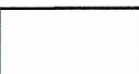


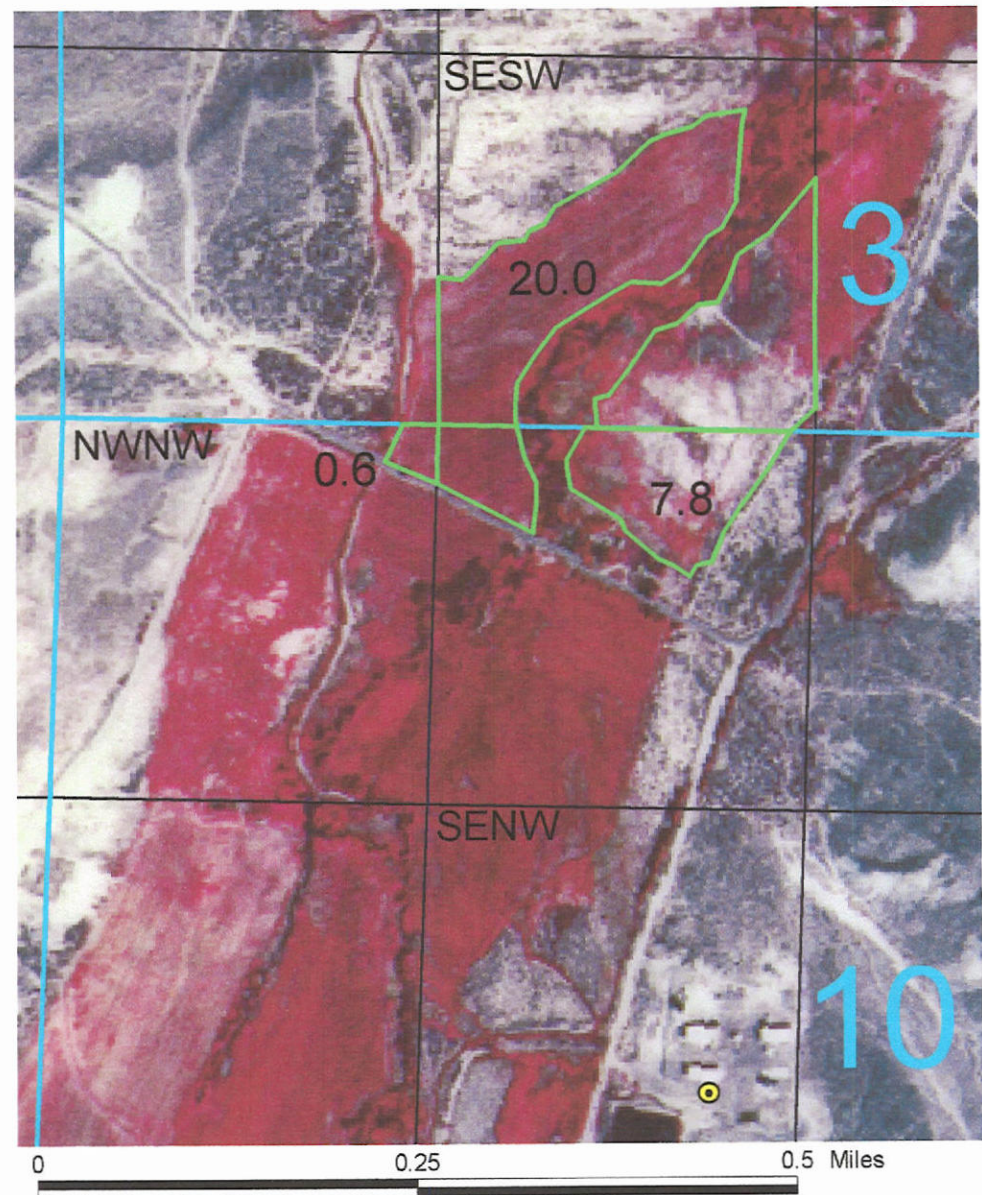
Idaho Department of Water Resources

Claim Number: 57-02249B
Legal: T05S, R01E, S03, 10
Reviewed By:

