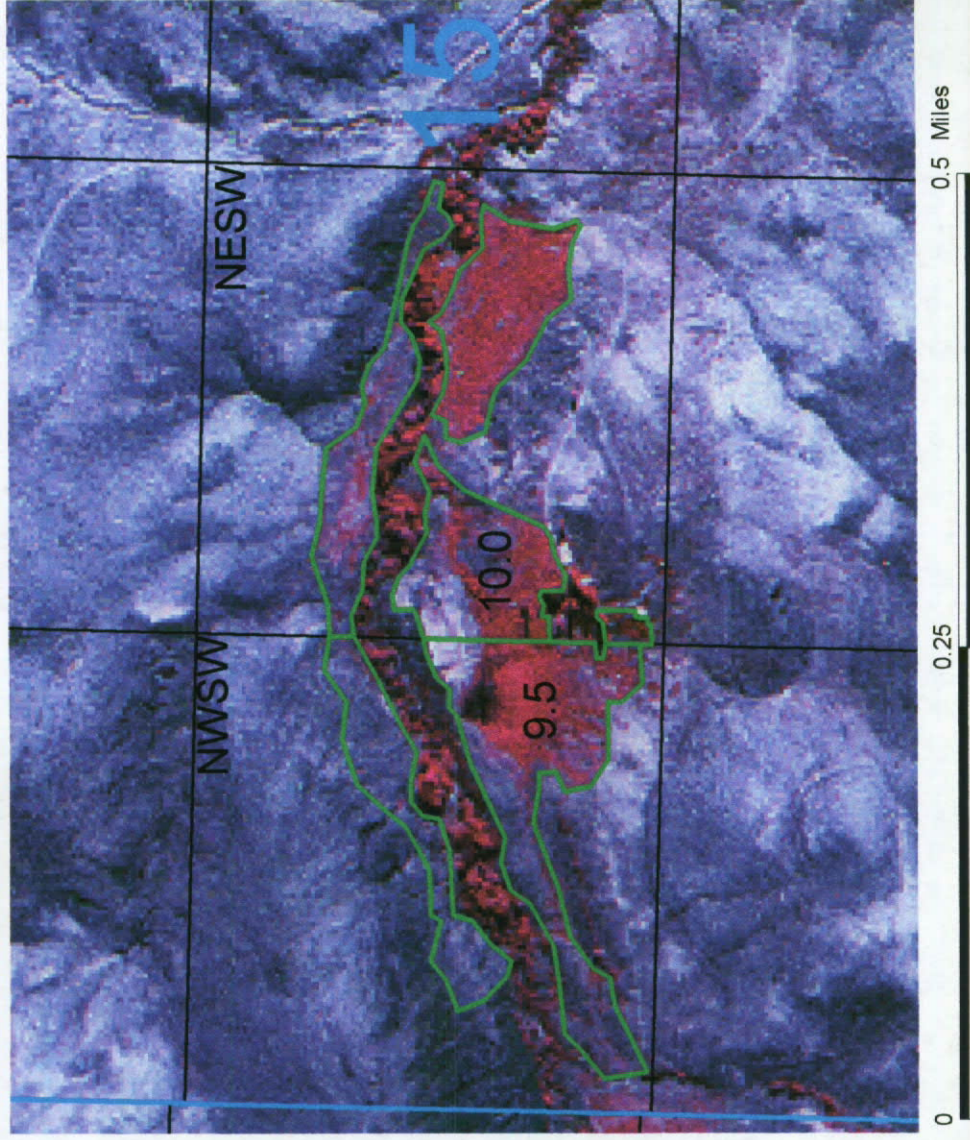




# Idaho Department of Water Resources

Claim Number: 57-00225  
 Legal: T06S, R01W, S15  
 Reviewed By:

1987 Napp Photo



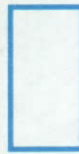
Point of Diversion  
 (Located outside of view)



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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00225  
Date Received: 1/19/1989  
Receipt No: C005201  
Received By: \_\_\_\_\_

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JAMES W GARRETT 208-338-1412  
Address: 4492 KELDOON  
BOISE ID 83702  
OR  
Name: ANNETTA J GARRETT 208-338-1412  
Address: 4492 KELDOON  
BOISE ID 83702  
OR  
Name: JOSEPH L PARKINSON  
Address: 123 WEST HIGHLAND VIEW DRIVE  
BOISE ID 83702

2. Date of Priority: JAN 1, 1908

3. Source: ALDER CREEK Trib. to: CASTLE CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06S      | 01W   | 16      | SW     | NE     | SE  |     | OWYHEE |
|          |       |         | NE     | NW     | SE  |     | OWYHEE |

5. Description of diverting works:  
ROCK AND GRAVEL DAM AND DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/01 | 11/15 | 0.190 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.160 |      |        |

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

A.F.A.

**MICROFILMED**

**OCT 07 1992**

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 700 HD CATTLE, 30 HORSES

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 06S      | 01W   | 15      | NE     | SW  |     | IRR           | 7.0   |
|          |       |         | NE     | SW  |     | STOCK         |       |
|          |       |         | NW     | SW  |     | IRR           | 12.5  |
|          |       |         | NW     | SW  |     | STOCK         |       |
|          |       |         |        |     |     | Section Acres | 19.5  |
|          |       |         |        |     |     | Total Acres   | 19.5  |

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:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

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: \_\_\_\_\_

MICROFILMED  
OCT 07 1992

**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 \_\_\_\_\_

**MICROFILMED**

**OCT 07 1992**

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00225  
Date Received: 1/19/1989  
Receipt No: C005201  
Received By: DEAN

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JAMES W. GARRETT 208-338-1412  
Address: 4492 KELDOON  
BOISE, ID 83702

AND

Name: ANNETTA J. GARRETT 208-338-1412  
Address: 4492 KELDOON  
BOISE, ID 83702

AND

Name: JOSEPH L. PARKINSON  
Address: 123 WEST HIGHLAND VIEW DRIVE  
BOISE, ID 83702

2. Date of Priority: JAN 01, 1908

3. Source: ALDER CREEK Trib. to: CASTLE CREEK  
JOHNSON RESERVOIR ALDER CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 06S      | 01W   | 16      | SE     | NE     | SW     |     | OWYHEE |

5. Description of diverting works:  
ROCK AND GRAVEL DAM AND DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.640 |      |        |
| STOCKWATER | 04/01 | 11/01 | 0.070 |      |        |

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

8. Total consumptive use is 50.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
S/250 HEAD OF BEEF CATTLE

10. Place of Use:

|          |       |         |     |        |               |       |       |
|----------|-------|---------|-----|--------|---------------|-------|-------|
| Township | Range | Section | 1/4 | of 1/4 | Lot           | Use   | Acres |
| 06S      | 01W   | 15      | NE  | SW     |               | IRR   | 10.0  |
|          |       |         | NE  | SW     |               | STOCK |       |
|          |       |         | NW  | SW     |               | IRR   | 10.0  |
|          |       |         | NW  | SW     |               | STOCK |       |
|          |       |         |     |        | Section Acres |       | 20.0  |
|          |       |         |     |        | Total Acres   |       | 20.0  |

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:  
INSTREAM STOCK, 57-00204 -00226 -00227

14. Remarks:

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 \_\_\_\_\_ 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 \_\_\_\_\_

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: A57-00225  
Date Received: 1/19/89  
Receipt No: C005201  
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: R. T. NAHAS COMPANY 415-538-9600  
Address: 20630 PATIO DRIVE  
CASTRO VALLEY, CA 94546

2. Date of Priority: JAN 01, 1908

3. Source: ALDER CREEK Trib. to: CASTLE CREEK  
JOHNSON RESERVOIR ALDER CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06S      | 01W   | 16      | SE     | NE     | SW  |     | OWYHEE |

5. Description of diverting works:  
ROCK AND GRAVEL DAM AND DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.640  |      |        |
| STOCKWATER | 04/01 | 11/01 | 0.070  |      |        |

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

8. Total consumptive use is 50.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
S/250 HEAD OF BEEF CATTLE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 06S      | 01W   | 15      | NE     | SW  |     | IRR | 10.0  |

A57-00225

Page 1

Date: 01/18/89

MICROFILMED  
OCT 07 1992

|          |       |         |            |     |               |       |
|----------|-------|---------|------------|-----|---------------|-------|
| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
| 06S      | 01W   | 15      | NE         | SW  | STOCK         |       |
|          |       |         | NW         | SW  | IRR           | 10.0  |
|          |       |         | NW         | SW  | STOCK         |       |
|          |       |         |            |     | Section Acres | 20.0  |
|          |       |         |            |     | Total Acres   | 20.0  |

12. Do you own the property listed above as place of use? YES

14. Remarks:

JAMES L. DAVEY  
Decree Plaintiff

vs GEORGE F. BROWN ET. AL.  
Decree Defendant

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

(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.

