

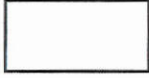
Idaho Department of Water Resources

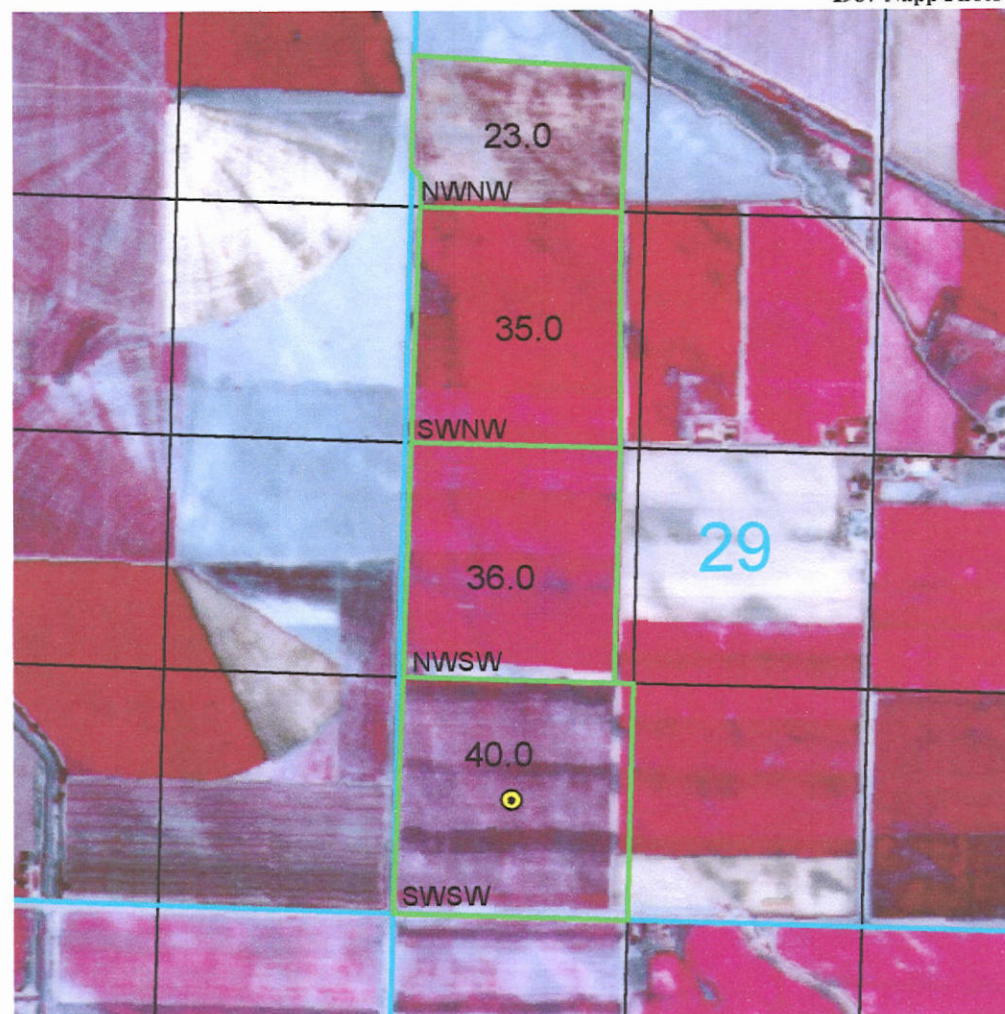
Claim Number: 57-02261

Legal: T03N, R04W, S29

Reviewed By:

1987 Napp Photo

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



0 0.25 0.5 0.75 Miles



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: A57-02261
Date Received: 11/21/1988
Receipt No: ~~W001850~~ W001868
Received By: DE JAL W001868

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DEWAYNE MERRITT 208-896-4349
Address: RT. 1 BOX 196
MARSING, ID 83639

