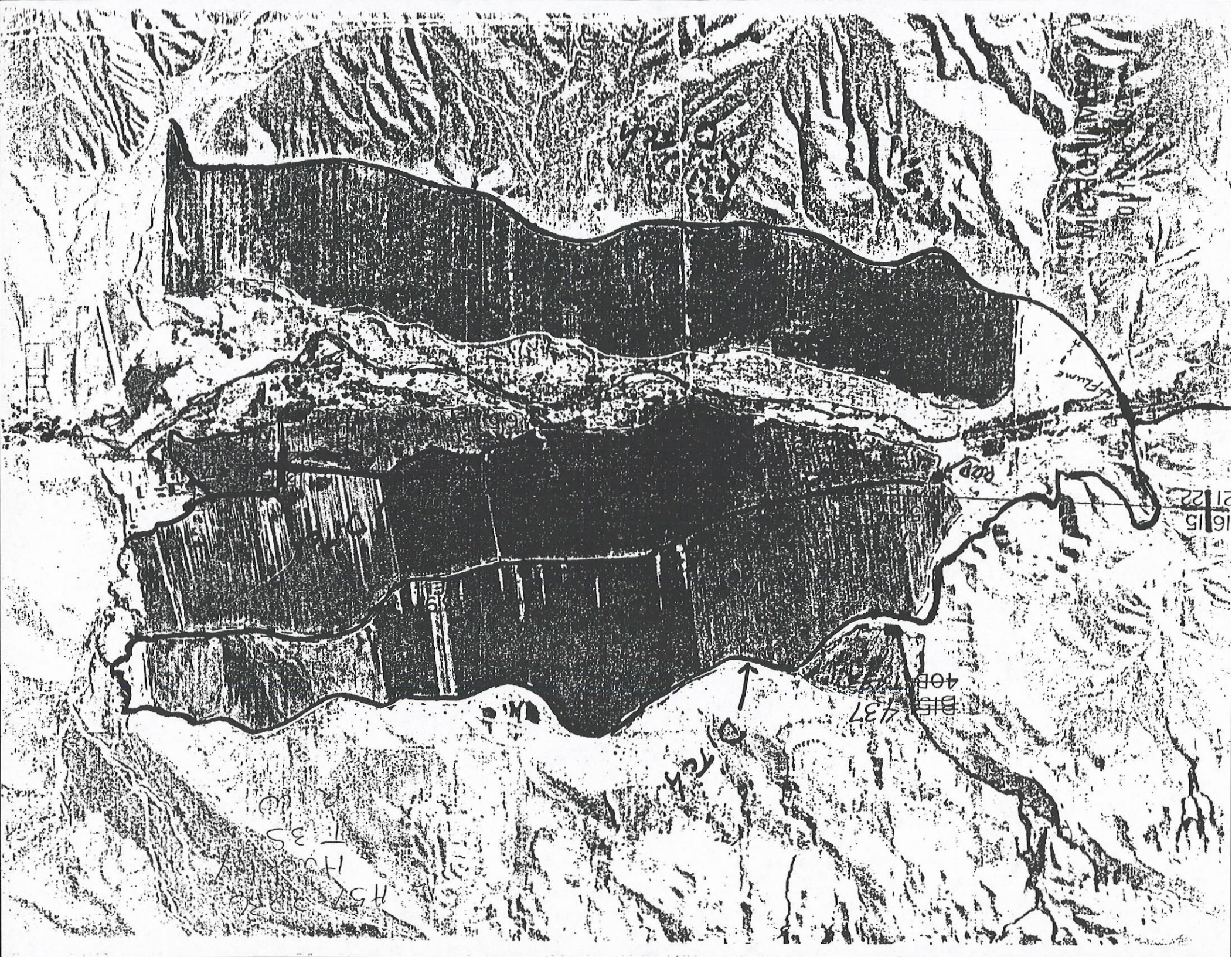




H57-3336
135

H57

Ditch

H57-437

40B-1743

40B

Flume

WICHITA

1615
2122

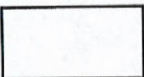
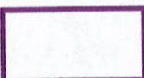
Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 57-02295

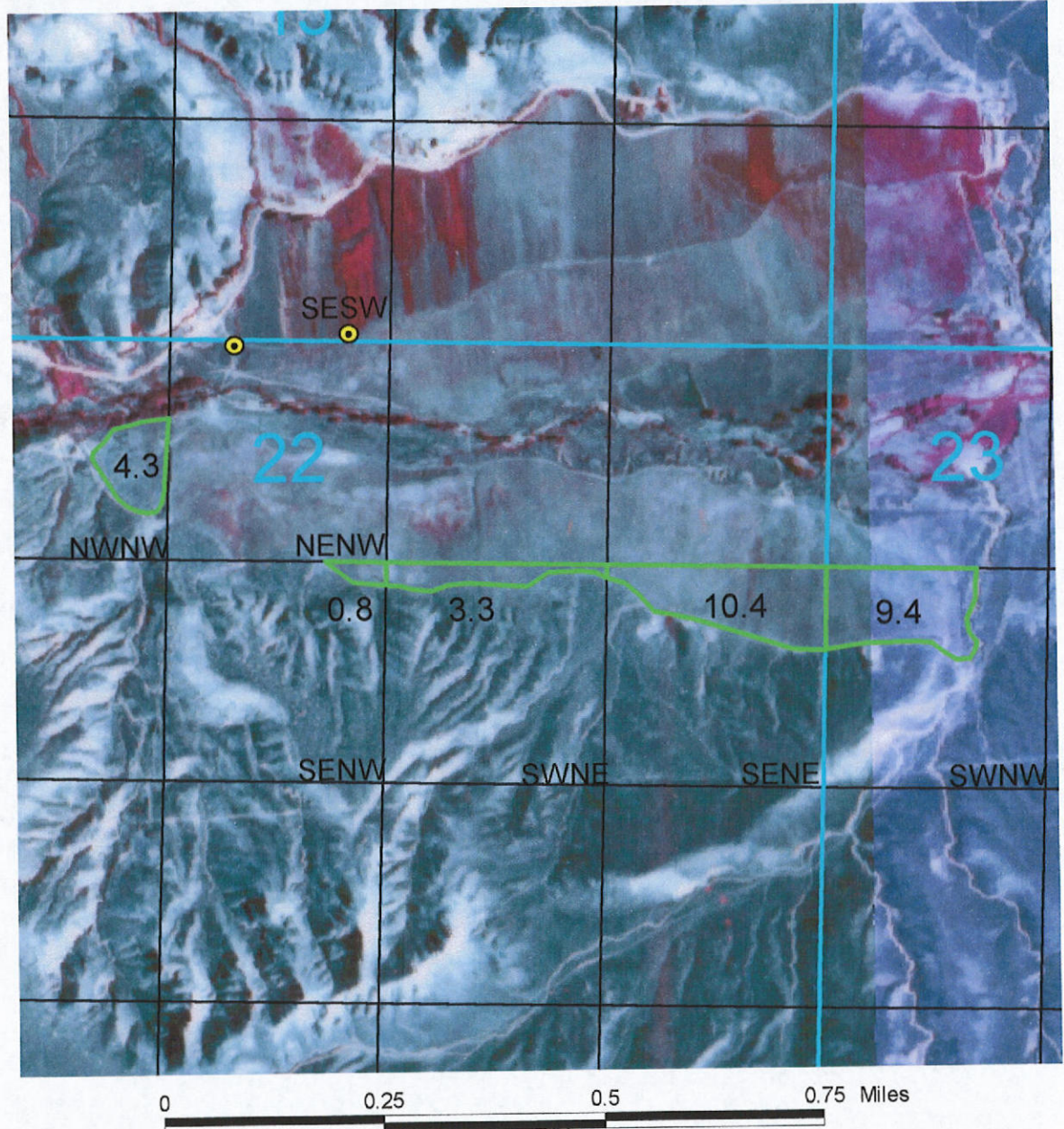
Legal: T03S, R01W, S22, 23

Reviewed By:

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



04/03



H57-3336
Huckley
T 35
R 1W



MICROFILMED
007 0 5 1992

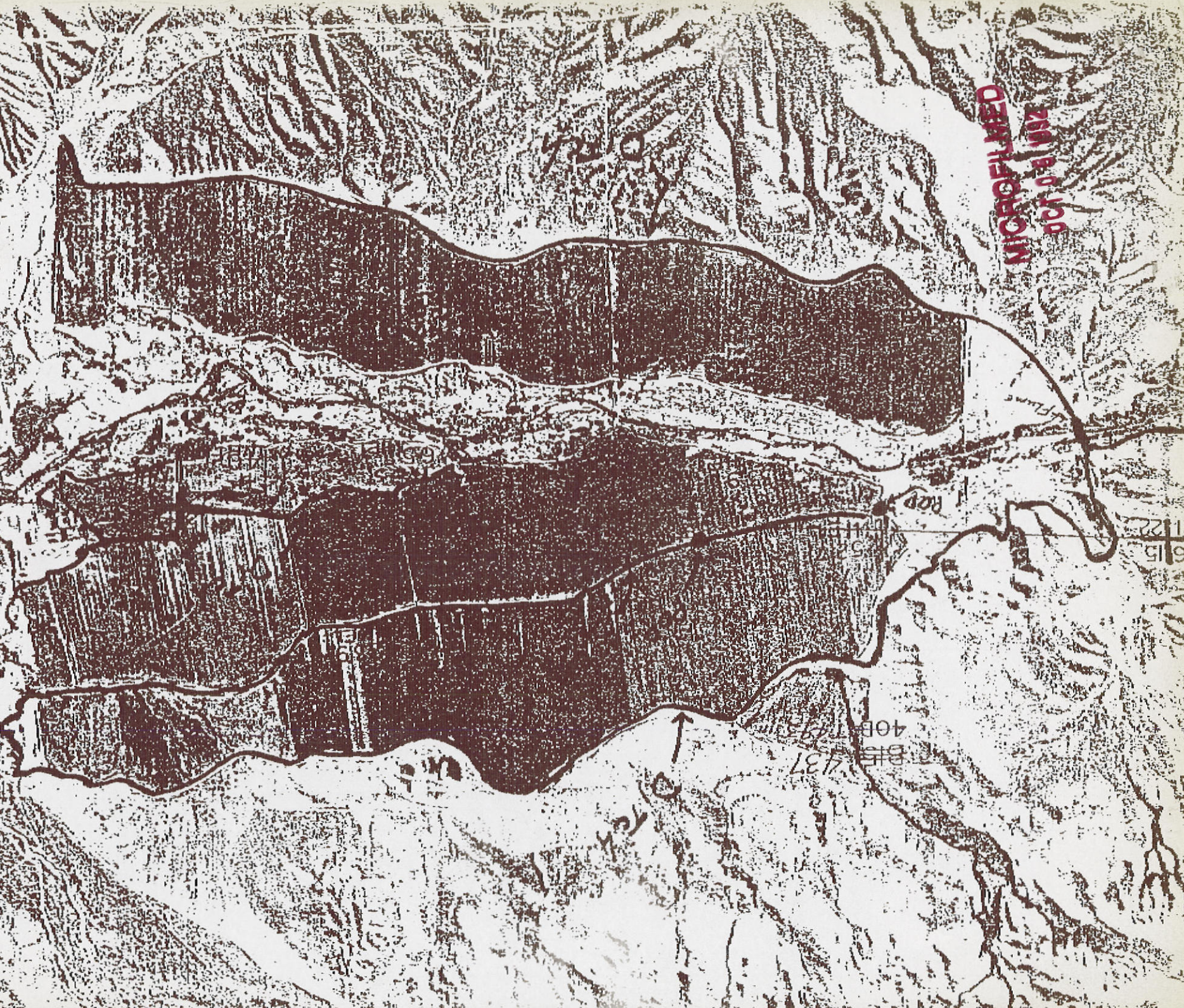
1615
2122

261 8.0 1100
MICROFILMED

16
15
2122

40B 1437
BIS 437

↑
Ditch



91390 19.6

1615
21/22

208 327-120
MICROFILMED
OCT 11 1992



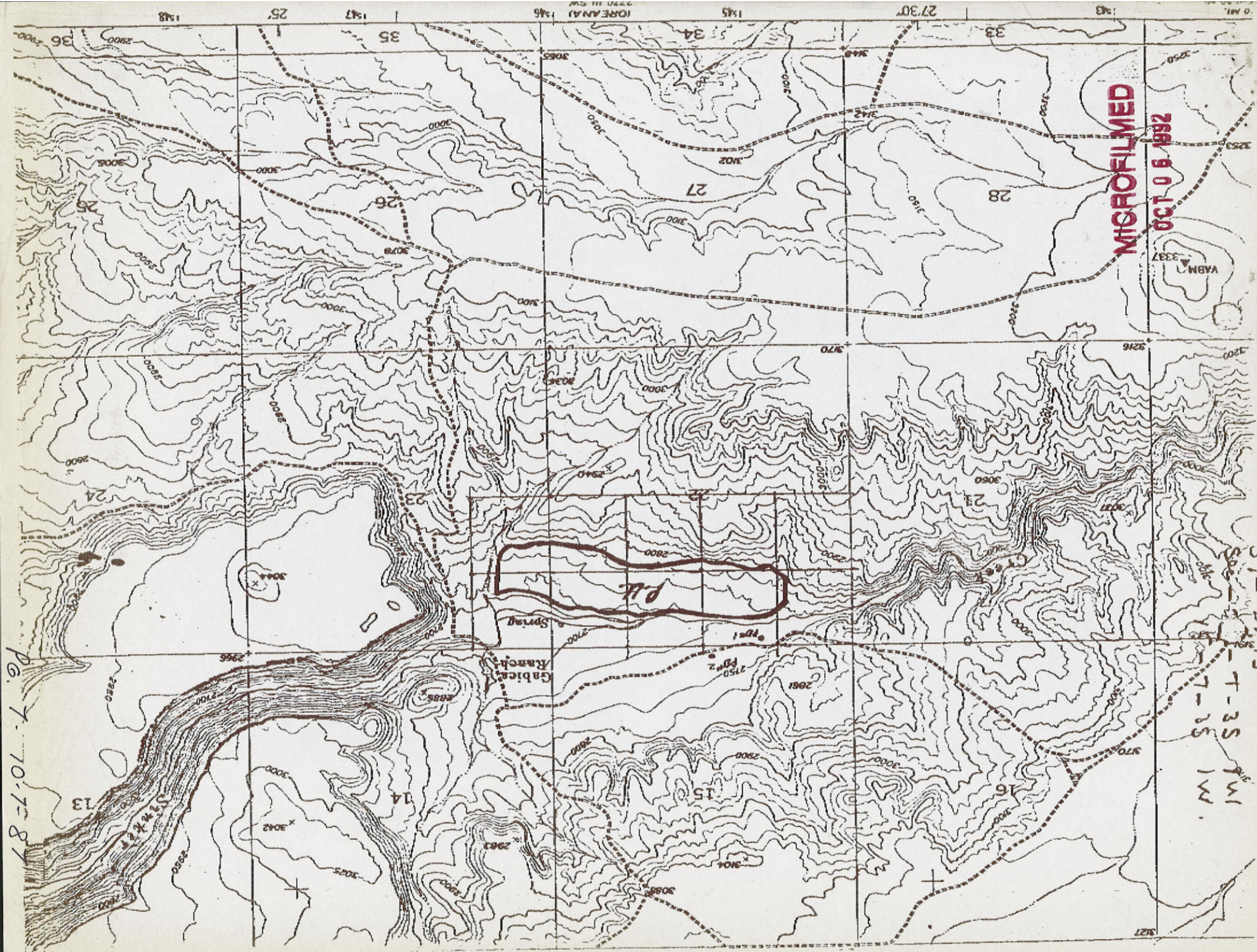
W.L. #57-2236
TOTAL - 158.6

MICROFILMED

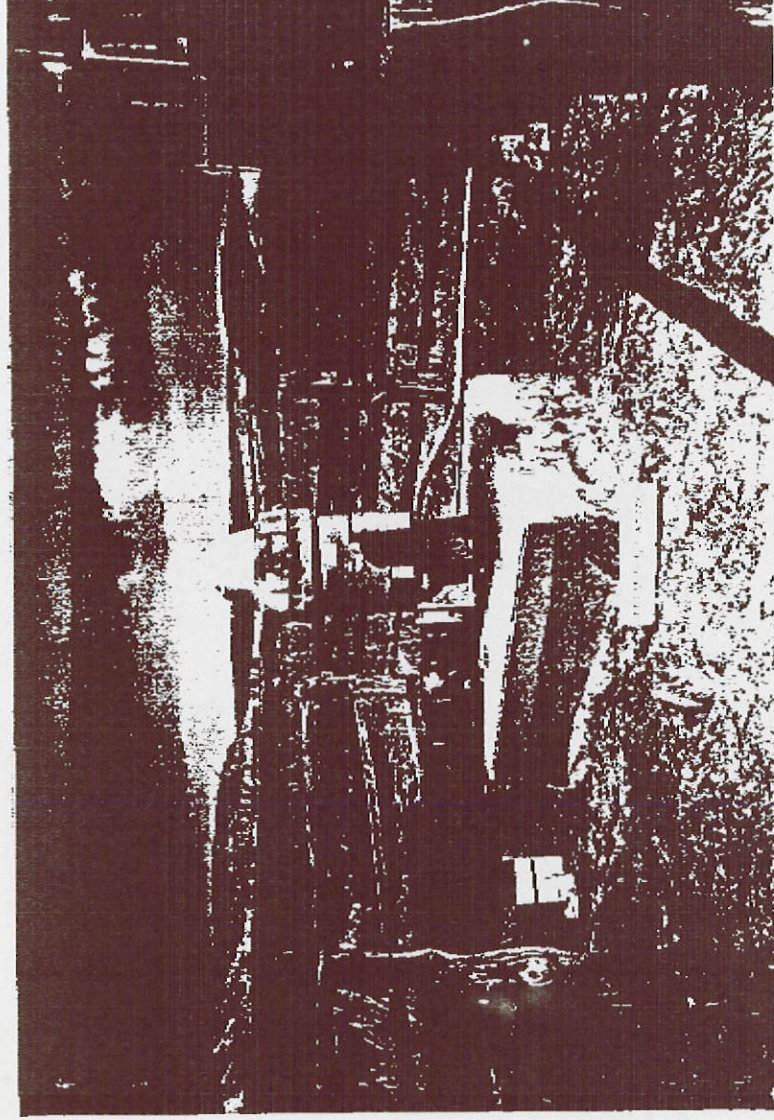
OCT 06 1992

1-35
7-25
1-11

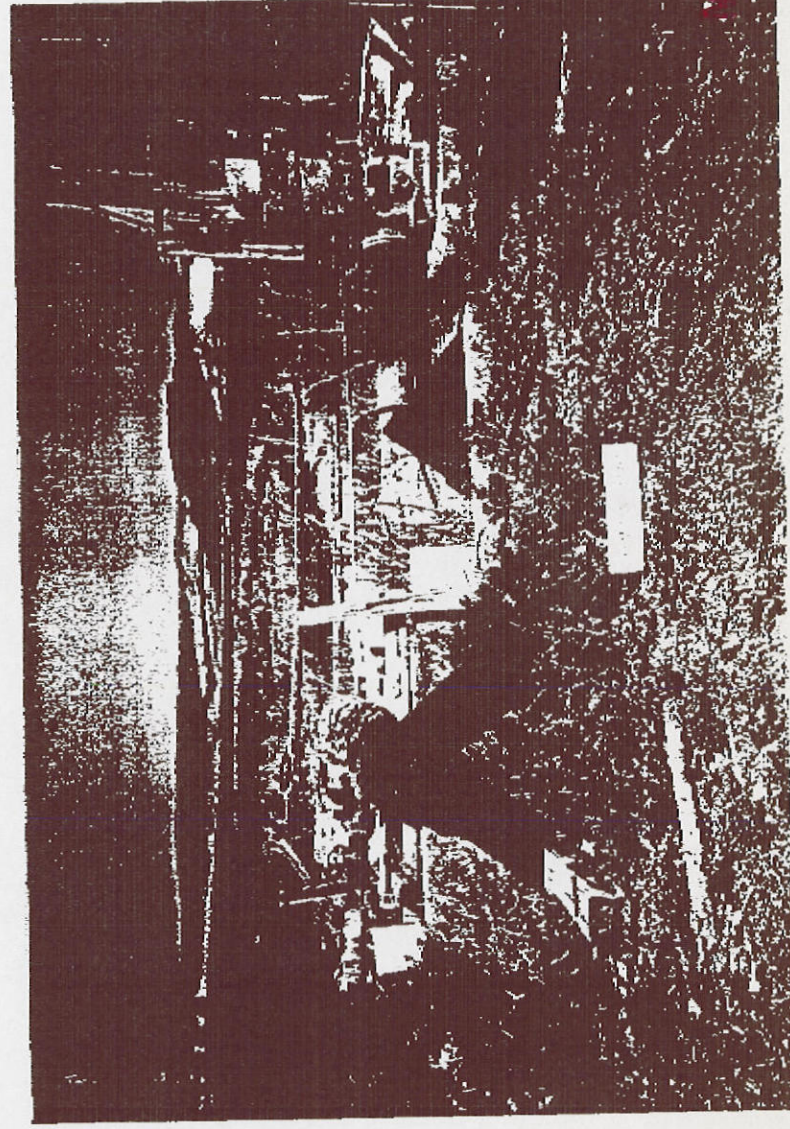
Pg. 7-10-7-87



57-2295



P.D #1 Looking
East



P.D #2 Looking
East Pipe in
center goes to
the southside
of Sinker
Creek.

MICROFILMED

OCT 06 1992

57-2295



P.H. Looking
and southeast
P.O.#2 is
visible to the
right of center

MICROFILMED

OCT 06 1992

Pg. 10 - 10-7-87

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: **A57-02295**
Date Received: 3/ 1/1989
Receipt No: W002322
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: O.K. HACKLEY, JR. 404-772-0828
Address: 4695 CANDACRAIG
ALPHARETTA GA 30202-5166

2. Date of Priority: AUG 3, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	01W	15	SE	SW			OWYHEE
		22	NE	NW			OWYHEE

5. Description of diverting works:
WELL, PUMPS, PIPELINES, SPRINKLERS & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	6.400		

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

8. Total consumptive use is 840.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	01W	22	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NW	NW		IRR	40.0
			SE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	160.0
		23	SW	NW	IRR	40.0
			SE	NW	IRR	40.0
					Section Acres	80.0
					Total Acres	240.0

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:
NONE LISTED

14. Remarks:
ADDRESS CHANGE REC'D 04/15/1994 SS.

15. Basis of Claim: PERMIT

Water Right Number: 33064

MICROFILMED

JUL 20 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-02295
Date Received: 1/18/1989
Receipt No: W2231 + W2232
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: O.K. HACKLEY, JR. 404-394-6547
Address: 7583 SPALDING LANE, NE
ATLANTA, GA 30360

2. Date of Priority: AUG 03, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	01W	15	SE	SW			OWYHEE
		22	NE	NW			OWYHEE

5. Description of diverting works:
WELL, PUMPS, PIPELINES, SPRINKLERS & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	6.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	01W	22	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NW	NW		IRR	40.0

A57-02295

Page 1

Date: 03/01/89

MICROFILMED

OCT 06 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	01W	22	SE	NW		IRR	40.0
						Section Acres	160.0
		23	SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	80.0
						Total Acres	240.0

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:
NONE LISTED

14. Remarks:

15. Basis of Claim: PERMIT
Water Right Number: 33064

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-02295
Date Received: 1/18/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JAN 20 1989

1. Name: ~~BETTY J. SHELLEY~~ *A.K. HAEKLEY, JR*
Address: ~~RT. 1~~ *7583 Spalding Lane, NE*
~~PAYETTE, ID~~ *Atlanta GA 30360* *83661*

Department of Water Resources
Western Regional Office

2. Date of Priority: AUG 03, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	01W	15	SE	SW			OWYHEE
		22	NE	NW			OWYHEE

5. Description of diverting works:
WELL, PUMPS, PIPELINES, SPRINKLERS & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	4-15	10-15	6.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	01W	22	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NW	NW		IRR	40.0

A57-02295

Page 1

Date: 01/18/89

MICROFILMED
OCT 06 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	01W	22	SE	NW		IRR	40.0
						Section Acres	160.0
		23	SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	80.0
						Total Acres	240.0

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:

14. Remarks:

15. Basis of Claim: PERMIT
Water Right Number: 33064

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 X 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): OK Hackley Jr Date: 1/18/89

Date: _____

State of Idaho)
County of Campbell) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of January 19 89

[Signature]
Notary Public

Seal

Residing at Wilder ID

My Commission Expires 7-10-93

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

8290

CLAIMANT'S NAME Nackley, Jr., OK CLAIM IDENT. NO. A57-2295DATE RECEIVED 1-19-89 CK # _____ AMOUNT \$ _____ YES _____ NO _____ Required Info? _____1. Is the name and address complete with zip code? ☒ YES _____ NO _____ *2. Is a priority date entered? ☒ YES _____ NO _____ *Is the priority date acceptable in view of mandatory filing dates? ☒ YES _____ NO _____ *3. (a) Is a source entered? ☒ YES _____ NO _____ *(b) Is a tributary to entered? (if required) N/A ☒ YES _____ NO _____ *4. Is the legal description of the p.d. sufficient? ☒ YES _____ NO _____ *5. Is there a description of the diverting works? ☒ YES _____ NO _____ *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. ☒ YES _____ NO _____ *Is the period of use included? ☒ YES _____ NO _____ *Is a quantity claimed for each use? ☒ YES _____ NO _____ *7. Is a total quantity claimed entered? ☒ YES _____ NO _____ *8. If required is a consumptive use entered? N/A ☒ YES _____ NO _____ *Is the consumptive use correct? N/A ☒ YES _____ NO _____ *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 ☒ YES _____ NO _____ *10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES _____ NO _____ *11. Is (are) the county(ies) entered? ☒ YES _____ NO _____ *12. Is the ownership of p.u. checked? ☒ YES _____ NO _____ *13. Are other water rights listed or "none" indicated? ☒ YES _____ NO _____ *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 ☒ YES _____ NO _____ *15. Is the basis of the claim indicated? ☒ YES _____ NO _____ *16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.) ☒ YES _____ NO _____ *17. Is the claim signed by the claimant, and is the signature appropriate? ☒ YES _____ NO _____ *18. Has the claim been signed, sealed, and dated by a notary? ☒ YES _____ NO _____ *19. Was this claim filed on time, or was an extension granted? ☒ YES _____ NO _____ *20. Is the fee enclosed correct? Exempt ☒ YES _____ NO _____ *21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒ YES _____ NO _____ *22. Should this claim be receipted and data entered? ☒ YES _____ NO _____ *Claim checked by: LW Date: 2-14-89

Claim 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: _____ Date: _____

Comments: _____

MICROFILMED

OCT 06 1992

Mr
Murdock

[illegible]

RECEIVED

JUN 23 1997

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

Department of Water Resources
Adjudication Bureau

In Re SRBA)
)
Case No. 39576)
)

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

1997 JUN 20 PM 2:14

Water Right 57-02295

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: JOHN D EDWARDS
DEBORAH S EDWARDS
PO BOX 93
MURPHY ID 83650

SOURCE: GROUNDWATER

QUANTITY: 0.62 CFS
139.5 AFY

USE OF THIS RIGHT WITH RIGHT NO. 57-00001B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.14 CFS.