### For Organizations:

1/19/89  
Date

Jeff Papp  
Notary Public

My Commission Expires Nov. 8, 1994

17. Notice of Appearance:

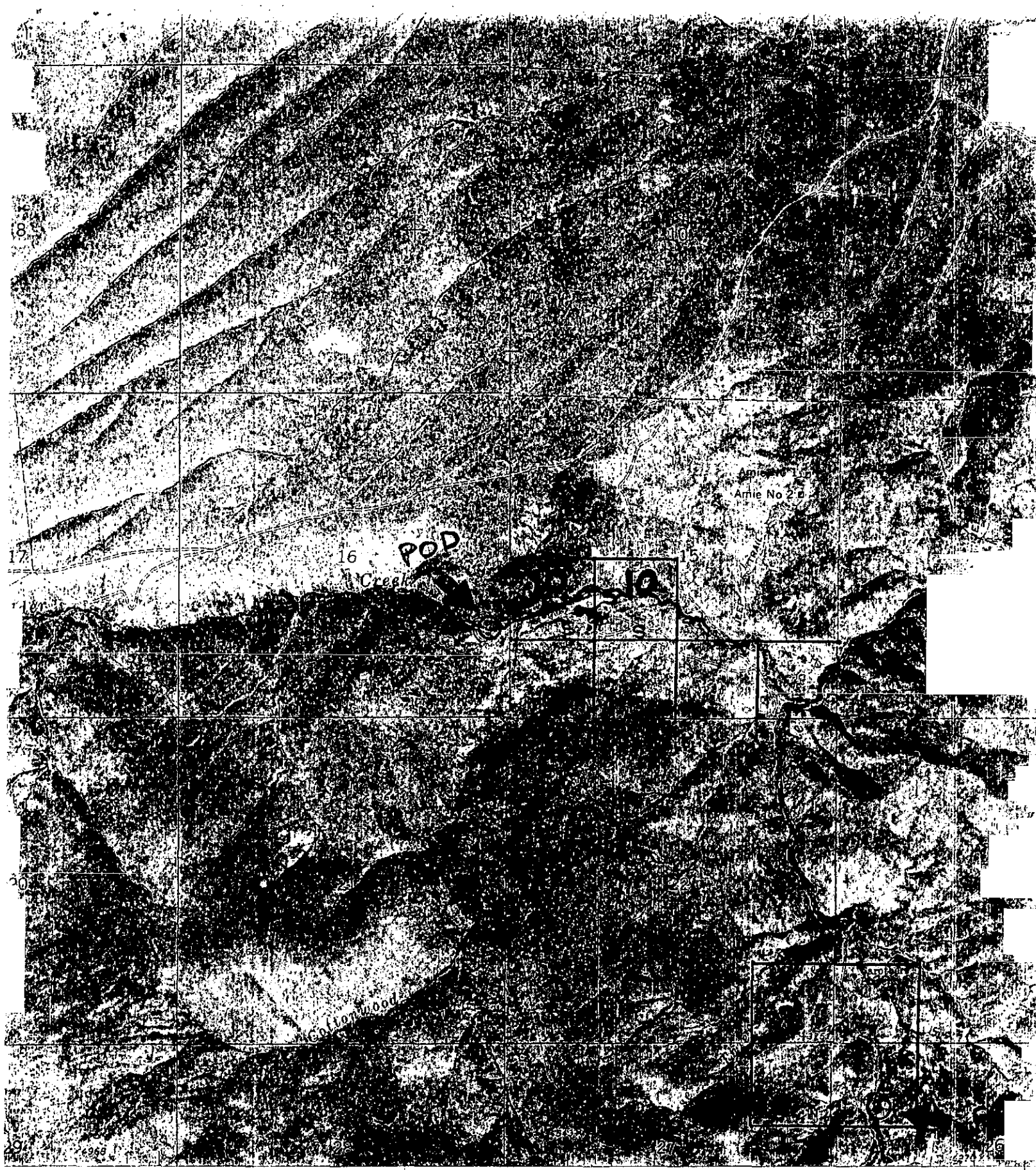
Notice is hereby given that I, J. HIZER will be  
Print Name

acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature]

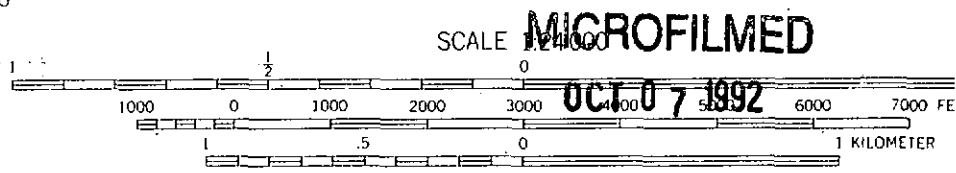
Address 5405 Overland Drive ID. 83705

Date 4/9/89



on Service

ticks,



06/07/90 01:02:56  
Page 1

OF 07

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

Water right number - 57-00225

Adj. flag translation: Standard Water Right Number

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

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

+ - - - - Audit Fields - 02/11/86

+ - - - - 05/01/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +  
No Conditions of Approval found.  
Field Exam Made - 00/00/0000  
Protested Date - 00/00/0000  
Hearing Date - 00/00/0000  
Verified Date - 00/00/0000  
Receipt Number -  
Appl Received - 00/00/0000  
Microfilm Roll No -  
Field Exam Fee -  
Swan Falls -  
Temporary Right - P  
DLE/Carey Act -  
Water District - 57C  
Transfer/Amended -  
Presumption Flag -

MICROFILMED  
OCT 07 1992

-----  
RIGHTS FROM: SOURCE: ALDER CREEK TRIBUTARY: CASTLE CREEK  
-----

RIGHT NUMBER: 57-00225

NAME & ADDRESS: JOSEPH L PARKINSON  
356 SELBY LANE  
ATHERTON CA 94027

SOURCE: ALDER CREEK TRIBUTARY: CASTLE CREEK

QUANTITY: 0.19 CFS

THE QUANTITY OF WATER DIVERTED UNDER THIS RIGHT AND RIGHT NO.  
57-00204 FOR STOCKWATER SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1908

POINT OF DIVERSION: T06S R01W S16 SWNESE Within Owyhee County  
NENWSE

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE     | QUANTITY |
|-------------------------------|----------------|-------------------|----------|
|                               | IRRIGATION     | Irrigation Season | 0.19 CFS |
|                               | STOCKWATER     | Irrigation Season | 0.16 CFS |

| PLACE OF USE: | IRRIGATION       | Within Owyhee County |
|---------------|------------------|----------------------|
|               | T06S R01W S15    | NESW 7.0 NWSW 12.5   |
|               | 19.5 ACRES TOTAL |                      |

USE OF THIS RIGHT WITH RIGHT NO. 57-00204 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 19.5 ACRES IN A SINGLE  
IRRIGATION SEASON.

| STOCKWATER    | Within Owyhee County |
|---------------|----------------------|
| T06S R01W S15 | NESW NWSW            |

## CONSUMPTIVE USE:

THE CONSUMPTIVE USE VOLUME IS ONLY FOR THE IRRIGATION PORTION  
OF THIS WATER RIGHT.USE OF THIS RIGHT WITH RIGHT NO. 57-00204 IS LIMITED TO A  
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 48.8 AF.

## 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

AJ5856NP

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

DATE: JAN-9-1997  
PAGE: A-4

-----  
RIGHTS FROM:                      SOURCE: ALDER CREEK                      TRIBUTARY: CASTLE CREEK  
-----

RIGHT NUMBER:                      57-00225                      (CONT)

EXPLANATORY MATERIAL: (CONT)

THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT  
TO IDAHO CODE 42-1416(1).  
RIGHT NO. 57-00204 IS ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE.

RECEIVED

JAN 06 1997

WATER RESOURCES  
WESTERN REGION

SNAKE RIVER BASIN ADJUDICATION  
CHANGE IN ADDRESS OF NOTICE OF CLAIM

[ ] Water Right Number(s):

57-11502, 57-02157, 57-00093,  
57-00141, 57-00165, 57-07570,  
57-11504, 57-11505, 57-11503,  
57-11495, 57-11501, 55-10344  
55-10103

[ ] Old Mailing Address:

<sup>87584</sup>  
A57-67584, 57-10494, 57-10493, 57-10496,  
57-07186, 57-07222, T3628, T4237, 57-10153,  
57-10157, 57-10832, 55-10234, 55-04094,  
55-04021, 55-10346, 55-10344, 55-04020,  
02-02384, 57-07186, 57-00166, 57-0467,  
57-00168, 57-00169, 57-00170, 57-00171,  
57-02102, 57-11326, 57-11494, 57-10557, 57-00205,  
57-00205, 57-11496, 57-11506, 57-00110,

Joe Parkinson  
123 W Highland View Dr  
Boise, ID 83702

[ ] New Mailing Address:

Joe Parkinson  
356 Selby Lane  
Atherton, CA 94027

Telephone Number:

(415) 369 - 2358

[ ] Signature of Claimant:

Joseph L. Parkinson

Date:

12/27/96

PLEASE SEND YOUR SRBA CHANGE OF ADDRESS TO THE NEAREST  
REGION OFFICE:

IDWR WESTERN REGION  
2735 AIRPORT WAY  
BOISE ID 83705-5082  
(208) 334-2190

IDWR SOUTHERN REGION  
222 SHOSHONE ST EAST  
TWIN FALLS ID 83301-6602  
(208) 736-3033

IDWR EASTERN REGION  
900 N SKYLINE  
IDAHO FALLS ID 83402-3653  
(208) 525-7161

IDWR NORTHERN REGION  
1910 NORTHWEST BLVD #210  
COEUR D'ALENE ID 83814-2615  
(208) 756-4639

Revised 5/95

IDWR: DATA ENTRY BY AD

DATE 1-9-97

# IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00225

Date: 3-19-03

|       | 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 | 65  | 1W  | 15  |    |    |    |    |    |    |    |    | 7  | 12.5 |    |    |    |    |    |    | 19.5 |
| GIS   |     |     |     |    |    |    |    |    |    |    |    | 10 | 9.5  |    |    |    |    |    |    | 19.5 |
| Claim |     |     |     |    |    |    |    |    |    |    |    |    |      |    |    |    |    |    |    |      |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |      |    |    |    |    |    |    |      |
| Claim |     |     |     |    |    |    |    |    |    |    |    |    |      |    |    |    |    |    |    |      |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |      |    |    |    |    |    |    |      |
| Claim |     |     |     |    |    |    |    |    |    |    |    |    |      |    |    |    |    |    |    |      |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |      |    |    |    |    |    |    |      |

Number of POD's 2

Total Claimed Acres: 19.5

Overlapping ECU Claim #'s:

57-00204

Total GIS Acres: 19.5

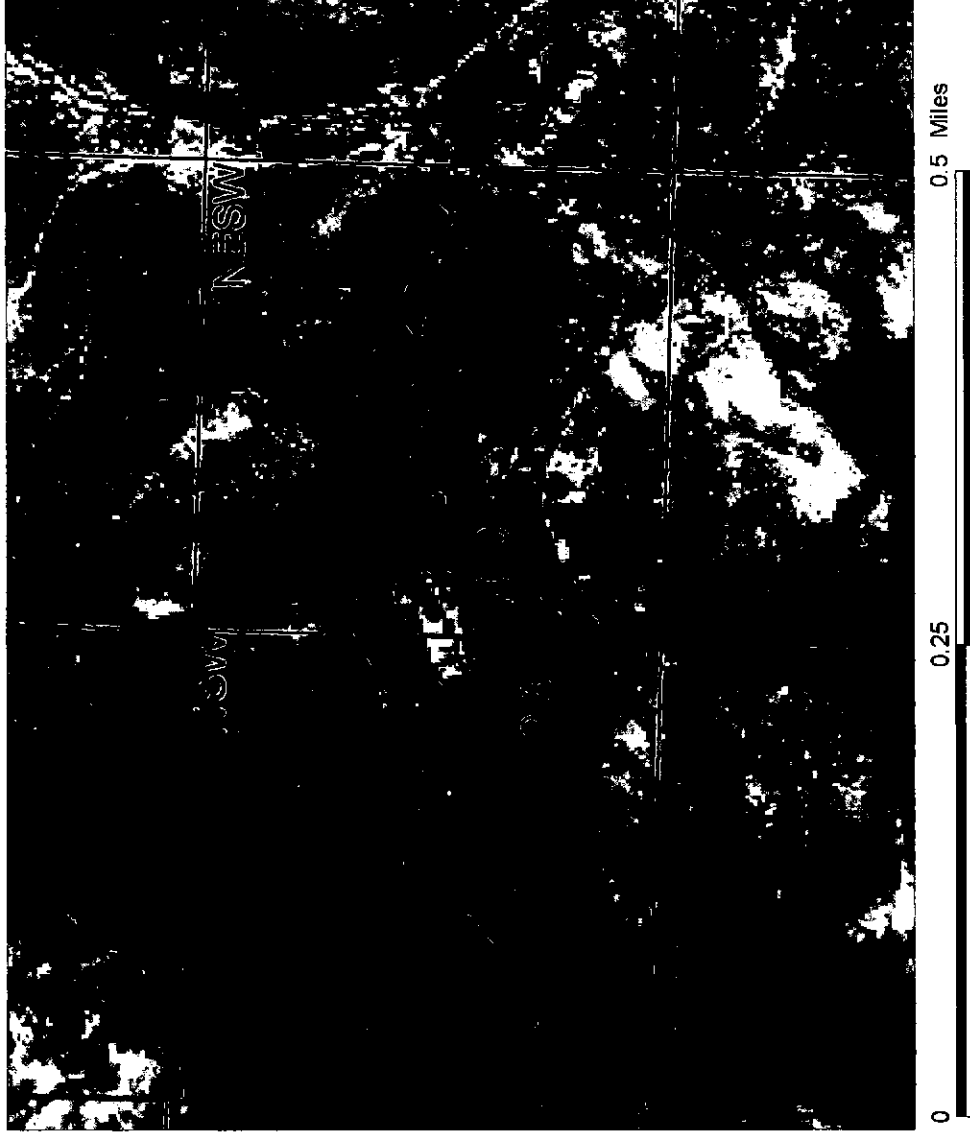
COMMENTS:

See notes on 57-00204

# Idaho Department of Water Resources

Claim Number: 57-00225  
Legal: T06S, R01W, S15  
Reviewed By:

1987 Napp Photo



Point of Diversion  
(Located outside of view)



Place of Use



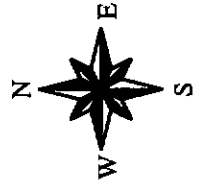
Section Lines



Quarter Quarter Lines



Township/Range Lines



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

## Important Information About Your Water Right

October 25, 2002

Joseph L. Parkinson  
356 Selby Lane  
Atherton, CA 94027

RECEIVED

OCT 28 2002

Department of Water Resources

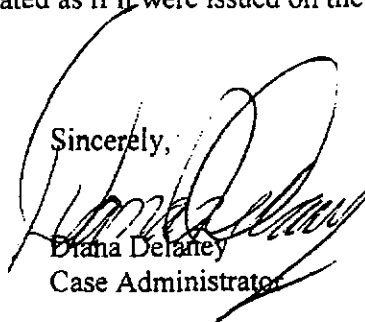
Dear Water Right Claimant(s):

Attached to this letter is a copy of an **Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc** (hereinafter "**Order**") for water right number 57-225. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

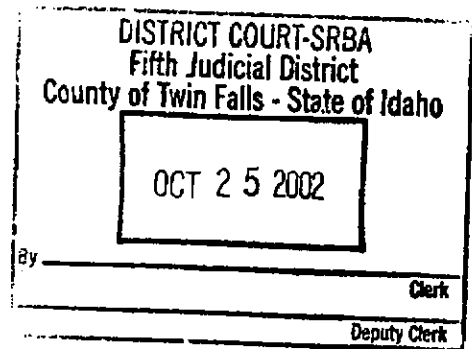
Idaho Department of Water Resources  
1301 North Orchard  
Boise, ID 83706  
800-451-4129

The purpose of the **Order** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the **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). This **Order** also incorporates into the **Partial Decree** an express statement that the **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). September 9, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the **Partial Decree** to show evidence of this water right. The original of this **Order** and the original of the **Partial Decree** for this water right 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 **Order** is entered **Nunc Pro Tunc**, meaning that the **Order** will be treated as if it were issued on the same date that the **Partial Decree** was 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     | ) | Water Right 57-225                      |
|                | ) |                                         |
|                | ) | 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 September 9, 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 15 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 October 25, 2002.

  
\_\_\_\_\_  
ROGER BURDICK  
Presiding Judge  
Snake River Basin Adjudication

RECEIVED

SEP 16 1997

Department of Water Resources  
Adjudication Bureau

1997 SEP -9 AM 10: 03

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE  
)  
)  
) For Water Right 57-00225  
)  
)

On June 20, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-00225 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 9, 1997.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

1997 SEP 09 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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

In Re SRBA )

CERTIFICATE OF MAILING

Case No. 39576 )  
\_\_\_\_\_ )

Water Right(s): 57-00225

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 57-00225 was mailed  
on September 09, 1997, with sufficient first-class postage prepaid  
to the following:

0

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

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

JOSEPH L. PARKINSON  
356 SELBY LANE  
ATHERTON, CA 94027  
Phone: 415-369-2358

JOSEPH L. PARKINSON  
356 SHELBY LANE  
ATHERTON, CA 94027  
Phone: 415-369-2358

CERTIFICATE OF MAILING

PAGE 1  
DIANA DELANEY 09/09/97  
Chief Deputy Clerk

AJ0749NP  
No. 57-00225

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

DATE: 01/07/97  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS                                            | PRIORITY<br>DATE | WATER USE                | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE    | DIVERSION<br>VOLUME |
|---------------|-----------------------------------------------------------|------------------|--------------------------|----------------------------|----------------------|---------------------|
| C             | JOSEPH L PARKINSON<br>356 SELBY LANE<br>ATHERTON CA 94027 | 04/01/1908       | IRRIGATION<br>STOCKWATER | 04-01 10-15<br>04-01 10-15 | 0.19 CFS<br>0.16 CFS |                     |
|               |                                                           |                  |                          | TOTAL DIVERSION:           | 0.19 CFS             |                     |

D JAMES W GARRETT  
D ANNETTA J GARRETT  
4492 KELDOON  
BOISE ID 83702  
(208) 338-1412

| Water Source:          | ALDER CREEK   | Tributary to: | CASTLE CREEK | Stage: | DECREED       |
|------------------------|---------------|---------------|--------------|--------|---------------|
| Point(s) of Diversion: | T06S R01W S16 | S4N5E         | N5N5E        |        | OHYHEE County |

| Place of use Legal Description for: IRRIGATION |     |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |      |             |      |
|------------------------------------------------|-----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|------|-------------|------|
| NE                                             |     |      |    |      | NW |      |    |      |    | SW   |    |      |    |      | SE |      |    |      |    |      |    |      |      |             |      |
| NENE                                           |     | NWNE |    | SUNE |    | NENW |    | NWNW |    | SUNW |    | NENW |    | NWSW |    | SWSW |    | NENE |    | NWSE |    | SESE |      |             |      |
| T                                              | R   | S    | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | SUM  |             |      |
| 06S                                            | 01W | 15   | :  | :    | :  | :    | :  | :    | :  | :    | :  | :    | :  | :    | :  | :    | :  | :    | :  | :    | :  | :    | 19.5 |             |      |
|                                                |     |      |    |      |    |      |    |      |    |      |    | 07   | 12 |      |    |      |    |      |    |      |    |      |      | TOTAL ACRES | 19.5 |

[illegible]

POW County: OWYHEE

**Non-Irrigation Uses: STOCKWATER, 700 HD CATTLE, 30 HORSES**

Other Rights: SEE REMARKS

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

Remarks: GEN USE OF THIS RIGHT WITH RIGHT 57-00204 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 48.8 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 19.5 ACRES IN A SINGLE IRRIGATION SEASON.  
RIGHT NO. 57-00204 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.  
USE OF THIS RIGHT WITH RIGHT NO. 57-00204 IS LIMITED TO THE

AJ0749NP  
No. 57-00225

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

DATE: 01/07/97  
PAGE: 2

Remarks: WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.  
Dates: Exam Made Date: 08/29/1990 Verified Date: Objection Filed Date: 01/08/1993

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

Comments: 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 7/8/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 09/18/1992 User-ID: HOWERTON Subject: CHANGES FROM NOTICE OF ERROR  
WANTED TO CLAIM ADDITIONAL STOCKWATER AMOUNTS, AMENDED.  
RECOMMENDED ACRES WERE CHANGED DUE TO DEEDED LAND INFORMATION NOT  
PROVIDED AT TIME OF ORIGINAL FIELD EXAM.  
2ND P/D WAS ADDED, FOR OTHER LAND NOT PREVIOUSLY CLAIMED.

Date: 10/21/1993 User-ID: FRAZEE Subject: OWNERSHIP CHANGE  
OWNERSHIP CHANGE SUBMITTED BY GARRETTS TO PARKINSON.

Date: 05/23/1995 User-ID: SSHERMAN Subject: CORRECTED OWNER CODES  
GARRETTS/PARKINSON DIR. REPORT OWNERS INITIALLY; GARRETTS  
CONVEYED INTEREST TO PARKINSON AS SOLE OWNER. ALSO CORRECTED  
OWNER CODES.

Date: 01/17/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE  
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE  
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A  
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT  
OWNER CHANGE.  
\*NAME/ADDRESS CORRECTED TO AVOID DUPLICATE MAILING LABELS

Date: 01/07/1997 User-ID: LHARRIS Subject: NAME AND/OR ADDRESS CHANGE  
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN  
ADDRESS CHANGE.

Audit: 01/07/97 LHARRIS



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

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

**PHILIP E. BATT**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

January 13, 1997

JOE PARKINSON  
356 SELBY LANE  
ATHERTON CA 94027

Dear Mr. Parkinson:

Enclosed are copies of the Notice of Completed Administrative Procedure and pertinent water rights recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water rights after it was filed with the Court in October, 1992.

In addition to these water rights we also changed your address on your claims in Basins 02 and 55 and the Basin 57 rights that have already been decreed by the Court. We have also forwarded the new address information to our Water Allocation Section for your water rights that are not pertinent to the SRBA.