Name: DEVA MERRITT 208-896-4349
Address: RT. 1 BOX 196
MARSING, ID 83639

2. Date of Priority: FEB 28, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	29	SW	SW			OWYHEE

5. Description of diverting works:
WELL, PUMP, MOTOR AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.820		385.00

7. Total Quantity Appropriated is:
0.820 C.F.S. (and/or) 385.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A57-02261

Page 1

Date: 01/05/89

MICROFILMED

OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	29	NW	NW		IRR	9.0
			SW	NW		IRR	10.0
			NW	SW		IRR	20.0
			SW	SW		IRR	38.0
						Section Acres	77.0
						Total Acres	77.0

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:
57-07081

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 31000

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 _____

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-02261

Date: 2-21-03

	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	3N	4W	29					9	10			20	38							77
GIS								23	35			36	40							134
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 77

Overlapping BOU Claim #'s:

57-07081

Total GIS Acres: 134

COMMENTS:

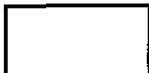
County data indicates claimant doesn't own these parcels. There was no claim map and the claim diagram doesn't match image on the claim. Estimated per image and overlapping claim.

POD estimated.

Idaho Department of Water Resources

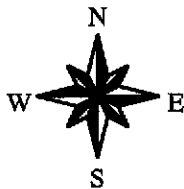
Claim Number: 57-02261
Legal: T03N, R04W, S29
Reviewed By:

1987 Napp Photo

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



0 0.25 0.5 0.75 Miles



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 57-02261

1998 FEB -9 PM 1:05

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: DEWAYNE MERRITT
DEVA MERRITT
RT 1 BOX 196
MARSING ID 83639

SOURCE: GROUNDWATER

QUANTITY: 0.82 CFS

USE OF THIS RIGHT WITH RIGHT NO. 57-07081 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 355.5 AF.

PRIORITY DATE: 02/28/1963

POINT OF DIVERSION: T03N R04W S29 SWSW Within OWYHEE County

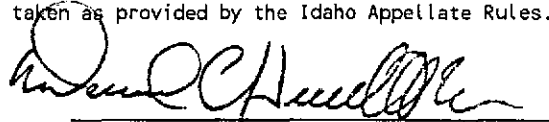
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.82 CFS

PLACE OF USE:	IRRIGATION	Within OWYHEE County			
	T03N R04W S29	NWNW 9	SWNW 10	NWSW 20	SWSW 38
	77 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NO. 57-07081 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 79 ACRES IN A SINGLE
IRRIGATION SEASON.

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

ADJUDICATION MEMORANDUM

CLAIM NO.: 51-2261 + 51-7081

SUBJECT: Ownership

EMPLOYEE: DH

DATE: 3.17.03

Per phone call from DelWayne Merritt
today, he sold this property 1-1 1/2 yrs ago.

He's pretty sure the new owner filed o-chg.

Jennie



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 14, 2003

DEWAYNE MERRITT
DEVA MERRITT
15153 HORSESHOE DR
CALDWELL ID 83607

RE: Water Right No. 57-2261 & 57-7081

Dear Claimant(s):

This office has received the enclosed documents, previously mailed to you from the SRBA Court, in which were returned due to the address on file not being current. We apologize for any inconvenience this may have caused. If your address is different than listed on the documents from the SRBA Court, please complete the enclosed Address Change form and return to this office at your earliest convenience.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190.

Sincerely,

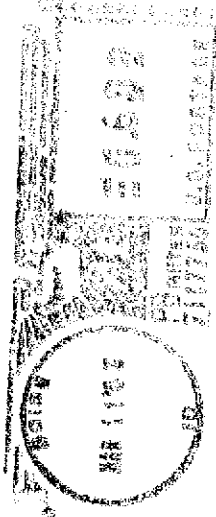
A handwritten signature in cursive script that reads "Denise Hatfield".

