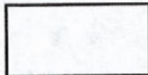
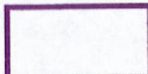
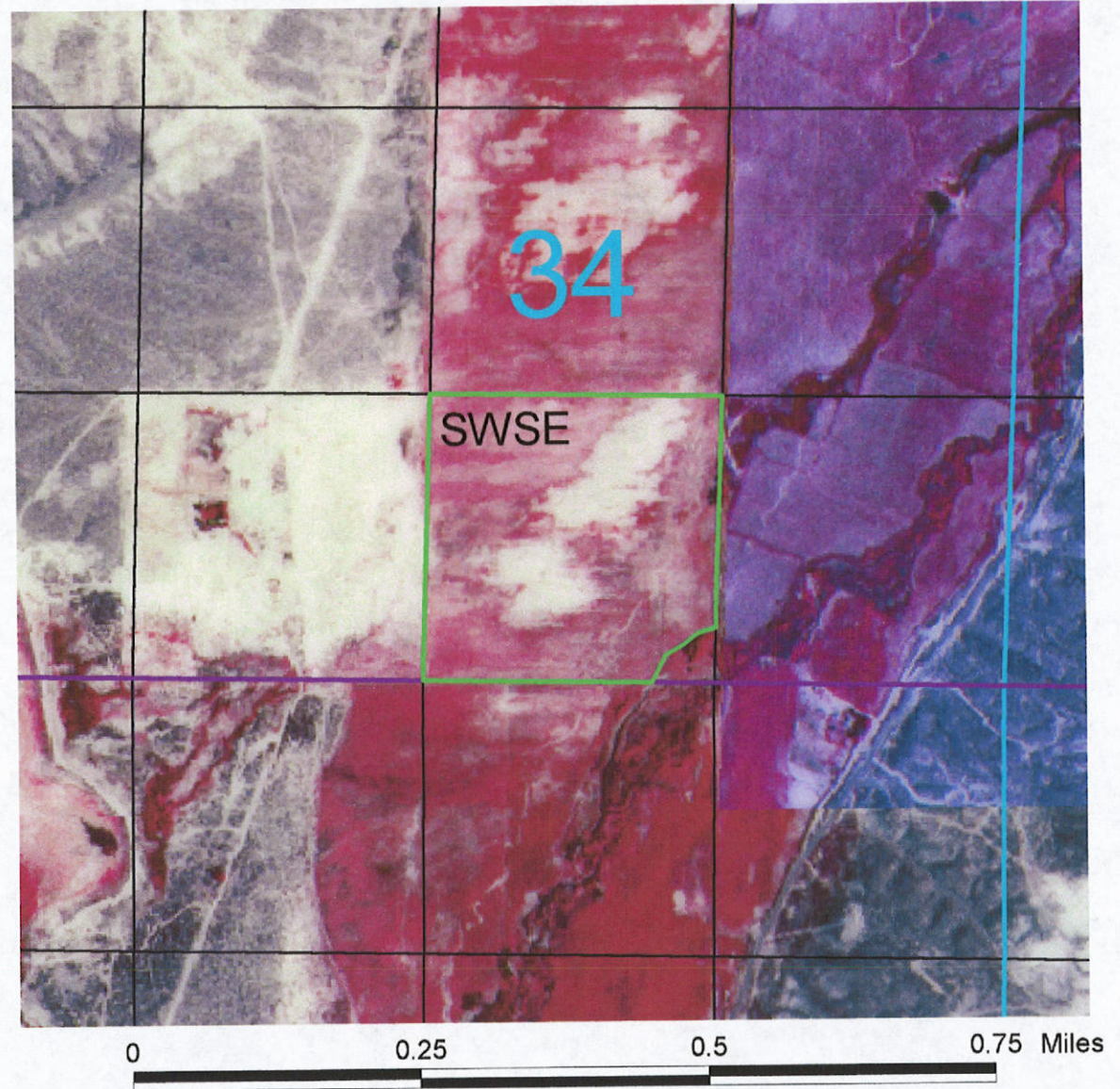


Idaho Department of Water Resources

Claim Number: 57-02132B
Legal: T04S, R01E, S34
Reviewed By:

1987 Napp Photo

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



6/9/94

COMMUNICATION DOCUMENTATION

CLAIM NOS. AS7-00085, 87, 100, 102, 108, 112,
114, 115, 121, 135, 147, 162 - CARON GILBERT;
Claim Nos. AS7-00223, 00224, 02132B,
AS7-02314 - JOHN FUQUAY.

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

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

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

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

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

RECORDED
INDEXED
SEP 25 1996

ADJUDICATION MEMORANDUM

57-00085, 87, 100, 102, 108, 112, 114, 115, 121, 135, 147 & 162 - CAROL GILBERT - CASTLE C.

CLAIM NO.: 57-00223, 224, 02132BY 02314 SUBJECT: PHONE CONVERSATION CONCERNING DITCH PROBLEMS BETWEEN THESE TWO RIGHT HOLDERS.

JOHN FUGUAY - CASTLE CREEK.