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

Sincerely,

Lori Harris  
Technical Records Specialist  
Adjudication Section  
Western Region Office

JS:lh

Enclosures



From (Claimant/Seller):

Name of Claimant: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

To (Claimant/Purchaser):

Name of Claimant: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Name of Claimant: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

---

**I.C. § 42-222 TRANSFERS**

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed for water right \_\_\_\_\_ and all appeal times have run. The following changes have been made to the water right:

☐ Point of Diversion

☐ Place of Use

☐ Period of Use

☐ Nature of Use

---

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

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

DATED: 1-13-97

  
\_\_\_\_\_  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on January 13, 1997, I mailed the original and copies of this form, to the following persons, postage prepaid and addressed as follows:

1. Original to:

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

2. One Copy to:

Claimant/Seller for Substitution of Party or attorney of record:

JOSEPH PARKINSON  
356 SELBY LANE  
ATHERTON CA 94027

3. One Copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

N/A

4. One copy to:

Each party in the subcase, or attorney of record :

N/A

5. One copy to:

Chief, Natural Resources Division  
Office of the Attorney General  
P. O. Box 44449  
Boise, Idaho 83711-4449

6. One copy to:

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

Nori Harris

Signature of person or attorney mailing the form

DATE: 08/20/96  
PAGE: 20

CON USE OF THIS RIGHT WITH RIGHT NO. 57-00204 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 48.8 AF.

AJ5809NP

No. R57-00225

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/20/96

PAGE: 21

Remarks: EXP RIGHT NO. 57-00204 IS ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Comments: 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 7/8/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 09/18/1992 User-ID: HOWERTON Subject: CHANGES FROM NOTICE OF ERROR  
WANTED TO CLAIM ADDITIONAL STOCKWATER AMOUNTS, AMENDED.  
RECOMMENDED ACRES WERE CHANGED DUE TO DEEDED LAND INFORMATION NOT  
PROVIDED AT TIME OF ORIGINAL FIELD EXAM.  
2ND P/D WAS ADDED, FOR OTHER LAND NOT PREVIOUSLY CLAIMED.

Date: 10/21/1993 User-ID: FRAZEE Subject: OWNERSHIP CHANGE  
OWNERSHIP CHANGE SUBMITTED BY GARRETTTS TO PARKINSON.

Date: 05/23/1995 User-ID: SSHERMAN Subject: CORRECTED OWNER CODES  
GARRETTTS/PARKINSON DIR. REPORT OWNERS INITIALLY; GARRETTTS  
CONVEYED INTEREST TO PARKINSON AS SOLE OWNER. ALSO CORRECTED  
OWNER CODES.

Date: 01/17/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE  
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE  
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A  
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT  
OWNER CHANGE.

\*NAME/ADDRESS CORRECTED TO AVOID DUPLICATE MAILING LABELS

Date: 08/15/1996 User-ID: JSHURTE Subject: NON-IRRIGATION USE-COPIED FROM ITEM #9  
STOCKWATER, 700 HD CATTLE, 30 HORSES

Audit: 07/02/96 MSCHULTE 08/15/96 JSHURTE

-----  
 RIGHTS FROM: SOURCE: ALDER CREEK TRIBUTARY: CASTLE CREEK  
 -----

RIGHT NUMBER: 57-00225

NAME AND ADDRESS: JOSEPH L PARKINSON  
123 W HIGHLAND VIEW DR  
BOISE ID 83702

JAMES W GARRETT  
ANNETTE J GARRETT  
4492 KEXB000N  
BOISE ID 83702

SOURCE: ALDER CREEK TRIBUTARY: CASTLE CREEK

QUANTITY: 0.19 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY  
USED FOR STOCKWATER, 700 HP CATTLE, 30 HORSES

THE QUANTITY OF WATER DIVERTED UNDER THIS RIGHT AND RIGHT NO.  
57-00204 FOR STOCKWATER SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1908

POINT OF DIVERSION: T06S R01W S16 SWNESE Within Owyhee County  
NENWSE

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE            | QUANTITY |
|----------------|--------------------------|----------|
| IRRIGATION     | <u>Irrigation Season</u> | 0.19 CFS |
|                | 04/01 10/15              |          |
| STOCKWATER     | 04-01 10-15              | 0.16 CFS |
| STOCKWATER     | 04/01 10/15              | 0.16 CFS |

PLACE OF USE: IRRIGATION Within Owyhee County  
T06S R01W S15 NESW 7.0 NWSW 12.5  
19.5 ACRES TOTAL  
USE OF THIS RIGHT WITH RIGHT NO. 57-00204 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 19.5 ACRES IN A SINGLE  
IRRIGATION SEASON.

STOCKWATER  
SAME AS OTHER USE

STOCKWATER Within Owyhee County  
T06S R01W S15 NESW NWSW

CONSUMPTIVE USE:

THE CONSUMPTIVE USE VOLUME REPORTED IS ONLY FOR THE IRRIGATION

57-00225 (CONT.)

PORTION OF THIS WATER RIGHT.

USE OF THIS RIGHT WITH RIGHT NO. 57-00204 IS LIMITED TO A  
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 48.8 AF.

## OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

USE OF THIS RIGHT WITH RIGHT 57/00204 IS LIMITED TO A TOTAL  
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 48.8 AF, AND TO THE  
IRRIGATION OF A COMBINED TOTAL OF 19.3 ACRES IN A SINGLE  
IRRIGATION SEASON.

RIGHT NO. 57/00204 IS ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE.

USE OF THIS RIGHT WITH RIGHT NO. 57/00204 IS LIMITED TO THE  
WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

## EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

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

RIGHT NO. 57-00204 IS ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE.

|                                   |                      |                                  |                      |
|-----------------------------------|----------------------|----------------------------------|----------------------|
| Water Right Number - 57-00225     | Prefix Translation:  | WATER RIGHT                      | Old (D) Number -     |
| +                                 | +                    | +                                | +                    |
| *** C - CURRENT OWNER ***         | +                    | +                                | +                    |
| PARKINSON                         | JOSEPH L             | 1 - 123 WEST HIGHLAND VIEW DRIVE | State- ID Zip- 83702 |
|                                   |                      | 2 -                              |                      |
|                                   |                      | 3 -                              |                      |
|                                   |                      | City- BOISE                      |                      |
|                                   |                      | Phone - 208-342-5827             |                      |
| *** D - DIR RPT OWNER ***         | JAMES W              | 1 - 4492 KELDOON                 |                      |
| GARRETT                           |                      | 2 -                              |                      |
|                                   |                      | 3 -                              |                      |
|                                   |                      | City- BOISE                      |                      |
|                                   |                      | Phone - 208-338-1412             |                      |
|                                   |                      | 1 - 4492 KELDOON                 |                      |
|                                   |                      | 2 -                              |                      |
|                                   |                      | 3 -                              |                      |
|                                   |                      | City- BOISE                      |                      |
|                                   |                      | Phone - 208-338-1412             |                      |
| *** O - ORIGINAL OWNER ***        | CHARLES              | 1 -                              |                      |
| JOHNSON                           |                      | 2 -                              |                      |
|                                   |                      | 3 -                              |                      |
|                                   |                      | City- X                          |                      |
|                                   |                      | Phone - 208-000-0000             |                      |
|                                   |                      | 1 - 20630 PATIO DRIVE            |                      |
|                                   |                      | 2 -                              |                      |
|                                   |                      | 3 -                              |                      |
|                                   |                      | City- CASTRO VALLEY              |                      |
|                                   |                      | Phone - 415-538-9600             |                      |
| R T NAHAS COMPANY                 |                      |                                  |                      |
| +                                 | +                    | +                                | +                    |
| Priority Date - 04/01/1908        | Region - 14 WESTERN  | Stage - D - DECREE               | Status -             |
| +                                 | +                    | +                                | +                    |
| Source - ALDER CREEK              |                      | Tributary - CASTLE CREEK         |                      |
| +                                 | +                    | +                                | +                    |
| +                                 | +                    | +                                | +                    |
| Twn Rng Sec Tract Lot RFlg County | Point of Diversion - |                                  |                      |
| 06S 01W 16 SW NE SE (73) ONYHEE   |                      |                                  |                      |
| NE NW SE (73) ONYHEE              |                      |                                  |                      |
| +                                 | +                    | +                                | +                    |
| Code Description                  | Period From          | Water Use                        | Diversion Rate       |
| 01 - IRRIGATION                   | 04/01                | 10/15                            | 0.190                |
| 04 - STOCKWATER                   | 04/01                | 10/15                            | 0.160                |

Water right number - 57-00225 Prefix Translation: WATER RIGHT

+ - Total Div. Rate - + - Total Div. Volume - + - Total Consumptive Use - + - KW Usage - +  
0.190 0.0

| Trn | Rng | Sec | Tract | Lot | Acres | Code | Description | County      |
|-----|-----|-----|-------|-----|-------|------|-------------|-------------|
| 06S | 01W | 15  | NE SW |     | 7.0   | 01   | IRRIGATION  | (73) OMYHEE |
| 06S | 01W | 15  | NW SW |     | 12.5  | 01   | IRRIGATION  | (73) OMYHEE |
| 06S | 01W | 15  | NE SW |     |       | 04   | STOCKWATER  | (73) OMYHEE |
| 06S | 01W | 15  | NW SW |     |       | 04   | STOCKWATER  | (73) OMYHEE |

Total Acres: 19.5

+ - - Diversion Means - ROCK AND GRAVEL DAM AND DITCH

+ - - Non-Irrigation Use - STOCKWATER, 700 HD CATTLE, 30 HORSES

+ - - Other Rights for Same Use - SEE REMARKS

USE OF THIS RIGHT WITH RIGHT 57-00204 IS LIMITED TO A TOTAL  
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 48.8 AF, AND TO THE  
IRRIGATION OF A COMBINED TOTAL OF 19.5 ACRES IN A SINGLE  
IRRIGATION SEASON.  
RIGHT NO. 57-00204 IS ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE.  
USE OF THIS RIGHT WITH RIGHT NO. 57-00204 IS LIMITED TO THE  
WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

+ - - - - - No Old Water Right Numbers Found - - - - - Old Water Right Numbers - - - - - +

+ - - - - - C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT  
- TO IDAHO CODE 42-1416(1). - - - - - Conditions of Approval - - - - - ++ - - - - - Decree Plaintiff - - - - - Decree Defendant - - - - - Decree Date - - - - -  
JAMES L. DAVEY GEORGE F. BROWN ET. AL. 00/00/0000

Date: 08/24/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)  
RECEIVED NOE 8/19/92. CHANGED NOE FLAG FROM BLANK TO A.  
Date: 09/18/1992 User Id: HOWERTON Subject: CHANGES FROM NOTICE OF ERROR  
WANTED TO CLAIM ADDITIONAL STOCKWATER AMOUNTS, AMENDED.  
PROVIDED AT TIME OF ORIGINAL FIELD EXAM.  
Date: 10/21/1993 User Id: FRAZEE Subject: OWNERSHIP CHANGE  
OWNERSHIP CHANGE SUBMITTED BY GARRETT'S TO PARKINSON.  
Date: 05/23/1995 User Id: SHERMAN Subject: CORRECTED OWNER CODES  
GARRETT'S/PARKINSON DIR. REPORT OWNERS INITIALLY; GARRETT'S  
OWNER CODES. CONVEYED INTEREST TO PARKINSON AS SOLE OWNER. ALSO CORRECTED

CLAIM VERIFIED 7/8/92. DID NOT REVERIFY ANY PART OF CLAIM.  
RECOMMENDED ACRES WERE CHANGED DUE TO DEEDED LAND INFORMATION NOT  
2ND P/D WAS ADDED, FOR OTHER LAND NOT PREVIOUSLY CLAIMED.