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705



Re: [illegible]
RETURNED TO SENDER

- ☐ Moved, Let us know address
- ☐ Attempting to find known
- ☐ Undelivered, If Refused
- ☐ No Such Street
- ☒ No Such Number
- ☐ Insufficient Address

RECEIVED

MAR 13 2003

WATER RESOURCES
WESTERN REGION

DEWAYNE MERRITT
DEVA MERRITT
BUNTROCK RD
MARSING ID 83839

TA

Owyhee County }
Assessor }
3/13/03

15153 Horseshoe Dr.
Caldwell 83607

Sent again 3/13/03

2261
57-2261
57-7081



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 10, 2003

RECEIVED

MAR 13 2003

WATER RESOURCES
WESTERN REGION

DEWAYNE MERRITT
DEVA MERRITT
BUNTROCK RD
MARSING ID 83639

RE: Water Right No. 57-2261 & 57-7081

Dear Claimant(s):

This office has received the enclosed documents, previously mailed to you from the SRBA Court, in which were returned due to the address on file not being current. We apologize for any inconvenience this may have caused. If your address is different than listed on the documents from the SRBA Court, please complete the enclosed Address Change form and return to this office at your earliest convenience.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190.

Sincerely,

Denise Hatfield
Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

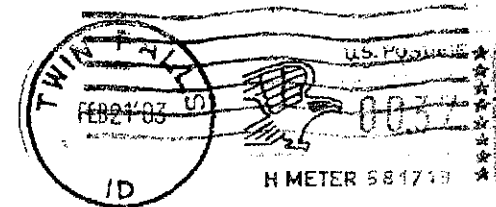
Enclosures

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

57-22161
1081

Burntrock Rd Marsing

Dewayne Merritt
Deva Merritt
Rt 1 Box 196
Marsing, Idaho 83639



- ☐ Moved, Left No Address
- ☒ Attempted, Left No Address
- ☐ Unclaimed, Not Known
- ☐ No Such Street
- ☐ No Such Number
- ☐ Insufficient Address

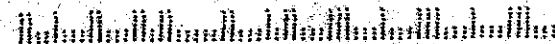
RECEIVED

MAR 10 2003

WATER RESOURCES
WESTERN REGION

RETURN
TO SENDER
NO DELIVERA
CLERK

83303/2707



Sent again w/ address chg form 3/10/03

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

Important Information About Your Water Right

February 21, 2003

Dewayne Merritt
Deva Merritt
Rt 1 Box 196
Marsing, Idaho 83639

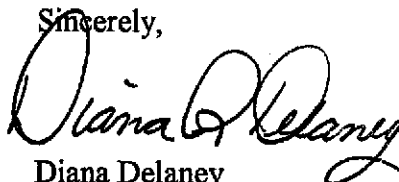
Dear Water Right Claimant(s):

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 57-02261 and 57-07081. 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 February 9, 1998, 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 Delaney
Case Administrator

2003 FEB 21 PM 2 24

**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 57-02261
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, NUNC PRO TUNC

A *Partial Decree* was entered for the above-captioned irrigation water right on February 9, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on July 26, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 2, IDWR Basin 57, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

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

PERIOD OF USE: 04-01 to 10-31
The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

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

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

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

RULE 54(b) CERTIFICATE

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

Dated February 21, 2003



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

AJ0749NP
No. R57-02261

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

DATE: 12/08/97
PAGE: 1

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=====
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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DEWAYNE MERRITT	02/28/1963	IRRIGATION	03-15 11-15	0.82 CFS	
C	DEVA MERRITT					
	RT 1 BOX 196					
	MARSING ID 83639			TOTAL DIVERSION:	0.82 CFS	
	(208) 896-4349					

Water Source: GROUNDWATER Tributary to:

Point(s) of Diversion: T03N R04W S29 SWSW Stage: LICENSE

OWYHEE County

Place of use Legal Description for: IRRIGATION

				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	:		
03N	04W	29	:					:		09		10	:			20		38	:					:	77.0
																							TOTAL ACRES	:	77.0

POU County: OWYHEE

Other Rights: 57-07081, GEM IRR. DIST.