EMPLOYEE: JAN SHURTE

DATE: 8-17-93

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

MICROFILMED
JUL 20 1994

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-2132B

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*		<u>L. Werner</u>	<u>6</u>	<u>N</u>	<u>N</u>		
PT. OF DIV.		<u>9-12-91</u>	<u>6</u>				DATA ENTRY COMPLETED
SOURCE			<u>6</u>				BY _____ DATE _____
PL. OF USE			<u>6</u>				FINAL RECOMMENDATION
DIV. AMOUNT CFS/AF			<u>6</u>				BY _____ DATE _____
CONSUMPTIVE USE			<u>ADJ. STD.</u>				
NATURE OF USE			<u>6</u>				
PERIOD OF USE			<u>Dept. STD.</u>				
BASIS OF CLAIM			<u>6</u>				
REMARKS			<u>—</u>				

VERIFICATION CODES

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

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

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
*OTHER(SEE COMMENTS) = 6

COMMENTS:

*6 = Same as licensed

MICROFILMED
007061592

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: **A57-02132B**
Date Received: 7/29/1991
Receipt No: W013530
Received By: [Signature]

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

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

2. Date of Priority: MAR 15, 1931

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	01E	10	SE	NW	NW		OWYHEE

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.320		

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

8. Total consumptive use is 56.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04S	01E	34	SW	SE		IRR	16.0

RECEIVED
001 11 1991

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	16.0
					Total Acres	16.0

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:

A57-02314B, A57-00223, A57-00224

14. Remarks:

THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:

A57-02132B, 0.32 CFS, 16.0 ACRES, FUQUAY

15. Basis of Claim: LICENSE

Water Right Number: 15223

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):

John E. Fuquay

Date:

7/29/91

Date:

MICROFILMED
OCT 06 1992

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 29 day

of July 19 91

Linda Werner
Notary Public

Seal

Residing at LINDA WERNER
RESIDING AT EAGLE, IDAHO
My Commission EXPIRES DEC. 8, 1994

MICROFILMED
OCT 06 1992

Water Right Number - 57-02132

Prefix Translation: WATER RIGHT

Old (D) Number - 15223

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

*** C - CURRENT OWNER ***
FOREMAN

T. A.

1 -
2 -
3 -City- OREANA
Phone - 208-000-0000

State- ID Zip- 83659

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/15/1931 14 WESTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
CASTLE CREEK SNAKE RIVER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

05S 01E 10 NW NW (73) OWYHEE 272.0 353.0 10.6

+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 4.820
43 - DOMESTIC+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
4.820+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
04S 01E 26 NE NE 16.0 01 IRRIGATION (73) OWYHEE
04S 01E 26 SW NE 8.0 01 IRRIGATION (73) OWYHEE
04S 01E 26 SE NE 8.0 01 IRRIGATION (73) OWYHEE
04S 01E 26 NE SW 16.0 01 IRRIGATION (73) OWYHEE
04S 01E 26 SW SW 40.0 01 IRRIGATION (73) OWYHEE
04S 01E 26 SE SW 37.0 01 IRRIGATION (73) OWYHEE
04S 01E 26 NW SE 20.0 01 IRRIGATION (73) OWYHEE
04S 01E 26 SW SE 10.0 01 IRRIGATION (73) OWYHEE
04S 01E 34 NE NE 12.0 01 IRRIGATION (73) OWYHEE
04S 01E 34 SW SE 16.0 01 IRRIGATION (73) OWYHEE
04S 01E 35 NE NW 20.0 01 IRRIGATION (73) OWYHEE
04S 01E 35 NW NW 38.0 01 IRRIGATION (73) OWYHEE

Total Acres: 241.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

2008 09 09 100
067 0 6 002
CERTIFIED TRUE COPY

Water right number - 57-02132

Prefix Translation: WATER RIGHT

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

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

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 02/26/85 05/01/88 CONVERT 06/27/89 CURTIS

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

| | | |
|-------------------------------|------------------------------|----------------------|
| Proof Due Date - 00/00/0000 | Field Exam Made - 00/00/0000 | Field Exam Fee - |
| Approved/Denied - 00/00/0000 | Protested Date - 00/00/0000 | Swan Falls - |
| Proof Made Date - 00/00/0000 | Hearing Date - 00/00/0000 | Temporary Right - P |
| Start Work Date - 00/00/0000 | Verified Date - 02/26/1985 | DLE/Carey Act - |
| Order Show Cause - 00/00/0000 | Receipt Number - | Water District - 57C |
| Licensed Date - 06/07/1979 | Appl Received - 00/00/0000 | Transfer/Amended - |
| Decree Date - 00/00/0000 | Microfilm Roll No - | Presumption Flag - |