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



1987 Napp Photo



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 57-022498

1997 NOV 26 PM 2:31

DISTRICT COURT-5TH JUDICIAL DISTRICT
TWIN FALLS, IDAHO
FILED

NAME & ADDRESS: CAROL P GILBERT
OREANA RT
MURPHY ID 83650

SOURCE: GROUNDWATER

QUANTITY: 0.48 CFS
171.5 AFY

PRIORITY DATE: 03/08/1967

POINT OF DIVERSION: T05S R01E S10 SESENW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	0.48 CFS 171.5 AFY

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T05S R01E S03 S10	SESW 35 NENW 6
	46 ACRES TOTAL	NWNW 5

USE OF THIS RIGHT WITH RIGHT NOS. 57-000858, 57-000878,
57-001008, 57-001028, 57-001088, 57-001128, 57-001148, 57-001158,
57-001218, 57-001358, 57-001478 AND 57-001628 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 46.0 ACRES IN A SINGLE
IRRIGATION SEASON.


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.


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

DEC 01 1997

Department of Water Resources

1997 NOV 26 PM 2:31

DISTRICT COURT-5
TWIN FALLS COUNTY
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 57-02249B
_____	)	

On July 30, 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 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 water right 57-02249B is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 26, 1997.


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

RECEIVED

JUL 31 1997

Department of Water Resources
Adjudication Bureau

1997 JUL 30 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED JL

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

) Subcase 57-02249, 57-02249A
) and 57-02249B

) SPECIAL MASTER'S REPORT
)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409(1990) by Carol Gilbert. The director of the State of Idaho Department of Water Resources examined the water system for areas 1, 2, and 3 and investigated and abstracted the notices of claims for those Reporting Areas. The Director of the Idaho Department of Water Resources then filed a *Director's Report* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 57-02249 was filed by the United States BLM. On January 24, 1997, a *Notice of Completed Administrative Proceeding* was filed splitting water right 57-02249 into two water rights: 57-02249A to be decreed to Jack D., Orpha., David J., and Gregory S. Ward; and 57-02249B to be decreed to Carol Gilbert. Subsequently, a *Stipulation for Entry of Partial Decree (Stipulation)* which was accepted by the court in lieu of a *Standard Form 5*, was filed as to how the elements of this water right should be decreed; now therefore,

IT IS THEREFORE RECOMMENDED that water right 57-02249 be disallowed and that water right numbers 57-02249A and 57-02249B be decreed as recommended in the attached *Special Master's Report and Recommendation for Partial Decree*.

DATED 7/30/, 1997.

 Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
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)
_____)

1997 JUL 30 PM 2:33
SPECIAL MASTER'S RECOMMENDATION FOR
DISTRICT COURT - SRBA
PARTIAL DECREE FOR TWIN FALLS CO., IDAHO
Water Right 57-022498 FILED *DL*

NAME & ADDRESS: CAROL P GILBERT
OREANA RT
MURPHY ID 83650

SOURCE: GROUNDWATER

QUANTITY: 0.48 CFS
171.5 AFY

PRIORITY DATE: 03/08/1967

POINT OF DIVERSION: T05S R01E S10 SESENW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	0.48 CFS 171.5 AFY

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T05S R01E S03	SESW 35.0
	S10	NENW 6.0
	46.0 ACRES TOTAL	NWNW 5.0

USE OF THIS RIGHT WITH RIGHT NOS. 57-00085B, 57-00087B,
57-00100B, 57-00102B, 57-00108B, 57-00112B, 57-00114B, 57-00115B,
57-00121B, 57-00135B, 57-00147B AND 57-00162B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 46.0 ACRES IN A SINGLE
IRRIGATION SEASON.

