

NAME OF APPLICANT

Joseph W. Walker

Form No. 0

57-2320

Twp 1 N

5 W

Twp 1 N 4 W

35-

36

Twp 1 S

5 W

Twp 1 S 4 W

Sec. 1
SE 1/4

2

1

5 1/2 - SE 1/4 - NE 1/4
SE 1/4 - Sec 12

11

12th St

Ditch to place of use

Deserres is on -
SE 1/4 - SE 1/4 Sec 12 -

14

13-

Unnamed Springs
NE 1/4 - NE 1/4 Sec 13

Permit Map No. R-1094

As Approved SEP 11 1961

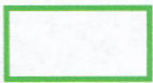
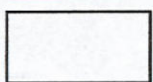
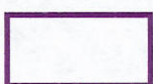
CED. N. CARTER
State Registration Engineer

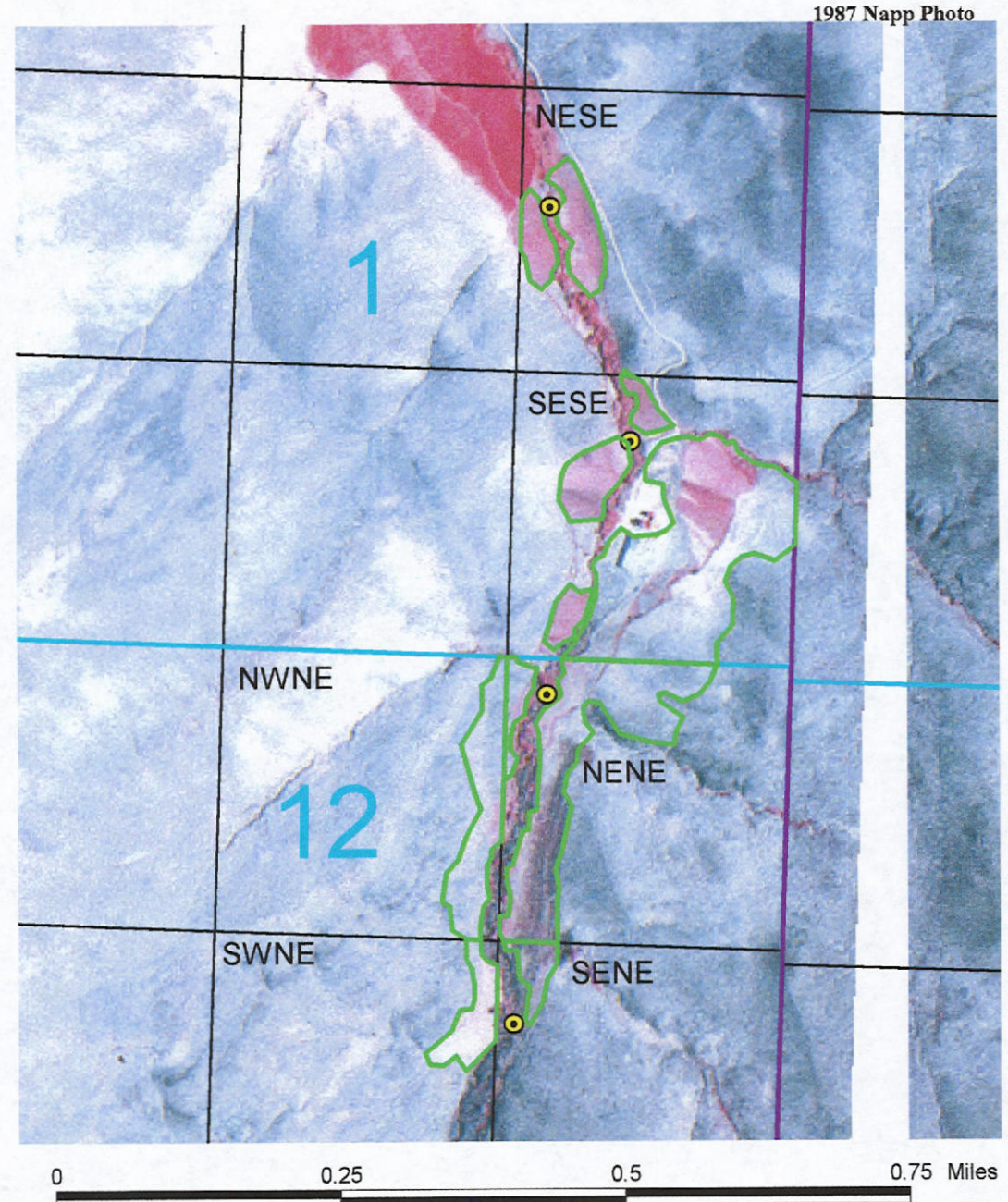
MICROFILMED

OCT 07 1992

Idaho Department of Water Resources

Claim Number: 57-02320
Legal: T01S, R05W, S01, 12
Reviewed By:

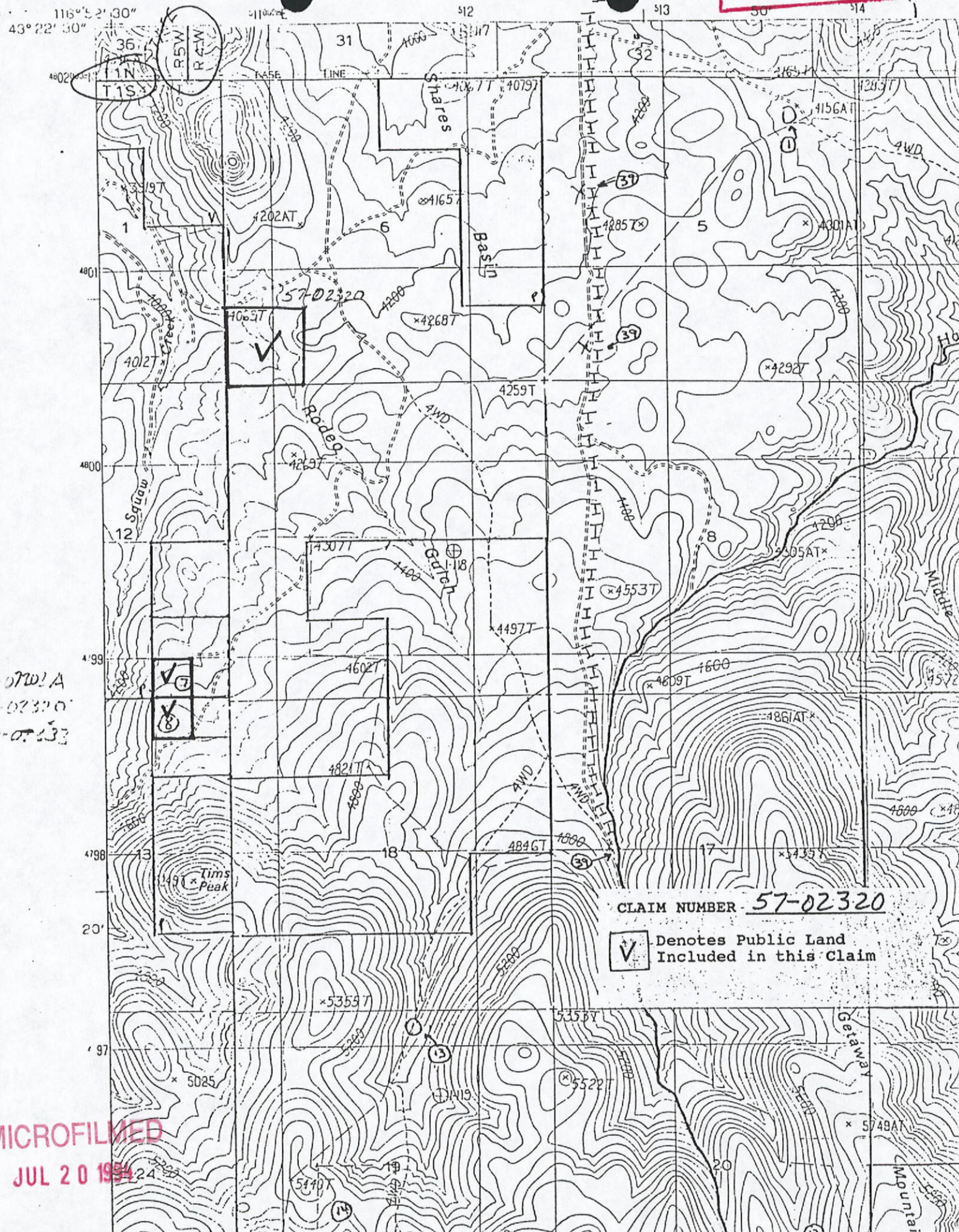
-  Point of Diversion
(several outside view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

POOR ORIGINAL

116° 52' 30"
43° 22' 30"



