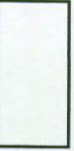
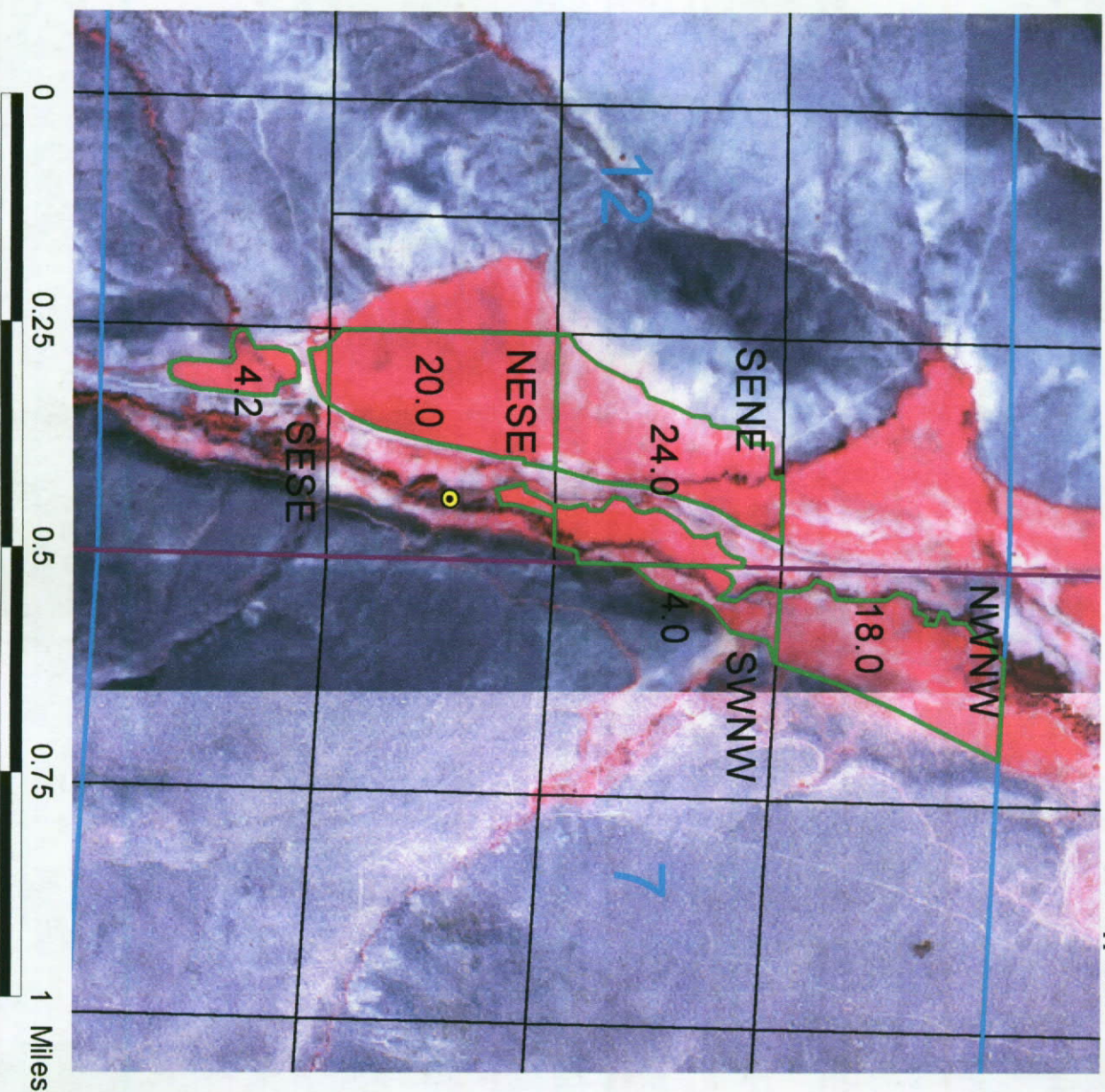


Idaho Department of Water Resources

Claim Number: 57-00267
Legal: T03S, R03W, S07
T03W, R04W, S12
Reviewed By:

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



10000 9000 8000

2000 2

[illegible]

☐ Interstate Route ☐ U.S. Route ☐ State Route

Improved Road
Unimproved Road
Trail

ROAD LEGEND

35-41

INTERIOR-GEOLOGICAL SURVEY, WESTON, WINDING-1991

Denotes Public Land
Included in this claim

CLAIM NUMBER 57-00267

№000577

9/14

LL

844

,01

१

MICROFILMED
JUL 20 1994

6-13-61

688

9-7

N

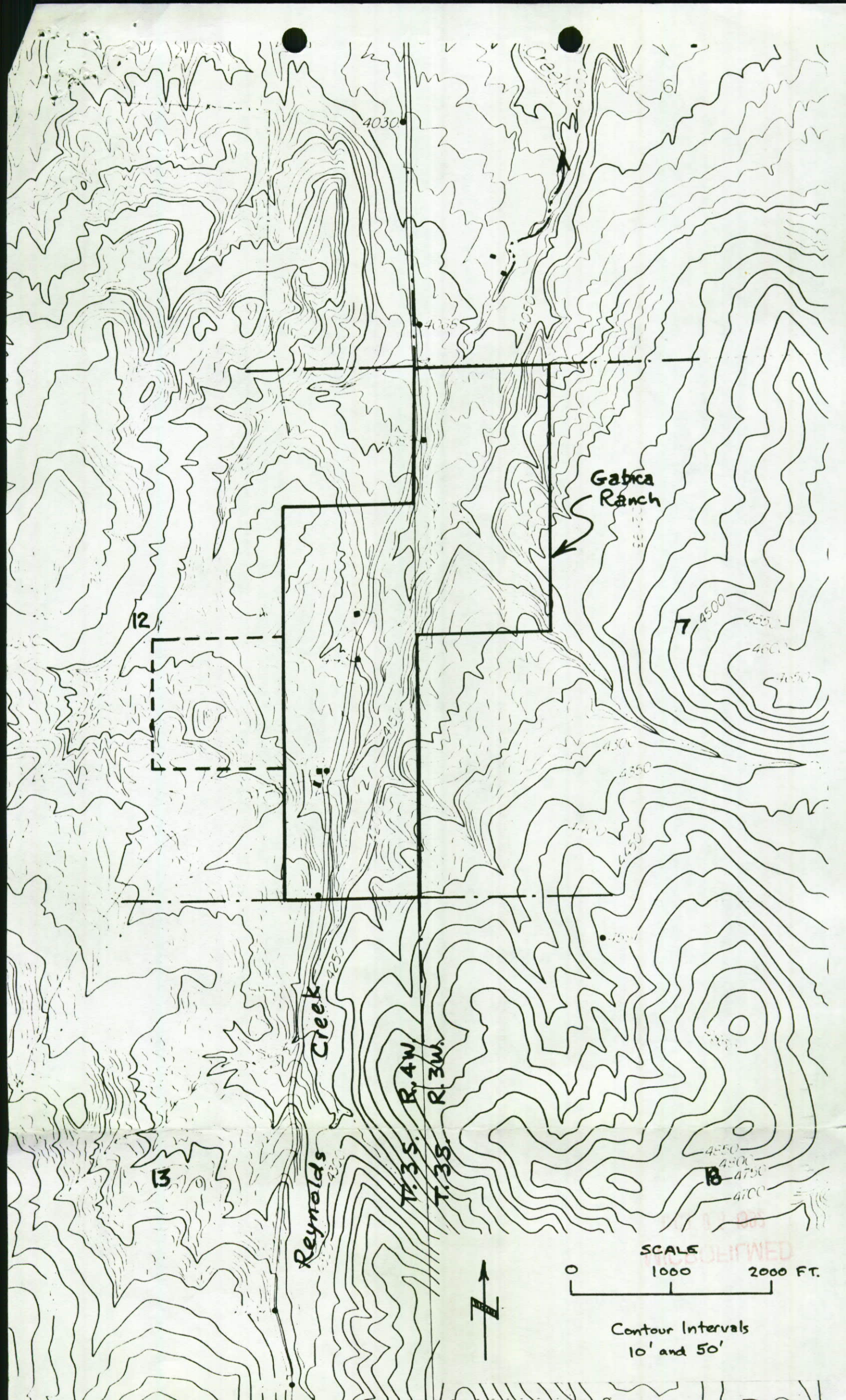
Land Being
Acquired

Approx. Boundary
Gabica Ranch

12 7
13 18

T 35. R 4W
T 35. R 3W

MICROFILMED
OCT 06 1992



of claims are
for Basin
of all

RECEIVED
FEB 12 1992

the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 1.48 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.48 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 175.00 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3S	4W	12				21									21			6	48
							4T1	4T2											
3S	3W	7							18	4									22

Total number of acres irrigated 70

11. In which county (ies) are lands listed above as place of use located? ow yhee

12. Do you own the property listed above as place of use? Yes ☒ No ☐
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A57-01021, A57-01022 or None ()

14. Remarks:

MICROFILMED
OCT 06 1992

Last Name Gabica Ident No. A57-00267

Copies: White -State, Yellow-Claimant

56.00

✓ PAY 0 OVERLAPS

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: A57-00267
Date Received: 1/31/1989
Receipt No: W002136
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELIAS JACA 208-466-8801
Address: 817 BLAINE AVE
Nampa ID 83651
OR
Name: INEZ JACA 208-466-8801
Address: 817 BLAINE AVE
Nampa ID 83651

2. Date of Priority: JUN 1, 1879

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	04W	12	NE	SE			OWYHEE
		13	SE	NE			OWYHEE

5. Description of diverting works:
DIVERSION DAMS, HEADGATES AND DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.480		

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

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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OCT 06 1992

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
03S	03W	7	NW	NW	1	IRR	18.0
			SW	NW	2	IRR	4.0
						Section Acres	22.0
	04W	12	SE	NE		IRR	21.0
			NE	SE		IRR	21.0
			SE	SE		IRR	6.0
						Section Acres	48.0
						Total Acres	70.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
57-1021, 57-1022

14. Remarks:
CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 8/17/92.

15. Basis of Claim: DECREEED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

MICROFILMED
OCT 06 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 06 1992

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00267

Date: 3-5-03

	TMS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3S	3W	7						-1 18	-2 4										22
GIS									18	4										22
Claim	3S	4W	12				21									21			6	48
GIS							24									20			4.2	48.2
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 2

Total Claimed Acres: 70

Overlapping FOU Claim #'s:

Total GIS Acres: 70.2

COMMENTS:

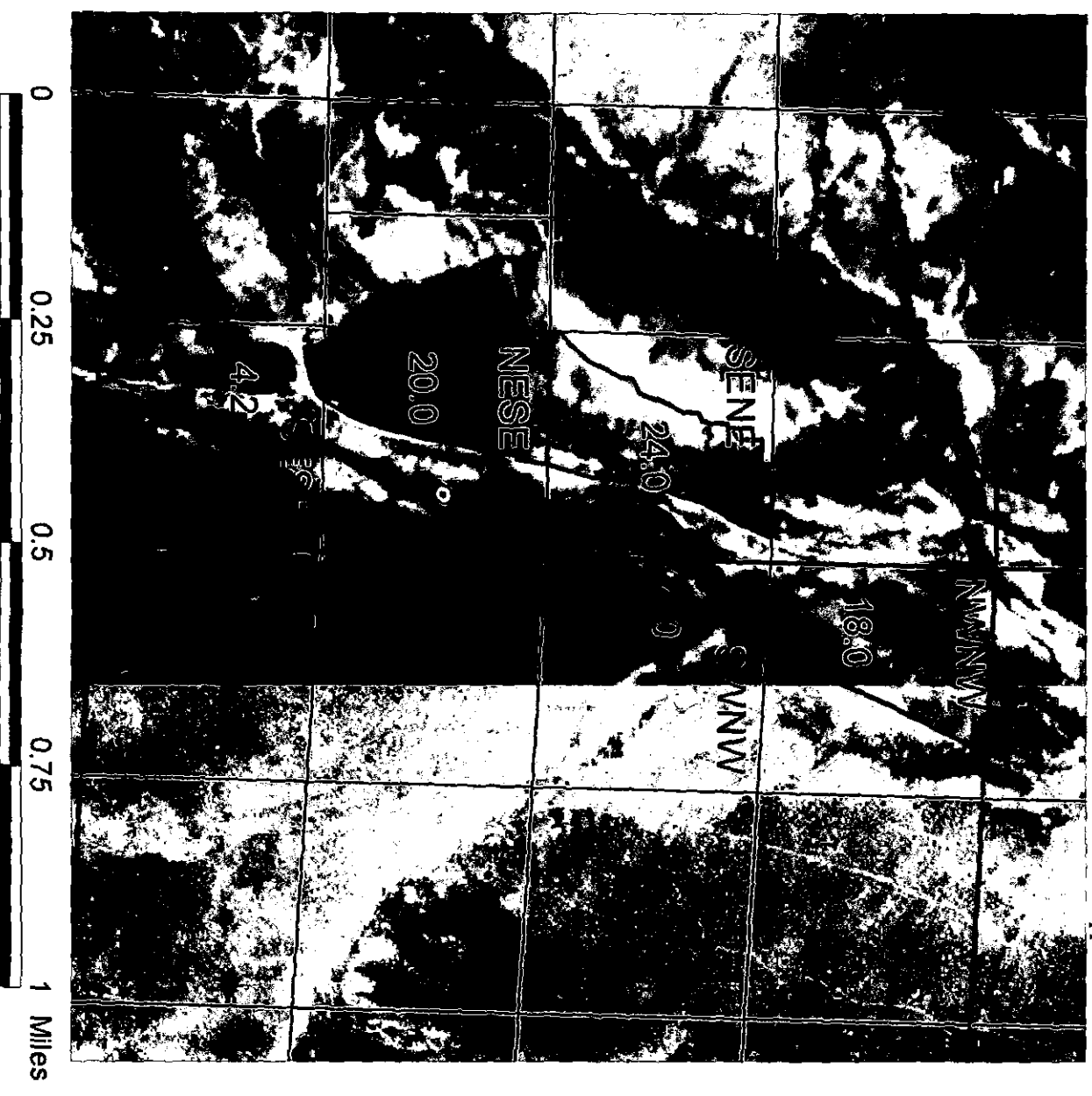
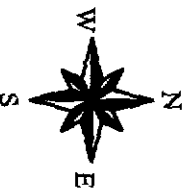
POU per image interpretation

POD'S estimated - Map shows 513 pod in SW NE, claim says
SE NE - No imagery in section 13 so I mapped it per
legal description.

Idaho Department of Water Resources

Claim Number: 57-00267
Legal: T03S, R03W, S07
T03W, R04W, S12
Reviewed By:

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



RECEIVED
JAN 10 2003
WATER RESOURCES
WESTERN REGION

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

2002 DEC 23 PM 3 35

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 AMENDED PARTIAL DECREE

For Water Right 57-00267

On October 28, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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

Therefore, IT IS ORDERED that the *Partial Decree* for water right 57-00267 is hereby amended as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED: December 23, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

AMENDED

In Re SRBA)
Case No. 39576)

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

Water Right 57-00267

2002 DEC 23 PM 3 38

NAME AND ADDRESS: ELIAS JACA
INEZ JACA
817 BLAINE AVE
NAMPA, ID 83651

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.48 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 57-00246, 57-01021, 57-01022
AND 57-01023 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
1.97 CFS.

PRIORITY DATE: 06/01/1879

POINT OF DIVERSION: T03S R04W S12 NESE Within Owyhee County
S13 SENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.48 CFS

PLACE OF USE: Irrigation Within Owyhee County

T03S R03W S07 LOT 1	(NWNW) 18.0	LOT 2	(SWNW) 4.0
R04W S12	SENE 21.0		NESE 21.0
	SESE 6.0		
70.0 Acres Total			

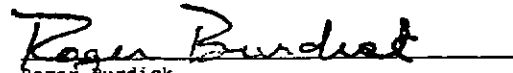
USE OF THIS RIGHT WITH RIGHT NOS. 57-00246, 57-01021, 57-01022
AND 57-01023 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 78 ACRES IN A SINGLE IRRIGATION SEASON.

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

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 AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

SCANNED
DEC 24 2002

2002 DEC 23 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-00267

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 57-00267 was mailed
on December 23, 2002, with sufficient first-class postage prepaid
to the following:

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

ELIAS JACA
INEZ JACA
817 BLAINE AVE
NAMPA, ID 83651
Phone: 208-466-8801

ROBBIN HALL
Chief Deputy Clerk

CERTIFICATE OF MAILING

SCANNED
DEC 24 2002

PAGE 1
12/23/02

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-00267

1997 SEP 12 AM 8:35
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: ELIAS JACA
INEZ JACA
817 BLAINE AVE
NAMPA ID 83651

SOURCE: REYNOLDS CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.48 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 57-00246, 57-01021,
57-01022 AND 57-01023 IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 1.97 CFS.

PRIORITY DATE: 06/01/1879

POINT OF DIVERSION: T03S R04W S12 NESE Within Owyhee County
S13 SENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.48 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T03S R03W S07 Lot 1 (NWNW)18 Lot 2 (SWNW) 4
R04W S12 SENE 21 NESE 21 SESE 6
70 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00246, 57-01021, 57-01022
AND 57-01023 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
78 ACRES IN A SINGLE IRRIGATION SEASON.

DATED: SEP 12 1997


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

RULE 54(b) CERTIFICATE

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

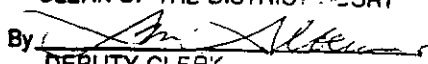
DATED: SEP 12 1997

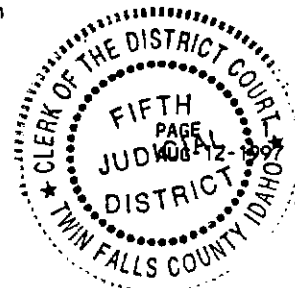

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-00267

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By 
DEPUTY CLERK



RECEIVED

SEP 15 1997

Department of Water Resources

1997 SEP 12 AM 8:35

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

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

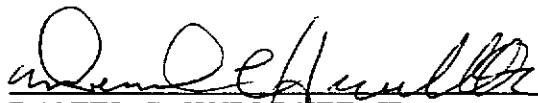
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-00267
_____	)	

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 57-00267 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 12, 1997.



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

1997 SEP 12 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-00267

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 57-00267 was mailed
on September 12, 1997, with sufficient first-class postage prepaid
to the following:

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

ELIAS & INEZ JACA
817 BLAINE AVE
NAMPA, ID 83651
Phone: 208-466-8801

DIANA DELANEY
Chief Deputy Clerk

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

In Re Snake River Basin Adjudication Case
No. 39576

)
) Notice of Filing Director's Report and Supplemental
Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT. THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PROCEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

**THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

pls file

53403
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

RECEIVED

MAY 07 1996

WATER RESOURCES
WESTERN REGION

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

RECEIVED

APR 21 1995

Department of Water Resources

RICHARD GABICA
403 W LINCOLN
NAMPA ID 83651

UNDELIVERABLE
AS ADDRESSEE
FORWARDING
ORDER EXPIRED

*FOE
DE*

MICROFILMED

SEP 25 1996

GABIC03 836510010 IN 04/01/95
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

|||||

NOTICE OF FILING DIRECTOR'S REPORT

DIRECTOR'S REPORT

This Director's Report Part II is a report by the Director of the Idaho Department of Water Resources (IDWR). It contains abstracts of claims by the United States and Indian Tribes to "non-consumptive" water rights (such as instream flows) throughout the Snake River Basin. The abstracts summarize the claims without substantively changing the water right as claimed. The Supplemental Director's Report Part II includes abstracts of claims not included in the Director's Report Part II. The supplemental report also includes abstracts of amended claims, which contain changes to claims previously abstracted in the Director's Report Part II.

The Director's Report Part III contains the claims filed for these water rights, and includes both the claim documents and maps. The Supplemental Director's Report Part III includes claims not included in the Director's Report Part III, as well as amended claims which contain changes to claims included in the Director's Report Part III.

Complete copies of Part II of the reports are available for inspections at all offices of IDWR and at the other locations printed on this notice. Complete copies of Part III of the reports are available for inspection at the State Office of IDWR and the SRBA District Court. Copies of all or a portion of the reports are available from the IDWR State Office subject to payments of costs of mailing and/or copying.

OBJECTIONS TO DIRECTOR'S REPORT

You may file an objection to any portion of the Director's Reports with the SRBA District Court. You must use a court approved objection form that is available from IDWR, which contains instructions for filing the objection. All objections must be received by the court on or before October 16, 1995. You must mail a copy of your objection to IDWR and the United States as shown on the objection form. If you are objecting to an abstract of a claim filed by an Indian tribe, you must also mail a copy of the objection to the tribe at the address shown in the report.

RESPONSES TO OBJECTIONS

The United States and the Indian Tribes may but are not required to file a response to an objection to abstracts of their claims with the SRBA District Court.

PARTIAL DECREE OF UNCONTESTED PORTIONS OF DIRECTOR'S REPORT

Those portions of the Director's Report to which no objections are filed will be decreed by the district court after a hearing to be held at 1:30 p.m., May 21, 1996 at the SRBA Courthouse in Twin Falls.