**Prefix Translation: WATER RIGHT**

**Water right number - 57-00225**

+ - - Audit Fields - - + 00/00/00

|                      |              |                       |              |                         |         |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing  | - 10/13/1992 | Field Inspection Made | - 08/29/1990 | Civil Case Number       | - 39576 |
| Objection Filed Date | - 01/08/1993 | Field Inspection Flag | -            | Old Case Number         | -       |
| Response Filed Date  | - 06/04/1993 | Verified Date         | - 00/00/0000 | Old Judicial District   | -       |
| Claim Received Date  | - 01/19/1989 | Last Amended Date     | - 09/18/1992 | Temporary Right         | - P     |
|                      |              | Receipt Number        | - C003201    | Water District          | - 57C   |
|                      |              | POU Ownership Flag    | - Y          | Federal/State Indicator | - S     |
|                      |              | Name Connector        | - OR         | Presumption Flag        | -       |
|                      |              |                       |              | Notice of Error Flag    | - E     |



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

October 25, 1993

Joseph L. Parkinson  
123 W. Highland View Dr.  
Boise, ID 83702

RE: Snake River Basin Adjudication (SRBA)  
Owyhee County - Claim Nos. 57-00166, 57-00167,  
57-00168, 57-00169, 57-00170, 57-00171, 57-02102,  
57-11499, 57-10557, 57-00204, 57-00225, 57-11496,  
57-11506, 57-00110, 57-11502, 57-02157, 57-00093,  
57-00141, 57-00165, 57-11504, 57-11505, 57-11503,  
57-11495, A57-11501 and A55-10344

Dear Mr. Parkinson:

IDWR has received your notice of the change in ownership of the above-referenced water right claims. Our records have been changed accordingly.

If you have any questions, please contact us.

Sincerely,

Sally Frazee  
Secretary, Adjudication Section

SF:region

MICROFILMED

JUL 20 1994

RECEIVED

OCT 13 1993

Department of Water Resources  
Adjudication Bureau

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.

Case No. 39576

STANDARD FORM 3

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

STANDARD FORM FOR NOTICE  
OF CHANGE IN ADDRESS

OR

Petitioner,

CONSENT TO SUBSTITUTION OF  
PARTY

vs.

The United States; the State of Idaho; and  
all Claimants to the Use of Water From  
the Snake River Basin Water System,

Respondents.

INSTRUCTIONS FOR USE

This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

Standard Form 3 shall not operate to excuse compliance with the statutory requirements of

I.C. § 42-1409(7) where a water right recommendation is not before the court.

As used in this form, the term "prior claimant/seller" means any person who, pursuant to I.C. § 42-1409(2), (3) and (6), filed a notice of claim asserting the right to the use of water or on whose behalf the right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of a "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.

Check either the *Change in Address* or *Consent to Substitution of Party* box and fill in the requested 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 the court will not accept it for filing. The Verification and the Certificate of Mailing must be completed.

The standard form may be obtained from the Idaho Department of Water Resources and the court. You must provide a copy of this form to each party, or to their legal counsel, in any subcase in which you are a party.

☐ CHANGE IN ADDRESS

My name is \_\_\_\_\_

I am the claimant of \_\_\_\_\_

(Insert each water right number)

I have filed an objection/response to the following water right(s) \_\_\_\_\_

(Insert each water right number)

My new mailing address is \_\_\_\_\_

My phone number is: \_\_\_\_\_

Work

Home

DATE

# DEED

FOR VALUE RECEIVED, JAMES W. GARRETT and ANNETTA J. GARRETT, husband and wife

, grantor, does hereby Grant,

Bargain, Sell and Convey unto JOSEPH L. PARKINSON, a married man

grantee whose current address is 123 W Highland View Drive, Boise, ID 83702  
AN UNDIVIDED 1/2 INTEREST BEING THE GRANTOR'S ENTIRE REMAINING INTEREST  
IN the following described real estate, to-wit:

As more fully set forth in Exhibit "A" attached hereto and by reference thereto made a part hereof.

Together with all water rights, ditch rights, rights of way, tenements, hereditaments and appurtenances thereto belonging or used in connection therein.

Subject to exceptions and reservations contained in patents from the United States.

Subject to all easements, restrictions and reservations of record and of use.

209910  
FILED-RECORDED  
93 MAR 22 PM 4 10  
BARBARA JAYO  
OWYHEE COUNTY RECORDER  
BY *[Signature]*  
DEPUTY  
OCT 6 1993  
INDEXED  
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TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee heirs and assigns forever

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

And the Grantors do hereby covenant to and with the said Grantee that they are the owner in fee simple as to the one-half (1/2) interest conveyed of said premises; that said premises are free from all incumbrances except taxes and assessments levied for the year 1993 and subsequent years.

Dated: March 22, 1993

*[Signature of James W. Garrett]*  
James W. Garrett

*[Signature of Annetta J. Garrett]*  
Annetta J. Garrett

STATE OF IDAHO, COUNTY OF OWYHEE

On this 22nd day of March, 1993,  
before me, a Notary Public in and for said State, personally appeared

James W. Garrett  
Annetta J. Garrett

known to me to be the person whose name is  
subscribed to the within instrument, and acknowledged to  
me that they executed the same.

*[Signature of Notary Public]*  
Notary Public,  
Boise Idaho.

Residing at  
Comm. Expires 7-10-93

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JUL 20 1994

☒ **CONSENT TO SUBSTITUTION OF PARTY**

My name is Joseph L. Parkinson

My address is 123 W. Highland View Drive, Boise, Idaho, 83702

My phone number is: Work 208-368-4029 Home 208-342-5827

The name and address of the party who I wish to be substituted for are:

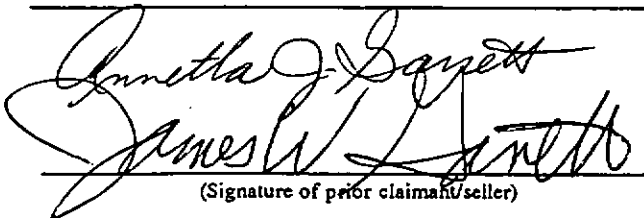
James W. and Annetta J. Garrett

4492 Keldoan Avenue, Boise Idaho, 83702

I am the new claimant/purchaser of 57-00166, 57-00167, 57-00168, 57-00169, 57-00170, 57-00171, 57-02102, 57-11499, 57-10557, 57-00204, 57-00225, 57-11496, 57-11506, 57-00110, and 57-11502, (Insert each water right number) 57-02157, 57-00093, 57-00141, 57-00165, 57-11504, 57-11505, 57-11503, 57-11495, 57-11501 and 55-10344

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my Substitution. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

Deed and legal description.

  
(Signature of prior claimant/seller)

  
(Signature of new claimant/purchaser)

☐ **ATTORNEY OF RECORD COMPLETING FORM**

My name is \_\_\_\_\_

I am the attorney of record for \_\_\_\_\_

(Identify party/claimant)

My address and phone number are \_\_\_\_\_

VERIFICATION

(Must be completed for either a Notice of Change in Address or for Consent for Substitution of Party)

State of Idaho  
County of Ada

Joseph L. Parkinson, being first duly sworn, upon oath, deposes and says:  
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.

*Joseph L. Parkinson*  
Signature of person filing form

By: \_\_\_\_\_  
Attorney signing in representative capacity

Subscribed and sworn to before me on October 8, 1993  
(Insert Date)

*Jeff Devereux*  
Notary Public for Idaho  
Residing at: Boise  
My Commission expires: 3/28/94

Exhibit "A"  
Deed Garrett/Parkinson

PARCEL I:

IN TOWNSHIP 6 SOUTH, RANGE 1 WEST, B.M., OWYHEE COUNTY, IDAHO

Section 12: W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 13: N $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$   
Section 14: E $\frac{1}{2}$ NE $\frac{1}{4}$   
Section 15: N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$   
Section 22: Lot 7  
Section 23: SW $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 26: Lot 4  
Section 27: NE $\frac{1}{4}$ NE $\frac{1}{4}$

IN TOWNSHIP 6 SOUTH, RANGE 2 WEST, B.M., OWYHEE COUNTY, IDAHO

Section 24: S $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 25: W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$

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

Section 3: Lot 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$   
Section 9: SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 10: SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$   
Section 16: NE $\frac{1}{4}$ NE $\frac{1}{4}$   
Section 18: Lot 3

IN TOWNSHIP 7 SOUTH, RANGE 2 WEST, B.M., OWYHEE COUNTY, IDAHO

Section 3: E $\frac{1}{2}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$   
Section 10: E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$   
Section 13: NE $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 26: E $\frac{1}{2}$ SW $\frac{1}{4}$   
Section 34: NE $\frac{1}{4}$ NE $\frac{1}{4}$   
Section 35: NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$

IN TOWNSHIP 8 SOUTH, RANGE 2 WEST, B.M., OWYHEE COUNTY, IDAHO

Section 9: E $\frac{1}{2}$ E $\frac{1}{2}$   
Section 10: W $\frac{1}{2}$ W $\frac{1}{2}$

PARCEL II:

IN TOWNSHIP 6 SOUTH, RANGE 1 WEST, B.M., OWYHEE COUNTY, IDAHO

Section 29: W $\frac{1}{2}$ SW $\frac{1}{4}$   
Section 30: NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$   
Section 32: W $\frac{1}{2}$

IN TOWNSHIP 8 SOUTH, RANGE 2 WEST, B.M., OWYHEE COUNTY, IDAHO

Section 10: W $\frac{1}{2}$ E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$

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## INSTRUCTIONS FOR MAILING

You must 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 October 8, 1993, 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* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

\_\_\_\_\_  
James W. and Annetta J. Garrett, 4492 N. Keldoan Ave., Boise, Idaho  
83702  
\_\_\_\_\_

4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Signature of person or attorney mailing the form)



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

5. One copy to:

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P. O. Box 44449  
Boise, Idaho 83711-4449

4. One copy to:

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

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

Case No. 57-00225 -0001

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

RESPONSE TO OBJECTION

Petitioner, )

vs. )

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

Respondents. )  
\_\_\_\_\_ )

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

In response to Statement of the Objection item 8 and all allegations of the objection regarding this item IDWR responds as follows: The period of year during which this water right may be used is the irrigation season of use decreed for this right in Davey v. Brown (Ada Co. 3rd Dist. ID. 1923). Water may be used for irrigation outside the decreed season of use, subject to the conditions set forth in general provision 13b of the director's report. IDWR is without knowledge or information sufficient to form a belief as to the truth of the matter asserted in the "Reasons Supporting Each Box Checked" section of the objection and therefore denies the allegations of this section. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

REASONS SUPPORTING EACH BOX CHECKED

8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.