CLAIM NUMBER 57-02320

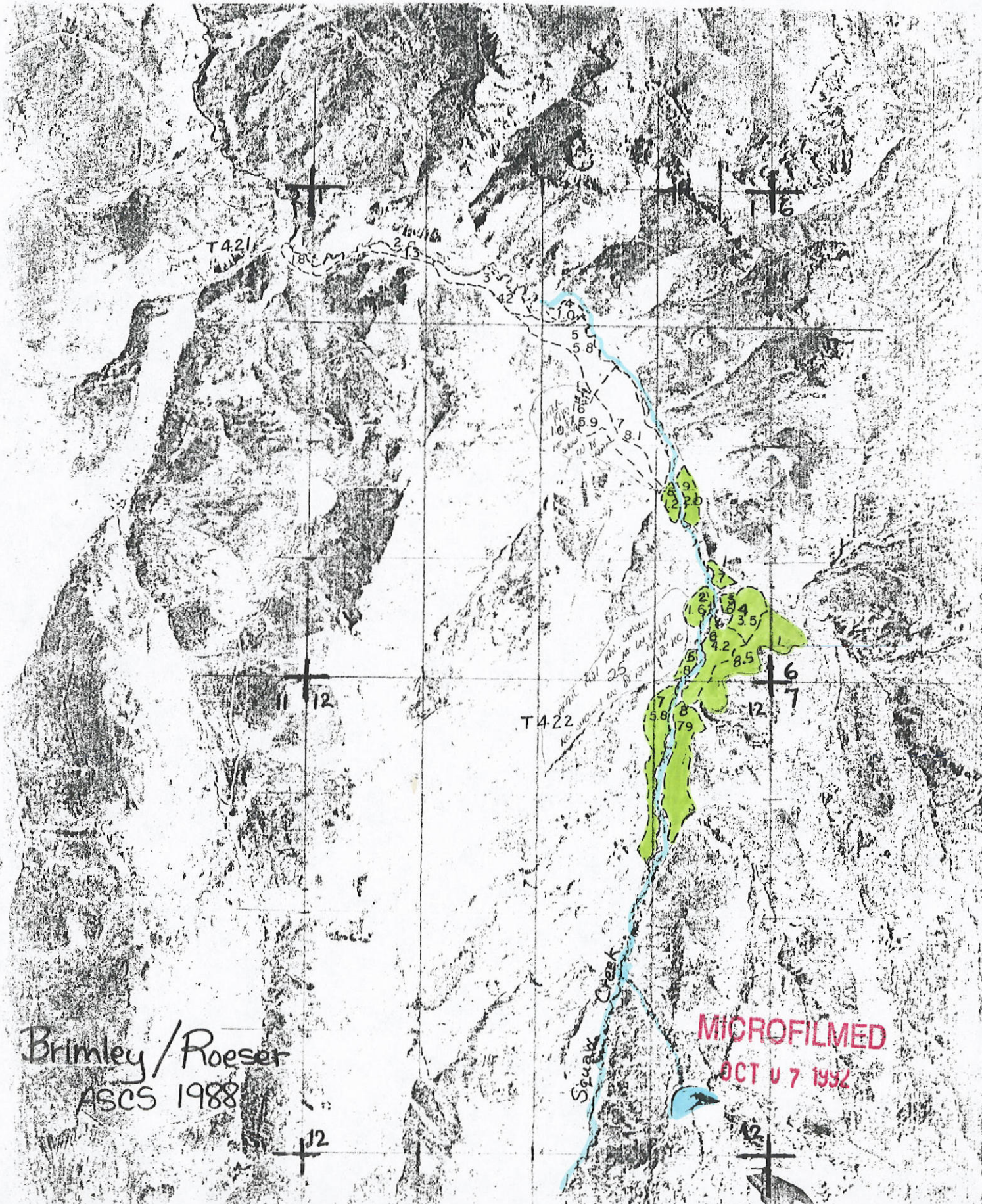


Denotes Public Land
Included in this Claim

MICROFILMED

JUL 20 1954

A57-02320



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

RECEIVED

JAN 17 1989

Ident. Number: A57-02320
Date Received: 12/15/1988
Receipt No: M002223
Received By:

Department of Water Resources NOTICE OF CLAIM TO A WATER RIGHT
Western Regional Office ACQUIRED UNDER STATE LAW

1. Name: JAMES E. ROESER 208-896-4421
Address: STAR RT.
MARSING, ID 83639

OR

Name: CARLENE J. ROESER 208-896-4421
Address: STAR RT.
MARSING, ID 83639

2. Date of Priority: OCT 09, 1972

3. Source: SPRINGS Trib. to: SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	05W	13	NE	NE			OWYHEE

5. Description of diverting works:
DEVELOPED SPRINGS, RES., TRANSITORY POD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.200		210.00
IRRIGATION STORAGE	01/01	12/31			35.00
IRRIGATION FROM STORAGE	04/01	10/31			35.00