NOTICE OF FURTHER PROCEEDINGS

You will be mailed a notice of further proceedings on an objection to your water right, your objection, or your response. You will not be mailed notice of other objections or proceedings on other objections.

Notice of other objections and responses to other objections will be included on a monthly docket sheet distributed by the SRBA District Court. A subscription to the docket sheet may be obtained from the court for a small annual fee (\$7.50 for the calendar year 1995).

IDWR has filed or will file Director's Reports for all other claims within the Snake River Basin, one for each of the reporting areas in the Snake River Basin. Notice of the filing of these reports, and of further proceedings on these reports, will also be included in the docket sheet.

You may be affected by orders and decrees entered by the court in proceedings on other objections and proceeding on other reports. It is very important that you subscribe to the docket sheet if you wish to stay informed of these other proceedings. For further information as to documents filed with the court and hearings scheduled before the court in the SRBA, you must inquire at the SRBA District Court.

FURTHER INFORMATION

The court has adopted procedures for the post-report phase of the SRBA which are set forth in the order of the court entitled "SRBA Administrative Order No. 1." A copy of this order can be obtained from the State Office of IDWR or the SRBA District Court.

If you have questions about the SRBA, please call any office of IDWR listed in this notice. If you have questions concerning your rights and responsibilities as a claimant in the SRBA, please consult your attorney.

R. KEITH HIGGINSON

Director, Idaho Department of Water Resource

AJ5809NP
No. 57-00267

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/14/93
PAGE: 14

OWNER
CODE

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

DIVERSION
RATE

DIVERSION
VOLUME

C ELIAS JACA

C INEZ JACA

817 BLAINE AVE

NAMPA ID 83651

(208) 466-8801

06/01/1879 IRRIGATION

03-15 11-15

0.48 CFS

0.48 CFS

TOTAL DIVERSION:

Water Source: REYNOLDS CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T03S R04W S12
S13

NESE
SENE

OWYHEE County
OWYHEE County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	
T	NENE NWNE SWNE SENE	NEW NWNW SWNW SENW	NESW NWSW SWSW SESW	NESE NWSE SWSE SESE	
R	S : Lt Ac Lt Ac Lt Ac	S : Lt Ac Lt Ac Lt Ac	S : Lt Ac Lt Ac Lt Ac	S : Lt Ac Lt Ac Lt Ac	
03S 03W 7 :					SUM
03S 04W 12 :	21	01-18 02-04		21	22.0
					48.0
					70.0

POU County: OWYHEE

Other Rights: 57-1021, 57-1022

Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 57-00246, 57-01021, 57-01022
AND 57-01023 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
1.97 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
210.6 AF AND TO THE IRRIGATION OF A COMBINED TOTAL OF 78 ACRES IN
A SINGLE IRRIGATION SEASON.
0.41 CFS OF RIGHT NO. 57-01023 IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 57-00246 AND 57-01023

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: 57R Field Inspection Flag: D
Presumption Flag:

Comments: Date: 08/17/1992 User-ID: WERNER Subject: OWNERSHIP CHANGE
CHANGE IN OWNERSHIP COMPLETED ON 8/17/92.

Audit: 08/30/91 WERNER 11/22/91 WERNER 01/08/92 WERNER 02/21/92 HARRIS
07/29/92 PR-PROD 08/17/92 WERNER 10/13/92 CP SHAW 12/05/92 ADT-SHAW

MICROFILMED
JUL 20 1994



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho State Office

3380 Americana Terrace

Boise, Idaho 83706

1993 MAR 26 AM 9:49

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED



IN REPLY REFER TO:

7250 (931)

March 25, 1993

Ms. Diana R. Delaney
Legal Secretary/Deputy Clerk of the Court
Snake River Basin Adjudication
P. O. Box 2707
Twin Falls, ID 83303-2707

Dear Ms. Delaney:

This is to inform you that the objection to water rights 57-00267 and 57-02333 filed with Idaho Department of Water Resources (IDWR) was in error. As we were preparing our objections for filing, we received some last minute instructions from the Department of Justice to not object to certain types of claims. In our effort to remove these objections, we missed these two from the group going to IDWR. We apologize for the inconvenience it may have caused you.

If you have any questions, contact Gary Madenford at 384-3070.

Sincerely,

Richard W. Bastin
Deputy State Director
for Renewable Resources

cc:
David B. Shaw, IDWR

3-29-93 - FYI
Jan - Rancie

MICROFILMED

JUL 20 1994

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

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

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

Petitioner,

vs.

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

Respondents.

Case No. 57-00267
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

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

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

(Over)

OBJECTION - 1

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III 2 11 1994

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

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

2. Owner of the water right: Elias Jaca
Name: claimant Inez Jaca
Address: 817 Blaine Ave.
Nampa, ID 83651

3. If this objection is filed by an attorney:

K. Jack Haugrud
Daria J. Zane
Attorney Name:
U. S. Department of Justice
500 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: 202-272-4134/8351

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

II. STATEMENT OF THE OBJECTION

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

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

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

The Directors report should be changed to recommend disallowance of this claim.

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

CHANGES TO THE DIRECTOR'S REPORT

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

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

REASONS SUPPORTING EACH BOX CHECKED

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

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

1. Map of claim on public land

2. Conflicting USDI claims

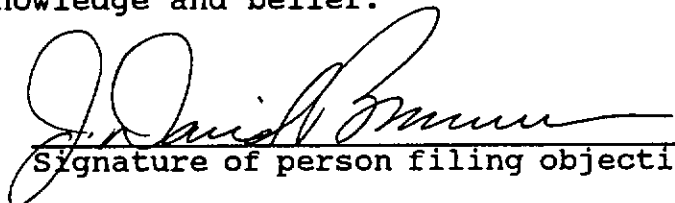
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

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

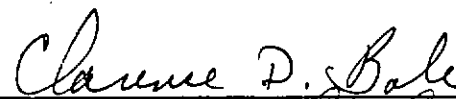
That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

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


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

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

1. Original to:

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

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

Owner name: Elias Jaca
Inez Jaca

Owner's address:

817 Blaine Ave.

Nampa, ID 83651

3. One copy to:

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

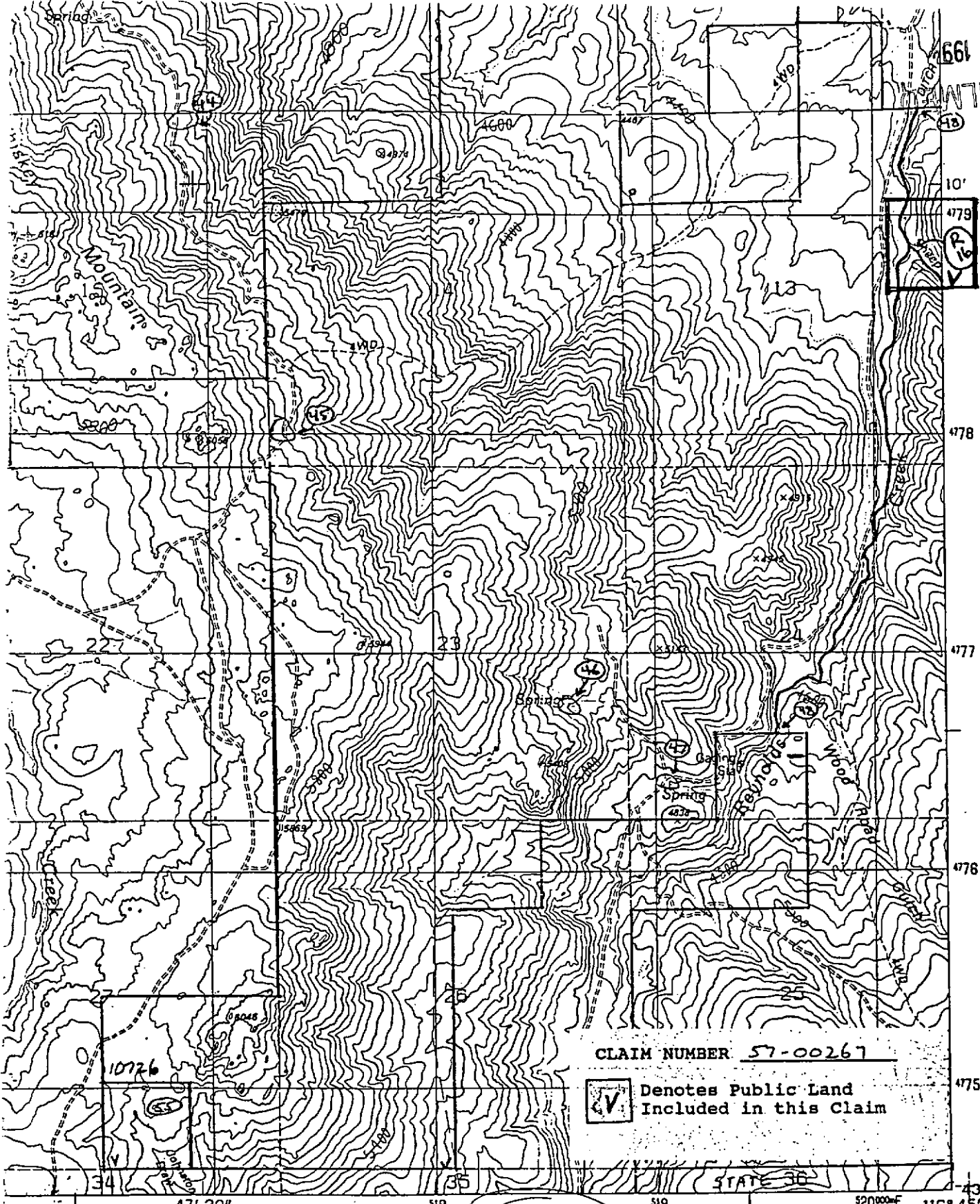
4. One copy to:

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

Signature of Objector or attorney
mailing on objector's behalf

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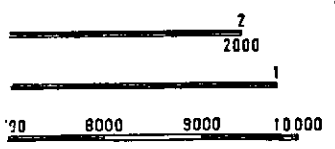
57-00246
57-00267



CLAIM NUMBER 57-00267

 Denotes Public Land Included in this Claim

3S 4W



ROAD LEGEND

- Improved Road
- Unimproved Road
- Trail
-  Interstate Route
-  U.S. Route
-  State Route

POOR ORIGINAL

1	2	3	1
4		5	2
			3
			4
			5

1 Plate Butte
2 Soldier Cap
3 Wilson Peak
4 Captain Butte
5 Reynolds

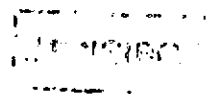
ROOSTER COMB PEAK, IDAHO

57
57-

57-11155
57-11158
57-11159
57-11160
57-11164

CONFLICTING CLAIMS FOUND IN THE DIRECTORS REPORT

CLAIM NUMBER: 57-00267



AJ5809WP
No. R57-00267

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/03/92
PAGE: 7

OWNER CODE NAME & ADDRESS
C RICHARD GABICA
403 W LINCOLN
Nampa ID 83651
(208) 466-6642

PRIORITY DATE WATER USE
06/01/1879 IRRIGATION

USE PERIOD FROM TO
03-15 11-15

DIVERSION RATE
0.48 CFS

DIVERSION VOLUME
0.48 CFS

TOTAL DIVERSION:
0.48 CFS

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

Point(s) of Diversion: T03S R04W S12 NESE OMYHEE County
S13 SENE OMYHEE County

Place of use Legal Description for: IRRIGATION

	NE	ENE	NNE	SWNE	SENE	ENE	NNE	SWNE	SENE	ENE	NNE	SWNE	SENE	SUM
T R S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
03S 03W 7	:	:	:	:	:	:	:	:	:	:	:	:	:	: 22.0
03S 04W 12	:	:	:	:	:	:	:	:	:	:	:	:	:	: 48.0
	:	:	:	:	:	:	:	:	:	:	:	:	:	: 70.0

TOTAL ACRES

POU County: OMYHEE

Other Rights: 57-1021, 57-1022

Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 57-00246, 57-01021, 57-01022 AND 57-01023 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.97 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 210.6 AF AND TO THE IRRIGATION OF A COMBINED TOTAL OF 78 ACRES IN A SINGLE IRRIGATION SEASON.