II. STATEMENT OF THE RESPONSE

Attorney Name(s): DANIEL L. STECKEL  
Attorney Address: DEPUTY ATTORNEY GENERAL(S)  
IDAHO DEPARTMENT OF WATER RESOURCES  
P.O. BOX 44449  
BOISE, ID 83711-4449  
Attorney Phone No.: (208) 327-7900

3. If this response is filed by an attorney:

Name: JOSEPH L PARKINSON  
Address: 123 W HIGHLAND VIEW DR  
BOISE ID 83702

2. Person who filed objection:

CHANGES TO THE DIRECTOR'S REPORT

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

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

No. of  
Pages

Notice of Claim No. A57-00225

3

(Over)

VERIFICATION (Must be Completed)

State of IDAHO  
County of ADA

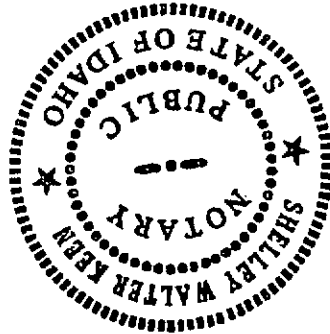
Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

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

[Signature]  
Signature of person filing response

By: [Signature]  
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 3<sup>rd</sup> day of June, 1993.



Shelley Walter Keen  
Notary Public for Idaho  
Residing at: Borers, ID  
My Commission expires: July 31, 1997

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of June, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

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

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

See No. 3

Name: JAMES & ANNETTA GARRETT  
Address: 4492 KELDOON  
BOISE ID 83702

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: JOSEPH L PARKINSON  
Address: 123 W HIGHLAND VIEW DR  
BOISE ID 83702

4. One copy to:

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

  
Signature of Respondent or attorney  
mailing on Respondent's behalf

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00225  
Date Received: 1/19/1989  
Receipt No: C005201  
Received By: \_\_\_\_\_

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ANNETTA J GARRETT 208-338-1412  
Address: 4492 KELDOON  
BOISE ID 83702  
or  
AND  
Name: JOSEPH L PARKINSON  
Address: 123 WEST HIGHLAND VIEW DRIVE  
BOISE ID 83702  
or  
AND  
Name: JAMES W GARRETT 208-338-1412  
Address: 4492 KELDOON  
BOISE ID 83702

2. Date of Priority: APR 1, 1908

3. Source: ALDER CREEK Trib. to: CASTLE CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 06S      | 01W   | 16      | SW SE  | NE     | SW SE  |     | OWYHEE |
|          |       |         | NE     | NW     | SE     |     | OWYHEE |

5. Description of diverting works:  
ROCK AND GRAVEL DAM AND DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 10/15 | 0.190 |      |        |
| STOCKWATER | 04/01 | 10/15 | 0.160 |      |        |
|            | 01/01 | 12/31 |       |      |        |

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

A.F.A.

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8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 700 HD CATTLE, 30 HORSES

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 06S      | 01W   | 15      | NE     | SW  |     | IRR           | 7.0   |
|          |       |         | NE     | SW  |     | STOCK         |       |
|          |       |         | NW     | SW  |     | IRR           | 12.5  |
|          |       |         | NW     | SW  |     | STOCK         |       |
|          |       |         |        |     |     | Section Acres | 19.5  |
|          |       |         |        |     |     | Total Acres   | 19.5  |

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:

SEE REMARKS

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

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.

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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): *[Signature]* Date: Sept 18, 1992  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of ADA ) SS.

Subscribed and sworn (or affirmed) before me this 18 day  
of SEPT 19 92

*Ron Howerton*  
Notary Public

Seal

Residing at Ron Howerton  
Residing at Boise, Idaho  
My Commission Expires December 8, 1994

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

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME  
C ANNETTA J GARRETT 04/01/1908 IRRIGATION 04-01 10-15 0.19 CFS  
4492 KELDOON STOCKWATER 04-01 10-15 0.16 CFS  
BOISE ID 83702  
(208) 338-1412  
TOTAL DIVERSION: 0.19 CFS

C JOSEPH L PARKINSON 123 WEST HIGHLAND VIEW DRIVE  
BOISE ID 83702  
C JAMES W GARRETT 4492 KELDOON  
BOISE ID 83702  
(208) 338-1412

Water Source: ALDER CREEK Tributary to: CASTLE CREEK Stage: DECREED  
T06S R01W S16 SWNESE NENWEE County OWYHEE

Point(s) of Diversion: T06S R01W S16 SWNESE NENWEE

| Place of use Legal Description for: IRRIGATION |     |    |   |  |                         |    |   |   |  |
|------------------------------------------------|-----|----|---|--|-------------------------|----|---|---|--|
| NE                                             |     |    |   |  | SW                      |    |   |   |  |
| NENE NWNE SWNE SENE                            |     |    |   |  | NENW NWNW SWNW SENW     |    |   |   |  |
| Lt AC Lt AC Lt AC Lt AC                        |     |    |   |  | Lt AC Lt AC Lt AC Lt AC |    |   |   |  |
| T                                              | R   | S  | : |  | T                       | R  | S | : |  |
| 06S                                            | 01W | 15 | : |  | 07                      | 12 | : |   |  |
|                                                |     |    |   |  | TOTAL ACRES             |    |   |   |  |
|                                                |     |    |   |  | 19.5                    |    |   |   |  |

Place of use Legal Description for: STOCKWATER

| NE                      |     |    |   |  | SW                      |   |   |   |  |
|-------------------------|-----|----|---|--|-------------------------|---|---|---|--|
| NENE NWNE SWNE SENE     |     |    |   |  | NENW NWNW SWNW SENW     |   |   |   |  |
| Lt AC Lt AC Lt AC Lt AC |     |    |   |  | Lt AC Lt AC Lt AC Lt AC |   |   |   |  |
| T                       | R   | S  | : |  | T                       | R | S | : |  |
| 06S                     | 01W | 15 | : |  |                         |   |   |   |  |

POU County: OWYHEE  
Non-Irrigation Uses: STOCKWATER, 700 HD CATTLE, 30 HORSES  
Other Rights: SEE REMARKS

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

Remarks: USE OF THIS RIGHT WITH RIGHT 57-00204 IS LIMITED TO A TOTAL  
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 48.8 AF, AND TO THE  
IRRIGATION OF A COMBINED TOTAL OF 19.5 ACRES IN A SINGLE  
IRRIGATION SEASON.  
RIGHT NO. 57-00204 IS ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE.  
USE OF THIS RIGHT WITH RIGHT NO. 57-00204 IS LIMITED TO THE

AJ5809NP  
No. 57-00225

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/29/93  
PAGE: 36

Remarks: WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

Dates: Exam Made Date: 08/29/1990 Verified Date: 09/23/1992

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

Comments: 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 7/8/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 09/18/1992 User-ID: HOWERTON Subject: CHANGES FROM NOTICE OF ERROR  
WANTED TO CLAIM ADDITIONAL STOCKWATER AMOUNTS, AMENDED.  
RECOMMENDED ACRES WERE CHANGED DUE TO DEEDED LAND INFORMATION NOT  
PROVIDED AT TIME OF ORIGINAL FIELD EXAM.  
2ND P/D WAS ADDED, FOR OTHER LAND NOT PREVIOUSLY CLAIMED.

Audit: 11/05/91 HOWERTON 11/06/91 HOWERTON 11/07/91 HOWERTON 11/17/91 HOWERTON  
12/14/91 HOWERTON 03/05/92 HOWERTON 07/08/92 HOWERTON 07/29/92 PR-PRODM  
07/29/92 PR-PRODM 08/24/92 SCHULTZ 09/18/92 HOWERTON 09/19/92 HOWERTON  
09/23/92 HOWERTON 10/13/92 CFSHAW 12/05/92 ADT-SHAW

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

Case No. 57-00225-0001  
(You water  
are )

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

OBJECTION

Petitioner,

vs.

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

Respondents.

RECEIVED

JAN 12 1993

Department of Water Resources  
Adjudication Bureau

INSTRUCTIONS

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

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

(Over)

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

# I. GENERAL INFORMATION

Please fill in the following information:

## 1. Person objecting:

Name: Joseph L. Parkinson  
Address: 123 W Highland View Drive  
Boise ID 83702, telephone 342-5827 home; 368-4029 work

Briefly describe your interest in this water right:

Co-owner

## 2.

Owner of the water right:

Name: Joseph L. Parkinson Jim and Annetta Garrett

Address:

123 W. Highland View Dr. 4492 Keldoan

Boise ID 83702

Boise ID 83702

## 3.

If this objection is filed by an attorney:

Attorney Name:

Attorney Address:

Attorney Phone No.:

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

## II. STATEMENT OF THE OBJECTION

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

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

(Over)

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

changed to March 1 to November 15.

#8 Period of year for use on all these water rights should be

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

#### CHANGES TO THE DIRECTOR'S REPORT

for beneficial use in the area has been March 1 to November 15.

#8 I testify that the actual beneficial use and historical reputation

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

#### REASONS SUPPORTING EACH BOX CHECKED

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

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

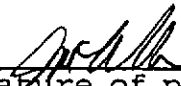
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

Joseph L. Parkinson, being first duly  
(Name of person filing objection)  
sworn, upon oath, deposes and says:

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

  
Signature of person filing objection

By: \_\_\_\_\_  
(Attorney signing in  
representative capacity)

Subscribed and sworn to before me this 6 day of January,  
1993.