DATED: 7/30/97

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master
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)
_____)

1997 JUL 30 PM 2:33
SPECIAL MASTER'S RECOMMENDATION FOR
DISTRICT COURT - SRBA
PARTIAL DECREE FOR TWIN FALLS CO., IDAHO
Water Right 57-02249A
FILED *PL*

NAME & ADDRESS: JACK D WARD
ORPHA G WARD
DAVID J WARD
GREGORY S WARD
15 LOMAN RD
GARDEN VALLEY ID 83622

SOURCE: GROUNDWATER

QUANTITY: 2.45 CFS
868.5 AFY

PRIORITY DATE: 03/08/1967

POINT OF DIVERSION: T05S R01E S10 SESENW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	Irrigation Season	2.45 CFS 868.5 AFY

PLACE OF USE:	IRRIGATION	Within Owyhee County			
T05S R01E S09	NENE 37.0	SENE 29.0	NESE 20.0	SESE 37.0	
S10	NENW 24.0	NWNW 32.0	SWNW 36.0	SENW 5.0	
	NESW 2.0	NWSW 39.0	SWSW 23.0		
284.0 ACRES TOTAL					

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 233.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

DATED: 7/30/97

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

1997 JUL 30 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO

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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-02249A

On July 30, 1997, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

Pursuant to SRBA Administrative Order 1, Section 14b, any party to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S REPORT AND RECOMMENDATION within 21 days following the date of publication of the filing of the Special Master's report in the Docket Sheet except parties to the subcase who failed to file a Motion to Alter or Amend before the Special Master (AO1, Section 9f). The Notice of Challenge shall appear on the Docket Sheet and shall be served on parties to the subcase(s) covered by the challenged report and the SRBA Court Reporter.

DATED July 30, 1997.


DEBBIE LASH
Deputy Clerk

1997 JUL 30 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *DL*

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

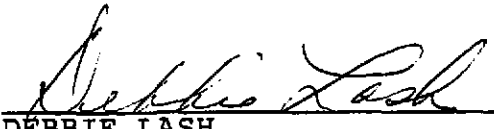
Water Right(s): 57-02249A

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on July 30, 1997, with sufficient first-class postage prepaid to the following:

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

JACK, ORPHA, DAVID & WARD
GREGORY
15 LOMAN RD
GARDEN VALLEY, ID 83622


DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
07/30/97

1997 JUL 30 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO

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)
_____)

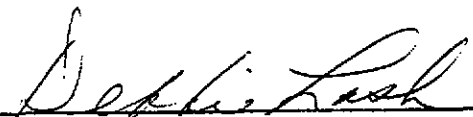
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-02249B

On July 30, 1997, Special Master FRITZ X HAEMMERLE
issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above
subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

Pursuant to SRBA Administrative Order 1, Section 14b, any party
to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S
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and the SRBA Court Reporter.

DATED July 30, 1997.


DEBBIE LASH
Deputy Clerk

1997 JUL 30 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *DL*

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

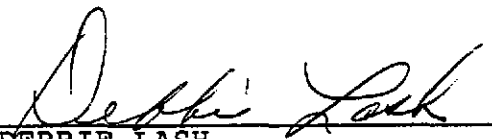
Water Right(s): 57-02249B

CERTIFICATE OF MAILING

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CAROL GILBERT
OREANA RT
MURPHY, ID 83650



DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
07/30/97

RECEIVED

JUL 31 1997

Department of Water Resources
Adjudication Bureau

1997 JUL 30 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED DL

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

) Subcase 57-02249, 57-02249A
) and 57-02249B

) SPECIAL MASTER'S REPORT
)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409(1990) by Carol Gilbert. The director of the State of Idaho Department of Water Resources examined the water system for areas 1, 2, and 3 and investigated and abstracted the notices of claims for those Reporting Areas. The Director of the Idaho Department of Water Resources then filed a *Director's Report* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 57-02249 was filed by the United States BLM. On January 24, 1997, a *Notice of Completed Administrative Proceeding* was filed splitting water right 57-02249 into two water rights: 57-02249A to be decreed to Jack D., Orpha., David J., and Gregory S. Ward; and 57-02249B to be decreed to Carol Gilbert. Subsequently, a *Stipulation for Entry of Partial Decree (Stipulation)* which was accepted by the court in lieu of a *Standard Form 5*, was filed as to how the elements of this water right should be decreed; now therefore,

IT IS THEREFORE RECOMMENDED that water right 57-02249 be **disallowed** and that water right numbers 57-02249A and 57-02249B be decreed as recommended in the attached *Special Master's Report and Recommendation for Partial Decree*.