0.41 CFS OF RIGHT NO. 57-01023 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 57-00246 AND 57-01023

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: 57R Field Inspection Flag: D
Presumption Flag:

Audit: 08/30/91 WERNER 11/22/91 WERNER 01/08/92 WERNER 02/21/92 HARRIS
07/29/92 PR-PROD

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OCT 06 1992

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 70 x 0.02 CFS/ACRE = 1.4 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 = 175.0 AF/A

ACRES 70 x CONSUMPTIVE VOL. AF/A FOR AREA 2.7 =
TOTAL CONSUMPTIVE USE 189 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 70 x DIVERSION VOL. AF/A FOR AREA 3.5 =
TOTAL DIVERSION VOLUME 245 AF/A

OR $V(d.r.) = 0.48 \text{ cfs} \times 1.9835 \text{ AF/d} \times 246 \text{ d} = 234.2 \text{ AF/A}$

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:55:42
05/29/90

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A57-00267

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	SAME	N/A	N/A	NO	6	2/8/90		
POINT OF DIV	N							
SOURCE	N							
PLACE OF USE	N							
DIV. AMOUNT CFS/VOLUME	N							
CONSUMPTIVE USE	OK							
PURPOSES	N							
PERIOD OF USE	N							
BASIS OF CLAIM	OK							
REMARKS	OK							

"VERIFIED BY" CODES

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

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

DATA ENTRY - Need correct
info. for Court case &
CASE # 3456
A. KENNETH DUNN
names.

PLAINTEXT
-VS-

ADAMS, LARRY, ETAL
DEFENDANTS
3RD DISTRICT

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Remarks - Claim same as decree.
Died cl. contact for C.U. change-NO
See P.O.U. overlap in A57-1022 -
Runolds creek decree info in A57-1023.



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

Date August 18, 1992

[Elias or Inez Jaca]
[817 Blaine Ave.]
[Nampa, ID 83651]

Notice of Claim No.(s) A57-00246, A57-00267, A57-01017, A57-01021, A57-01022
~~A57-01023, A57-04043, A57-04044, A57-10726, A57-10727~~

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

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OCT 06 1992

WRO437

WATER RIGHT NUMBER 57-0267

PROUDICATION PROOF READING REPORT

03/15/84

PAGE

OWNER LAST NAME - GRABICH

OWNER FIRST NAME - GRABICH

ADDRESS LINE 1 - 403 W. LINCOLN

ADDRESS LINE 2 -

SOURCE - REYNOLDS CREEK

STAGE -

TOTAL DIV. VOLUME -

DIVERSION POINT -

FROM - 03-15/10 - 11-15/ USE - IRRIGATION

USE - IRRIGATION

DEGREE NAME - GIFFORD ET. AL.

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE - 57-1021, 57-1022

PROOF DUE -

PROOF MADE -

DIVERSION MEANS - DIVERSION DAMS, HEADGATES AND DITCHES.

FIRST NAME - RICHARD

FIRST NAME - BENITA

ADDRESS LINE 2 -

CITY - MANA

TRIBUTARY OF - SNAKE RIVER

PRIORITY - 06-01-1879

WATER DIST. - 57R DLE/CHREY ACT -

NESE 12 035.04W LOT

USE DIV. RATE -

TWN 03S. RANG. 04W SEC 12

TRACT SESE LOT

TRACT SESE LOT

TRACT SESE LOT

TRACT SESE LOT

TRACT SESE LOT

TRACT SESE LOT

TRACT SESE LOT

STATE - ID ZIP CODE - 83651

TOTAL DIV. RATE -

RIGHT BASIS - B

4800 CFS

USE DIV. VOLUME -

TRACT SESE LOT

TRACT SESE LOT

TRACT SESE LOT

TRACT SESE LOT

TRACT SESE LOT

TRACT SESE LOT

TRACT SESE LOT

TRACT SESE LOT

TRACT SESE LOT

TRACT SESE LOT

DRIG OWNER -

DRIG OWNER -

OLD NO. -

OLD NO. -

OLD NO. -

OLD NO. -

OLD NO. -

OLD NO. -

OLD NO. -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

POWER OF ATTORNEY

The undersigned holder(s) of Permit / Application Nos. 57-0246
57-0267 and
57-1017 to 1024 incl. of the
Department of Water Resources of the State of Idaho hereby nominates _____
Keith E. Andersen, whose address is 6700 Emerald St., Boise, ID 83704
as attorney-in-fact, with full authority to act for and on behalf of the undersigned in all
matters pertaining to the above numbered permit or application. Such acts shall include,
but not be limited to, the filing of application, receiving of all notices, the signing and
filing of applications for extension of time and for amendments of said permits, and the
submission of proofs of completion of works and beneficial use of water.

Dated this 17th day of March, 1982.

Richard J. Garcia

Richard Garcia - 403 W. Lincoln

Nampa, Idaho

STATE OF IDAHO)
County of Ada) ss.

On this 17th day of March, 1982, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

Seal

Roberta M. Garrett

Notary Public

Residing at Boise, Id

My Commission expires:

Life

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OCT 06 1992

MEMO TO: 57-0267 FROM: F.E.L. DATE: 7/18/80

AS DECREE THE LANDS IN LOTS 1 & 2, SEC 7, WERE LISTED AS BEING IN TWP. 35 R4W. THIS PLACES THE LANDS COMPLETELY OUT OF THE REYNOLDS CREEK DRAINAGE BASIN & MAKES THEM INCAPABLE OF BEING IRRIGATED FROM REYNOLDS CREEK. THEREFORE, WE ARE RECOMMENDING WHAT APPEARS TO BE THE LOGICAL LOCATION AS TWP. 35 R3W.

WE HAVE FOUND 78 ACRES IRRIGATED BY THE SYSTEM, 70 ACRES OF WHICH ARE COVERED BY TWO DECREE RTS., THIS RT. FOR .48 CFS & 57-0246 FOR .66 CFS TOTALING 1.14 CFS. A BENEFICIAL USE RT. 57-1023, HAS BEEN RECOMMENDED FOR .83 CFS. WHICH IS AMPLE FLOW IN COMBINATION WITH THE DECREE RTS TO PROVIDE 1" / AC. AT THE FIELD ON THE 70 ACRES UNDER THE DECREES AND ALSO THE 8 ADDITIONAL ACRES NOT COVERED BY THE DECREES. IN ADDITION, A B/U RT. 57-1021 FROM DRYDEN CK. IS USED ON 15 ACRES IN LOT 1, SEC. 7, T35 R3W, AND ALSO AB/U RT. 57-1022, FROM COAL MINE GULCH ON PORTIONS OF SECT. 12, TWP. 35 R4W.

(SEE ALSO 57-0246, 57-1021, & 57-1023.)
57-1022

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OCT 26 1992

57-0246

57-0267

Decree Holder - Lorenzo Uberuigua

57" for 69½ acres, 33"- 6/1/1864; 24" 6/1/1879.

Lots 1 & 2, ^(R3W?) S.7, E²SE, SENE, S.12, T35, R4W.

W. W. Dryden filed a Posted Notice (Bk. 3, p. 76) on 8/14/1886
moved to Reynolds Cr. in 1869, being one of 4 earliest settlers.

(p. 107, Owyhee Co. Idaho); ^{for Lots 1 & 2, S.7, T35, R3W, he} received patent to land on 3/20/1886.

Charles C. Share filed a Posted Notice (Bk. 3, p. 76) on 8/14/1886
for the E²SE, S.12, T35, R4W; opened hotel in 4/1877 with
25 acres of orchard, 35 acres of hay.

Dryden came from Middleton in 1869.

Share came to Idaho in 1874, driving a stage coach
until 1877 when he opened a stage house on Reynolds.

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OCT 06 1992

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

57-0267	I.D. No.	Map No.
\$ <u>35.10</u>	Fee Paid	Receipt No. <u>#14447</u>

Notice is hereby given that Richard Gabica and Benita Gabica
(Name of Claimant)

403 W. Lincoln
(Mailing Address)

Nampa, Idaho 83651
(Zip Code)

Telephone No. (208) 466-6642

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

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) June 1, 1879

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

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed.
Quantity 0.48 cfs Use Irrigation Period of Use From March 15 To Nov. 30
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
3/15 11/15 (Both dates inclusive)

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

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

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

(4) 0.48 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE 13 3 S 4 W Owyhee County
Sec. 13, Twp. 3 S, Rge. 4 W, B.M., Owyhee

Additional Points: NE 1/4 Sec. 12, T. 3 S., R. 4 W.

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

Diversion dams and headgates on Reynolds Creek with ditches to irrigated areas

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

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3S	3W	7						20.3	7.7										28.0 22
3S	4W	12				17.0		18	4					19.5			5.0		41.5 48
						21		41	42					21			6		

Total no. of acres 69.5 70

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

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

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

(8) REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 57-0267, 57-1021, 57-1022
12-5-79 1-8-80 SHALL PROVIDE NO MORE THAN .02 CFS/AC.

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

7/10/79
(Date)

State of Idaho
County of Ada

Organization

Seal

Individual Richard Gabica
(Signature of Claimant)
Benita Gabica
(Signature of Spouse)
Organization

KEYPUNCHED 8-20-79
(Signature of Authorized Agent)

On this 10th day of July, in the year 1979 before me
a notary public, personally appeared Richard Gabica and Benita Gabica
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation,
partnership or

9/18/79
12 1 21

Sandra K. Kneel
notary public

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK
DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

57-0267	I.D. No.	Map No.
~~57-10~~ #14447	Fee Paid	Receipt No.