Conditions of Approval:

- W01 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- GEM IRRIGATION DISTRICT.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 57-07081 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 355.5 AF.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 57-07081 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 79 ACRES IN A SINGLE
IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date: 12/08/1997 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:

Presumption Flag:

Comments: Date: 10/30/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
SEE RECEIPT #W001868

Audit: 12/08/97 KWALKER

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

DATE: DEC-08-1997

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-02261

NAME AND ADDRESS: DEWAYNE MERRITT
DEVA MERRITT
RT 1 BOX 196
MARSING ID 83639

SOURCE: GROUNDWATER

QUANTITY: 0.82 CFS

USE OF THIS RIGHT WITH RIGHT NO. 57-07081 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 355.5 AF.

PRIORITY DATE: 02/28/1963

POINT OF DIVERSION: T03N R04W S29 SWSW Within Owyhee County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
IRRIGATIONPERIOD OF USE
Irrigation Season
03/15 11/15QUANTITY
0.82 CFS

PLACE OF USE:

IRRIGATION

Within Owyhee County

T03N R04W S29

NWNW 9

SWNW 10

NWSW 20

SWSW 38

77 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 57-07081 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 79 ACRES IN A SINGLE
IRRIGATION SEASON.

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

USE OF THIS RIGHT WITH RIGHT NO. 57-07081 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 355.5 AF, A TOTAL
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 276.5 AF, AND TO THE
IRRIGATION OF A COMBINED TOTAL OF 79 ACRES IN A SINGLE IRRIGATION
SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

USE OF THIS RIGHT IS COMBINED WITH WATER FROM
GEM IRRIGATION DISTRICT.

AJ5809NP
No. 57-02261

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/20/93
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																				
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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>03N</td><td>04W</td><td>29</td><td>:</td><td></td><td></td><td></td><td></td><td>:</td><td></td><td>09</td><td></td><td>10</td><td>:</td><td></td><td></td><td>20</td><td>38</td><td>:</td><td></td><td></td><td></td><td></td><td>:</td><td>77.0</td></tr><tr><td colspan="23">TOTAL ACRES</td><td>77.0</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	:	---	03N	04W	29	:					:		09		10	:			20	38	:					:	77.0	TOTAL ACRES																							77.0
NE				NW				SW				SE																																																																																																														
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM																																																																																																		
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POU County: OWYHEE

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Conditions of Approval:

W01 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- GEM IRRIGATION DISTRICT.

Remarks: USE OF THIS RIGHT WITH RIGHT NO. 57-07081 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 355.5 AF, A TOTAL
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 276.5 AF, AND TO THE
IRRIGATION OF A COMBINED TOTAL OF 79 ACRES IN A SINGLE IRRIGATION
SEASON.

Dates: Exam Made Date: Verified Date: 01/08/1992

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

Comments: Date: 10/30/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
SEE RECEIPT #W001868

Audit: 07/31/91 WALKER 10/30/91 WALKER 01/08/92 WALKER 07/29/92 PR-PRODM
10/13/92 CPSHAW 12/05/92 ADT-SHAW

MICROFILMED
JUL 20 1994

AJ5809NP
No. R57-02261

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/18/92
PAGE: 119

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DEWAYNE MERRITT	02/28/1963	IRRIGATION	03-15 11-15	0.82 CFS	
C	DEVA MERRITT					
	RT 1 BOX 196					
	MARSING ID 83639					
	(208) 896-4349					
				TOTAL DIVERSION:	0.82 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R04W S29 SWSW

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	:	SUM
03N	04W	29	:							09	10					20	38			:	77.0
																				TOTAL ACRES	77.0

POU County: OWYHEE

Other Rights: 57-07081, GEM IRR. DIST.

Conditions of Approval:

- W01 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- GEM IRRIGATION DISTRICT.