7. Total Quantity Appropriated is:
1.200 C.F.S. (and/or) 3.50 A.F.A.

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A57-02320

Page 1

Date: 12/15/88

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OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	05W	1	NE	SE		IRR	5.0
			SW	SE		IRR	10.0
			SE	SE		IRR	10.0
						Section Acres	25.0
		12	NE	NE		IRR	15.0
			NW	NE		IRR	5.0
			SW	NE		IRR	10.0
			SE	NE		IRR	5.0
						Section Acres	35.0
						Total Acres	60.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
A57-07202, 02333, 02140, 00285

14. Remarks:
SUBJECT TO THE CONDITION THAT THE MAXIMUM VOLUME PER YEAR SHALL
NOT EXCEED 3.5 ACRE FEET PER ACRE WHEN COMBINED WITH LICENSES
NO. 15455/57-2140 & 16329/57-2333.
...NO MAPS FOR THIS AREA..

15. Basis of Claim: LICENSE
Water Right Number: R1094

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): *Jim Prosser* Date: 12/15/88

Date: _____

State of Idaho)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of Dec 19 88
John E. Eubank
Notary Public

Seal

Residing at Boise, Id
My Commission Expires 9-2-1994

A57-07370

WATER RIGHT LICENSE

License of Water Right No. R-1094/57-2320 Priority Oct, 9, 1972 Amount 35 acre feet

THIS IS TO CERTIFY, that ORA E. WALKER

of Marsing, Idaho, has complied with the terms and conditions of Permit No. R-1094/57-2320 issued pursuant to Application for Permit dated September 5, 1961, and has submitted proof to the Department of Water Resources on October 15, 1974 (into proof), that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the storage of 36 acre foot of water from unnamed springs, tributary to the Snake River, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Storage for Irrigation	from Jan. 1 to Dec. 31	1 cfs and	35 acre foot
Irrigation	from April 1 to Oct. 31	1 cfs and	210 acre foot or 3.5 af per acre

(Both dates inclusive)

Subject, however, to the condition that no more than 35 af of water be stored at any one time, and that the amount of water to stored and to which such right is entitled and benefited is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 35 af

• 3.6. Agric. foot per year, said waters to be diverted within the NE NE of Sec. 13

Twp. 1 S, Rgo. 6 W, B.M. In the County of Owyhee

Description and location of place of use:

[illegible]

Total number of areas indicated 80

* Subject to the condition that the maximum volume per year shall not exceed 3.5 acre feet per acre when combined with Licenses No. 16485/87-2140 and 16339/87-2333.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42.222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of January, 19 78.

Direct m

MICROFILMED

~~OCT 4 1942~~

DEC 11 1973

FIELD REPORT

15. ACTION
Huyler Health
Cokeville, Wyo.

3. Water will be used for the following purposes:

Op' or user. _____

4. Total amount to be appropriated:

Max Rate of Diversion _____ cubic feet per second and annual volume 35 AF/Annum.

5. Location of Point(s) of Diversion: (Stored in a reservoir at this point)

Township 15 N/S, Range 5W, E/W, B.M., Section 12, Subdivision SE 1/4, 32, 1/4, Dryden County

Township N/S, Range E/W, B.M., Section Subdivision 1/4, 1/4, County

Township N/S, Range E/W, B.M., Section Subdivision 1/4, 1/4, County

Other Points of Diversion: _____

Description of diverting works: Spring flow into reservoir, & water is released as necessary.

Measuring device required yes ☐ no ☒

6. lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____ 60

Permit No. 1096/57-2320
Examination for b/c

MICROFILMED
OCT 07 1992

DATE OF EXAM 29 July 75

ACREAGE
Found 60
Recommended 60

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q- — c.f.s. V- 70 Af/Ann. from APL 1 to N24 1
Domestic Q- — c.f.s. V- — Af/Ann. from — to —
Livestock Q- — c.f.s. V- — Af/Ann. from — to —

Is water co-mingled? yes ☒ no ☐

Name source unrecorded stream
Twp. N24 Rge 5 E/W, B.M., Sec. 102 Sub. SE 1/4 SE 1/4 County San Diego

Exchange? yes ☐ no ☒

Name source exchanged with —
Twp. N/S Rge — E/W, B.M., Sec. — Sub. — County —

Point of injection
Twp. N/S Rge — E/W, B.M., Sec. — Sub. — County —

Point of exchange
Twp. N/S Rge — E/W, B.M., Sec. — Sub. — County —

Total Q measured 3.5 AF Method of measurement 2 x C.P.L.

Total Q recommended — Meter no. — Type — Condition —

Total V recommended 3.5 Af/Ann. (limited by permit)

Recommended Amendments.