Notice is hereby given that Richard Gabica and Benita Gabica
(Name of Claimant)

403 W. Lincoln Nampa, Idaho 83651 Telephone No. (208) 466-6642
(Mailing Address) (Zip Code)

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

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) June 1, 1879

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

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed.
Quantity 0.48 cfs Use Irrigation Period of Use From March 15 To Nov. 30
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
3/15 11/15 Both dates inclusive

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

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

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

(4) 0.48 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE $\frac{1}{4}$ NE $\frac{1}{4}$
Sec. 13, Twp. 3 S, Rge. 4 W, B.M., Owyhee County
Additional Points: NE $\frac{1}{4}$ Sec. 12, T. 3S., R. 4W.

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

Diversion dams and headgates on Reynolds Creek with ditches to irrigated areas

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

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3S	3W	7					20.3	7.7											28.0 22
3S	4W	12				17.0		18	4						19.5		5.0		41.5 48
						(21)		41	42						21		6		

(8) Remarks See attached supporting data on historical use of water, etc. This is often combined with sta 57-0246 & 57-1022 shall not provide more than 1.02 cfs/yr.

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☒ B) Right decreed by court, cite title of case. Gifford et al vs. Babington et al
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No.

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

7/10/79
(Date)

Individual Richard Gabica
(Signature of Claimant)

Benita Gabica
(Signature of Spouse)

State of Idaho
County of Ada ss. Organization
Seal

Organization
KEYPUNCHED ago 8-20-79
(Signature of Authorized Agent)

On this 10th day of July, in the year 1979 before me
a notary public, personally appeared Richard Gabica and Benita Gabica
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires December 12, 1981 Notary Public residing at Boise, Idaho

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____

REYNOLDS CREEK

DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

57-0267

I.D. No.

Map No.

\$ 25.10

Fee Paid

14447

Receipt No.

Notice is hereby given that Richard Gabica and Benita Gabica
(Name of Claimant)

403 W. Lincoln

(Mailing Address)

Nampa, Idaho

83651

(Zip Code)

Telephone No. (208) 466-6642

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

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) June 1, 1879
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Reynolds Creek tributary to Snake River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|--|--|---|
| Quantity <u>0.48 cfs</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>March 15</u> To <u>Nov. 30</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 0.48 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE $\frac{1}{4}$ NE $\frac{1}{4}$
Sec. 13, Twp. 3 S, Rge. 4 W, B.M., Owyhee County
Additional Points: NE $\frac{1}{4}$ Sec. 12, T.3S., R.4W.
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Diversion dams and headgates on Reynolds Creek with ditches to irrigated areas
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
28	3W	7						20.3	7.7										28.0
38	4W	12				17.0									19.5			5.0	41.5

Total no. of acres 69.5

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

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

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks See attached supporting data on historical use of water, etc.

- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☒ B) Right decreed by court, cite title of case.
Gifford et al vs. Robinson et al
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

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

7/10/79
(Date)

Individual

Richard Gabica
(Signature of Claimant)

Benita Gabica
(Signature of Spouse)

Organization

REYNOLDS CREEK
(Signature of Authorized Agent)

State of Idaho

ss.

Organization

County of Ada

Seal

(Signature of Authorized Agent)

On this 10th day of July, in the year 1979, before me
a notary public, personally appeared Richard Gabica and Benita Gabica
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation,
partnership or _____) executed the same.

My commission expires December 12, 1981

Notary Public residing at _____

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

57-0267	I.D. No.	Map No.
\$ <u>10.41</u>	Fee Paid	Receipt No.

Notice is hereby given that Richard Gabica and Benita Gabica
(Name of Claimant)

403 W. Lincoln Nampa, Idaho 83651 Telephone No. (208) 466-6642
(Mailing Address) (Zip Code)

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

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Quantity 0.48 cfs Use Irrigation Period of Use From March 15 To Nov. 30
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- (4) 0.48 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE $\frac{1}{4}$ NE $\frac{1}{4}$
Sec. 13, Twp. 3 S, Rge. 4 W, B.M., Owyhee County
Additional Points: NE $\frac{1}{4}$ Sec. 12, T.3S., R.4W.
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Diversion dams and headgates on Reynolds Creek with ditches to irrigated areas
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3S	3W	7						20.3	7.7										28.0
3S	4W	12				17.0								19.5			3.0		36.5

Total no. of acres 64.5

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

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

- (7) If you are claiming water as a member of an organization, list name of organization:
- (8) Remarks See attached supporting data on historical use of water, etc.
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☒ B) Right decreed by court, cite title of case. Gifford et al vs. Babington et al
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Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

7/10/79
(Date)

Individual Richard Gabica
(Signature of Claimant)
Benita Gabica
(Signature of Spouse)

State of Idaho Organization _____
County of Ada ss. Seal _____

On this 10th day of July, in the year 1979 before me
a notary public, personally appeared Richard Gabica and Benita Gabica
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires December 12, 1981

Notary Public residing at Boise, Idaho

57-0267

ANDERSON & KELLY

CONSULTANTS IN ENGINEERING AND GEOLOGY
6700 EMERALD STREET BOISE, IDAHO 83704

KEITH E. ANDERSON
JACK E. KELLY
W. L. BURNHAM

AREA CODE 208
TELEPHONE: 375-9220
CABLE ADDRESS: ANDKEL

WATER RIGHTS AND IRRIGATION

Gabica Ranch
Upper Reynolds Creek
Owyhee County, Idaho

Prepared For
Dick Gabica
Nampa, Idaho



July 1979

MICROFILMED
OCT 06 1992

WATER RIGHTS AND IRRIGATION

Gabica Ranch
Upper Reynolds Creek
Owyhee County, Idaho

INTRODUCTION

This brief summary report has been prepared to assist Dick Gabica, Nampa, Idaho in his filing of water-right claims in connection with the forthcoming adjudication of the waters of the Reynolds Creek basin, Owyhee County, Idaho.

LOCATION

The main Gabica ranch property consists of 201.45 acres described as follows:

T. 3 S., R. 3 W., B.M.

Lots 1 and 2, Section 7 (81.45 acres)

T. 3 S., R. 4 W., B.M.

$E\frac{1}{2}$ SE $\frac{1}{4}$, Section 12 (80.00 acres)

SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12 (40.00 acres)

In addition, the following 40-acre tract is in the process of acquisition from the United States Bureau of Land Management:

T. 3 S., R. 4 W., B.M.

NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12 (40.00 acres)

Other deeded ranch lands used for cattle grazing are as follows:

Joe Gabica Field

T. 4 S., R. 4 W., B.M.

Section 10, S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 11, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 12, W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 14, NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 15, N $\frac{1}{2}$ NE $\frac{1}{4}$

Dobson Field

T. 4 S., R. 4 W., B.M.

Section 3, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$
Section 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 9, NE $\frac{1}{4}$
Section 10, W $\frac{1}{2}$ NW $\frac{1}{4}$

Johnson Field

T. 3 S., R. 4 W., B.M.

Section 34, Lots 1, 2, 3 and E $\frac{1}{2}$ NW $\frac{1}{4}$ and
NW $\frac{1}{4}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$

Dishon Field

T. 3 S., R. 4 W., B.M.

Section 10, Lots 3, 4 and E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$
Section 15, Lots 1, 2, 3 and NW $\frac{1}{4}$ SE $\frac{1}{4}$ and
W $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$

IRRIGATION HISTORY

The main ranch on Reynolds creek is the outgrowth of three homesteads that were settled in the last century and consolidated in the 1880's.

The first irrigation of the ranch commenced at least as far back as 1864 and has continued without interruption on essentially the same acreage to the present time. The land is arid and irrigation water from Reynolds Creek and tributaries (Coal Mine Gulch and Dryden Creek) is used primarily to raise hay, grain and pasture as well as for stock watering.

A total of approximately 85.4 acres is irrigated as follows:

Section 7 - Lot 1	20.3 acres
Lot 2	7.7
Section 12 - SE $\frac{1}{4}$ NE $\frac{1}{4}$	23.0
NE $\frac{1}{4}$ SE $\frac{1}{4}$	22.7
SE $\frac{1}{4}$ SE $\frac{1}{4}$	5.0
NW $\frac{1}{4}$ SE $\frac{1}{4}$	6.7
Total	85.4 acres

Water is, and has been, diverted from Reynolds Creek into ditches leading to the irrigated areas. The main ditch diverts from the creek in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13, T. 3 S., R. 4 W. This ditch, about 1 $\frac{1}{2}$ miles long, lies west of the Reynolds Creek channel. Other ditch diversions from the creek are in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12, T. 3 S., R. 4 W.

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WATER RIGHTS

There are a number of water rights appurtenant to the Gabica property, all of which have been acquired by diversion, appropriation, and application to beneficial use as provided for under Article XV of the Constitution of the State of Idaho.

The original rights for irrigation and livestock watering amounted to 425 inches (8.50 cfs) of the waters of Reynolds Creek "as acquired under and by virtue of notices of location thereof made by Charles E. Share and W.W. Dryden" who were the original homestead owners. These rights are set forth in land records pertaining to the property (deeds, mortgages, and court decrees) over a long period of time. Copies of pertinent such records are attached to this report.

Out of this total right, an amount of 57 inches (1.14 cfs) was reconfirmed in the court proceedings of Gifford et al vs. Babington et al.

In addition, waters of Dryden Creek and Coal Mine Gulch (tributaries to Reynolds Creek) are intercepted, when available, by the irrigation ditches that cross these tributary channels.

The ranch headquarters also has a drilled well to supply water for domestic use, including gardens and domestic animals.

Fee lands used for livestock grazing also have similar water rights for stock watering and domestic use. Most of these rights are in a number of improved springs or small improved ponds that are located on unnamed small streams tributary to Reynolds Creek. These are in separate tracts known as the Joe Gabica field, Dobson field, Johnson field, and Dishon field. Livestock are also watered along the channels of the East and West Forks of Reynolds Creek (Joe Gabica field) and of Dobson Creek (Dobson field).

A summary of these rights acquired under the Constitution of the State of Idaho is as follows:

<u>Source</u>	<u>Amount</u>	<u>Priority Date</u>	<u>Use</u>
<u>Main Ranch</u>			
Reynolds Creek	7.36 cfs	6/1/1864	Irrigation & stock
Reynolds Creek	0.66 cfs	6/1/1864	Irrigation
Reynolds Creek	0.48 cfs	6/1/1879	Irrigation
Coal Mine Gulch	0.70 cfs	6/1/1864	Irrigation
Dryden Creek	0.50 cfs	6/1/1864	Irrigation
Ground Water	0.08 cfs	6/1/1950	Domestic

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Rights acquired under the Constitution of the State of Idaho - cont.