Remarks: USE OF THIS RIGHT WITH RIGHT NO. 57-07081 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 355.5 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 276.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 79 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date: 01/08/1992

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

Comments: Date: 10/30/1991 User-ID: WALKER Subject: COPIED FROM REMARKS
SEE RECEIPT #W001868

Audit: 07/31/91 WALKER 10/30/91 WALKER 01/08/92 WALKER 07/29/92 PR-PROD

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ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-02261

VR 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>N</u>	<u>kw</u> <u>2-27-91</u>	<u>6</u>	<u>N</u>	<u>N</u>		
PT. OF DIV.	<u>N</u>		<u>6</u>	<u>N</u>	<u>N</u>		DATA ENTRY COMPLETED
SOURCE	<u>N</u>		<u>6</u>	<u>N</u>	<u>N</u>		BY _____ DATE _____
PL. OF USE	<u>N</u>		<u>1,4</u>	<u>N</u>	<u>N</u>		FINAL RECOMMENDATION
DIV. AMOUNT CFS/AF	<u>N</u>		<u>6</u>	<u>N</u>	<u>N</u>		BY _____ DATE _____
CONSUMPTIVE USE	<u>ADD</u>			<u>Y</u>	<u>N</u>		
NATURE OF USE	<u>N</u>		<u>6</u>	<u>N</u>	<u>N</u>		
PERIOD OF USE	<u>N</u>		<u>6</u>	<u>N</u>	<u>N</u>		
BASIS OF CLAIM	<u>N</u>		<u>6</u>	<u>N</u>	<u>N</u>		
REMARKS	<u>N</u>		<u>6</u>	<u>N</u>	<u>N</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.

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Claim No.: A57-02261

CVR CORRECTIONS

Season of Use, Consumptive Use, Diversion Volume

☒ Change season of Use

Use Code 01 From 3/15 to 11/15

Use Code From to

Use Code From to

☐ Change Consumptive Use Volume

79 acres x 3.5 af/a (for area) = 276.5 af/a

☒ Change Diversion Volume

79 acres x 4.5 af/a (for area) = 355.5 af/a

☒ Change Remarks

VS. $1.4 \times 1.98 \times 246 = 681.9$

when combined

Code

Recommended Change

E01

355.5 FH volume

☒ Corrections Made

1-8-92
(date)

Data-entry Complete

1-8-92
(date)

Reviewing Agent

Ray Walker
(signature)

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 77 x 0.02 CFS/ACRE = 1.54 CFS
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A
ACRES 77 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =
TOTAL CONSUMPTIVE USE 269.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 385.00 AF/A

ACRES 77 x DIVERSION VOL. AF/A FOR AREA 5.0 = 385.0

TOTAL DIVERSION VOLUME 385.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

$0.82 \times 1.98 \times 246 = 399.4$

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CLAIMANT: MerrittAGENT: KayDATE: 10-30-91

GIVEN:

ACRES OVERLAPPING: 79 58IRRIGATION METHOD: FLOOD % SPRINKLER %

DELIVERY LOSS FACTOR USED:

 = % = %
(SOURCE) (SOURCE) = %
(SOURCE)

RANGE OF RECOMMENDABLE DIVERSION RATES & VOLUMES

SOURCE	ACRES	DIVERSION RATE		DIV VOL	C.U. VOL
		MIN	MAX		
gw	79		1.58	395.0	276.5

5.0

3.5

ANALYSIS

SOURCE	NUMBER	ACRES	PRIORITY	CLAIMED CFS	CUM. CFS
gw	02261	77	2-28-63	0.82	0.011
gw	07081	60	6-18-72	0.58	0.009
		79		1.4	

ANALYSIS FOR CLAIM NO.: Standard Conditions: W01 - Mem Irrig. Dist. overlapStandard Remarks: E01 - ~~57~~ 57-00261 & 07081 when combined should not exceed 395.0 AF & pr 276.5 con. use AF

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NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
57-02261	3N	4W	29					9	10			20	38							77	
57-07081	3N	4W	29									20	40							60	
								9	10			20	40							79 Total	