DATED 7/30/, 1997.

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
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

1997 JUL 30 PM 2:33

In Re SRBA)
)
Case No. 39576)
)
)
)
_____)

SPECIAL MASTER'S RECOMMENDATION FOR
DISTRICT COURT - SRBA
PARTIAL DECREE FOR TWIN FALLS CO., IDAHO
Water Right 57-02249B FILED *DL*

NAME & ADDRESS: CAROL P GILBERT
OREANA RT
MURPHY ID 83650

SOURCE: GROUNDWATER

QUANTITY: 0.48 CFS
171.5 AFY

PRIORITY DATE: 03/08/1967

POINT OF DIVERSION: T05S R01E S10 SESENW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	0.48 CFS 171.5 AFY

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T05S R01E S03	SESW 35.0
	S10	NENW 6.0
	46.0 ACRES TOTAL	NWNW 5.0

USE OF THIS RIGHT WITH RIGHT NOS. 57-00085B, 57-00087B,
57-00100B, 57-00102B, 57-00108B, 57-00112B, 57-00114B, 57-00115B,
57-00121B, 57-00135B, 57-00147B AND 57-00162B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 46.0 ACRES IN A SINGLE
IRRIGATION SEASON.

DATED: 7/30/97

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

1997 JUL 30 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

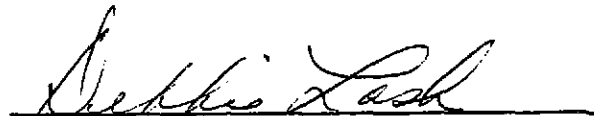
Water Right(s): 57-02249A

CERTIFICATE OF MAILING

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GREGORY
15 LOMAN RD
GARDEN VALLEY, ID 83622


DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
07/30/97

1997 JUL 30 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO

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)
_____)

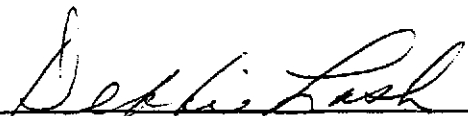
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-02249B

On July 30, 1997, Special Master FRITZ X HAEMMERLE
issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above
subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

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to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S
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Sheet except parties to the subcase who failed to file a Motion to
Alter or Amend before the Special Master (AO1, Section 9f).
The Notice of Challenge shall appear on the Docket Sheet and shall be
served on parties to the subcase(s) covered by the challenged report
and the SRBA Court Reporter.

DATED July 30, 1997.


DEBBIE LASH
Deputy Clerk

1997 JUL 30 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 57-02249B

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on July 30, 1997, with sufficient first-class postage prepaid to the following:

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

CAROL GILBERT
OREANA RT
MURPHY, ID 83650

Debbie Lash

DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
07/30/97

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)
_____)

1997 JUL 30 PM 2:33
SPECIAL MASTER'S RECOMMENDATION FOR
DISTRICT COURT - SRBA
PARTIAL DECREE FOR
TWIN FALLS CO., IDAHO
Water Right 57-02249A
FILED PL

NAME & ADDRESS: JACK D WARD
ORPHA G WARD
DAVID J WARD
GREGORY S WARD
15 LOMAN RD
GARDEN VALLEY ID 83622

SOURCE: GROUNDWATER

QUANTITY: 2.45 CFS
868.5 AFY

PRIORITY DATE: 03/08/1967

POINT OF DIVERSION: TOSS R01E S10 SESENW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	Irrigation Season	2.45 CFS 868.5 AFY

PLACE OF USE:	IRRIGATION	Within Owyhee County			
	TOSS R01E S09	NENE 37.0	SENE 29.0	NESE 20.0	SESE 37.0
	S10	NENW 24.0	NWNW 32.0	SWNW 36.0	SENW 5.0
		NESW 2.0	NWSW 39.0	SWSW 23.0	
	284.0 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 233.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

DATED: 7/30/97

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

1997 JUL 30 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO

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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-02249A

On July 30, 1997, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

Pursuant to SRBA Administrative Order 1, Section 14b, any party to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S REPORT AND RECOMMENDATION within 21 days following the date of publication of the filing of the Special Master's report in the Docket Sheet except parties to the subcase who failed to file a Motion to Alter or Amend before the Special Master (AO1, Section 9f). The Notice of Challenge shall appear on the Docket Sheet and shall be served on parties to the subcase(s) covered by the challenged report and the SRBA Court Reporter.