<u>Source</u>	<u>Amount</u>	<u>Priority Date</u>	<u>Use</u>
<u>Joe Gabica Field</u>			
Springs and ponds East and West Forks of Reynolds Creek	0.08 cfs 7500 GPD	6/1/1904 6/1/1904	Domestic & stock Stock
<u>Dobson Field</u>			
Springs and ponds Dobson Creek	0.08 cfs 7500 GPD	6/1/1904 6/1/1904	Domestic & stock Stock
<u>Johnson Field</u>			
Springs and ponds	0.06 cfs	6/1/1904	Domestic & stock
<u>Dishon Field</u>			
Springs and ponds	0.06 cfs	6/1/1904	Domestic & stock

IRRIGATION PRACTICES

Present day irrigation practices on the Gabica ranch are the same as at the beginning of irrigation on these lands more than 100 years ago.

Water is diverted from Reynolds Creek and its tributaries when flows are available--the short period of spring runoff each year. Soil moisture is built up in the irrigated fields as much as possible to carry plant growth on into the summer and fall months when stream flows disappear.

Because of the character and distribution of the runoff, the land slopes, and the soil characteristics, it is necessary to divert more than "one inch per acre". The possible need for such excess diversion rate is recognized in Secs. 42-202 and 42-220 of the Idaho Code. This practice of diverting floodwaters on the Gabica and comparable ranches in the area has continued since the earliest days (see copy of Affidavit attached). The diversion, at times, of water in excess of "one inch per acre" is considered a proper beneficial use of water; water in excess of infiltration rate or crop consumptive use returns immediately to the stream channel as is available for subsequent rediversion. Return flow from stored soil moisture also makes water available downstream for rediversion and use at a later date than would otherwise be possible.

These conditions are well summarized in the following paragraph from the

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OCT 06 1992

report "Streamflow Depletion and Return Flow from Irrigation, Reynolds Creek Experimental Watershed, Southwest Idaho" by C.W. Johnson, Hydraulic Engineer, U.S. Department of Agriculture:

"Irrigation practice on the watershed is representative of many irrigation systems in the mountain valleys of the Western United States. In the spring, when irrigation water is available in these mountain valley, it is often applied to the fields in excess of crop needs, causing considerable surface and underground return flow to the stream."

Slopes

Land slopes in the irrigated fields are quite steep, ranging from 130 feet per mile (2½ percent) to 500 or more feet per mile (10+ percent). A contour map of the ranch is attached to this report. These steep slopes make it necessary to have a large "head of water", or diversion rate, to adequately irrigate the area in the short time that water is available. It is not physically nor economically feasible to level the lands.

Soils

Soils of the irrigated area are generally of medium to heavy texture. Some areas have shallow soil depth (less than 36 inches) with fairly low water-holding capacity. Other areas have moderate to high water-holding capacity, with good intake rates that necessitates rapid coverage of the area during the short time the flows are available to make maximum beneficial use of the water.

Crops

Most of the area is irrigated for raising hay and grain. Areas unsuited for these crops (about 10 acres) are in irrigated pasture.

Stream Flows

Flow in Reynolds Creek typically rises rapidly in March or early April each year, in response to precipitation and snowmelt, peaking in April or early May and then diminishing until by late June or early July there are essentially no flows available for irrigation. Occasional rainstorms in summer or fall may produce utilizable flows of very short duration.

Measurement of Reynolds Creek flow at a point about a mile upstream from the first Gabica diversion, were commenced in 1962 by the Agricultural Research Service of the U.S. Department of Agriculture in connection with their study of the Reynolds Creek watershed, and continued for a period of several years.

Diversion Rates

Actual measurement of diversion rates from Reynolds Creek to the Gabica ranch are available only for the period 1962-66 in connection with the watershed study by A.R.S. These show diversions during the irrigation season ranging from zero to at least as much as 6.6 cfs (330 inches).

Diversion rates naturally will vary from year to year, depending upon the availability of water. In years of high peak runoff, diversions up to the full water right of 8.5 cfs (425 inches) will occur.

Period of Use

The period of use will also vary from one year to another depending upon runoff and the availability of water. Diversions and beneficial use of water for irrigation may begin as early as March 15 and may continue as late as November 30.

Water is used for livestock and domestic purposes throughout the year (January 1 to December 31 inclusive).

Return Flows

Studies by the A.R.S., previously referred to, show that return flows to Reynolds Creek occur rapidly, coincident with the upper diversions such as at the Gabica ranch. These return flows are then available for rediversion and use downstream. Return flows toward the latter part of the irrigation season represent slower drainage from the soil reservoir and they provide water for subsequent downstream use that would otherwise not have been available.

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6-13-61

Land Being
Acquired

Approx. Boundary
Gabica Ranch

12 7
13 18

T-33 8 40
T-10 8 30

999

9-6

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ABSTRACT OF TITLE

TO

The Lots numbered one and two of Section seven in Township three south of Range three west of Boise Meridian in Idaho;

The east half of the southeast quarter of Section twelve in Township three south of Range four west of Boise Meridian in Idaho; and

The southeast quarter of the northeast quarter of Section twelve in Township three south of Range four west of Boise Meridian in Idaho.

Prepared for Caldwell Commercial Bank, Caldwell,
by the Owyhee County Abstract Co.

Charles E. Share and	:	Character of Instrument,
Diadama H. Share, husband:	:	Warranty Deed.
and wife,	:	Date of Instrument,
	:	February 20th, 1906.
Grantors,	:	Date of Record,
to	:	Aug. 25th, 1906, at 9:15 o'clock A.M.
Antonio Azcuenaga and	:	Book 3 of Deeds, pages 472 and 473,
Bonifacio Egurrola,	:	Owyhee County Records.
Grantees.	:	

Consideration---Six Thousand Dollars, in hand paid.
 Signatures--- Charles E. Share (SEAL)
 Diadama H. Share (SEAL)

Witness---Fred G. Mock.

Date of Acknowledgment---February 20th, 1906.
 Before Whom Acknowledged---Fred G. Mock, a Notary Public in
 and for the County of Canyon, State of Idaho. Regular in form.
 Seal. Diadama H. Share acknowledged without the hearing of her
 husband.

Granting Words---Have granted, bargained and sold, and by
 these presents do grant, bargain, sell, convey and confirm unto
 the said parties of the second part, and to their heirs and assigns
 forever.

Description---All the following described real estate, situ-
 ated in Owyhee County, State of Idaho, to-wit:

The South East quarter of the North East quarter (S E 4 N E 4)
 and the East half of the South East quarter (E 1/2 S E 4) of section
 twelve (12) Township three (3) South Range four (4) west and also
 Lots one (1) and two (2) of Section Seven (7) Township three (3)
 south Range three (3) west all in Owyhee County containing 201 45/100
 acres together with 425 inches of the waters of Reynolds Creek as
 per recorded water rights of Charles E. Share and W. W. Dryden.
 Covenant---Usual covenant contained in warranty deed.

Antonio Azcuenaga and	:	Character of Instrument,
Concepcion Azcuenaga,	:	Warranty Deed.
husband and wife,	:	Date of Instrument,
Grantors,	:	January 6th, 1909.
to	:	Date of Record,
Lorenzo Uveruaga,	:	July 11th, 1910, at 1:28 o'clock P.M.
Grantee.	:	Book 5 of Deeds, pages 410 and 411,
	:	Owyhee County Records.

Consideration---One and no/100 (\$1.00) Dollars, in hand paid.
 Signatures---Sealed.

Witness---George W. Smith.

Date of Acknowledgment---January 6th, 1910.

Before Whom Acknowledged---George W. Smith, a Notary Public
 in and for the County of Ada, State of Idaho. Regular in form.
 Seal.

Granting Words---Have granted, bargained and sold, and by
 these presents do grant, bargain, sell, convey and confirm unto
 the said party of the second part, and to his heirs and assigns
 forever.

Description---All the following described real estate, situ-
 ated in Owyhee County, State of Idaho, to-wit:

The Southeast Quarter of the Southeast quarter (SE $\frac{1}{4}$ or SE $\frac{1}{4}$)
 of Section Twelve (12), Township Three (3) South, Range Four (4)
 West of Boise Meridian, together with 40 inches of the waters of
 Reynolds Creek as acquired under and by virtue of notices of loca-
 tion thereof made by Charles E. Share and W. W. Dryden.

Covenant---Usual covenant contained in warranty deed.

Antonio Azcuenaga and	:	Character of Instrument,
Concepcion Azcuenaga,	:	Warranty Deed.
husband and wife,	:	Date of Instrument,
Grantors,	:	January 6th, 1909.
to	:	Date of Record,
Augustin Uveruaga,	:	July 11th, 1910, at 1:30 o'clock P.M.
Grantee.	:	Book 5 of Deeds, pages 412 and 413,
	:	Owyhee County Records.

Consideration---One and no part (\$1,000) dollars, in cash paid.
 Signatures---Sealed.

Witness---George W. Smith.

Date of Acknowledgment---January 6th, 1910.

Before Whom Acknowledged---George W. Smith, a Notary Public
 in and for the County of Ada, State of Idaho. Regular in form.
 Seal.

Granting Words---Have granted, bargained and sold, and by
 these presents do grant, bargain, sell, convey and confirm unto
 the said party of the second part, and to his heirs and assigns
 forever.

Description---All the following described real estate, situ-
 ated in Owyhee County, State of Idaho, to-wit:

The Southeast quarter (SE $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$)
 and the Northeast quarter (NE $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$) of
 Section Twelve (12), Township Three (3) South, Range Four (4)
 West, and Lots One (1) and Two (2) of Section Seven (7), Township
 Three (3) South, Range Three (3) West of the Boise Meridian, and
 containing 161.45 acres, together with 385 inches of the waters
 of Reynolds Creek as acquired under and by virtue of notices of
 location thereof made by Charles F. Share and W. W. Dryden.

Covenant---Usual covenant contained in warranty deed.

Lorenzo Uveruaga, an un- : Character of Instrument,
 married man, and Augus- : Mortgage.
 tin Uveruaga and Floren- : Date of Instrument,
 tina Uveruaga, his wife, : June 16th, 1911.
 Grantors, : Date of Record,
 to : July 22nd, 1911, at 9:10 o'clock A.M.
 Caldwell Commercial Bank, : Book 8 of Mortgages, page 499 et seq.,
 a corporation, : Owyhee County Records.
 Grantee. :

Consideration---Ten Thousand Four Hundred Eighty-four and
 90/100 Dollars, in hand paid.