PRIORITY DATE: 08/03/1966

POINT OF DIVERSION: T03S R01W S15 SESW Within Owyhee County
S22 NENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE IRRIGATION	PERIOD OF USE Irrigation Season	QUANTITY 0.62 CFS 139.5 AFY
-------------------------------	------------------------------	------------------------------------	-----------------------------------

PLACE OF USE:	IRRIGATION	Within Owyhee County			
	T03S R01W S22	SWNE 4.0	SENE 12.0	NWNW 4.0	SENE 3.0
	S23	SWNW 8.0			
	31.0 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NO. 57-00001B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 244 ACRES IN A SINGLE
IRRIGATION SEASON.

DATED: JUN 20 1997

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

RULE 54(b) CERTIFICATE

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

DATED: JUN 20 1997

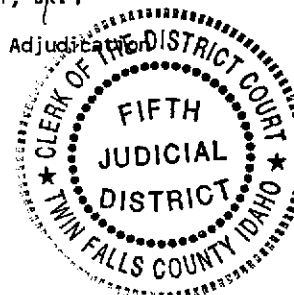
[Signature]
DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By *[Signature]*
DEPUTY CLERK

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-02295



PAGE 1
MAY-19-1997

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAR-6-1997
PAGE: A-2-----
RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-02295

NAME & ADDRESS: JOHN D EDWARDS
DEBORAH S EDWARDS
PO BOX 93
MURPHY ID 83650

SOURCE: GROUNDWATER

QUANTITY: 0.62 CFS
139.5 AFYUSE OF THIS RIGHT WITH RIGHT NO. 57-00001B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.14 CFS.

PRIORITY DATE: 08/03/1966

POINT OF DIVERSION: T03S R01W S15 SESW Within Owyhee County
S22 NENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.62 CFS 139.5 AFY

PLACE OF USE:	IRRIGATION	Within Owyhee County			
	T03S R01W S22	SWNE 4.0	SENE 12.0	NWNW 4.0	SENE 3.0
	S23	SWNW 8.0			
	31.0 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NO. 57-00001B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 244 ACRES IN A SINGLE
IRRIGATION SEASON.

CONSUMPTIVE USE:

USE OF THIS RIGHT WITH RIGHT NO. 57-00001B IS LIMITED TO A
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 854.0 AF. *out*EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT NO. 57-02236 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP RECEIVED

MAR 04 1997

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

WATER RESOURCES
WESTERN REGION

1. Water Right Number(s) 57-02295
Adjudication Claim Number(s) AI-0749NE

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) O.K. Hackley Jr.

4695 Candacraig, Alpharetta, GA 30202-5166

770-772-0828

4. New Owner/Claimant(s) John D. Edwards & Deborah S. Edwards

New Mailing Address

Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
P.O. Box 93, Murphy, Id 83650

City, State and ZIP Code

New Telephone Number

() 208-362-5212 208-834-2545

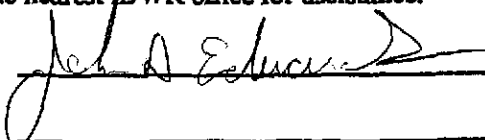
5. Date you acquired the property 1/21/97

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 31 ~~33~~ ^{XX} Number and type of stock 250 Cows, 10 Horses

Diversion rate in CFS 0.62 _{cubic feet per second} Number of homes 3 Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)  Date 3-4-97

Date _____

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

08/18/03

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

When recorded return to:
John D. & Deborah S. Edwards
c/o Meuleman, Miller & Cummings LLP
960 Broadway Avenue - Suite 400
Boise, Idaho 83706

RECEIVED BY
JAN 22 1997
\$9.00

JIM HUNTLEY JR.
OWYHEE COUNTY RECORDER
DEPUTY

97 JAN 22 PM 3

FILED-RECORDED

220804

WARRANTY DEED

Warranty deed made this 20th day of January, 1997 between **O. K. Hackley Jr. and Rita Hackley**, husband and wife ("Grantor") and **John D. Edwards and Deborah S. Edwards**, husband and wife, whose address is 65579 Wolf Creek Lane, North Powder, Oregon 97867 ("Grantee,") witnesseth:

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and does, by these presents, grant bargain, sell, convey, and confirm unto Grantee and their heirs and assigns forever, all of the following described real estate situated in the County of Owyhee, State of Idaho, to wit:

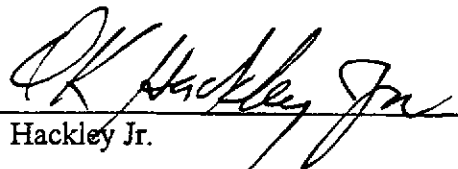
SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

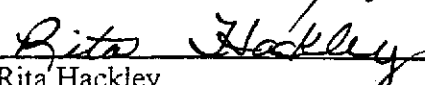
Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in Aeneas appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and all estate, right, title, and interest in and to the property, as well in law as in equity.

To have and to hold, all and singular the above-described premises together with the appurtenances unto Grantee and their heirs and assigns forever.

And Grantor and their heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantee, their heirs, and assigns against Grantor and their heirs and against all and every person or persons whomsoever, lawfully claiming the same.

IN WITNESS WHEREOF, Grantor has hereunto set their hands on the day and year first above written.



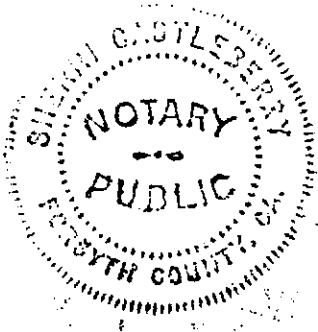
O. K. Hackley Jr.


Rita Hackley

STATE OF Georgia)
COUNTY OF Fulton) ss.

On this 20th day of January, in the year 1997,
before me Sherrill Castleberry, a Notary Public in and for
said State, personally appeared O.K. HACKLEY JR. AND RITA HACKLEY whose
name is 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 day and year in this certificate first above written.



Sherrill Castleberry
Notary Public for the State of Georgia
Residing at Forsyth Co., Georgia

Notary Public, Forsyth County, Georgia
My Commission Expires May 12, 1997

EXHIBIT A

The land referred to in this Commitment is described as follows:

Parcel I:

In Township 3 South, Range 1 West, B. M., Owyhee County, Idaho

Section 14: West Half of the Northwest Quarter of the Southeast Quarter (W1/2NW1/4SE1/4),
East Half of the Northeast Quarter of the Southwest Quarter (E1/2NE1/4SW1/4), Northwest Quarter of the
Northeast Quarter of the Southwest Quarter (NW1/4NE1/4SW1/4),
North Half of the Northwest Quarter of the Southwest Quarter (N1/2NW1/4SW1/4)

Section 15: Northeast Quarter of the Northeast Quarter of the Southeast Quarter (NE1/4NE1/4SE1/4),
West Half of the Northeast Quarter of the Southeast Quarter (W1/2NE1/4SE1/4), West Half of the Southeast
Quarter of the Southeast Quarter (W1/2SE1/4SE1/4), West Half of the Southeast Quarter (W1/2SE1/4),
East Half of the Southwest Quarter (E1/2SW1/4)

Section 22: North Half of the Northwest Quarter (N1/2NW1/4),
Southeast Quarter of the Northwest Quarter (SE1/4NW1/4),
West Half of the Southwest Quarter of the Northeast Quarter (W1/2SW1/4NE1/4), Northeast Quarter of the
Northwest Quarter of the Northeast Quarter (NE1/4NW1/4NE1/4),
Northwest Quarter of the Northeast Quarter of the Northeast Quarter (NW1/4NE1/4NE1/4),
West Half of the Northwest Quarter of the Northeast Quarter (W1/2NW1/4NE1/4)

PARCEL II:

In Township 3 South, Range 1 West, B. M., Owyhee County, Idaho

Section 14: East Half of the Northwest Quarter of the Southeast Quarter (E1/2NW1/4SE1/4),
Northeast Quarter of the Southeast Quarter (NE1/4SE1/4),
South Half of the Southeast Quarter (S1/2SE1/4),
South Half of the Southwest Quarter (S1/2SW1/4),
South Half of the Northwest Quarter of the Southwest Quarter (S1/2NW1/4SW1/4),
Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW1/4NE1/4SW1/4)

Section 15: East Half of the Southeast Quarter of the Southeast Quarter (E1/2SE1/4SE1/4),
Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE1/4NE1/4SE1/4)

Section 22: Northeast Quarter of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4NE1/4),
Southeast Quarter of the Northwest Quarter of the Northeast Quarter (SE1/4NW1/4NE1/4),
South Half of the Northeast Quarter of the Northeast Quarter (S1/2NE1/4NE1/4),
East Half of the Southwest Quarter of the Northeast Quarter (E1/2SW1/4NE1/4), Southeast Quarter of the Northeast
Quarter (SE1/4NE1/4)

Section 23: Northwest Quarter (NW1/4)

A57-22R
Huck
T-3S
R-10

B15 437
40B

Ditch

1615
2122

Road

Flume

Michigan

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-02295

Date: 3-4-03

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3S	1W	22			4	12		4		3									23
GIS						3.3	10.4		4.3		8									18.8
Claim			23							8										8
GIS									9.4											9.4
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 2

Total Claimed Acres: 31

Overlapping POU Claim #'s:

Total GIS Acres: 28.2

COMMENTS:

Per claim map. The image and map are precisely marked. I'm not sure where their claimed acres are. According to the map, there are no claimed acres in the NW 1/4 Sec. 22. I included some that might possibly be part of the field.

Idaho Department of Water Resources

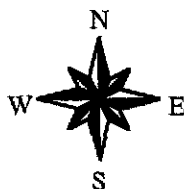
1987 Napp Photo

Claim Number: 57-02295

Legal: T03S, R01W, S22, 23

Reviewed By:

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



04/03



0 0.25 0.5 0.75 Miles

Sheet

RECEIVED

APR 16 2000

Department of Water Resources

2000 APR 15 AM 10:51

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

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

In Re SRBA	)	Water Right 57-2295
	)	
	)	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 June 20, 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

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 March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

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

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

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

RULE 54(b) CERTIFICATE

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

Dated April 15, 2002



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication



R57-02295
JOHN D EDWARDS
DEBORAH S EDWARDS
PO BOX 93
MORRIS
ID 83650

RECEIVED
JUL 27 1999
Department of Water Resources



DEPARTMENT OF WATER RESOURCES
1301 N. ORCHARD ST.
BOISE, ID 83706-2237





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 23, 1999

RE: Water Rights in Reporting Area 2, Basin 57
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources supplemental recommendation for your water right(s) in basin 57 (watershed of Owyhee County draining to Snake River). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area.

In response to the Idaho Supreme Court's decision in Basin-wide Issue 5 after most water rights in the Basin 57 had been decreed, the SRBA Court requested me to file supplemental reports for Basin 57 regarding the period of use for irrigation water uses and general provisions. The enclosed documents fulfill that request. The general provision enclosed is in addition to those already adopted by the Court.

Note you have just over 30 days in which to review your water rights and those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouse in Murphy and at all Idaho Department of Water Resources offices (see addresses in enclosure).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karl J. Dreher'.

Karl J. Dreher
Director

Enclosures

AJ5874NP

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

DATE: JUL-23-1999
PAGE: A-2

RIGHT NUMBER: 57-00001B

NAME & ADDRESS: JOHN D EDWARDS
DEBORAH S EDWARDS
PO BOX 93
MURPHY ID 83650

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03-01 11-15

AJ5874NP

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

DATE: JUL-23-1999

PAGE: A-338

RIGHT NUMBER: 57-02236

NAME & ADDRESS: JOHN D EDWARDS
DEBORAH S EDWARDS
PO BOX 93
MURPHY ID 83650

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE

03-01 11-15

AJ5874NP

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

DATE: JUL-23-1999

PAGE: A-368

RIGHT NUMBER: 57-02295

NAME & ADDRESS: JOHN D EDWARDS
DEBORAH S EDWARDS
PO BOX 93
MURPHY ID 83650

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE
	IRRIGATION	03-15 11-15

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 MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

AJ0749NP
No. 57-02295

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

DATE: 03/05/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN D EDWARDS	08/03/1966	IRRIGATION	03-15 11-15	0.62 CFS	139.50 AFA
C	DEBORAH S EDWARDS PO BOX 93 MURPHY ID 83650 (208) 834-2545			TOTAL DIVERSION:	0.62 CFS	139.50 AFA

D O K HACKLEY JR
4695 CANDACRAIG
ALPHARETTA GA 302025166
(404) 772-0828

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T03S R01W S15
S22

SESW
NENW

OWYHEE County
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	
03S	01W	22			04	12			04	03									23.0
03S	01W	23							08										8.0
TOTAL ACRES																			31.0

POU County: OWYHEE

Remarks: GEN USE OF THIS RIGHT WITH RIGHT NO. 57-00001B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.14 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 845.0 AFA AND TO THE IRRIGATION OF A COMBINED TOTAL OF 244 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 57-02236 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. 0.26 CFS OF RIGHT NO. 57-00001B IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NO. 57-00001B.