DATED July 30, 1997.


DEBBIE LASH
Deputy Clerk



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 31, 1997

Carol Gilbert
Oreana Rt.
Murphy, ID 83650

RE: Snake River Basin Adjudication (SRBA)
Claim No(s): 57-00085B et al.
Owyhee County

Dear Carol,

I've enclosed a partially completed *Notice of Change of Water Right Ownership* for your use. Please complete the elements highlighted in yellow. The other information is not required for this simple name change. We will need a copy of the deed; please enclose it with the completed form.

Send everything to my attention at 1301 N. Orchard, Boise, 83706-2237. As always, please call if you have any questions.

Sincerely,

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau

RB:r:so:tf
Enclosures:
Form 42-248/1409(6)

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-02249B

NAME & ADDRESS: CAROL P GILBERT
OREANA RT
MURPHY ID 83650

SOURCE: GROUNDWATER

QUANTITY: 0.48 CFS
171.5 AFY

PRIORITY DATE: 03/08/1967

POINT OF DIVERSION: T05S R01E S10 SESENW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.48 CFS 171.5 AFY

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T05S R01E S03	SESW 35.0
	S10	NENW 6.0 NWNW 5.0
	46.0 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT NOS. 57-00085B, 57-00087B,
57-00100B, 57-00102B, 57-00108B, 57-00112B, 57-00114B, 57-00115B,
57-00121B, 57-00135B, 57-00147B AND 57-00162B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 46.0 ACRES IN A SINGLE
IRRIGATION SEASON.

CONSUMPTIVE USE:

USE OF THIS RIGHT WITH RIGHT NOS. 57-00085B, 57-00087B,
57-00100B, 57-00102B, 57-00108B, 57-00112B, 57-00114B, 57-00115B,
57-00121B, 57-00135B, 57-00147B AND 57-00162B IS LIMITED TO A
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 161.0 AF.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 57-00085A, 57-00085B, 57-00087A,
57-00087B, 57-00100A, 57-00100B, 57-00102A, 57-00102B, 57-00108A,
57-00108B, 57-00112A, 57-00112B, 57-00114A, 57-00114B, 57-00115A,
57-00115B, 57-00121A, 57-00121B, 57-00135A, 57-00135B, 57-00147A,
57-00147B, 57-00162A, 57-00162B.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: DEC-4-1996
PAGE: A-1

 RIGHTS FROM: SOURCE: GROUNDWATER

 RIGHT NUMBER: 57-02249 ^(B)
 NAME & ADDRESS: CAROL P GILBERT
 OREANA RT
 MURPHY ID 83650
 SOURCE: GROUNDWATER
 QUANTITY: ~~2.93~~ CFS ^{0.48}
~~1237.9~~ AFY ^{171.5}
 PRIORITY DATE: 03/08/1967
 POINT OF DIVERSION: T05S R01E S10 SESENW Within Owyhee County
 PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
 IRRIGATION Irrigation Season ~~2.93~~ CFS ^{0.48}
~~1237.9~~ AFY ^{171.5}
 PLACE OF USE: IRRIGATION Within Owyhee County
 T05S R01E S03 SESW 35.0 ~~SWSE 7.0~~
~~S09~~ NENE 37.0 ~~SENE 29.0~~ ~~NESE 20.0~~ ~~SWSE 1.0~~
 SESE 37.0
 S10 NENW 24.0 ^{6.0} ~~NWNW 36.0~~ ~~SWNW 36.0~~ ~~SENW 12.0~~
 NESW 17.0 ~~NWSW 39.0~~ ~~SWSW 23.0~~
~~353.0~~ ACRES TOTAL ^{46.0}

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

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
 TOTAL COMBINED DIVERSION RATE OF ~~6.77~~ CFS, A TOTAL COMBINED
^{46.0} ANNUAL CONSUMPTIVE USE VOLUME OF ~~1235.5~~ AF, AND TO THE IRRIGATION ^{161.0}
 OF A COMBINED TOTAL OF ~~353.0~~ ACRES IN A SINGLE IRRIGATION SEASON.
 COMBINED RIGHT NOS.: 57-00085, 57-00087, 57-00100, 57-00102, B
 57-00108, 57-00112, 57-00114, 57-00115, 57-00121, 57-00135, B
 57-00147, 57-00162 AND 57-02249.