Signatures--- Lorenzo Uberuaga (SEAL)
 Agustín Uberuga (SEAL)
 Florentina Uberuaga (SEAL)

Witness---George W. Smith.

Date of Acknowledgment---June 17th, 1911.

Before Whom Acknowledged---George W. Smith, a Notary Public
 in and for the County of Ada, State of Idaho. Regular in form.
 Seal. Acknowledgment is taken by Lorenzo Uveruaga, Augustin
 Uveruaga and Florentina Uveruaga.

Granting Words---Have granted, bargained, sold and conveyed,
 and by these presents do grant, bargain, sell and convey unto the
 said party of the second part, and to its successors and assigns
 forever.

Description---All those certain lots, pieces or parcels of
 land situate, lying and being in Owyhee County and State of Idaho,
 and particularly described as follows, to-wit:

The Southeast quarter ($\frac{1}{4}$) of the Southeast quarter ($\frac{1}{4}$) of
 Section Twelve (12) in Township Three (3) South, of Range Four
 (4) West of Boise Meridian, together with forty inches of the
 waters of Reynolds Creek acquired under and by virtue of notices
 of location thereof made by Charles E. Share and W. W. Dryden.

Also the South East quarter ($\frac{1}{4}$) of the Northeast quarter ($\frac{1}{4}$)
 and the Northeast quarter ($\frac{1}{4}$) of the Southeast quarter ($\frac{1}{4}$) of
 Section Twelve (12) in Township Three (3) South of Range Four (4)
 West and Lots One (1) and Two (2) of Section Seven (7) in Town-
 ship Three (3) South of Range Three (3) West of Boise Meridian,
 together with 385 inches of the waters of Reynolds Creek as acquir-
 ed under and by virtue of notices of location thereof made by
 Charles E. Share and W. W. Dryden, all of said property being in
 Owyhee County, Idaho.

Covenants---This grant is intended as a mortgage to secure
 the payment of two certain promissory notes dated June 16th, 1911,
 signed by Lorenzo Uveruaga, Augustin Uveruaga, Florentina Uveruaga
 and Antonio Azcuenaga, payable to the order of Caldwell Commercial
 Bank, at its Banking House in Caldwell, Idaho, being for the sums
 of \$5,000.00 and \$5,484.90, respectively, each due six months
 after date, and bearing interest at ten per centum per annum from
 date until paid, payable at maturity

And these presents shall be void if such payment be made.
 (Also other covenants.)

IN THE PROBATE COURT OF OWYHEE COUNTY, STATE OF IDAHO.

In the Matter of the Estate of AUGUSTIN UBERUAGA, DECEASED. DECREE OF SETTLEMENT OF ACCOUNT AND FINAL DISTRIBUTION.

That the said Augustin Uberuaga, as Administrator of the estate of Augustin Uberuaga, deceased, having heretofore, to-wit: on the 4th day of August, 1925, filed herein his First and Final Account of his administration of the above entitled estate, and having at the same time therewith filed herein his Petition for the settlement of said First and Final Account, and for the final distribution of said estate, and, the said First and Final Account and Petition coming on regularly this day to be heard, and evidence oral and documentary having been adduced, and it appearing therefrom to the satisfaction of the court that notice of hearing of said First and Final Account and Petition has been given for the time and in the manner prescribed by law, and no exceptions or objections to said First and Final Account having been made or filed herein by any person, or persons, interested in said Estate, or otherwise;

And it appearing to the Court to its satisfaction, from the evidence adduced at such hearing, that said First and Final Account is, in all respects, true, just and correct, and should be settled as rendered and that all and singular the allegations and statements contained in said Petition for distribution is, and are true, and the Court hereby finds them to be true, and that all State, County and municipal taxes levied upon the property of said estate have been paid, and that all claims and debts of said decedent and all debts, expenses and charges of administration have been fully paid and discharged;

And it appearing that the said Administrator having, in open court, waived all claims against said estate for commissions as such administrator; and it further appearing from the evidence at said hearing that no money or other property has been received by said administrator and no disbursements have been made by him since the rendition of his First and Final account;

And it further appearing that all the property of the estate of said deceased is the community property of said deceased and Florentina Uberuaga the surviving wife of said deceased;

And it further appearing that the said Augustin Uberuaga died intestate in the County of Owyhee, State of Idaho, on the 27th day of December, 1924, and that he was at the time of his death a resident of said Owyhee County, and that he left him surviving the following next of kin and heirs at law and none other, namely:

Florentina Uberuaga, surviving wife;

Maria Arritola, a daughter,

Lorenzo Uberuaga, a son,

Valentina Gabica, a daughter, and

Pedro Uberuaga, a son,

Surviving children of said deceased each and every one of whom are over the age of twenty one (21) years.

And it further appearing that said estate is now in a condition to be finally distributed unto the person entitled thereto and the administration thereof to be brought to a close and all and singular, and the law and the premises being by the court seen, heard, understood and fully considered;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That due and legal notice of the hearing of the First and

Final Account and Petition for Final Distribution has been given;
2. That the said First and Final account be, and the same is,
hereby settled, allowed and approved as rendered;

And it is further ORDERED, ADJUDGED AND DECREED, that all the
rest and residue of the property constituting the Estate of said
Augustin Ubernaga, deceased, hereinafter particularly described,
and any and all other property which may belong to said estate, or
in which said estate may have any interest, be and the same are
hereby distributed to Florentina Ubernaga.

The following is a particular description of the said residue
of the said Estate referred to in this Decree and of which distri-
bution is Ordered, ADJUDGED AND DECREED, as aforesaid, to-wit:

All that certain lot, piece or parcel of land situated, lying
and being in the County of Owyhee, State of Idaho, and described
as follows, to-wit:

The Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) and
the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Sec-
tion Twelve (12) Township Three (3) South, Range Four (4) West B.
M., and Lots One (1) and Two (2) of Section Seven (7), Township
Three (3) South, Range Three (3) West B. M., and containing 161.45
acres, together with 386 inches of water of Reynolds Creek as ac-
quired under and by virtue of notices of location thereof made by
Charles E. Share and W. W. Dryden, situated in Owyhee County, State
of Idaho;

Together with all and singular tenements, hereditaments and
appurtenances thereto belonging in any wise appertaining unto
the rents, issues and profits thereof.

And it is further ORDERED AND DECREED that the said Administra-
tor, upon the delivery of said residue, as hereinbefore Ordered,
and upon the filing due and proper vouchers and receipts therefor in
this Court, be fully and finally discharged from his trust as such
Administrator and that his sureties shall thereupon and thenceforth
be discharged from all liabilities for his future acts.

Done in open court this 27th day of August, 1925.

R. H. Leonard,

Judge of the Probate Court.

Appended is a certificate by R. H. Leonard, ex-officio Clerk
of the Probate Court of the County of Owyhee, State of Idaho, bear-
ing date of August 27th, 1925, and under the seal of said court,
"that the foregoing is a true and correct copy of the original Decree
of Settlement of Account and Final Distribution, in the matter of the
estate of Augustin Ubernaga, deceased, now of record in my office."

Date of Record---August 27th, 1925, at 10:05 o'clock A.M.

Where Recorded---Book 9 Miscellaneous Record, page 49 et seq.,
Owyhee County Records.

A F F I D A V I T

STATE OF IDAHO)
 : ss.
County of Canyon)

Howard Lawlis, being first duly sworn, on oath, deposes and says:

That he is now of the age of eighty-three (83) years, and upwards, and fully competent to execute this affidavit; that said affiant is a resident of Nampa, Canyon County, Idaho, and has lived in said County for upwards of thirty-two years; that he is a citizen of the United States of America;

That this affiant came into Owyhee County, Idaho, in the year 1915, settling in the Reynolds Creek area where he was employed by ranchers and stockmen as a range rider and hand; that this affiant then worked for one Hicks on the old Keller Ranch and subsequently purchased the Dr. Noble Ranch where he ran his own stock and ranched;

That said affiant was well and personally acquainted with Lorenzo Uherauga and Elias Gabica and, on occasion, was employed by them beginning in the year 1915; that they operated a ranching operation on Reynolds Creek and that this affiant is fully familiar with the manner in which they applied waters from Reynolds Creek as well as snow-melt run-off waters and flood waters to the lands upon which the aforesaid parties ranched and farmed;

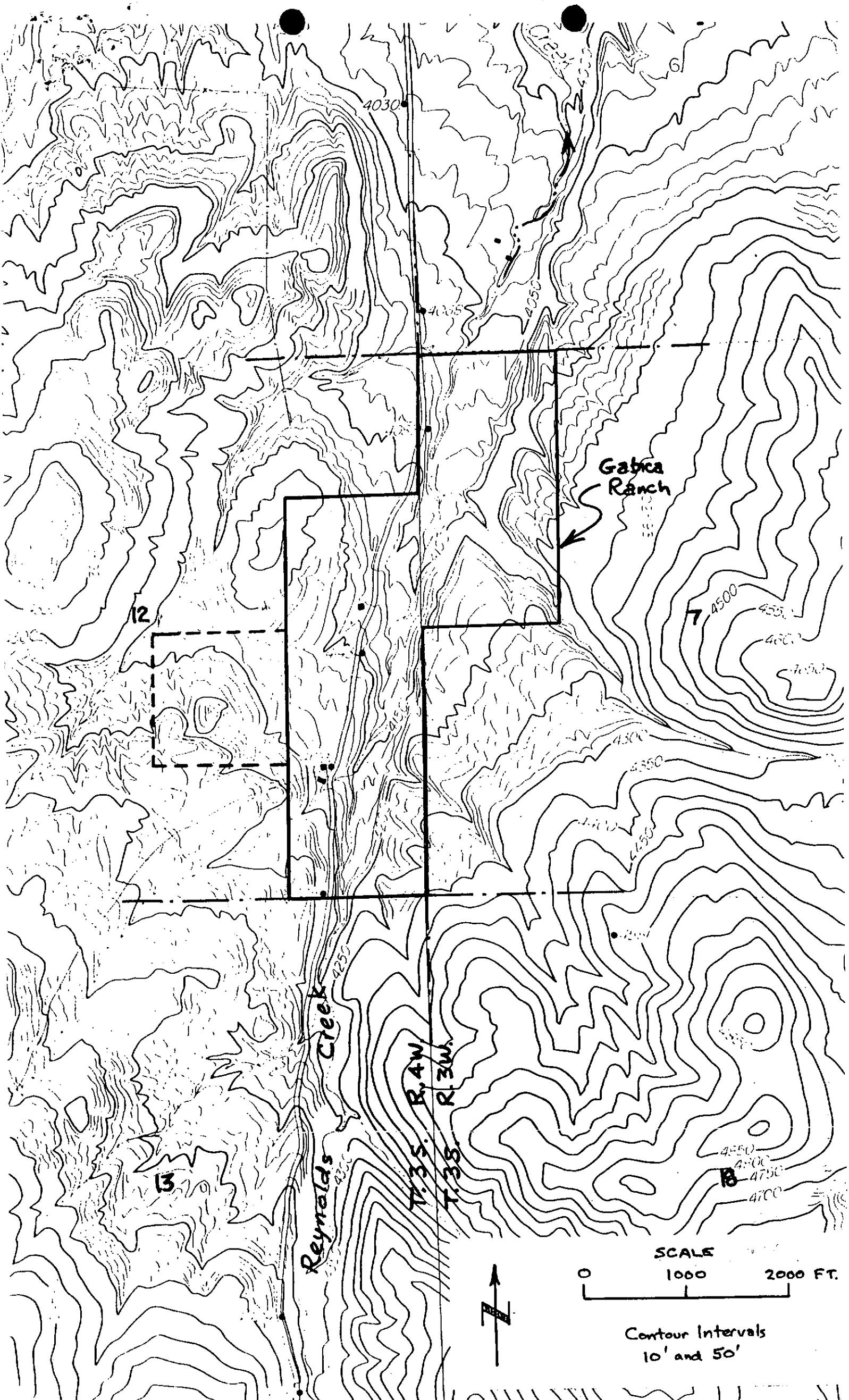
That the application of flood water was always consistent in that every year and by whatever means were available, said waters were appropriated and applied, and that this practice continues to date;