MICROFILMED
OCT 06 1992

Idaho Department of Water Resources

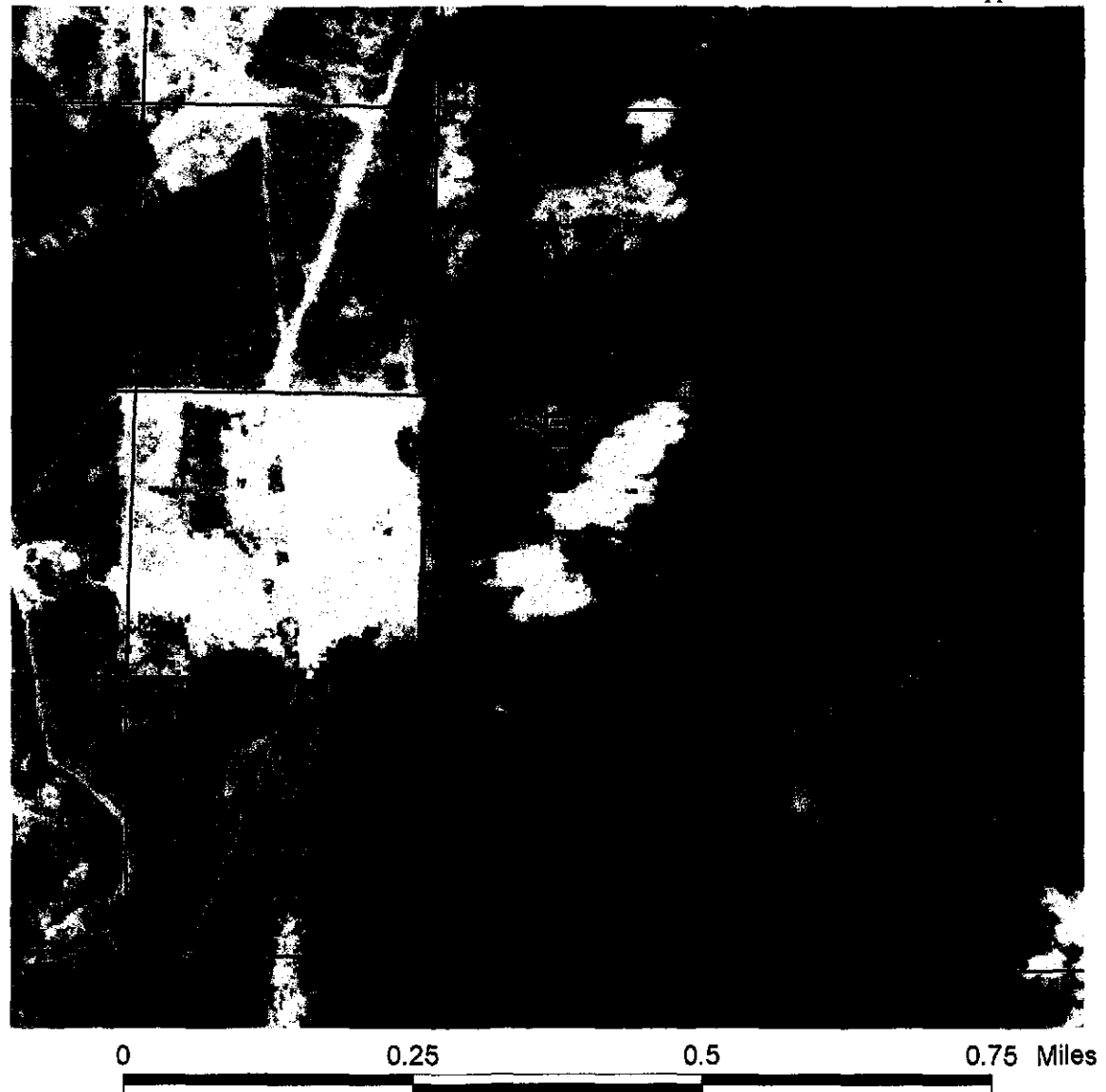
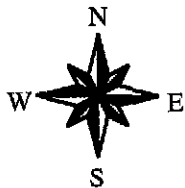
Claim Number: 57-02132B

Legal: T04S, R01E, S34

Reviewed By:

1987 Napp Photo

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



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-02132 B Date: 5-23-03

| | TNS | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | | SUM |
|-------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|------|----|------|
| | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| Claim | 45 | 1E | 34 | | | | | | | | | | | | | | | 16 | | 16 |
| GIS | | | | | | | | | | | | | | | | | | 39.2 | | 39.2 |
| Claim | | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | | |
| Claim | | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | | |
| Claim | | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | | |

Number of POD's 1

Total Claimed Acres: 16

Overlapping POU Claim #'s:

57-02314, 57-00224

Total GIS Acres: 39.2

COMMENTS:

There is no claim map for this file. Each overlapping
claim claims different acres. I chose to duplicate
57-02314 as it is larger.