WATER TEMPERATURE MEASURED AT 128.0 DEGREES F.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
 SECTION 42-1425, IDAHO CODE.

RECEIVED



MAY 17 1996

NEW PROPERTY OWNER

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

RECEIVED

MAY 10 1996

Department of Water Resources

DATE OF CLOSING: May 1, 1996 (see instructions on back of page)

RECEIVED

MAY 13 1996

WATER RESOURCES
WESTERN REGIONLEGAL DESCRIPTION OF PROPERTY: Township 5 S, Range 1 E,
Section 9, 10, 1/4 of 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)
57-02249, 57-00085, 57-00087, 57-00100, 57-00102,

- ☐ Water Right Number(s) 57-00108, 57-00112, 57-00115, 57-00121, 57-00135,
Assigned by IDWR:

57-00147, 57-00162,

- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Donald R. Barnhill

HC 79 Box 2195, Oreana, ID 83650

- ☐ New Owner/Claimant (Purchaser):

Jack D. Ward, Orpha G. Ward, David J. Ward,
Gregory S. Ward

- ☐ New Mailing Address:

#15 Loman Road, Garden Valley, ID 83622

- ☐ New Telephone Number: (208) 462-3486

- ☐ 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:

90% flow to Wards: 10% flow to Moon Ranch Trust

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed: Quitclaim Deed

(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) [Signature] Agent

Date 5/1/96

Date

- ☐ Signature of Former Owner/Claimant(s):

Donald R. Barnhill

Date 5/1/96

Date

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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

229
WARRANTY DEED

FOR VALUE RECEIVED,
DONALD BARNHILL, a single man, individually; and DONALD R.
BARNHILL, as Trustee of The Wintercamp Ranch Trust, a trust
for the benefit of Jeff Barnhill

the Grantors, do hereby grant, bargain, sell and convey unto
JACK D. WARD and ORPHA G. WARD, husband and wife; DAVID J.
WARD and GREGORY S. WARD, both married men, as their sole
and separate property,

the Grantees, whose current address is

#15 Loman Road, Garden Valley, Idaho 83622

the following described real property, located in Owyhee
County, Idaho, to-wit:

Exhibit "A" attached hereto and made a part hereof:

Together with all and singular the tenements, hereditaments
and appurtenances thereunto belonging or in anywise
appertaining, including all water and ditch rights and
rights of way for water and ditches.

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto said Grantees, their heirs and assigns
forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners in fee
simple of said premises; that said premises are free from
all encumbrances except: None.

Subject to such rights, easements, covenants, restrictions
and zoning regulations as appear of record or by use upon
the premises.

Taxes and assessments of all taxing units not yet due and
payable.

Reservations in patents or state grants or in acts
authorizing the issuance thereof.

All repayment contracts between any irrigation district within which the premises are situated and any government or agency.

The bonded debt of all taxing units within which said premises are located.

Restrictions imposed by law, ordinance, or regulation imposed by any governmental entity, department or agency.

Restrictions contained in any covenants of record affecting the premises.

All rights of way or easements affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not.

DATED: May 1, 1996

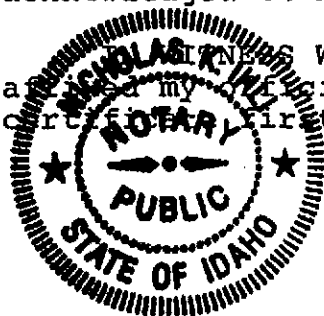
Donald Barnhill
Donald Barnhill

Donald R. Barnhill
Donald R. Barnhill, Trustee
The Wintercamp Ranch Trust

STATE OF IDAHO, COUNTY OF OWYHEE, ss.