Dates: Exam Made Date: 09/13/1990

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 02/21/1992 User-ID: WERNER Subject: PARTIAL FORFEITURE

AJ0749NP
No. 57-02295

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

DATE: 03/05/97
PAGE: 2

=====

Comments: Date: 02/21/1992 User-ID: WERNER Subject: PARTIAL FORFEITURE
PORTION OF RIGHT FORFEITED/ABANDONED DUE TO DECREASE IN FLOW OR
ACRES.

Date: 04/20/1994 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE REC'D 04/15/1994.

Date: 03/05/1997 User-ID: LHARRIS Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 03/05/97 LHARRIS

MEMORANDUM

April 1, 1997

TO: SRBA COURT

FROM: KAY WALKER *kw*

RE: CORRECTION TO CLAIM 57-02295

On March 5, 1997, I corrected the consumptive use volume that was included in the first recommendation of Claim 57-02295. While reformatting the claims recommended to O.K. Hackley Jr. I found that the overlapping claims each described a combined consumptive use volume of 854.0 AF. This claim, 57-02295, described a combined consumptive use volume of 845.0 AF. In further review of documents in file 57-02295 I found that this combined consumptive use volume was a clerical error.

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

<u> </u>	Change of Address
<u>X</u>	Substitution of Party
<u> </u>	I.C. 42-222 Transfer

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

Water Right(s): 57-02295

From (Claimant/Seller):

Water Right Number: 57-02295

Name of Claimant: O K HACKLEY JR
Address: 4695 CANDACRAIG
ALPHARETTA GA 30202-5166
Phone: (404) 772-0828

To (Claimant/Purchaser):

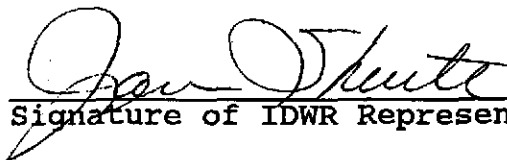
Water Right Number: 57-02295

Name of Claimant: JOHN D EDWARDS
DEBORAH S EDWARDS
Address: PO BOX 93
MURPHY ID 83650
Phone: (208) 834-2545

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

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

DATED: April 2, 1997


Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
4/2/1997

57-02295

PAGE 2

CERTIFICATE OF MAILING

I certify that on *April 2, 1997* I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

O K HACKLEY JR
4695 CANDACRAIG
ALPHARETTA GA 30202-5166
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

JOHN D EDWARDS
DEBORAH S EDWARDS
PO BOX 93
MURPHY ID 83650
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Nick Harris

Signature of person or attorney mailing the form

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



RECEIVED

MAR 14 1997

Department of Water Resources

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

March 13, 1997

Andrew Helmlinger
Deputy Attorney General
IDWR
PO Box 83720
Boise, Id 83720-0098

RE: 57-02295
Notice of Completed Administrative Proceeding and Amended Director's Report

Dear Mr. Helmlinger:

Today, I received the enclosed *Notice of Completed Administrative Proceeding* and the *Amended Director's Reports* for water rights 57-00001B, 57-02236 and 57-02295.

I have completed the substitution of party and have filed the amended reports for water rights 57-00001B and 57-02236. There is a problem with proceeding on 57-02295.

According to the pink note attached to the *Amended Director's Report* for 57-02295, the combined annual consumptive use volume was changed from 845.0 AF to 854.0 AF in order to correct a clerical error. In checking the court records for this water right, I do not find any type of motion filed to correct this error.

If, in fact, there is a clerical error in the combined annual consumptive use volume reported for water right 57-02295, you will need to file the appropriate motion(s). If you wish to proceed with the substitution of party and not change the combined annual consumptive use volume, please return this NCAP with a new *Amended Director's Report*, reflecting the combined annual consumptive use volume as reported to the court in the *Director's Report For Reporting Area 2 (Basin 57)* filed October 13, 1992.

Sincerely,

A handwritten signature in dark ink, appearing to read "Diana R. Delaney".

Diana R. Delaney
Chief Deputy Clerk

Enclosure

cc: Wester Regional Office, IDWR



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 10, 1997

Re: Notices of Claim to a Water Right Nos. 57-00001B, 57-02236,
57-02295

JOHN D EDWARDS
DEBORAH S EDWARDS
PO BOX 93
MURPHY ID 83650

Dear Mr. & Mrs. Edwards:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Please note that we found a clerical error in the recommendations on Right No. 57-02295 which we have corrected. The combined annual consumptive use volume was listed as 845.0 AF rather than 854.0 AF as shown on Rights 57-00001B and 57-02236.

The Department or the Court will contact you in the future concerning any requirements that may be needed in order to process these claims for final decree.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

Enclosures

cc: O. K. Hackley, Jr.

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 COMPLETED
ADMINISTRATIVE PROCEEDINGS

IDWR has completed the following Administrative Proceeding:

- ☐ Change of Address
- ☒ Substitution of Party
- ☐ I.C. § 42-222 transfer

CHANGE OF ADDRESS

Name of Claimant: _____

Claimant's Water Rights: _____

New Address: _____

Phone: _____

The Claimant has filed Objections or Responses to the following water rights: N/A

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No.

If yes, does the split involve an I.C. § 42-222 transfer? ☐ Yes ☐ No.

Water Right(s): 57-00001B, 57-02236 , 57-02295

From (Claimant/Seller):

Name of Claimant: O. K. HACKLEY JR.
Address: 4695 CANDACRAIG
ALPHARETTA, GA 30202-5166
Phone: 770-772-0828

To (Claimant/Purchaser):

Name of Claimant: JOHN D. EDWARDS
Address: PO BOX 93
MURPHY, ID 83650
Phone: 208-834-2545

Name of Claimant: DEBORAH S. EDWARDS
Address: PO BOX 93
MURPHY, ID 83650
Phone: 208-834-2545

I.C. § 42-222 TRANSFERS

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

- | | |
|---|--|
| ☐ Point of Diversion | ☐ Place of Use |
| ☐ Period of Use | ☐ Nature of Use |
-

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

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

DATED: March 10 1997



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 10, 1997, I mailed the original and copies of this form, to the following persons, postage prepaid and addressed as follows:

1. Original to:

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

2. One Copy to:

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

O. K. HACKLEY JR.

4695 CANDACRAIG

ALPHARETTA, GA 30202-5166

3. One Copy to:

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

JOHN D. EDWARDS & DEBORAH S. EDWARDS

PO BOX 93

MURPHY, ID 83650

4. One copy to:

Each party in the subcase, or attorney of record :

N/A

5. One copy to:

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

6. One copy to:

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

John Harris

Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 5, 1996

DON MARTIN
RT 1 BOX 239
HALFWAY OR 97834

RE: *Tyson Ranch Water Rights*

Dear Mr. Martin:

I have completed my analysis of the records for ground water rights 57-02236 and 57-02295 and have determined the reason for the 53 acre discrepancy in total irrigated acres under the combined rights. Please refer to the enclosed information and the reports I sent previously.

Right no. 57-02236 was licensed in 1964 for the irrigation of 200 acres north of Sinker Creek (copy of original document enclosed). During subsequent Department field visits, in 1987 and in 1990, our staff determined that 30 acres in SESW Section 14 and 10 acres in NENW Section 23, as shown on license 57-02236, were not irrigated. This could have been due to incorrect licensing (land never actually developed) or a partial forfeiture of use over time. In either event, the finding caused this right to be reduced by 40 acres, to 160 acres, for recommendation to the court in the Snake River Basin Adjudication (SRBA).

Permit no. 57-02295 was examined for licensing in 1987. At that time, 84 acres irrigation was found south of Sinker Creek. However, only 31 of the 84 acres were within the place of use as shown on the permit. The 53 "missing" acres were found outside the permitted development area.

For the 53 acres to have been included on license 57-02295, the permit holder of record (not the land owner) would have been required to first amend the permit. Unfortunately, permit 57-02295 was originally issued to Mrs. Betty Shelley, and was never assigned to Mr. Hackley. Mrs. Shelly could not be located for action on the permit. Therefore, a reduced license of only 31 acres was issued. This information was carried into the SRBA court recommendation.

The Tyson's perception that there are about 285 acres irrigated under the ground water rights is likely derived from the 200 acres originally shown on 57-02236 plus the 84 acres found in 1987 for 57-02295. Actual acres found to be irrigated from ground water are the same 244 acres found on the Sinker Creek right 57-00001B (160 north of the creek plus 84 south of the creek). Because the Department was prevented from including all possible acres on 57-02295, irrigation from ground water is presently limited to 191 acres.

At this time, there are two options available to authorize ground water irrigation of the omitted 53 acres south of Sinker Creek:

1) The owner of the right may attempt to file an objection with the SRBA court to change the recommendation. Both Hackley and Tysons had opportunity to review Department recommendations of these rights before they were submitted to the court. Mr. Hackley was forwarded copies of all recommendations, but no notices of error were filed. The formal objection period has expired, and dissatisfied parties must now petition the court in Twin Falls, Idaho for permission to file a late objection.

MICROFILMED

March 5, 1996

Page 2

2) An application for permit could be filed to replace the lost portion of 57-02295. There are presently no filing restrictions for new appropriations of ground water in this area. An application would show irrigation of 53 acres from existing wells, and would require public notice. Although a new right would carry a 1996 date of priority for 53 acres only, this would not likely affect normal operation of the wells. Ground water diversions in the Sinker Creek drainage may be placed under the jurisdiction of the Watermaster, but are not actively regulated unless necessary.

You cannot take either of the above actions unless you own or have possessory interest in the Hackley property. If you would like more information about filing a petition with the SRBA court, contact one of the adjudication staff members in this office. For information about filing a new application for permit, or for other questions, please contact me.

Sincerely,



Cindy Hodges
Sr. Water Resource Agent

Enclosures

MICROFILMED
SEP 25 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 15, 1996

DON MARTIN
RT 1 BOX 239
HALFWAY OR 97834

RE: *Tyson Ranch Water Rights*

Dear Mr. Martin:

Enclosed is the information you requested, as follows:

- Profile reports for water right records 57-00001B, 57-02236 and 57-02295. Only one water right from Sinker Creek was recommended in the recent adjudication process. This right provides for 244 acres irrigation. Two rights from ground water provide for supplemental irrigation of 191 of the same acres. All rights have combined use restrictions.
- Map copy from file 57-00001B, showing the entire 144 acre place of use.
- A priority listing of the Sinker Creek natural flow and storage rights. Note that the rate of flow for the Tyson right 57-00001B is slightly higher on this list; this represents the original decreed rate of flow (from 1917) which has been reduced in the current adjudication due to a reduction in irrigated acres over time. The priority list will be updated when the new decree is finalized. There should be no significant changes to the priority order.
- A synopsis of Watermaster deliveries to Tyson Ranch for the years 1991 through 1995. Average deliveries are only about one-half of the allowable right (5.14 cfs). It is not clear whether this represents all the flow available, or all that was requested. The capacity of the diversion works is about 5 cfs.

Also, in 1992 Mr. Hackley filed for and received a water right permit (57-07499) for development of a spring in NESW Section 15, for stock water and the irrigation of 15 acres. Apparently this spring system had been in use since about 1981, but a timely filing had never been made on the development. Unfortunately, that permit lapsed in 1993 because Mr. Hackley failed to file proof. I have contacted Tysons asking about the present use of the spring. It may be possible for this permit to be reinstated if use under the system has not ceased.

If you need more information regarding the status of lapsed permit 57-07499, or have other questions regarding the balance of the above information, please don't hesitate to call again.