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

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WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM				
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
A5702261																											
A0200064	GEM IRRIGATION DISTRIC	J	SNAKE RIVER	03N	04W	29	37	34	34	30	:	24	30	39	38	:	40	33	41	38	:	34	37	39	31	559	
A0200065	GEM IRRIGATION DISTRIC	J	SNAKE RIVER	03N	04W	29	37	34	34	30	:	24	30	39	38	:	40	33	41	38	:	34	37	39	31	559	
A5702261	MERRITT	L	GROUNDWATER	03N	04W	29					:	9	10			:	20	38			:					77	
A5707081	MERRITT	L	GROUNDWATER	03N	04W	29					:					:	20	40			:					60	
1986	MAPPING DATA ---	---	COUNTY 27 QUAD X	54	03N	04W	29	40	39	40	34	:	27	40	39	33	:	40	39	29	39	:	26	39	39	30	573
1986	MAPPING DATA ---	---	COUNTY 73 QUAD X	54	03N	04W	29	38	38	41	38	:	39	41	41	34	:	39	43	38	40	:	37	40	40	37	624

no lots

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OCT 07 1992



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

December 16, 1988

Dewayne & Deva Merritt
Rt. 1 Box 196
Marsing, ID 83639

Dear Mr. & Mrs. Merritt:

After our conversation on December 15th, I took a more intensive look at all of your claims. I put notes on each claim where a question of what was needed or added. I calculated the fees for each claim and wrote those on the claim with a note. The Domestic/Stock water claims have a few questions of whether you have stock on both, check your legals on both wells, only one point of diversion is needed and that is where the casing is. However, the places of use may have more than one 1/4 1/4 description, especially if you water stock with a spigot elsewhere on your property. The \$25.00 fee for each is correct as long as the totals on Domestic/Stock stays under .23 cfs each.

I have calculated the fees on each irrigation claim. I did subtract out 58 of the acres that were the same on Claim No. 57-02261 as covered on Claim No. 57-07081. You may just writ one more check for the remainder owed instead of deleting both checks. The total for all claims are \$229.00; your checks total \$187.00 the remainder owed is \$42.00.

Please return this information back to me within 30 days of the date of this letter and no late fee will be charged.

If you have any questions on how to fill out some of the blanks, give our office a call.

Sincerely,


Ronald D. Howerton
Sr. Water Resource Agent
Adjudication Section

RH:lh
Enclosures

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OCT 07 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

57-02261

Date Received

11-21-88

Receipt Number

W 00 1850

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
NOV 21 1988

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Dewayne or Debra Merritt Phone (208) 896-4349Mailing Address Route 1, Box 196, Marsing, IDA Zip 836392. Date of Priority (Only one (1) per claim) 2-28-633. Source of water supply (a) Ground water
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township SW Range SW Section 29,3N 1/4 of 4W 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____Additional points of diversion if any: SW 4 SW B2 LAT 29 3N 4W

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.well, Pump, motor and sprinkler system

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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 9-1 to 10-31 amount 0.82 or 385

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.82 (cfs) and/or (b) 385 (acre feet)

8. Total consumptive use claimed is 385 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	
3N	4W	29						9	10				20	38					77

Total number of acres irrigated 77

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

12. Do you own the property listed above as place of use? Yes X 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.
57-07081 or None ()

14. Remarks:

Last Name Merritt Ident No. _____

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Copies: White - State, Yellow - Claimant

OCT 07 1992

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.