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 57-02132B

1997 DEC 15 AM 10: 52

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.32 CFS

PRIORITY DATE: 03/15/1931

POINT OF DIVERSION: T0Ss R01E S10 SENWNW Within OWYHEE County

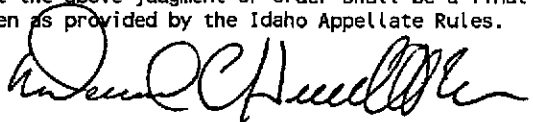
| PURPOSE AND
PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|-------------------------------|----------------|-------------------|----------|
| | IRRIGATION | Irrigation Season | 0.32 CFS |

PLACE OF USE: IRRIGATION Within OWYHEE County
T04S R01E S34 SWSE 16
16 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 117.5 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 57-00224 & 57-02314

RULE 54(b) CERTIFICATE

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



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

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-02132B

1997 DEC 15 AM 10: 52

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.32 CFS

PRIORITY DATE: 03/15/1931

POINT OF DIVERSION: T05S R01E S10 SENWNW Within Owyhee County

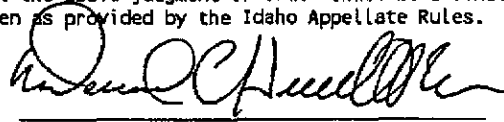
| PURPOSE AND
PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|-------------------------------|----------------|-------------------|----------|
| | IRRIGATION | Irrigation Season | 0.32 CFS |

PLACE OF USE: IRRIGATION Within Owyhee County
T04S R01E S34 SWSE 16
16 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 117.5 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 57-00224 & 57-02314

RULE 54(b) CERTIFICATE

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



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

2002 DEC 24 PM 4 04

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

| | | |
|----------------|---|---|
| In Re SRBA |) | Water Right 57-2132B |
| |) | |
| |) | ORDER AMENDING IRRIGATION PERIOD OF USE |
| |) | ELEMENT IN PARTIAL DECREE and |
| Case No. 39576 |) | INCORPORATING INTO PARTIAL DECREES AN |
| |) | EXPRESS STATEMENT REGARDING GENERAL |
| |) | PROVISIONS, <i>NUNC PRO TUNC</i> |

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

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

PERIOD OF USE: 03-01 to 11-15

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

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

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

RULE 54(b) CERTIFICATE

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

Dated December 24, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

Important Information About Your Water Right

December 24, 2002

John E Fuquay
HC 79 Box 2240
Murphy, ID 83650

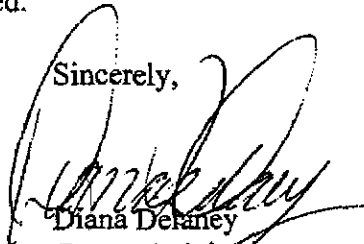
Dear Water Right Claimant(s):

This letter accompanies copies of an *Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc* (hereinafter "*Order*") for water right numbers 57-223, 57-224, 57-2132B, and 57-2314. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of these water rights. If you are not the current owner, please contact IDWR immediately at:

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

The purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for each of these water rights. As stated in the face of each *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). The *Order* also incorporates into the *Partial Decrees* an express statement that each *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). These *Orders*, in combination with the *Partial Decrees* that were issued for these water rights on December 15, 1997, set forth all of the elements of your water rights. The Snake River Basin Adjudication (SRBA) Court suggests that you keep these documents in a safe location together with a copy of each *Partial Decree* to show evidence of these water rights. The original of these *Orders* and the original of each *Partial Decree* for these water rights are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Orders* are entered *Nunc Pro Tunc*, meaning that the *Orders* will be treated as if they were issued on the same date that the *Partial Decrees* were originally issued.

Sincerely,



Diana DeFaney
Case Administrator

AJ0749NP
No. R57-02132B

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

DATE: 11/12/97
PAGE: 1

=====

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|------------------|--|------------------|------------|-----------------------|-------------------|---------------------|
| C | JOHN E FUQUAY
HC 79 BOX 2240
MURPHY ID 83650
(208) 834-2495 | 03/15/1931 | IRRIGATION | 03-15 11-15 | 0.32 CFS | |
| TOTAL DIVERSION: | | | | | 0.32 CFS | |

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion: T05S R01E S10

SENWNW

OWYHEE County

Place of Use Legal Description for: IRRIGATION

| NE | | | | NW | | | | SW | | | | SE | | | | | |
|-------------|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|------|------|
| T | R | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : | SUM |
| 04S | 01E | 34 | : | | | | | | | | | | | | | | 16.0 |
| TOTAL ACRES | | | | | | | | | | | | | | | | 16.0 | |

POU County: OWYHEE

Other Rights: N/A

Remarks: POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 117.5 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 57-00224 & 57-02314

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 57-00223, 57-00224, 57-02314

Dates: Exam Made Date: Verified Date: 11/12/1997 Objection Filed Date:

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

Comments: Date: 09/17/1991 User-ID: WERNER Subject: COPIED FROM REMARKS
THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:
A57-02132B, 0.32 CFS, 16.0 ACRES, FUQUAY
A57-02132A, G. KING

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

Audit: 11/12/97 KWALKER

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

DATE: NOV-12-1997

PAGE: A-1

RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-021328

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

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.32 CFS

PRIORITY DATE: 03/15/1931

POINT OF DIVERSION: T05S R01E S10 SENWNW Within Owyhee County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------------------|----------------|--------------------------|----------|
| | IRRIGATION | <u>Irrigation Season</u> | 0.32 CFS |
| | | 03/18 11/18 | |