Sincerely,

Cindy Hodges
Sr. Water Resource Agent

Enclosures

MICROFILMED
SEP 25 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 57-02295

Prefix Translation: WATER RIGHT

Old (D) Number - 33064

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

*** C - CURRENT OWNER ***
HACKLEY JR

O K

1 - 4695 CANDACRAIG
2 -
3 -
City- ALPHARETTA
Phone - 404-772-0828

State- GA Zip- 302025166

*** O - ORIGINAL OWNER ***
SHELLEY

BETTY J

1 - RT 1
2 -
3 -
City- PAYETTE
Phone - 208-000-0000

State- ID Zip- 83661

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/03/1966 14 WESTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

Point of Diversion						
Twn	Rng	Sec	Tract	Lot	RFlg	County
03S	01W	15	SE SW		(73)	OWYHEE
		22	NE NW		(73)	OWYHEE

Water Use		Diversion Rate		Diversion Volume	
Code	Description	Period From	Period To		
01 - IRRIGATION		03/15	11/15	0.620	139.50

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.620 139.50 0.0

Place of Use						
Twn	Rng	Sec	Tract	Lot	Acres	Code
03S	01W	22	SW NE		4.0	01 IRRIGATION
03S	01W	22	SE NE		12.0	01 IRRIGATION
03S	01W	22	NW NW		4.0	01 IRRIGATION
03S	01W	22	SE NW		3.0	01 IRRIGATION
03S	01W	23	SW NW		8.0	01 IRRIGATION

Total Acres: 31.0

+ - - Diversion Means - WELL, PUMPS, PIPELINES, SPRINKLERS & DITCHES.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

MICROFILMED
JUL 20 1994

Water right number - 57-02295

Prefix Translation: WATER RIGHT

```

+ - - - - Remarks - - - - - +
      USE OF THIS RIGHT WITH RIGHT NO. 57-00001B IS LIMITED TO A TOTAL
      COMBINED DIVERSION RATE OF 5.14 CFS, A TOTAL COMBINED ANNUAL
      CONSUMPTIVE USE VOLUME OF 845.0 AF AND TO THE IRRIGATION OF A
      COMBINED TOTAL OF 244 ACRES IN A SINGLE IRRIGATION SEASON.
      RIGHT NO. 57-02236 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
      DESCRIBED ABOVE.
      0.26 CFS OF RIGHT NO. 57-00001B IS LIMITED TO USE FOR CONVEYANCE
      LOSSES IN DELIVERY OF RIGHT NO. 57-00001B.

+ - - - - 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 - - - - - +
Date: 02/21/1992 User Id: WERNER Subject: PARTIAL FORFEITURE
PORTION OF RIGHT FORFEITED/ABANDONED DUE TO DECREASE IN FLOW OR ACRES.
Date: 04/20/1994 User Id: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE REC'D 04/15/1994.

+ - - Audit Fields - - +
      04/20/94 SSHERMAN

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

      Court Report Filing - 10/13/1992   Field Inspection Made - 09/13/1990   Civil Case Number - 39576
      Objection Filed Date - 00/00/0000   Field Inspection Flag - - - - - Old Case Number - -
      Response Filed Date - 00/00/0000   Verified Date - 00/00/0000   Old Judicial District - -
      Claim Received Date - 03/01/1989   Last Amended Date - 00/00/0000   Temporary Right - P
                                           Receipt Number - W002322   Water District - -
                                           POU Ownership Flag - Y   Federal/State Indicator - S
                                           Name Connector - - - - - Presumption Flag - -
                                           Notice of Error Flag - -
  
```

MICROFILMED
JUL 20 1994

AJ5809NP
No. 57-02295

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/20/93
PAGE: 24

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	O K HACKLEY JR 7583 SPALDING LANE NE ATLANTA GA 30360 (404) 394-6547	08/03/1966	IRRIGATION	03-15 11-15	0.62 CFS	139.5 AFA
TOTAL DIVERSION:					0.62 CFS	139.5 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T03S R01W S15
S22

SESW
NENW

OWYHEE County
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			
03S	01W	22	:				04	12	:		04		03	:					:					:	23.0
03S	01W	23	:						:		08			:					:					:	8.0
TOTAL ACRES																							31.0		

POU County: OWYHEE

Remarks: USE OF THIS RIGHT WITH RIGHT NO. 57-00001B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.14 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 845.0 AF AND TO THE IRRIGATION OF A COMBINED TOTAL OF 244 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 57-02236 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. 0.26 CFS OF RIGHT NO. 57-00001B IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NO. 57-00001B.

Dates: Exam Made Date: 09/13/1990 Verified Date:

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

Comments: Date: 02/21/1992 User-ID: WERNER Subject: PARTIAL FORFEITURE
PORTION OF RIGHT FORFEITED/ABANDONED DUE TO DECREASE IN FLOW OR
ACRES.

Audit: 10/12/90 GIBSON 11/06/91 WERNER 01/06/92 WERNER 02/21/92 WERNER
05/12/92 WERNER 07/07/92 WERNER 07/29/92 PR-PRODM 10/13/92 CPSHAW
12/05/92 ADT-SHAW

MICROFILMED
JUL 20 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 20, 1994

O K HACKLEY JR
4695 CANDACRAIG
ALPHARETTA GA 30202

RECEIVED

APR 21 1994

**WATER RESOURCES
WESTERN REGION**

RE: Snake River Basin Adjudication (SRBA)
Notice(s) of Claim No. A57-0002A, A57-00001B,
A57-02236, A57-02295 & A55-10134
Change of Address Notification

Dear Claimant:

IDWR has received your notice of the change of address of the water right claim(s) referenced above. The change of address note you sent our Department will suffice to change IDWR records for Basin 57, but not those of the SRBA court. SRBA Judge Hurlbutt issued an Order June 17, 1993 requiring claimants like yourself identified in a Director's Report to use Standard Form 3 for change of address.

I have enclosed Standard Form 3 for your use. Please contact us or the Court (208/736-3011) if you have any questions.

Since the Basin 55 water right claim has not yet been reported to the SRBA court, a Standard Form 3 is not necessary for that right.

If you sold the property, please contact our office toll-free at 1/800-451-4129.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:region
Enclosure:
Standard Form 3

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JUL 20 1994

RECEIVED

APR 15 1994

Department of Water Resources

POOR ORIGINAL

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

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

57-00002A
✓ - 00001B
✓ - 02236
✓ - 02295

needs SF3

changed "A" records,
and blanks.

4-19-94

A55-10134

O.K. HACKLEY, JR.
7583 SPALDING LANE, NE
ATLANTA GA 30360

changed record.
OR record 4/19/94
4/11/94

HACK583 50003099 1493 04/09/94
NOTIFY SENDER OF NEW ADDRESS
HACKLEY
4695 CANDACRAIG
ALPHARETTA GA 30202-5166

|||||

Please change my mailing
Address From: 7583 Sp. Lane
ATL, GA 30360

To: O.K. HACKLEY, JR.
4695 Candacraig
Alpharetta, GA 30202
(404) 772-0828

O.K. HACKLEY, JR.
4695 Candacraig
Alpharetta, GA 30202
(404) 772-0828

THANK you
H

MICROFILMED

JUL 20 1994

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	O K HACKLEY JR 7583 SPALDING LANE NE ATLANTA GA 30360 (404) 394-6547	08/03/1966	IRRIGATION	03-15 11-15	0.62 CFS	139.5 AFA
TOTAL DIVERSION:					0.62 CFS	139.5 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T03S R01W S15
S22

SESW
NENW

OWYHEE County
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			
03S	01W	22	:				04	12	:			04	03	:					:					:	23.0
03S	01W	23	:						:			08		:					:					:	8.0
TOTAL ACRES																							31.0		

POU County: OWYHEE

Remarks: USE OF THIS RIGHT WITH RIGHT NO. 57-00001B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.14 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 845.0 AF AND TO THE IRRIGATION OF A COMBINED TOTAL OF 244 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 57-02236 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. 0.26 CFS OF RIGHT NO. 57-00001B IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NO. 57-00001B.

Dates: Exam Made Date: 09/13/1990 Verified Date:

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

Comments: Date: 02/21/1992 User-ID: WERNER Subject: PARTIAL FORFEITURE PORTION OF RIGHT FORFEITED/ABANDONED DUE TO DECREASE IN FLOW OR ACRES.

Audit: 07/07/92 WERNER

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OCT 06 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. 1957-2295

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*		G. Gibson	*6				
PT. OF DIV.		9-13-90	5, 6				DATA ENTRY COMPLETED BY _____ DATE _____
SOURCE			5, 6				
PL. OF USE			5, 6	Y			FINAL RECOMMENDATION BY _____ DATE _____
DIV. AMOUNT CFS/AF			6	Y			
CONSUMPTIVE USE			Dept STD				
NATURE OF USE			5, 6				
PERIOD OF USE			Dept STD.				
BASIS OF CLAIM			L				
REMARKS							

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

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

VERIFICATION CODES

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

COMMENTS: *6 = Same as Permit/License

* This claim recommendation has changed due to owners lack of response in submitting an amendment regarding ^{permitted} acreage Appropriations is licensing this as 31 acres rather than 84 which will now affect the total C.C. flow, for diversion volume, etc. This CUR will show those changes.
L.R.W. - 5-12-92

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OCT 06 1992

CVR CORRECTIONS

Season of Use, Consumptive Use, Diversion Volume

☐ Change season of Use

Use Code ____ From ____/____ to ____/____

Use Code ____ From ____/____ to ____/____

Use Code ____ From ____/____ to ____/____

☐ Change Consumptive Use Volume

____ acres x ____ af/a (for area) = ____ af/a

☒ Change Diversion Volume244 acres x 4.5 af/a (for area) = 1098 af/a☒ Change RemarksCodeRecommended ChangeEOIDiv. vol. only5-12-92
LRW☒ Corrections Made 1-7-92
(date)Data-entry Complete 1-7-92
(date)Reviewing Agent LRW
(signature)

MICROFILMED

OCT 06 1992

Water Right Number - L57-02295

Prefix Translation: LICENSE

Old (D) Number - 33064

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

*** C - CURRENT OWNER ***

SHELLEY

BETTY J

1 - RT 1

2 -

3 -

City- PAYETTE

State- ID Zip- 83661

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
08/03/1966 14 WESTERN L - LICENSE+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)03S 01W 15 SE SW (73) OWYHEE
22 NE NW (73) OWYHEE+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.620 155.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.620 155.00 5.180+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
03S 01W 22 SW NE 4.0 01 IRRIGATION (73) OWYHEE
03S 01W 22 SE NE 12.0 01 IRRIGATION (73) OWYHEE
03S 01W 22 NW NW 4.0 01 IRRIGATION (73) OWYHEE
03S 01W 22 SE NW 3.0 01 IRRIGATION (73) OWYHEE
03S 01W 23 SW NW 8.0 01 IRRIGATION (73) OWYHEE

Total Acres: 31.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - - - Remarks - - - - - +
No Remarks found.+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.MICROFILMED
OCT 06 1992139.5 @ 4.5 AF/A
new standards

Water right number - L57-02295

Prefix Translation: LICENSE

+ - - - - Conditions of Approval - - - - - +
R33 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 5.0 afa per acre for the
- lands above.

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

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

+ - - Audit Fields - 10/17/91 CURTIS 12/03/91 CURTIS 04/20/92 CURTIS

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

| | | |
|--------------------------------|------------------------------|----------------------|
| Proof Due Date - 08/08/1971 | Field Exam Made - 10/07/1987 | Field Exam Fee - N |
| Approved/Denied - 08/08/1966 | Protested Date - 00/00/0000 | Swan Falls - Z |
| Proof Made Date - 07/28/1971 | Hearing Date - 00/00/0000 | Temporary Right - P |
| Exam to S.O. Date - 00/00/0000 | Verified Date - 00/00/0000 | DLE/Carey Act - |
| Order Show Cause - 00/00/0000 | Receipt Number - | Water District - |
| Licensed Date - 00/00/0000 | Appl Received - 08/03/1966 | Transfer/Amended - A |
| Decree Date - 00/00/0000 | Presumption Flag - | |

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OCT 06 1992

Old (D) Number - 33064

Phone -

```
+-----+-----+ Old Water Right Numbers -----+
```

No Old Water Right Numbers found.

MICROFILMED
OCT 06 1992

Water right number - 57-02295

Prefix Translation: WATER RIGHT

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

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

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

+ - - Audit Fields - 03/10/88 05/01/88 CONVERT

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

| | | |
|--------------------------------|------------------------------|----------------------|
| Proof Due Date - 08/08/1971 | Field Exam Made - 10/07/1987 | Field Exam Fee - N |
| Approved/Denied - 08/08/1966 | Protested Date - 00/00/0000 | Swan Falls - Z |
| Proof Made Date - 07/28/1971 | Hearing Date - 00/00/0000 | Temporary Right - P |
| Exam to S.O. Date - 00/00/0000 | Verified Date - 00/00/0000 | DLE/Carey Act - |
| Order Show Cause - 00/00/0000 | Receipt Number - | Water District - |
| Licensed Date - 00/00/0000 | Appl Received - 00/00/0000 | Transfer/Amended - A |
| Decree Date - 00/00/0000 | Presumption Flag - | |

MICROFILMED
OCT 06 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:08:00
11/01/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-02295

LAST: HACKLEY, JR.
ADDRESS: 7583 SPALDING LN. N.E.
CITY: ATLANTA
PHONE NUMBER: 404-394-6547

FIRST: O.K.

STATE: GA ZIP: 30360

OWNER CODE: C

LAST: SHELLEY
ADDRESS: RT. 1
CITY: PAYETTE
PHONE NUMBER: 208-000-0000

FIRST: BETTY J.

STATE: ID ZIP: 83661

OWNER CODE: O

FIELD EXAM REQUIRED?