On this 1st day of May, 1996, before me, a Notary Public in and for the State, personally appeared Donald Barnhill, individually, and Donald R. Barnhill, Trustee of The Wintercamp Ranch Trust, a trust for the benefit of Jeff Barnhill, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date and year in this certificate first above written.



Nicholas K. Shli
Notary Public for Idaho
Residing at Murphy Idaho
Commission Expires 7/27/2000

REQUEST OF
FEE Shli
9.00

DEPUTY
Shli

JIM HUNTLEY JR.
CLERK OF COUNTY RECORDER
MAY 1 AM 10 29

RECORDED

218732

Shli Till

Order No. 2291
Land Description:
PARCEL NO. 1:

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

Section 9: E½SE¼, E½NE¼

Section 10: NE¼SW¼, W½SW¼, That part of the NW¼ described
as follows:

A PORTION of the NW¼ of Section 10, Township 5 South,
Range 1 East, B. M., Owyhee County, Idaho, and is more
particularly described as follows:

COMMENCING at the Northwest corner of said Section 10;
thence North 89°07'55" East along the North boundary of said
Section 10, a distance of 723.74 feet to the TRUE POINT OF
BEGINNING; thence continuing North 89°07'55" East along said
North boundary, a distance of 227.20 feet; thence South
23°08'34" West, a distance of 64.62 feet to a point on the
centerline of a county road; thence South 64°02'28" East
along said centerline, a distance of 1395.31 feet; thence
North 63°57'39" East, a distance of 518.39 feet; thence
North 19°52'56" East, a distance of 45.30 feet to a point on
the East boundary of said NW¼; thence South 00°32'37" East
along said East boundary, a distance of 1461.67 feet; thence
South 89°14'25" West, a distance of 538.55 feet; thence
South 13°13'32" West, a distance of 779.70 feet to a point
on the South boundary of said NW¼; thence South 88°50'08"
West along said South boundary, a distance of 1944.43 feet
to the W¼ Corner of said Section 10; thence North 00°18'16"
West along the East boundary of said Section 10, a distance
of 2314.93 feet; thence North 89°07'55" East parallel with
the North boundary of said Section 10, a distance of 565.00
feet; thence North 24°44'58" East, a distance of 374.83 feet
to the TRUE POINT OF BEGINNING.

PARCEL NO. 2:

A portion of the SE¼NW¼ of Section 10, Township 5
South, Range 1 East, B. M., Owyhee County, Idaho, more
particularly described as follows:

Commencing at the southeast corner of said SE¼NW¼;
thence South 88°50'08" West along the South boundary of said
SE¼NW¼, a distance 724.16 feet to a point on the Easterly
boundary of a county road known as Poison Creek Road; thence
North 13°13'32" East along the Easterly boundary of said
county road, a distance of 307.82 feet to the REAL POINT OF
BEGINNING; thence South 76°46'29" East, a distance of 82.80
feet; thence North 13°13'32" East, parallel with the
Easterly boundary of said county road, a distance of 10.00
feet; thence North 76°46'29" West, a distance of 82.80 feet
to a point on the Easterly boundary of said county road;
thence South 13°13'32" West a distance of 10.00 feet to the
REAL POINT OF BEGINNING.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-02249 B

Date: 4-17-03

	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	55	1E	3												35					35
GIS															20					20
Claim			10					6	5											11
GIS								7.8	1.6											8.4
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 46

Total GIS Acres: 28.4

Overlapping POU Claim #'s:

57-00087B, 57-00108B, 57-00112B, 57-00114B, 57-00115B
57-00121B, 57-00135B, 57-00147B, 57-00162B, 57-00162B,
57-00100B, 57-00085B

COMMENTS:

See comments per POU in 57-00087B.

POD per claim legal description - estimated.

Idaho Department of Water Resources

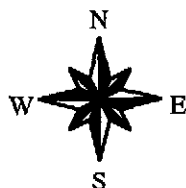
Claim Number: 57-02249B
Legal: T05S, R01E, S03, 10
Reviewed By:

1987 Napp Photo



0 0.25 0.5 Miles

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



Original Documents and Field Exam
in A57-02249