PLACE OF USE: IRRIGATION Within Owyhee County
T04S R01E S34 SWSE 16
16 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 117.5 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 57-00224 & 57-02314

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

USE OF THIS RIGHT WITH RIGHT NOS. 57-00224 AND 57-02314 IS
LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
41112 AF AND TO THE IRRIGATION OF A COMBINED TOTAL OF 117.5 ACRES
IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00223, 57-00224, 57-02314

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 57-00223, 57-00224, 57-02314

6/5/94

COMMUNICATION DOCUMENTATION

CLAIM NOS. AS7-00085, 87, 100, 102, 108, 112,
114, 115, 121, 135, 147, 162 - CARON GILBERT &
Claim Nos. AS7-00223, 00224, 02132B,
AS7-02314 - JOHN FUQUAY.

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

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

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

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

Substance of Communication MR. FUQUAY CAME IN TO LET THE DEPT. KNOW ABOUT AN EMERGENCY ACTION HE TOOK DUE TO FLOODING IN HIS DIVERSION DITCH FROM CASTLE Ck. MR. FUQUAY STATES THAT CASTLE CREEK WAS FLOODING OUT OF ITS BANKS & INTO HIS DIVERSION DITCH TO FOREMAN RESERVOIR.

THE RESERVOIR IS FULL & THE WATER IN THE DITCH BEGAN FLOODING ONTO THE COUNTY ROAD, THEREFORE, MR. FUQUAY CUT THE SIDE OF HIS DITCH, ~~PUTTING~~ PUTTING IN ANOTHER DITCH TO DIVERT THE WATER BACK TO THE CREEK. THIS DID STOP THE FLOW OF WATER OVER THE ROAD. THE DIVERSION DITCH IS NEW DITCH DUG BACK TO THE CREEK BOTH CROSS OVER LAND OWNED BY DON BARNHILL (CARON GILBERT CLAIMS) AND MR. BARNHILL HAS CALLED IN STATING THAT MR. FUQUAY'S ACTIONS HAVE CAUSED FLOOD DAMAGES TO HIS PROPERTY. GENE GIBSON OF OUR OFFICE IS PREPARING TO INVESTIGATE THE WHOLE SITUATION PER MR. BARNHILL'S CALL RELATING TO A STREAM. MANAGER ALTERATION DIVISION THIS MEMO IS TO DOCUMENT MY

ADJUDICATION MEMORANDUM

57-00085, 87, 100, 102, 108, 112, 114, 115, 121, 135, 147 & 162 - CAROL GILBERT - CASTLE CREEK
 CLAIM NO.: 57-10223, 224, 02132BY 02314 SUBJECT: PHONE CONVERSATION CONCERNING DITCH PROBLEMS BETWEEN THESE TWO RIGHT HOLDERS
 JOHN FUGUAY - CASTLE CREEK
 EMPLOYEE: JAN SHURTE DATE: 8-17-93

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

RECEIVED
 JUL 20 1994

AJ5809NP
No. 57-02132B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/19/93
PAGE: 25

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|---------------------------|------------|-----------------------|-------------------|---------------------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|------|------|---|---|---|------|------|------|------|---|------|------|------|------|---|------|------|------|------|---|------|------|------|------|---|-----|-----|-----|-----|---|----|----|----|----|---|----|----|----|----|---|----|----|----|----|---|----|----|----|----|---|-----|-----|-----|----|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|------|-------------|------|
| C | JOHN E FUQUAY
HC 79 BOX 2240
MURPHY ID 83650
(208) 834-2495 | 03/15/1931 | IRRIGATION | 03-15 11-15 | 0.32 CFS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL DIVERSION: | | | | | 0.32 CFS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Water Source: CASTLE CREEK | | Tributary to: SNAKE RIVER | | Stage: LICENSE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Point(s) of Diversion: | | T05S R01E S10 SENWNW | | OWYHEE County | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Place of use Legal Description for: IRRIGATION | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table><thead><tr><th colspan="4">NE</th><th colspan="4">NW</th><th colspan="4">SW</th><th colspan="4">SE</th><th></th></tr><tr><th>T</th><th>R</th><th>S</th><th>:</th><th>NENE</th><th>NWNE</th><th>SWNE</th><th>SENE</th><th>:</th><th>NENW</th><th>NWNW</th><th>SWNW</th><th>SENW</th><th>:</th><th>NESW</th><th>NWSW</th><th>SWSW</th><th>SESW</th><th>:</th><th>NESE</th><th>NWSE</th><th>SWSE</th><th>SESE</th><th>:</th><th>SUM</th></tr><tr><th>---</th><th>---</th><th>---</th><th>:</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>:</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>:</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>:</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>:</th><th>---</th></tr></thead><tbody><tr><td>04S</td><td>01E</td><td>34</td><td>:</td><td></td><td></td><td></td><td></td><td>:</td><td></td><td></td><td></td><td></td><td>:</td><td></td><td></td><td></td><td></td><td>:</td><td></td><td></td><td></td><td></td><td>:</td><td>16.0</td></tr><tr><td colspan="23">TOTAL ACRES</td><td>16.0</td></tr></tbody></table> | | | | | | | NE | | | | NW | | | | SW | | | | SE | | | | | T | R | S | : | NENE | NWNE | SWNE | SENE | : | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | : | SUM | --- | --- | --- | : | Lt | Ac | Lt | Ac | : | Lt | Ac | Lt | Ac | : | Lt | Ac | Lt | Ac | : | Lt | Ac | Lt | Ac | : | --- | 04S | 01E | 34 | : | | | | | : | | | | | : | | | | | : | | | | | : | 16.0 | TOTAL ACRES | 16.0 |
| NE | | | | NW | | | | SW | | | | SE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| T | R | S | : | NENE | NWNE | SWNE | SENE | : | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | : | SUM | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| --- | --- | --- | : | Lt | Ac | Lt | Ac | : | Lt | Ac | Lt | Ac | : | Lt | Ac | Lt | Ac | : | Lt | Ac | Lt | Ac | : | --- | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 04S | 01E | 34 | : | | | | | : | | | | | : | | | | | : | | | | | : | 16.0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL ACRES | | | | | | | | | | | | | | | | | | | | | | | 16.0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