DATABASE
N

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

MICROFILMED
OCT 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? _____ (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
☒ 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 LRW 11-6-91 (initial & date)
 Claim Verification Report completed LRW 11-6-91 (initial & date)
 Was CVR spot-checked by Supervisor? ☐ Yes ☒ No 4/6 Gibson (initial & date)
 R claim file created LRW 11-6-91 (initial & date)
 Recommendations entered on R claim file LRW 11-6-91 (initial & date)

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CONTACT PERSON: Stan Smith - Owy. Title Co. 495-2589 PHONE NUMBER: () -
DATE OF FIELD EXAM: 1/1/ APPOINTMENT MADE: Y() N() TIME: : A() P()
ACCOMPANIED BY: _____ PHONE NUMBER: () -
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A57-02295 PRIORITY DATE: 08-03-1966 STAGE: P
B. WR RECORD: # 57-02295 PRIORITY DATE: 08-03-1966 STAGE: P

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER 10

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

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
08-03-1966

REVIEWED BY Linda Warner

DATE 11/1/91

=====

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A57-02295 | 03S | 01W | 22 | | NE | NW | | OWYHEE |
| A57-02295 | 03S | 01W | 15 | | SE | SW | | OWYHEE |

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A57-02236 R57-02236

WR RECORDS IN SAME 40 ACRE TRACT

L57-02295
57-02236

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 57-02295 | 03S | 01W | 22 | | NE | NW | | OWYHEE |
| 57-02295 | 03S | 01W | 15 | | SE | SW | | OWYHEE |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

L57-02295
57-02236

A57-02236 R57-02236

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

| | DUE TO POD DISCREPANCY? (Y/N) | DUE TO SOURCE DISCREPANCY? (Y/N) | DATABASE | FIELD EXAMINER |
|--|-------------------------------|----------------------------------|----------|----------------|
| | | | Y | |
| | | | N | <u> A </u> |

REMARKS:

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|-----------|-----------|-----------|-----|-----------|-----------|-----|-----------|
| <u>3S</u> | <u>1W</u> | <u>15</u> | — | <u>SE</u> | <u>SW</u> | — | <u>73</u> |
| — | — | <u>22</u> | — | <u>NE</u> | <u>NW</u> | — | <u>73</u> |

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

Linda Warner

DATE:

11/1/91

MICROFILMED
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A3
H06
T 3 S
R 10 W

T04

B15
437
405

1615
2122

Road

Flume

BRIDGE

A. ROOT WATER RIGHT NUMBERS: A57-02295
R57-02295

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|--------------------|------------------|-----------------|-----------------|----------------|------------------|
| 03S | 01W | 22 | SW | NE | | HACKLEY, JR., O.K. | A57-02295 /40.0 | 57-02295 /40.0 | | 4 | 4 |
| | | | SW | NE | | HACKLEY, JR., O.K. | R57-02295 / 4.0 | - / | | | |
| | | | SW | NE | | SHELLEY, BETTY J | | L57-02295 / 4.0 | | | |
| 03S | 01W | 22 | SE | NE | | HACKLEY, JR., O.K. | A57-02295 /40.0 | 57-02295 /40.0 | | 12 | 12 |
| | | | SE | NE | | HACKLEY, JR., O.K. | A57-00001B /40.0 | 57-00001B / | | | |
| | | | SE | NE | | HACKLEY, JR., O.K. | R57-02295 /12.0 | - / | | | |
| | | | SE | NE | | SHELLEY, BETTY J | | L57-02295 /12.0 | | | |
| 03S | 01W | 22 | NW | NW | | HACKLEY, JR., O.K. | A57-02295 /40.0 | 57-02295 /40.0 | | 16 | 16 |
| | | | NW | NW | | HACKLEY, JR., O.K. | R57-02295 / 4.0 | - / | | | |
| | | | NW | NW | | SHELLEY, BETTY J | | L57-02295 / 4.0 | | | |
| 03S | 01W | 22 | SE | NW | | HACKLEY, JR., O.K. | A57-02295 /40.0 | 57-02295 /40.0 | | 3 | 3 |
| | | | SE | NW | | HACKLEY, JR., O.K. | R57-02295 / 3.0 | - / | | | |
| | | | SE | NW | | SHELLEY, BETTY J | | L57-02295 / 3.0 | | | |
| 03S | 01W | 23 | SW | NW | | HACKLEY, JR., O.K. | A57-02295 /40.0 | 57-02295 /40.0 | | 8 | 8 |
| | | | SW | NW | | HACKLEY, JR., O.K. | R57-02295 / 8.0 | - / | | | |
| | | | SW | NW | | SHELLEY, BETTY J | | L57-02295 / 8.0 | | | |
| 03S | 01W | 23 | SE | NW | | HACKLEY, JR., O.K. | A57-02295 /40.0 | 57-02295 /40.0 | | 4 | 4 |
| TOTAL ACRES | | | | | | | A57-02295 | 240.00 | 240.00 | 84 | 84 |

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Y

5-12-92
licensing
recomm

4

12

3

4

8

31

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PRESUMPTION FLAG:

REMARKS:

See B. U. field report - attached.

RECOMMENDATIONS:

TOTAL ACRES: *84 31. 5-12-92*
LRU

REVIEWED BY: *Linda Werner*

DATE: *11/1/91*

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45005

2236

2295

Section

14

NW SW

3

3

0

SW SW

22

22

0

15

SE SW

22

22

0

NE SE

1

1

0

NW SE

2

2

0

SW SE

37

37

0

SE SE

39

39

0

22

NE NE

24

15

9

NW NE

27

11

16

SW NE

4

0

4

SE NE

12

0

12

NE NW

29

5

24

NW NW

4

0

4

SE NW

3

0

3

23

NW NW

7

3

4

SW NW

8

0

8

244

160

84

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A. AJ CLAIMED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A57-02295 IRRIGATION | FROM 04-15 TO 10-15 | 6.400 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 6.400 CFS |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|-----------|--------------------|
| 57-02295 IRRIGATION | FROM TO | 6.400 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 6.400 CFS |

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(☒)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N() Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(X) N()

AJ TOTAL CLAIMED DIVERSION RATE: 6.400 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 6.400 CFS

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

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

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

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

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

B. FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

B.U. field report

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

OTHER RIGHTS LISTED IN CLAIM: NONE LISTED

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|-------------|---------------------|-----------|----------------|-----------|----------------|
| A57-02295 | GROUNDWATER | HACKLEY, JR. , O.K. | 6.400 | 0.026 | | |
| R57-02295 | GROUNDWATER | HACKLEY, JR. , O.K. | 1.680 | 0.020 | 420.00 | 5.00 |

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D. $31 \text{ Ac} \times 0.02 = 0.62 \text{ cfs}$

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 84 $\times 0.02 \text{ CFS/ACRE} = 1.68 \text{ CFS}$
(Taken from p/u review)

1b. CALCULATIONS

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

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N(X) *** ~~claim based on permit.~~
Recommendation based on
B. U. exam

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 840.0 AF/A

ACRES 84 $\times$ CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 294 AF/A

$31 \text{ Ac} \times 3.5 = 108.5$

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME =

ACRES 84 $\times$ DIVERSION VOL. AF/A FOR AREA 5.0

TOTAL DIVERSION VOLUME 420 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

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

Volume (Combined GW rights)
 $244 \times 5 = 1220 \text{ AFA}$
 $V(d.r.) =$
 $4.88 \text{ cfs} \times 1.9835 \text{ AFD} \times 246 \text{ d} = 2381 \text{ AFA}$

0.62
 $1.68 \text{ cfs} \times 1.9835 \text{ AFD} \times 246 \text{ d} = 819.7 \text{ AFA}$

Combined Rights

Acres = 244

Flow = $244 \times 0.02 \text{ cfs} = 4.88 \text{ cfs}$

C.U. = 854.0

~~Div. volume 57-2236~~

not including
conveyance
loss.

This claim overlaps w/ 57-00001B & 57-2236

EO1: Use of this right w/ 57-00001B is limited to:
Flow = 5.14 cfs

C.U. = 854

Acres = 244

EO1: ~~57-2236 - 1220 AFA (div. vol.) = No longer necessary since the decrease in acreage.~~
~~it no longer overlaps.~~

DO4: ~~57-00001B has 26 cfs conveyance loss leave on 7-7-92~~ LRW

FOG: The following right is also diverted through P.O.D. described above, 57-2236.

App. Condition
CO9- Partial forfeiture - Flow & Acres

* $V(d.r.)$ now based on 4.5 AF/A,
At 244 Ac this = 1098 AFA
LRW
1-6-92

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Overlap
O.K. Hackley

| NUMBER | TNS | RNG | SEC | NE | | | NW | | | SW | | | SE | | | SYSTEM TOTAL |
|--------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|--------------|
| | | | | NE | NW | SE | NE | NW | SW | NE | NW | SW | NE | NW | SW | |
| 57 | | | | | | | | | | | | | | | | 25 |
| 000018 | 35 | 10 | 14 | | | | | | | 3 | 22 | | | | | 244 |
| | | | | | | | | | | | | | 22 | 1 | 2 | 101 |
| | | | | | | | | | | | | | | | | 103 |
| | | | | 24 | 27 | 4 | 12 | 29 | 4 | 3 | | | | | | 15 |
| | | | | | | | | | 7 | 8 | | | | | | |

| NUMBER | TNS | RNG | SEC | NE | | | NW | | | SW | | | SE | | | SYSTEM TOTAL |
|--------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|--------------|
| | | | | NE | NW | SE | NE | NW | SW | NE | NW | SW | NE | NW | SW | |
| 57 | | | | | | | | | | | | | | | | 25 |
| 2236 | 35 | 10 | 14 | | | | | | | 3 | 22 | | | | | 22 |
| | | | | | | | | | | | | | 22 | 1 | 2 | 101 |
| | | | | | | | | | | | | | | | | 98 |
| | | | | 22 | 15 | 11 | 5 | | | | | | | | | 31 |
| | | | | | | | | 3 | | | | | | | | 3 |

| NUMBER | TNS | RNG | SEC | NE | | | NW | | | SW | | | SE | | | SYSTEM TOTAL |
|--------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|--------------|
| | | | | NE | NW | SE | NE | NW | SW | NE | NW | SW | NE | NW | SW | |
| 57 | | | | | | | | | | | | | | | | 72 |
| 2295 | 35 | 10 | 22 | 9 | 16 | 4 | 12 | 24 | 4 | 3 | | | | | | 12 |
| | | | | | | | | | 4 | 7 | | | | | | 84 |
| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |

FOUND →

| NUMBER | TNS | RNG | SEC | NE | | | NW | | | SW | | | SE | | | SYSTEM TOTAL |
|--------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|--------------|
| | | | | NE | NW | SE | NE | NW | SW | NE | NW | SW | NE | NW | SW | |
| 57 | | | | | | | | | | | | | | | | 23 |
| 2295 | 35 | 10 | 22 | | | 4 | 12 | | 4 | 3 | | | | | | 31 |
| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |

*

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Both wells listed as P.O.D. on licenses can irr. all 244 Ac.
* 31 Ac. recommended instead of 84. 5-12-92 LRU

RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|----------------------------------|---|---|---|---|
| IRRIGATION | 3-15 11-15
~~04-15~~ ~~10-15~~ | DATABASE EXAMINER
6.400 ~~1.68~~ 0.62 | DATABASE EXAMINER
6.400 ~~1.68~~ 0.62 | DATABASE EXAMINER
840.0 ~~294~~ 108.5 |
| TOTAL FOR THIS RIGHT | | 6.400 ~~1.68~~ 0.62 | 420 39.5 | 840.0 ~~294~~ 108.5 |
| REVIEWED BY: <u>Linda Warner</u> | | DATE: <u>11-6-91</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: 57-02295

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 6.400 EXAMINER _____ CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A57-02295 | 6.400 | R57-02295 | 1.680 | 57-02295 | 6.400 |
| - | R57-02295 | 1.680 | R57-02295 | 1.680 | 57-02295 | 6.400 |
| - | - | - | - | - | L57-02295 | 6.400 |
| TOTAL CFS | | 8.080 | 3.360 | | 6.400 | |

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:

AUTHENTICATION:

SIGNATURE: Linda Warner

DATE: 11-6-91

NAME OF FIELD EXAMINER: Gene Gibson

TITLE: Sr. WR Agent

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CONVERSATION MEMORANDUM

DATE 7-7-92FILE A57-2295NAME OF PARTY Owy. Co. Assessors - DuaneEMPLOYEE Linda WarnerRE: Ownership of 31 acres recommended
on this claim?

Property belongs to OK Mackley. Will
recommend claim as such even though
I received no response to my the ownership
inquiry letter of 5-12-92

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State of Idaho
DEPARTMENT OF WATER RESOURCES

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

O K Hackley, Jr.
7583 Spalding Lane, NE
Atlanta, GA 30360

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MAILING DATE: May 12, 1992

RESPONSE DATE: June 12, 1992

RE: NOTICE OF CLAIM NO: A57-02295

Dear Mr. Hackley:

We are currently in the process of preparing the above referenced Notice of Claim for court decree in the Snake River Basin Adjudication. During this review certain questions arose concerning the claim listed above. The following claim requires the information listed:

IDWR records currently show the following name and address for the owner of the claim listed above:

Betty J. Shelley, Route 1, Payette, ID 83661

If the ownership has changed, please complete the enclosed Change in Ownership form. If only the address has changed, then complete and return the enclosed Change in Address form.

Your response must be received in this office by the response due date indicated above. If a change in ownership or address has occurred, and no response is received from you, all further legal notices concerning this claim will be sent to the name and address currently shown.

Thank-you for your cooperation. If you should have any questions, or feel that you need help in any way, please contact me at 208-334-2190.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures: Change in Ownership/Address form

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Memo to file number: R57-02295

Date: April 10, 1991

From: Gene Gibson

This water right was first examined by the Western Regional Office on July 10, 1987.