  
Notary Public for Ada  
Residing at: Engle  
My Commission expires: 3/14

(Over)

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I hereby certify that on the 6 day of January, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Owner name: Joseph L. Parkinson Jim and Annetta Garrett

Owner's address:

123 W Highland View Dr. 4492 Keldoon  
Boise ID 83702 Boise ID 83702

3. One copy to:

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 44449  
Boise, Idaho 83711-4449

4. One copy to:

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

Signature of Objector or attorney  
mailing on Objector's behalf



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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

September 25, 1992

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

Mr. Joseph L Parkinson  
123 W Highland View Drive  
Boise, Id 83702

Ref: Water Right Nos: 57-00046A, 57-00046B, 57-00047, 57-00051, 57-00063, 57-00065, 57-00066, 57-00076, 57-00077, 57-00093, 57-00110, 57-00138, 57-00141, 57-00165, 57-00166, 57-00167, 57-00168, 57-00169, 57-00170, 57-00171, 57-00204, 57-00225, 57-00226, 57-00227, 57-00229, 57-02027, 57-02102, 57-02156, 57-02157, 57-02162, 57-04101, 57-07186, 57-07206, 57-07222, 57-07521, 57-10153, 57-10493, 57-10494, 57-10496, 57-10543, 57-10557, 57-10831 and 57-10832.

Dear Joseph Parkinson,

This letter is being written in response to the rights we looked at together on September 11, 1992 and response from the signing of Amended Claims in Western's Regional office September 18, 1992.

All of the above was in response from the notice of error received August 19, 1992.

The Departments standard seasons of use and volume amounts have been recommended for all the rights above with the exception of the prior Castle Creek decreed rights, that were decreed with a season of use of 4-1 to 10-15 in 1923 when the decree was finalized. The Department cannot recommend a longer season than what was previously decreed.

Copies of amended claims are enclosed that you filed Notice of Error on, reflect the Season of Use dates you requested, not the departments in most cases, this was done per your request in order to preserve your right to object to the Departments recommended standards, or to the total volume in which was also left off these amended claims for the same reason. New information that you gave that was not originally provided at the time of original field exams, either reduced or increased the acreage slightly, added or corrected points of diversion and most stockwater amounts that were not claimed by the original owner, in most cases were amended to show those amounts on the claims that you requested in the Notice of Error, received August 19, 1992.

Other claims such as 57-00076, 57-00138, 57-00226, 57-00227, 57-02027 and 57-04101 were recommended for disallowance because senior water rights cover these uses and are in excess and are therefore deemed as no-beneficial use.

Claims 57-00229, 57-02156 and 57-02162 were not recommended, because these old rights were abandoned, with much overgrowth of sagebrush on the place of use.

NOTICE of  
Error Ltr  
in 57 00046A

You may file an objection with the court for either season of use or volume amounts of the rights you filed a notice of error on with evidence as to why you feel a longer season of use is needed etc. The objection procedure will be explained completely when you receive copies of your water rights submitted to the court on October 1, 1992. This notification will be mailed at the same time the report is given to the court.

I look forward to completing all future claims with your input for Basin 55. If you have any questions concerning this letter and/or would like to look over or make copies any of the items we had previously amended, please feel free to contact me.

Sincerely,



Ron Howerton  
Senior Water Agent  
Adjudication Section

Enclosures: Copies of Amended Claims

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**OCT 07 1992**

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

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OCT 07 1992

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

DATE: 09/23/92  
PAGE: 2

Remarks:

USE OF THIS RIGHT WITH RIGHT 57-00204 IS LIMITED TO A TOTAL  
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 48.8 AF, AND TO THE  
IRRIGATION OF A COMBINED TOTAL OF 19.5 ACRES IN A SINGLE  
IRRIGATION SEASON.  
RIGHT NO. 57-00204 IS ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE.  
USE OF THIS RIGHT WITH RIGHT NO. 57-00204 IS LIMITED TO THE  
WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

Dates:

Exam Made Date: 08/29/1990 Verified Date: 09/23/1992

Misc:

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

Comments:

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 7/8/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 09/18/1992 User-ID: HOWERTON Subject: CHANGES FROM NOTICE OF ERROR  
WANTED TO CLAIM ADDITIONAL STOCKWATER AMOUNTS, AMENDED.  
RECOMMENDED ACRES WERE CHANGED DUE TO DEEDED LAND INFORMATION NOT  
PROVIDED AT TIME OF ORIGINAL FIELD EXAM.  
2ND P/D WAS ADDED, FOR OTHER LAND NOT PREVIOUSLY CLAIMED.

Audit:

09/23/92 HOWERTON

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OCT 07 1992

A57-00225

NOTICE OF CLAIM NO.

## "R" RECORD

[illegible]

## **FINAL RECOMMENDATION**

**BY** **DATE**

## VERIFICATION CODES

ТОРО МАР/ORTHOPHOTO = 1

**ASCS MAP** **2**

WATERMASTER RECORDS = 3

**NAPP PHOTOS** = 4

## FIELD EXAM

OTHER(SEE COMMENTS) = 6

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

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

COMMENTS: 00  
NAME AS CHA/M

SEE FILE 57-00204 FOR MAPS.

" " "

FIL 19

P407D'S.

MED  
2

**CLAIM NUMBER: A57-00225**

**LAST: JOHNSON**

**ADDRESS:**

CITY: X

**PHONE NUMBER: 208-000-0000**

OWNER CODE: 0

**FIRST: CHARLES**

STATE: ID ZIP: 0



LAST: R. T. NAHAS COMPANY  
ADDRESS: 20630 PATIO DRIVE  
CITY: CASTRO VALLEY  
PHONE NUMBER: 415-538-9600

OWNER CODE: 0

**FIRST:**

STATE: CA ZIP: 94546

94546

**LAST: GARRETT**

ADDRESS: 4492 KELDOON

CITY: BOISE

PHONE NUMBER: 208-338-1412

OWNER CODE: C

FIRST: JAMES W.

STATE: ID ZIP: 83702

83702

**LAST: GARRETT**

ADDRESS: 4492 KELDON

CITY: BOISE

PHONE NUMBER: 208-338-1412

**OWNER CODE: C**

**FIRST: ANNETTA J.**

STATE: ID ZIP: 83702

83702

LAST: PARKINSON

ADDRESS: 123 WEST HIGHLAND VIEW DRIVE

CITY: BOISE

PHONE NUMBER: 208-000-0000

OWNER CODE: C

**FIELD EXAM REQUIRED?**

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

**FIELD  
EXAMINER**

**DATABASE**  
**N**

1: ONE NUMBER: 100-1  
SER CODE: C  
LE EXAM RE  
IFICATION  
7 19 2  
REMARKS IN  
MED

CONTACT PERSON: SKEETER CLARK

DATE OF FIELD EXAM: 8/29/90

APPOINTMENT MADE: Y ( ) N ( )

PHONE NUMBER: ( ) - -

TIME: : A ( ) P ( )

ACCOMPANIED BY: SKEETER, VAL CLARK

PHONE NUMBER: ( ) - -

RELATIONSHIP TO CLAIMANT: MANAGER/WIFE

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A57-00225 PRIORITY DATE: 01-01-1908 STAGE: D  
B. WR RECORD: # 57-00225 PRIORITY DATE: 01-01-1908 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE  
N

FIELD  
EXAMINER  
REN

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

REMARKS:

RECOMMENDED PRIORITY DATE:  
01-01-1908

REVIEWED BY REN

DATE 11-6-91

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OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A57-00225 | 06S  | 01W  | 16   | SE  | NE  | SW  |     | OWYHEE |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX R PREFIX  
A57-00204 NONE  
WR RECORDS IN SAME 40 ACRE TRACT  
NONE

SOURCE: ALDER CREEK  
JOHNSON RESERVOIR

TRIB: CASTLE CREEK  
ALDER CREEK

B. WR POINT OF DIVERSION AND SOURCE:

5700225 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: ALDER CREEK  
JOHNSON RESERVOIR

TRIB: CASTLE CREEK  
ALDER CREEK

C. FIELD EXAM REQUIRED?

| FIELD EXAMINER | DATABASE | DUE TO POD DISCREPANCY? (Y/N) | DUE TO SOURCE DISCREPANCY? (Y/N) |
|----------------|----------|-------------------------------|----------------------------------|
| KEH            | Y        | Y                             | N                                |

REMARKS:

OLD SOURCE (JOHNSON RESERVOIR) IS NO LONGER USED, IT WAS NOT ON  
DEEDED LAND, SKETTER SAID. ALSO IT NO LONGER EXISTS.  
ALDER CREEK IS THE ONLY SOURCE NOW.

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

| TWP. | RGE. | SEC. | 1/4 | 1/4 | LOT | COUNTY |
|------|------|------|-----|-----|-----|--------|
| 6S   | 1W   | 16   | NE  | NW  | SE  | OWY    |
|      |      |      | SW  | NE  | SE  |        |

SOURCE: ALDER CREEK

TRIB: CASTLE CREEK

REVIEWED BY:

Rch

DATE:

11-6-91

REVISED P/D'S CITE & ADDED  
 BASED UPON NEW INFO 9/11/92

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 OCT 07 1992

A. ROOT WATER RIGHT NUMBERS: A57-00225  
A57-00225A

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                 | AJ<br>#/ACRES    | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-------------|-----|-----|-----|-----|-----|----------------------|------------------|---------------|-----------------|----------------|------------------|
| 06S         | 01W | 15  | NE  | SW  |     | GARRETT, JAMES W.    | A57-00225 /10.0  | 57-00225 /    | 21.0            |                |                  |
|             |     |     |     |     |     | GARRETT, JAMES W.    | A57-00227 /10.0  | 57-00227 /    |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00204A / 5.0 | -             |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00225A / 5.0 | -             |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00226A / 5.0 | -             |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00227A / 5.0 | -             |                 |                |                  |
|             |     |     |     |     |     | PARKINSON, JOSEPH L. | A57-00204 /10.0  | 57-00204 /    |                 |                |                  |
|             |     |     |     |     |     | GARRETT, JAMES W.    | A57-00226 /10.0  | 57-00226 /    |                 |                |                  |
|             |     |     |     |     |     | PARKINSON, JOSEPH L. |                  | 57-07389 /    |                 |                |                  |
| 06S         | 01W | 15  | NW  | SW  |     | GARRETT, JAMES W.    | A57-00225 /10.0  | 57-00225 /    | 7.0             | 12.5           | 12.5             |
|             |     |     |     |     |     | GARRETT, JAMES W.    | A57-00227 /10.0  | 57-00227 /    |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00204A /15.0 | -             |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00225A /15.0 | -             |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00226A /15.0 | -             |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00227A /15.0 | -             |                 |                |                  |
|             |     |     |     |     |     | PARKINSON, JOSEPH L. | A57-00204 /10.0  | 57-00204 /    |                 |                |                  |
|             |     |     |     |     |     | GARRETT, JAMES W.    | A57-00226 /10.0  | 57-00226 /    |                 |                |                  |
| 06S         | 01W | 15  | NE  | SW  |     | GARRETT, JAMES W.    | A57-00225 /      | 57-00225 /    | 21.0            | 7.0            | 7.0              |
|             |     |     |     |     |     | GARRETT, JAMES W.    | A57-00227 /10.0  | 57-00227 /    |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00204A / 5.0 | -             |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00225A / 5.0 | -             |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00226A / 5.0 | -             |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00227A / 5.0 | -             |                 |                |                  |
|             |     |     |     |     |     | PARKINSON, JOSEPH L. | A57-00204 /10.0  | 57-00204 /    |                 |                |                  |
|             |     |     |     |     |     | GARRETT, JAMES W.    | A57-00226 /10.0  | 57-00226 /    |                 |                |                  |
|             |     |     |     |     |     | PARKINSON, JOSEPH L. |                  | 57-07389 /    |                 |                |                  |
| 06S         | 01W | 15  | NW  | SW  |     | GARRETT, JAMES W.    | A57-00225 /      | 57-00225 /    | 7.0             |                |                  |
|             |     |     |     |     |     | GARRETT, JAMES W.    | A57-00227 /10.0  | 57-00227 /    |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00204A /15.0 | -             |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00225A /15.0 | -             |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00226A /15.0 | -             |                 |                |                  |
|             |     |     |     |     |     | MILETTE, MARIE       | A57-00227A /15.0 | -             |                 |                |                  |
|             |     |     |     |     |     | PARKINSON, JOSEPH L. | A57-00204 /10.0  | 57-00204 /    |                 |                |                  |
|             |     |     |     |     |     | GARRETT, JAMES W.    | A57-00226 /10.0  | 57-00226 /    |                 |                |                  |
|             |     |     |     |     |     | PARKINSON, JOSEPH L. |                  | 57-07389 /    |                 |                |                  |
| TOTAL ACRES |     |     |     |     |     |                      | 20.00            |               | 56.00           |                |                  |

MICROFILMED  
OCT 07 1992

19.5

OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s: 57 - 00204 57 - 00225

AGENT RON H DATE \_\_\_\_\_

| USE/SOURCE | 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 |       |              |
|            | 204    | 65  | 1W  | 15  |    |    |    |    |    |    |    |    | 7  | 12.5 |    |    |    |    |    |    | 19.5  | 19.5         |
|            |        |     |     |     |    |    |    |    |    |    |    |    |    |      |    |    |    |    |    |    |       |              |
|            |        |     |     |     |    |    |    |    |    |    |    |    |    |      |    |    |    |    |    |    |       |              |
|            |        |     |     |     |    |    |    |    |    |    |    |    |    |      |    |    |    |    |    |    |       |              |

| USE/SOURCE | 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 |       |              |
|            | 225    | 65  | 1W  | 15  |    |    |    |    |    |    |    |    | 7  | 12.5 |    |    |    |    |    |    | 19.5  | 19.5         |
|            |        |     |     |     |    |    |    |    |    |    |    |    |    |      |    |    |    |    |    |    |       |              |
|            |        |     |     |     |    |    |    |    |    |    |    |    |    |      |    |    |    |    |    |    |       |              |
|            |        |     |     |     |    |    |    |    |    |    |    |    |    |      |    |    |    |    |    |    |       |              |

| USE/SOURCE | 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 |       |              |
|            |        |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |
|            |        |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |
|            |        |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |
|            |        |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |

| USE/SOURCE | 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 |       |              |
|            |        |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |
|            |        |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |
|            |        |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |
|            |        |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |              |

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

C. FIELD EXAM REQUIRED?

FIELD  
EXAMINER

DATABASE  
Y

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG:

REMARKS:

ACRES WERE DETERMINED BY ENLARGED USGS MAP AND GRID.

RECOMMENDATIONS:

TOTAL ACRES:

19.5

REVIEWED BY:

REL

DATE:

11-6-91

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## A. AJ CLAIMED USES:

PURPOSES  
A57-00225 IRRIGATION  
A57-00225 STOCKWATER

MONTH/DAY  
FROM 04-01 TO 11-01  
FROM 04-01 TO 11-01

## DIVERSION QUANTITY

.640 CFS  
.070 CFS  
.640 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

## B. WR RECORDED USES:

PURPOSES  
57-00225 IRRIGATION  
57-00225 DOMESTIC  
57-00225 STOCKWATER

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

## DIVERSION QUANTITY

.640 CFS  
.640 CFS  
.640 CFS  
.640 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

## PRESUMPTION FLAG:

## C. FIELD EXAM REQUIRED?

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

FIELD EXAMINER  
DATABASE Y Y Y

RAH  
RAH  
RAH

## D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(X) N(  )

RECOMMEND TO WR STANDARDS OR OTHER?

Y(  ) N(  )

Explain in remarks, below.

REMARKS:

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Y ( X ) N (    )

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 0.640 CFS  
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.640 CFS

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

FLOW MEASUREMENT REQUIRED?

FIELD  
DATABASE EXAMINER

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

FLOW MEASUREMENT

MEASUREMENT METHOD NONE, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: INSTREAM STOCK, 57-00204 -00226 -00227

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM      | SOURCE            | NAME                 | DIV. RATE | RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|-------------------|----------------------|-----------|-----------|-----------|----------------|
| A57-00225  | ALDER CREEK       | GARRETT, JAMES W.    | 0.640     | 0.032     |           |                |
|            | JOHNSON RESERVOIR |                      |           |           |           |                |
| A57-00227  | ALDER CREEK       | GARRETT, JAMES W.    | 1.080     | 0.054     |           |                |
|            | JOHNSON RESERVOIR |                      |           |           |           |                |
| A57-00226A | ALDER CREEK       | MILETTE, MARIE       | 0.500     | 0.009     |           |                |
|            | JOHNSON RESERVOIR |                      |           |           |           |                |
| A57-00227A | ALDER CREEK       | MILETTE, MARIE       | 1.080     | 0.020     |           |                |
|            | JOHNSON RESERVOIR |                      |           |           |           |                |
| A57-00204  | ALDER CREEK       | PARKINSON, JOSEPH L. | 0.200     | 0.010     |           |                |
|            | JOHNSON RESERVOIR |                      |           |           |           |                |
| A57-00226  | ALDER CREEK       | GARRETT, JAMES W.    | 0.500     | 0.025     |           |                |
|            | JOHNSON RESERVOIR |                      |           |           |           |                |

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

| CLAIM NO  | PURPOSES   | NAME                 | MONTH/DAY           | RATE     | VOLUME |
|-----------|------------|----------------------|---------------------|----------|--------|
| A57-00225 | STOCKWATER | GARRETT, JAMES W.    | FROM 04-01 TO 11-01 | .070 CFS |        |
| A57-00226 | STOCKWATER | GARRETT, JAMES W.    | FROM 04-01 TO 11-01 | .070 CFS |        |
| A57-00227 | STOCKWATER | PARKINSON, JOSEPH L. | FROM 04-01 TO 11-01 | .070 CFS |        |
| A57-00226 | STOCKWATER | GARRETT, JAMES W.    | FROM 04-01 TO 11-01 | .070 CFS |        |

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE  
ACRES 19.5 x 0.02 CFS/ACRE = 0.39 CFS  
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 50.0 AF/A

ACRES 19.5 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 48.8 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ) N( )

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

COMBINED WITH 57-00204

" ACRES = 19.5

" CFS = 0.39

" CU VOL = 48.8

STOCK WATER CLAIMED  
700 HD CATTLE, 30 HORSES  
.16 CFS

MAX .39 CFS  
-- .20 CFS FROM #204  
-- .19 CFS REMAINS  
TO CLAIM  
ON #225.

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RECOMMENDATIONS:

| REC.<br>PURPOSES | REC. PERIOD<br>FROM TO | REC. DIV<br>RATE CFS | REC. DIV<br>VOL. AF/A | REC. CONS.<br>USE |
|------------------|------------------------|----------------------|-----------------------|-------------------|
| 12R              | 64/61 10/15            | 0.19                 | DATABASE EXAMINER     | DATABASE EXAMINER |
| STK              | 04/61 10/15            | 0.16                 |                       |                   |

TOTAL FOR THIS RIGHT

0.19

REVIEWED BY:

REN

DATE:

11-6-91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP  
FORFEIT/ABANDON  
ADDITIONAL DIV. AMOUNT

ACCEPTED  
AS CLAIMED  
( )  
( )  
( )

NEEDS  
REVIEW  
( )  
( )  
( )

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-00225

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE  
0.640

EXAMINER

CFS

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A57-00225                | 0.640             | -                         | -                | 57-00225            | 0.640             |
| -                    | A57-00225A               | 0.640             | -                         | -                | -                   | -                 |
| TOTAL CFS            |                          | 1.280             |                           |                  |                     | 0.640             |

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  
N

FIELD  
EXAMINER

REMARKS:

RECOMMENDED ACRES WERE CHANGED DUE TO PREDED LAND INFORMATION NOT  
PROVIDED AT TIME OF ORIGINAL FIELD EXAM.  
STRUCTURE AMOUNTS WERE ALSO CLAIMED & AMENDED

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1992

AUTHENTICATION:

SIGNATURE

DATE: 11-16-91

NAME OF FIELD EXAMINER: Ron Howerton

TITLE: SR WATER AGENT



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 21, 1990

Owyhee County Title Co.  
P.O. Box 8  
Murphy, ID 83650

Re: Garrett-Parkinson/Nahas

Dear Sirs:

This letter is acknowledgement of receipt of the Change of Ownership forms for the following claims:

|            |            |
|------------|------------|
| A57-00093A | A57-00141A |
| A57-00165A | A57-02157  |
| A57-02162  | A57-02156  |
| A57-00138  | A57-00110  |
| A57-00204  | A57-00225  |
| A57-00226  | A57-00227  |
| A57-00166  | A57-00167  |
| A57-00168  | A57-00169  |
| A57-00170  | A57-00171  |
| A57-02102  | A57-10557  |

Enclosed are copies of these claims for your records. The Assignment of Permit has been forwarded to our State office. Please note water right No. 57-00229 is not included in the above list. In researching our records we cannot locate an Adjudication claim filed for this water right number.

If you have any further information concerning this right, please contact us.

Sincerely,

*Lori Harris*

Lori Harris  
Adjudication Section

LH  
Enclosures

cc: Files

Change in ownership forms filed in A57-00093A

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