POU County: OWYHEE

Other Rights: N/A

Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 57-00224 AND 57-02314 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 411.2 AF AND TO THE IRRIGATION OF A COMBINED TOTAL OF 117.5 ACRES IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00223, 57-00224, 57-02314

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

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

Comments: Date: 09/17/1991 User-ID: WERNER Subject: COPIED FROM REMARKS
THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:
A57-02132B, 0.32 CFS, 16.0 ACRES, FUQUAY
A57-02132A, G. KING

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

Audit: 09/17/91 WERNER 11/22/91 WERNER 01/08/92 WERNER 02/14/92 WERNER
07/29/92 PR-PRODM 08/24/92 SCHULTZ 09/22/92 WERNER 10/13/92 CP SHAW
12/05/92 ADT-SHAW

MICROFILMED
JUL 20 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 1, 1992

JOHN FUQUAY
HC 79 BOX 2240
MURPHY ID 83650

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

Dear Mr. Fuquay;

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

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

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

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure: Map

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

MICROFILMED
OCT 06 1992

NOTICE OF ERROR FORM

JUL-26-1992

RECEIVED
AUG 19 1992

Please type or print clearly, fill out completely, and return to:
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000

Department of Water Resources
Western Regional Office

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

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

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

2. Name: John Fuqua

Address: H.E. 79 Box 2240, Murphy, Id. 83650

Weekday Telephone Number: 208-834-2495

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

MICROFILMED
OCT 06 1992

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

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

combined total of Acres

|

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

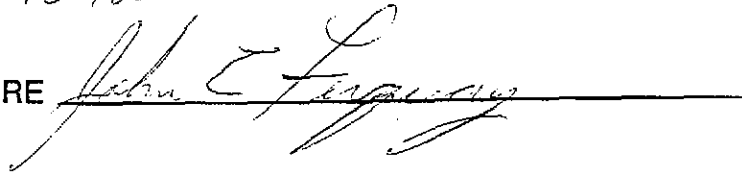
I wish to have a 16 acres added to total

5. Describe why you disagree with the proposed recommendation:

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

6. Date: 8-13-92

SIGNATURE



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

=====

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

| | | | | | | |
|------------------|--|------------|------------|-------------|----------|--|
| C | JOHN E FUQUAY
HC 79 BOX 2240
MURPHY ID 83650
(208) 834-2495 | 03/15/1931 | IRRIGATION | 03-15 11-15 | 0.32 CFS | |
| TOTAL DIVERSION: | | | | | 0.32 CFS | |

Water Source: CASTLE CREEK Tributary to: SNAKE RIVER Stage: LICENSE

Point(s) of Diversion: T05S R01E S10 SENWNW OWYHEE County

Place of use Legal Description for: IRRIGATION

| NE | | | | NW | | | | SW | | | | SE | | | | |
|-----|-----|----|---------|-------|-------|-------|---------|-------|-------|-------|---------|-------|-------|-------------|-------|------|
| T | R | S | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : SUM | |
| 04S | 01E | 34 | : | | | | : | | | | : | | | | | |
| | | | | | | | | | | | | | | 16 | : | 16.0 |
| | | | | | | | | | | | | | | TOTAL ACRES | : | 16.0 |

POU County: OWYHEE

Other Rights: N/A

Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 57-00224 AND 57-02314 IS
LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
411.2 AF AND TO THE IRRIGATION OF A COMBINED TOTAL OF 117.5 ACRES
IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00223, 57-00224, 57-02314

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

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

Comments: Date: 09/17/1991 User-ID: WERNER Subject: COPIED FROM REMARKS
THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:
A57-02132B, 0.32 CFS, 16.0 ACRES, FUQUAY
A57-02132A, G. KING