On September 13, 1990 I performed another field examination on the above water right for the adjudication program and found several discrepancies.

Map from the ASCS office in Marsing was used to determine the number of acres for each legal land description.

Except for the defined place of use and recommended flow rate I agree with the field examination conducted on the 10th day of July, 1987.

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B.U. field rpt
9-13-90
Pg. 1

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

1. Owner: O. K. HASKLEY JR. Permit No. 57-022295
 Phone No. (404) 394-6547
 Current Address: 7583 SPALDING LANE NE., ATLANTA, GA. 30360
 2. Accompanied by: _____ EXAM. DATE: 9-13-1990
 Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____**B. OVERLAP REVIEW**

1. Other water rights with same place of use: 57-00016 & 57-00017 SAME
 _____ ☐ Copies Attached
 2. Other water rights with same point of diversion: ~~None~~ SAME
 _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversión System Diagram:** Indicate all major components and distances between components. Indicate well size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

SAME

Corrections to
original Exam
found during Adj.
Field Examination

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Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
 Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
 (required for all but single household domestic groundwater, and stockwater).

7-13-90
Pg. 2

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Spang

☐ See Remarks on page 4 for continuation

८

| Well or Diversion
Identification No. 4 | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No.
or Discharge Size |
|---|------------|----|------------------|-----------|--------------------------------------|
| S 11111 | | | | | |
| | | | | | |
| | | | | | |

*Code to correspond with No. on map and aerial photo

5. Point(s) of Divergence:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination

| Twp. | Rge. | Sec. | NE ¼ | | | NW ¼ | | | SW ¼ | | | SE ¼ | | | Totals |
|--------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
| | | | NE ¼ | NW ¼ | SE ¼ | NE ¼ | NW ¼ | SE ¼ | NE ¼ | NW ¼ | SE ¼ | NE ¼ | NW ¼ | SE ¼ | |
| 03S | 01W | 22 | | | | | | | | | | | | | |
| LEGAL LAND | | | | | | | | | | | | | | | |
| FOR LEASE: NUMBER OF SEC | | | | | | | | | | | | | | | |
| DESCRIP: TOWNSHIP | | | | | | | | | | | | | | | |
| ACRES | | | | | | | | | | | | | | | |
| R57-02295 | | | | | | | | | | | | | | | |

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OCT 08 1992

Do not use this space

9-13-90
Pg. 3

Do not use this space

D. FLOW MEASUREMENTS☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| SAME | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

2. Measurements:

SAME

E. FLOW CALCULATIONS☐ Additional Computation Sheets Attached

1. Measured Method:

5.18 cfs by Pygmy Meter & Sprinkler Head Measurements

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.8 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (8)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \text{SAME}$ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \text{SAME}$ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \text{SAME}$

2. Volume Calculations for Other Uses:

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OCT 06 1992

9-13-92
Pg. 4

H. REMARKS AND OVERLAP REVIEW ANALYSIS

SAME

I. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use | Period of Use | | Rate of Diversion
Q (cfs) | Annual Volume
V (afe) |
|----------------|---------------|-------|------------------------------|--------------------------|
| | From | To | | |
| IRRIGATION | 3-15 | 11-15 | 1.68 | 420.0 |
| | | | | |
| | | | | |
| | | | | |
| Totals: | | | 1.68 | 420.0 |

2. Recommended Amendments

☐ Change P.D. as reflected above☐ Add P.D. as reflected above☐ None☒ Change P.U. as reflected above☒ Add P.U. as reflected above☐ Other

J. AUTHENTICATION

Field Examiner's Name MELVIN GENE GIBSONSignature Melvin G. Gibson

Certification Date _____

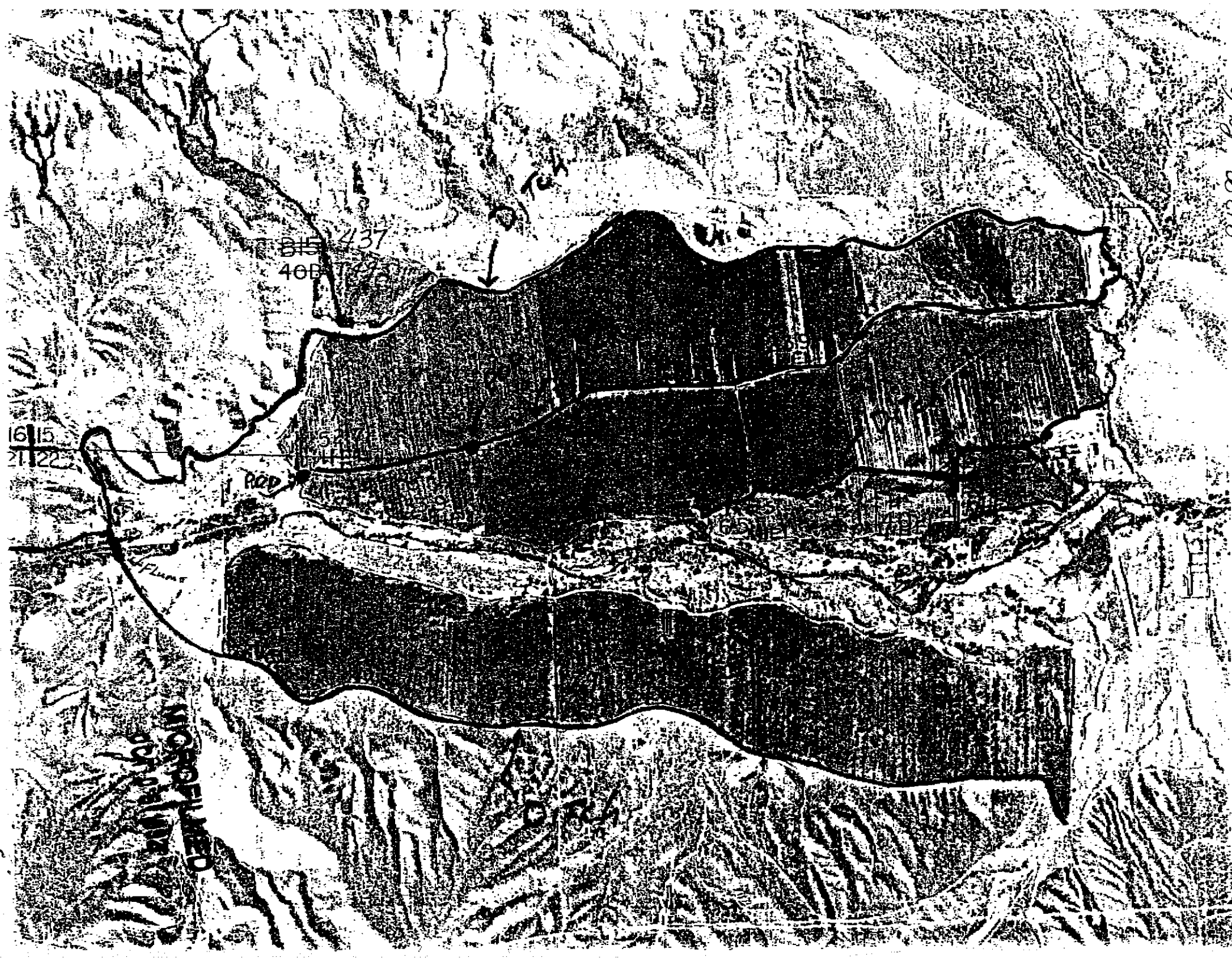
Field Report Preparation Date _____

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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OCT 06 1992

9-13-90
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 57-2295**Phone No.**

1. Owner: Betty J. Shelley

Current Address: Unknown

2. Accompanied by: Irene Tyson

EXAM. DATE: 10-7-87

Address: HC 79 Box 2040 Murphy ID 83650 Phone No. 834-2344

Relationship to Permit Holder: Current owner of the land

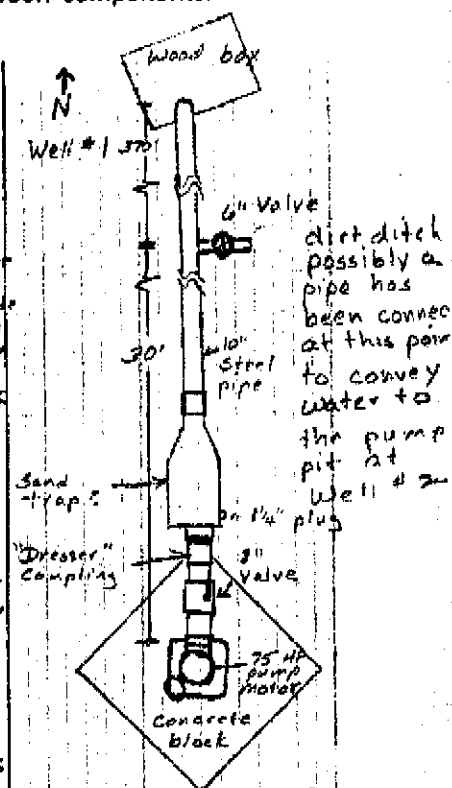
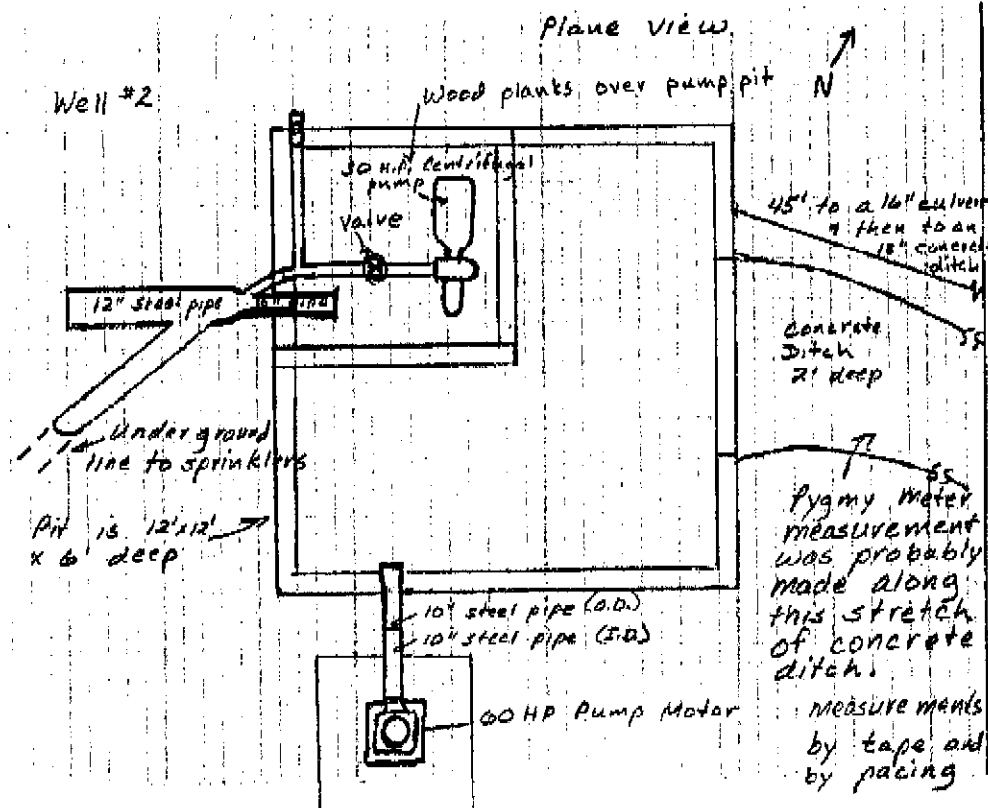
3. Source: Groundwater tributary to

B. OVERLAP REVIEW

- OVERLAP REVIEW
1. Other water rights with same place of use: 57-0001 B surface water this
permit supplements ☒ Copies Attached
2. Other water rights with same point of diversion: 57-2236 additional acreage
brought under ^{irrigation} ~~antiquated~~ ☒ Copies Attached ☒ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversions System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 5'

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

- ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.)