Said affiant further states that he is knowledgeable regarding the history and operation of the Gifford Ranch (Bass), Uherauga Ranch (Gabica), Adams Ranch (Hoagland) and Joe Mitchell Ranch (Nettleton), that these places all have 1864 water rights and that flood waters from all available sources have been consistently applied to these properties throughout the period 1915 to the present time.

Howard Lawlis

SUBSCRIBED and sworn to before me this 9th day of May, 1978.

Richard T. Gordon
Notary Public for the State of
Idaho, residing at Nampa, Idaho.





NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

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

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

☐ Water Right Number(s) Assigned by IDWR: A57-04033, A57-04044, A57-01017, A57-10726
A57-00246, A57-00267, A57-01021, 01022, 01023, A57-1072.

☐ Name and Address of Former Owner/Claimant(s)(Seller): Richard Salinas

☐ New Owner/Claimant (Purchaser): JACA, ELIAS & INEZ

☐ New Mailing Address: 817. Blaine Ave
Nampa ID 83651

☐ New Telephone Number: () 466-8801

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

☐ Attach proof of ownership, describe proof attached: _____

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

☐ Signature of New Owner/Claimant(s): Elias Jaca Date Aug. 12, 1992

☐ Signature of Former Owner/Claimant(s): Richard Salinas Date 8-12-92

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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OCT 06 1992

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

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: A57-00267
Date Received: 11/03/1988
Receipt No: W002136
Received By: DE JOL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD GABICA 208-466-6642
Address: 403 W. LINCOLN
NAMPA, ID 83651

2. Date of Priority: JUN 01, 1879

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	04W	12		NE	SE		OWYHEE
		13		SE	NE		OWYHEE

5. Description of diverting works:
DIVERSION DAMS, HEADGATES AND DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.480		

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

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	03W	7	NW	NW	1	IRR	18.0
			SW	NW	2	IRR	4.0

Section Acres 22.0

A57-00267

Page 1

Date: 02/08/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	04W	12	SE	NE		IRR	21.0
			NE	SE		IRR	21.0
			SE	SE		IRR	6.0
						Section Acres	48.0
						Total Acres	70.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
57-1021, 57-1022

14. Remarks:

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

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ 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 _____

If claims are
 in Basin
 of all

following purposes:
 19-1-1
 19-1-1
 19-1-1

(both dates are inclusive) (cfs) (acre feet)

For irrigation purposes from 3/15 to 11/15 amount .48 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .48 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 175.00 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>3S</u>	<u>4W</u>	<u>12</u>				<u>(2)</u>									<u>(2)</u>			<u>6</u>	<u>48</u>
								<u>471</u>	<u>472</u>										
<u>3S</u>	<u>3W</u>	<u>7</u>						<u>(18)</u>	<u>(4)</u>										<u>22</u>

Total number of acres irrigated 70

11. In which county (ies) are lands listed above as place of use located? ow y h e e

12. Do you own the property listed above as place of use? Yes ✓ No _____
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A57-01021, A57-01022 or None ()

14. Remarks: _____

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Last Name Gabeia Ident No. A57-00267 Copies: White -State, Yellow-Claimant

56.00

✓ PAY ○ OUFALLAPS

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 #57-00267
Date Received 11-3-88
Receipt Number W002136/W002137

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Richard Gabica Phone () 466-6642

Mailing Address 403 West Lincoln Nampa, Ida. Zip 83651

2. Date of Priority (Only one (1) per claim) 6-1-1879

3. Source of water supply (a) Reynolds Creek
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 3S Range 4W Section 13,
_____ 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Owyhee

Additional points of diversion if any: NESSE Sec 12 T3S R4W.

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Diversion dam
Gravity irrigation

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OCT 06 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .48 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .48 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 175.00 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
33	4W	12				21									21			6	48
							471	472											
35	3W	7					18	4											22

Total number of acres irrigated 70

11. In which county (ies) are lands listed above as place of use located? ow y h e e

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A57-01021, A57-01022 or None ()

14. Remarks:

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OCT 06 1992

Last Name Gabica Ident No. A57-00267

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Scale: 2 inches equals 1 mile

[illegible]

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OCT 06 1992

Last Name Gabeira

Ident No. B57-00267

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ✓

If applicable provide IDWR Water Right Number A57-00267

Court 3rd Case Number 3456 Decree Date _____

Plaintiff vs Defendant Nattleton v Higginson

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

✓ Signature of Claimant (s) Richard Galicia Date Nov 2-1988

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)

County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 2 day of November 19 88

SEAL

Notary Public John K. Noyes

Residing at 15470 Homedale Rd.
Caldwell, Ida.

My Commission Expires Sept. 21, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be 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 _____

Address _____

Date _____

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OCT 06 1992

Last Name Galicia Ident. Number A57-00267

Copies White-State, Yellow-Claimant

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME GADICACLAIM IDENT. NO. A57-00267DATE RECEIVED 11-3-88CK # 570/4390AMOUNT \$ 635/3.

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒
2. Is a priority date entered? ☒
Is the priority date acceptable in view of mandatory filing dates? ☒
3. (a) Is a source entered? ☒
(b) Is a tributary to entered? (if required) N/A ☒
4. Is the legal description of the p.d. sufficient? ☒
5. Is there a description of the diverting works? ☒
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒
Is the period of use included? ☒
Is a quantity claimed for each use? ☒
7. Is a total quantity claimed entered? ☒
8. If required is a consumptive use entered? N/A ☒
Is the consumptive use correct? N/A ☒
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☒
10. Is (are) the place(s) of use and purpose(s) indicated? ☒
11. Is (are) the county(ies) entered? ☒
12. Is the ownership of p.u. checked? ☒
13. Are other water rights listed or "none" indicated? ☒
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒
15. Is the basis of the claim indicated? ☒
16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.) ☒
17. Is the claim signed by the claimant, and is the signature appropriate? ☒
18. Has the claim been signed, sealed, and dated by a notary? ☒
19. Was this claim filed on time, or was an extension granted? ☒
20. Is the fee enclosed correct? Exempt ☒
21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒
22. Should this claim be receipted and data entered? ☒

Claim checked by: VERIFIED RDN Date: 1-27-89Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be sent a copy of amended claim for approval: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____

Date: _____

Claim data entered by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Checked by: _____

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OCT 06 1992

Comments: 56.00

Water Right Number - A57-00267

Adj. Flag Translation: Adjudication Temporary Work Area

Old (D) Number -

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

*** C - CURRENT OWNER ***
GABICA

RICHARD

1 - 403 W. LINCOLN
2 -
3 -

State- ID Zip- 83651

City- NAMPA

Phone -

1 - 403 W. LINCOLN

2 -

3 -

State- ID Zip- 83651

City- NAMPA

Phone -

BENITA

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1879 14 D - DECREED+ - - Source - - - - - + + - - Tributary - - - - - + + - - - - -
REYNOLDS CREEK SNAKE RIVER+ - - - - - - - - - - - - - Point of Diversion - - - - - + + - - - - -
Stream Index (Blank if no Index Code)

Twn	Rng	Sec	Tract	Lot	Rflg	County
03S	04W	12	NE SE			(73) OWYHEE
03S	04W	13	SE NE			(73) OWYHEE

+ - - - - - - - - - - - - - Water Use - - - - - + + - - - - - + + - - - - -
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.480+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.480

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Code | Description | County |
|-----|-----|-----|-------|-----|-------|--------------|------|-------------|-------------|
| 03S | 03W | 7 | NW NW | 1 | 18.0 | 01 | 01 | IRRIGATION | (73) OWYHEE |
| 03S | 03W | 7 | SW NW | 2 | 4.0 | 01 | 01 | IRRIGATION | (73) OWYHEE |
| 03S | 04W | 12 | SE NE | | 21.0 | 01 | 01 | IRRIGATION | (73) OWYHEE |
| 03S | 04W | 12 | NE SE | | 21.0 | 01 | 01 | IRRIGATION | (73) OWYHEE |
| 03S | 04W | 12 | SE SE | | 6.0 | 01 | 01 | IRRIGATION | (73) OWYHEE |

Total Acres: 70.0

+ - - Diversion Means - DIVERSION DAMS, HEADGATES AND DITCHES.

+ - - Non-irrigation Use -

+ - - Other Rights for Same Use - 57-1021, 57-1022

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OCT 06 1992

- - Remarks - -
No Remarks found.

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

| | | | | | | |
|---|---|---|----------------|----------|----------|---------|
| + | - | - | Audit Fields - | 03/14/84 | 05/01/88 | CONVERT |
|---|---|---|----------------|----------|----------|---------|

[illegible]

| | | | | | | | |
|-----------------------|---|------------|-----------------------|---|------------|-------------------------|-----|
| Court Report Filing | - | 00/00/0000 | Field Inspection Made | - | 00/00/0000 | Civil Case Number | - |
| Objection Filed Date | - | 00/00/0000 | Field Inspection Flag | - | | Old Case Number | - |
| Response Filed Date | - | 00/00/0000 | Verified Date | - | 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - | 00/00/0000 | Last Amended Date | - | 00/00/0000 | Temporary Right | P |
| Claims Tape Error Flg | - | | Receipt Number | - | | Water District | 57R |
| Fee Exempt Flag | - | | POU Ownership Flag | - | | Federal/State Indicator | - |
| Name Connector | - | | | | | | |

Presumption Flag -

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