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

Audit: 00/00/00

MICROFILMED
OCT 6 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-2132B

| WR ELEMENT | FIELD EXAM
Y/N-IF NO,
DO OFFICE
VERIFICATION | FIELD EXAM
OR IN-OFFICE
VERIFICATION
WHOM/DATE | CLAIM
VERIFIED BY
CODE
(SEE BELOW) | CHANGE
CLAIM
Y/N | CLAIMANT CONTACT
NEEDED - Y/N** | REVIEW
COMPLETED
WHOM/DATE | "R" RECORD |
|-----------------------|---|---|---|------------------------|------------------------------------|----------------------------------|----------------------|
| PRIORITY* | | <u>L. Werner</u> | <u>6</u> | <u>N</u> | <u>N</u> | | |
| PT. OF DIV. | | <u>9-12-91</u> | <u>6</u> | | | | DATA ENTRY COMPLETED |
| SOURCE | | | <u>6</u> | | | | BY _____ DATE _____ |
| PL. OF USE | | | <u>6</u> | | | | FINAL RECOMMENDATION |
| DIV. AMOUNT
CFS/AF | | | <u>6</u> | | | | BY _____ DATE _____ |
| CONSUMPTIVE
USE | | | <u>ADJ.
STD.</u> | | | | |
| NATURE OF
USE | | | <u>6</u> | | | | |
| PERIOD OF
USE | | | <u>Dept.
STD.</u> | | | | |
| BASIS OF
CLAIM | | | <u>6</u> | | | | |
| REMARKS | | | <u>—</u> | | | | |

VERIFICATION CODES

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

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

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
*OTHER(SEE COMMENTS) = 6

COMMENTS:

*6 = same as licensed

NOT RECORDED
06 1992

DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet For

SRBA Claim Verification Field Report

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

- ☒ Claim Verification Report(CVR)
- ☒ Copy of Adjudication Claim
- ☒ Copies of pertinent files(prev. rts., exams, etc.)
- ☒ Well Inspection Form (If Needed)
- ☒ Copy of U.S.G.S. Quad map, orthophotoquad, or NAPP photography
- ☒ Check P.D. & P.U. desc. for Govt. Lots(if a lot is found, a copy of the Govt. plat is needed to add the lot onto the R claim file later.)
- ☒ Check CVR for P.D. overlap(see page titled Pt. of Div. Review Sheet)
- ☒ Check AJ & WR P/D indexes(to ck. accuracy of CVR overlap ckd. above)
- Overlap ☐ yes ☐ no If yes: ☐ copy of claims & water rights incl?
- Type of Overlap? ☐ Add acres or uses to existing system
- ☐ Increase rate of flow or volume
- ☐ Other: _____
- ☒ Check CVR for P.U. overlaps(see page titled Pl. of Use Review Sheet)
- ☒ Check AJ & WR P/U indexes(to ck. accuracy of CVR overlap ckd. above)
- Overlap ☐ yes ☐ no If yes: ☐ copy of claims & water rights incl?
- Type of Overlap? ☐ Increase rate of flow or volume
- ☐ Add P/D's
- ☐ Increase number of acres within tracts
- ☐ Different source for same acres
- ☐ Other: _____
- ☒ Appointment Letter Sent? See A57-00223 (initial & date)
- ☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed CVR Form
- ☒ Photographs of Point(s) of Diversion and Place of Use See A57-00223
- ☒ Completed map outlining Point(s) of Diversion and Place of Use

C. Review and Processing:

- Claim No. submitted for weekly exam completed prog. report? ☐ Yes ☐ No
- Exam completed date data entered on claim 9-17-91-LRW (initial & date)
- Claim Verification Report completed 9-16-91-LRW (initial & date)
- Was CVR spot-checked by Supervisor? ☐ Yes ☒ No (initial & date)
- R claim file created 9-17-91-LRW (initial & date)
- Recommendations entered on R claim file 9-17-91-LRW (initial & date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:16:10
07/30/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-02132B

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

FIRST: T. A.

STATE: ID ZIP: 83659

OWNER CODE: O

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

FIRST: JOHN E.

STATE: ID ZIP: 83650

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:
A57-02132B, 0.32 CFS, 16.0 ACRES, FUQUAY

MICROFILMED
OCT 6 1992

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

See A57-00223

MICROFILMED

OCT 6 1992

A. AJ CLAIM: # A57-02132B PRIORITY DATE: 03-15-1931 STAGE: L
B. WR RECORD: # 57-02132 PRIORITY DATE: 03-15-1931 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
NO

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

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
03-15-1931

REVIEWED BY

Linda Warner

DATE

9-12-91

=====

MICROFILMED
OCT 6 6 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|------------|------|------|------|-----|-----|-----|-----|--------|
| A57-02132B | 05S | 01E | 10 | SE | NW | NW | | OWYHEE |

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A57-00223 NONE
A57-00224
A57-02314B

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 57-02132 | 05S | 01E | 10 | | NW | NW | | OWYHEE |

OTHER WR RECORDS WITH SAME WR POD

NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A57-10206 R57-10206
A57-00223
A57-00224
A57-02314B