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System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

The system has 2 wells. Well #1 has a 75 H.P. turbine pump and can discharge water into a dirt ditch that also conveys ~~water~~ surface water or it can discharge water into another dirt ditch that conveys water to the pump pit at well #2. Well #2 ~~has~~ has a 60 H.P. turbine pump, and it discharges water into a concrete pump pit. The water can flow from the pit into a concrete

☒ See Remarks on page 4 for continuation

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|-------------|----|------------------|----------------|-----------------------------------|
| #1 | U.S. Motors | 75 | 3493570 | Berkelley | 8" Discharge |
| #2 | U.S. Motors | 60 | 3874533 | Layne + Bowler | D12512 |
| "Booster" | Century | 30 | 9J Spec. 54168 | Jacuzzi | SVB 038357 |

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

| Ident. No. | Gov't. Lot | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|------------|------------|-----|-------|------|------|------|--------|---------------------------------|
| #1 | | | NE NW | R2 | 3 S | 1 W | Owyhee | Aerial Photo |
| #2 | | | SE SW | 15 | 3 S | 1 W | Owyhee | Aerial Photo |
| | | | | | | | | |
| | | | | | | | | |

6. Place(s) of Use:

| Twp. | | Rge. | Sec. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|------|-----|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 3 S | 1 W | 22 | 23 | 13 | 17 | (3) | (12) | 20 | (3) | (2) | | | | | | | | | | 70 |
| 3 S | 1 W | 23 | | | | | | | 6 | (8) | | | | | | | | | | 14 |
| | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | 84 |

Indicate Method of Determination Aerial Photo

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Do not use this space

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Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| See Attached | | | | | | |
| Field report | | | | | | |
| dated 7-25-72 | | | | | | |
| | | | | | | |

2. Measurements: See Field Report from 7-25-72 for PYGMY METER sheet.
Only the water that can be applied by the
sprinklers is usable on the land described by
this permit. 76 Rain Bird Model 30's with 1/32"
nozzles at 55 psi = 5.22 gpm each
4.30 cfs by Pygmy meter + 0.88 cfs through sprinklers 5.18 cfs
capacity

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

$$76 \times 5.22 = 396.7 \text{ gpm} \quad \frac{396.7}{448.8} = 0.88 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

$$\frac{30 \times 8.8 \times .8}{2' + 2.3(60)} = 1.51 \text{ cfs}$$

RAINBIRD CALCULATIONS
 THESE ACRES ARE IRRIGATED USING ONLY
 THE SPRINKLER SYSTEM - LICENSE IS LIMITED
 TO .88 CFS. JS

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (5) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (8)

Panel Input HP: (8) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 84 \times 5 = 420.0 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days In Irrigation Season}) \times 1.9835 = 0.88 \times 245 \times 1.9835 = 427.6 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 420.0 \text{ afa}$$

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

ditch or it can be pumped from the pit by a 30 H.P. centrifugal ^{pump} into an underground mainline and used to sprinkler irrigate the 84¹/₂ acres south of Sinker Creek with hand lines. This is the land that appears to have been irrigated under this permit. The system has not been ^{operated} since 1984 because of financial problems.

The land licensed under Water Right No. 57-2236 is north of Sinker Creek. The surface water right, 57-0001 B probably was being used on the north side of Sinker Creek when this ground was sprinkler irrigated. Some land in the ~~SESW~~ ^{SESW} of Sec. 15

I. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use | Period of Use | | Rate of Diversion
Q (cfs) | Annual Volume
V (af) |
|----------------|---------------|-------|------------------------------|-------------------------|
| | From | To | | |
| Irrigation | 3-15 | 11-15 | 0.88 | 420.0 |
| | | | | |
| | | | | |
| | | | | |
| Totals: | | | 0.88 | 420.0 |

2. Recommended Amendments

☐ Change P.D. as reflected above☐ Add P.D. as reflected above☐ None☒ Change P.U. as reflected above☒ Add P.U. as reflected above☐ Other

J. AUTHENTICATION

Field Examiner's Name

Carter Fritschle 12/11/87

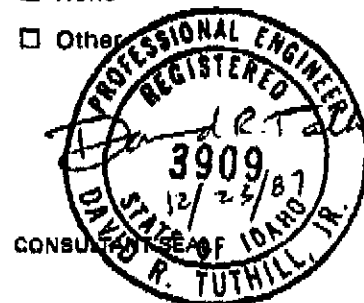
Signature

Carter Fritschle

Certification Date

Field Report Preparation Date

10-7-87



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

Condition R-33

JWM 11/3/89

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57-2275

License 57-2236 shows land in the SE¹/₄ of Sec 14 (30 acres) and land in the NE¹/₄ of Sec 23 (10 acres) that does not appear to have been farmed. The 30 acres shown in the SWSW of Sec 14 may actually be the same 30 acres shown to be in SESE of Sec 15. Likewise the 15 acres shown in the NWNW of Sec 23 may actually be the same 15 acres that are shown in the NENE of Sec 22. The actual amount of irrigated land to North of Sinker Creek according to the aerial photo is 158.6 acres. Therefore, when 57-2295 and 57-2236 are combined they show 284 acres of irrigated land while only 243 acres show on the aerial photos.

Carter Fritschle

NOTE! IF YOU LOOK AT THE MAP ON THE FIELD EXAM FOR 57-2236 YOU CAN SEE THE LAND WAS DRAWN IN EXTENDING INTO THE SE¹/₄ S, 14 & NE¹/₄ S, 23 WHEREAS IT CAN BE SEEN ON THE AERIAL PHOTO THE IRRIGATED LANDS END IN THE SWSW, SEC. 14 & THE NWNW, S. 23. IT APPEARS A MISTAKE WAS MADE ON THE EXAM. IT WOULD MATCH UP IF YOU TOOK OFF THE 30 AC IN THE SE¹/₄ S, 14 & THE 10 AC IN THE NE¹/₄ S, 23 WOULD EQUAL 40 AC FROM 200 = 160 ACRES WHICH IS APPROXIMATELY WHAT THE AERIAL PHOTO SHOWS, AND WHAT HAS HISTORICALLY BEEN IRRIGATED.

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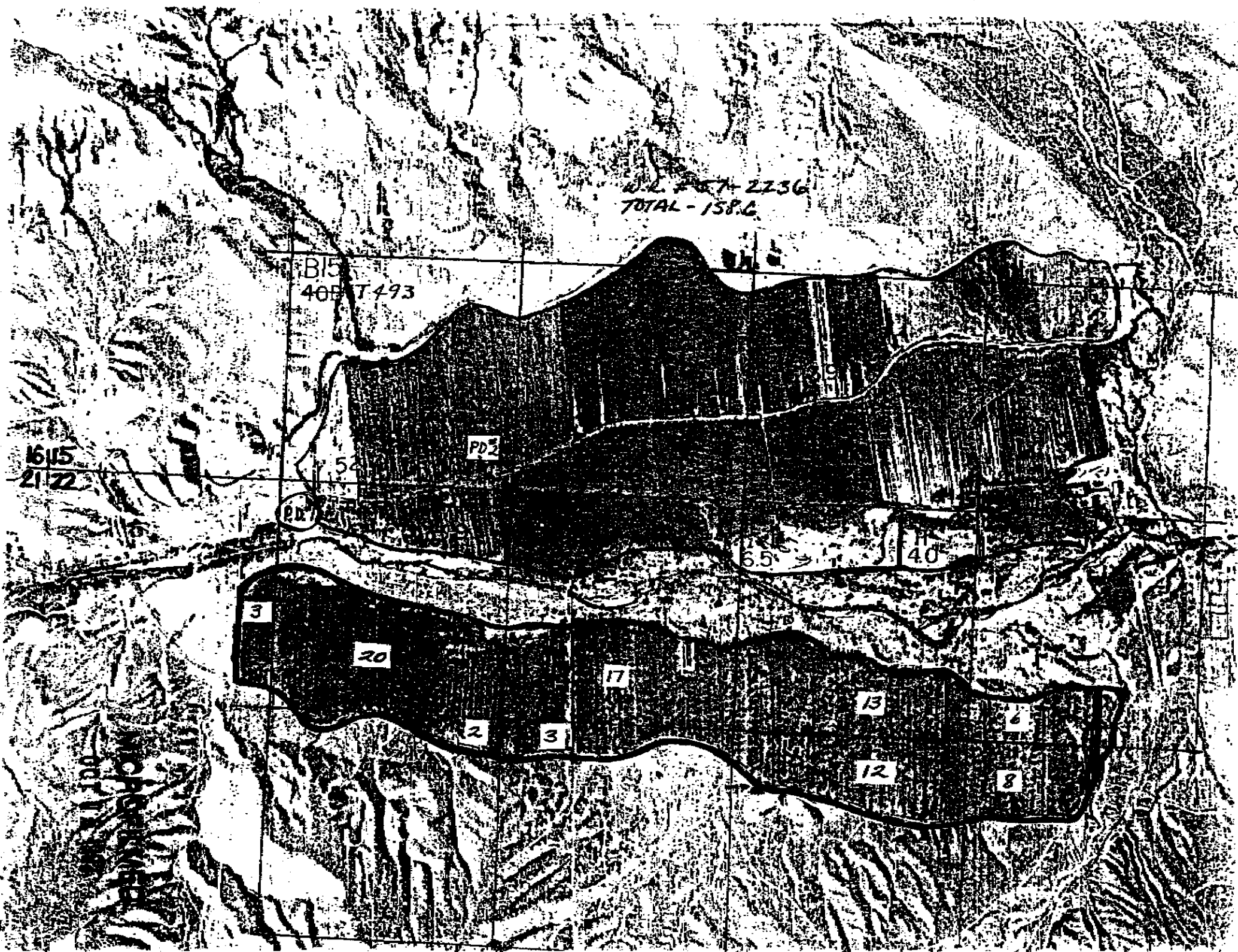
THIS IS ONLY FOR INFORMATIONAL PURPOSES SINCE THERE
IS ENOUGH CAPACITY FROM THE WELLS TO ISSUE THE
LICENSE FOR THE 88 CFS (USES ONLY THE SPRINKLER SYSTEM).

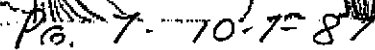
Joe 12/14/87
JDR

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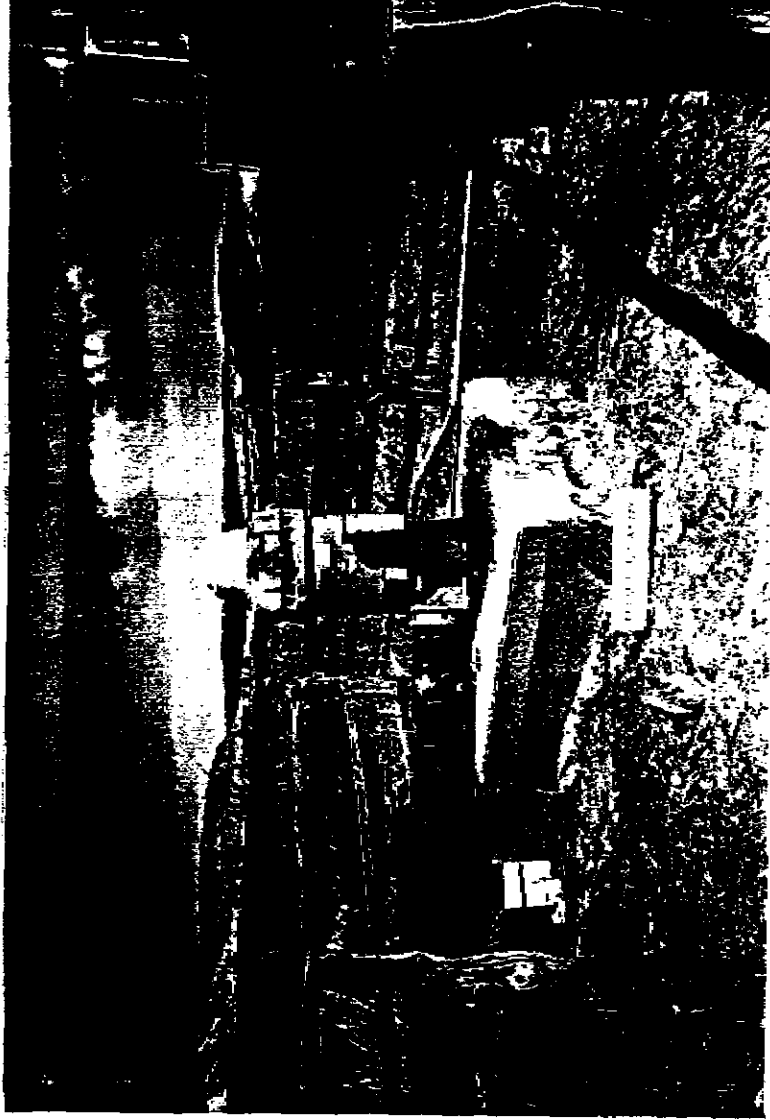
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57-2295



P.D #1 Looking East



P.D #2 Looking East Pipe in center goes to the southside of Sinker Creek.

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57-2295



P.M. Looking
East southeast
PV#2 is
visible to the
right of center

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State of Idaho
Department of Water Resources

LINDA
JUN - 3 1992

WATER RIGHT LICENSE
WATER RIGHT NO. 57-02295

Department of Water Resources
Western Regional Office

Priority: August 3, 1966

Maximum Diversion Rate: 0.62 CFS
Maximum Diversion Volume: 155.0 AF

This is to certify, that BETTY J SHELLEY
RT 1

PAYETTE ID 83661 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 3, 1966; and has submitted Proof of Beneficial Use on July 28, 1971. An examination indicates that the works have a diversion capacity of 5.180 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION | 03/15 to 11/15 | 0.62 CFS | 155.0 AF |

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 15, Township 03S, Range 01W
NENW , Sec. 22, Township 03S, Range 01W
OWYHEE County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 03S | 01W | 22 | SWNE 4 | SENE 12 | NWNW 4 | 23 |
| | | | SENE 3 | | | 8 |
| | | 23 | SWNW 8 | | | |

Total number of acres irrigated: 31

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 5.0 afa per acre for the lands above.

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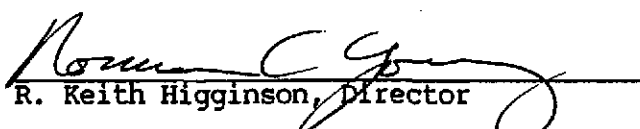
OCT 0 6 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 57-02295

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 5th
day of MAY, 1992.

Acting for  R. Keith Higginson, Director

MICROFILMED

OCT 06 1992