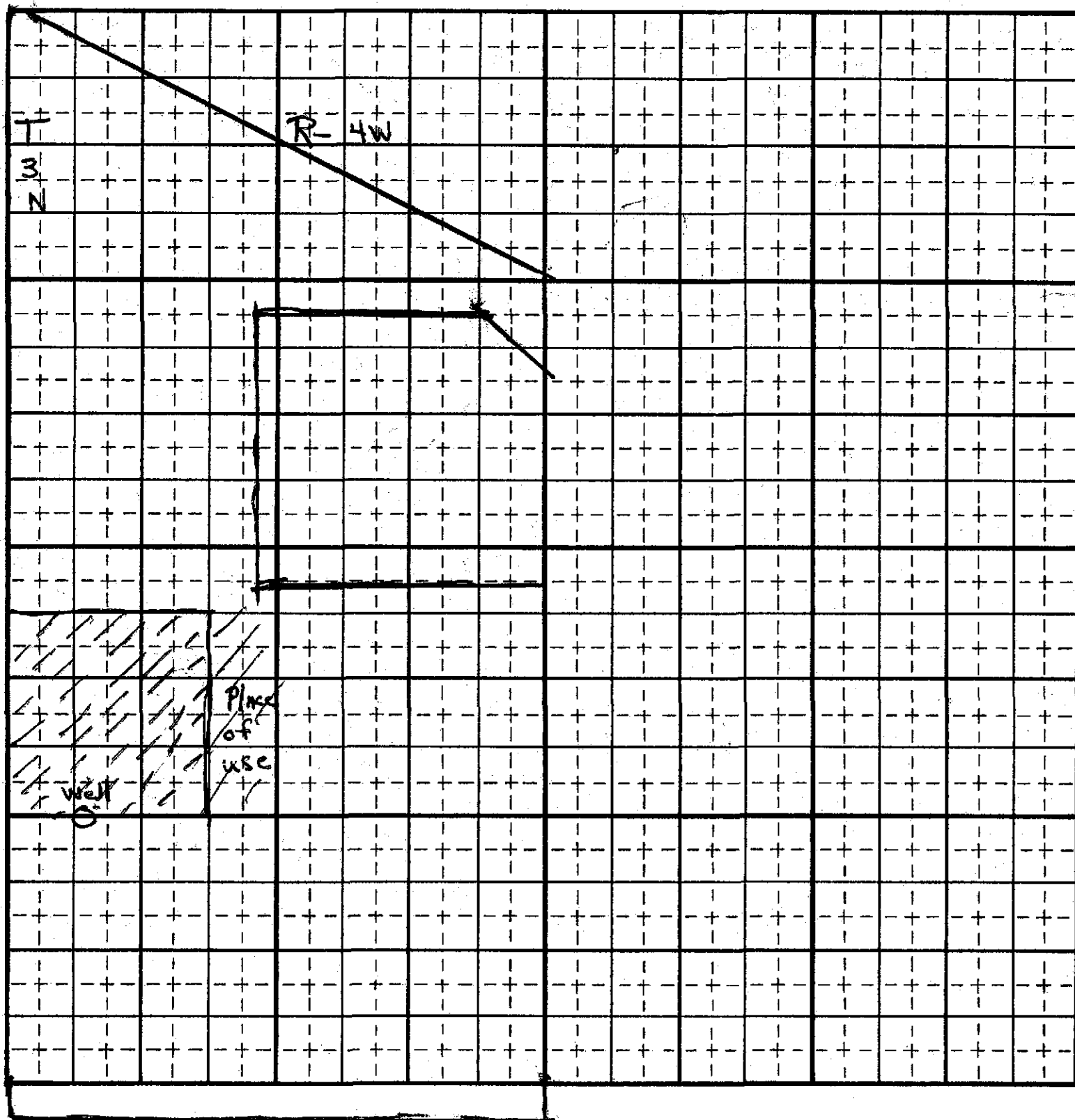
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

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.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Scale - 8" - 1 mile



Last Name Merhitt

Ident No. _____

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Copies: White-Slate, Yellow-Slate

OCT 07 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree 57-7081
If applicable provide IDWR Water Right Number 31006/57-2261 57-02261
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Dwaine Merritt Date 11-17-1988
Dana Merritt Date Nov 17, 1988

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 Idaho)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 17th day of November 19 88.

SEAL

Notary Public Norman D. Peterson

Residing at Notary Public in and for the State of Idaho

My Commission Expires Residing in Morning, Oregon, County of Lane
My Commission Expires 12/31/91

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 _____

Last Name Merritt Ident. Number _____

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Copies While Back to Claimant
OCT 07 1992

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME MERRITTCLAIM IDENT. NO. 57-02261DATE RECEIVED 11-21-88CK # 4225, 4229, 4230, 4231, 4270AMOUNT \$ 229.00 ^{TOTAL}

- | | 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 RDH** Date: 1-4-89Claim 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: Rm Date: 1-4-89Comments: 69.00 THIS CLAIM (50 + 77 = 127-58 OVERLAPPING from claim57-07081 = 69.00

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