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

| | DATABASE | FIELD EXAMINER |
|----------------------------------|----------|----------------|
| DUE TO POD DISCREPANCY? (Y/N) | Y | <u>NO</u> |
| DUE TO SOURCE DISCREPANCY? (Y/N) | N | <u>NO</u> |

REMARKS:

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OCT 06 1982

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|-----------|-----------|-----------|-----------|-----------|-----------|------------|------------|
| <u>5S</u> | <u>1E</u> | <u>10</u> | <u>SE</u> | <u>NW</u> | <u>NW</u> | <u>---</u> | <u>OWY</u> |

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

REVIEWED BY: Linda Warner

DATE: 9-12-91

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SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. A57-02132B

The water is diverted from the creek by means of a rock dam and plastic dam

diversion to the ditch. The ditch runs in a northerly direction to the inflow

of Foreman reservoir. The inflow is located in T5S, R1E, Section 3, NESWNW.

Outflow from the reservoir is located in T5S, R1E, Section 3, SENWNW via ditch

to the places of use. The ditches at the places of use are cement lined. This

is a gravity flow system.

There is a pond located in the NWSWNE of Section 34, T4S, R1E. This pond is at

the end of the ditch system and is used for the domestic lawn irrigation by means

of pump and pipeline.

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A. ROOT WATER RIGHT NUMBERS: A57-02132B

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|-----------------|------------------|----------------|-----------------|----------------|------------------|
| 04S | 01E | 34 | SW | SE | | FUQUAY, JOHN E. | A57-02132B /16.0 | - / | 40.0 | | |
| | | | SW | SE | | FUQUAY, JOHN E. | A57-00224 /20.0 | 57-00224 /20.0 | | | |
| | | | SW | SE | | MUNGER, EDNA | | 57-02090 /20.0 | | | |
| | | | SW | SE | | FOREMAN, T. A. | | 57-02132 /16.0 | | | |
| | | | SW | SE | | FOREMAN, T. A. | | 57-02314 /16.0 | | | |
| | | | SW | SE | | COLLETT, BOB D. | | 57-04004 /33.0 | | | |
| TOTAL ACRES | | | | | | | A57-02132B | 16.00 | 40.00 | | 38 16 |

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

See overlap map

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
W

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 16

REVIEWED BY: Linda Wanner

DATE: 9-12-91

MICROFILMED
OCT 06 1992

A. AJ CLAIMED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A57-02132B IRRIGATION | FROM 03-15 TO 11-15 | .320 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | .320 CFS |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|-----------|--------------------|
| 57-02132 IRRIGATION | FROM TO | 4.820 CFS |
| 57-02132 DOMESTIC | FROM TO | 4.820 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 4.820 CFS |

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(X) N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 0.320
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.820

CFS
CFS

> Split right

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

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

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

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y N

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A57-02314B, A57-00223, A57-00224

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|--------------|-----------------|-----------|----------------|-----------|----------------|
| A57-02132B | CASTLE CREEK | FUQUAY, JOHN E. | 0.320 | 0.020 | | |
| A57-00224 | CASTLE CREEK | FUQUAY, JOHN E. | 0.400 | 0.020 | | |

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 16 x 0.02 CFS/ACRE = 0.32 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() ***

1b. CALCULATIONS

Total combined acres =
117.5

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 56.0 AF/A

ACRES 16 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 56.0 AF/A

C.U. $117.5 \times 3.5 \text{ AF/A} = 411.2 \text{ AFA}$

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

See overlap map in A57-00223

EOL: 57-00224 & 57-02314; C.U. 411.2 AF & 117.5 Acres

FOG: Other rights w/same POD = 57-00223, 57-00224 & 57-02314

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RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|----------------------------------|------------------------|----------------------|-----------------------|-------------------|
| | | DATABASE EXAMINER | DATABASE EXAMINER | DATABASE EXAMINER |
| <u>Irr.</u> | <u>3-15 11-15</u> | <u>0.32</u> | <u>N/A</u> | <u>56.0</u> |
| TOTAL FOR THIS RIGHT | | <u>0.32</u> | <u>—</u> | <u>56.0</u> |
| REVIEWED BY: <u>Linda Warner</u> | | DATE: <u>9-12-91</u> | | |

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-02132

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
4.820

EXAMINER

CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A57-02132B | 0.320 | - | - | 57-02132 | 4.820 |
| TOTAL CFS | | 0.320 | | | | 4.820 |

DIVERSION RATE REVIEW

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

DATABASE
N

FIELD
EXAMINER

REMARKS:

A57-02132A, G. King, 1.62 cfs, 81 Ac.
A57-02132B, J. Faguax, 0.32 cfs, 16 Ac.
2.88 cfs of A57-02132A forfeited because of no beneficial use.

AUTHENTICATION:

SIGNATURE: Linda Werner

DATE: 9-12-91

NAME OF FIELD EXAMINER: Linda Werner
In office

TITLE: Sr. W.R. Agent

791 0 0 1392

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