P.D. —
Place of Use —
Other —
None —

MEASUREMENT CALCULATION.

Will 2 times per year when water is available

SYSTEM DESCRIPTION.

Small dam / diversion works

REMARKS:

System operating at time of inspection, all health
has properly tested and is functioning

Examiner's Signature Charles F. Ballman

Date 29 July 1975

Checked by —

Date 10 OCT 1975

Approved by —

Date —

MICROFILMED

MICROFILM

NAME OF APPLICANT

Joseph W. Walker

Form No. 6

57-2320

Twp 1 N

5 W

Twp 1 N 1/2 W

3 5

3 6

Twp 1 S

5 W

Twp 1 S 1/2 W

Sec. 1
SE 1/4

5 1/2 SE 1/4 NE 1/4
SE 1/4 Sec 12

Ditch to placogum

Reservoir is on
SE 1/4 SE 1/4 Sec 12 -

Unadorned Springs
NE 1/4 NE 1/4 Sec 13

14

13

Permit Map No. 1094

As Approved SEP 11 1961

CED. N. CARTER

State Population Engineer

MICRO

OCT 11

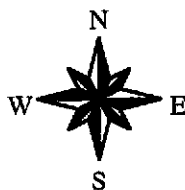
Idaho Department of Water Resources

Claim Number: 57-02320

Legal: T01S, R05W, S01, 12

Reviewed By:

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



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-02320

Date: 6-27-03

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	15	5W	1													3			14	17
GIS																3.3			18	21.3
Claim			12	14	1.5	1.5	3													20
GIS				10	4.3	2	1.1													17.4
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 9

Total Claimed Acres: 37

Total GIS Acres: 38.7

Overlapping EOU Claim #'s:

57-00285, 57-02333

COMMENTS:

Per overlapping claim.

PODs are estimated as there are no claim maps with
PODs. I didn't map PODs in section 13 as there was
no imagery.

2003 JAN 3 PM 4 39

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 57-2320
	)	
	)	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 September 9, 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: 04-01 to 10-31

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 January 3, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

Important Information About Your Water Right

January 3, 2003

James E. Roeser
Carlene J Roeser
Star Route
Marsing, ID 83639

RECEIVED

JAN - 6 2003

Department of Water Resources

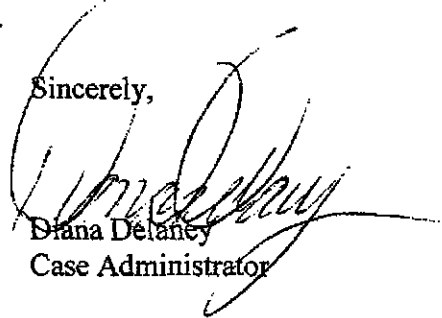
Dear Water Right Claimant(s):

This letter accompanies copies of an *Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc* (hereinafter "*Order*") for water right numbers 57-285, 57-2320, an 57-2333. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of these water rights. If you are not the current owner, please contact IDWR immediately at:

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

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

Sincerely,


Diana Delaney
Case Administrator

Re-exam of A57-00285

A Status Conference was held in Murphy concerning this right on October 23, 1996. The BLM had objected to Mr. Roeser irrigating land in Section 6, T01S, R04W that belongs to the Agency. Mr. Roeser, through his attorney Jim Gillespie, disputed irrigation on BLM lands. It was determined that only a physical inspection of the land might solve the objection.

I accompanied Jim Gillespie to Jim Roeser's ranch on November 13, 1996. Mr. Gillespie, Mr. Roeser and I walked the acreage in question. It was immediately obvious to me that our field examiner had made an error when mapping the field in question. None of the subject field lies in Section 6, T01S, R04W.

I have drawn the attached map which should serve to correct the field report. The field found contains 8.5 acres, in Sections 1 and 12, T01S, R05W. The land list on our recommendation should read as follows:

01S	05W	1	NE SE	3.0
			SE SE	14.0
		12	NE NE	14.0
			NW NE	1.5
			SW NE	1.5
			SENE	<u>3.0</u>
			TOTAL	37.0

ROXANNE MCCARTHY
SR. WATER RESOURCE AGENT
NOVEMBER 21, 1996

MICROFILMED

SEP 02 1996

JAMES R. GILLESPIE

JAMES R. GILLESPIE, P.A.

ATTORNEYS AND COUNSELORS AT LAW

512 WEST BANNOCK
POST OFFICE BOX 2337

TELEPHONE (208) 344-8400
FAX (208) 344-7100

BOISE, IDAHO 83701

RECEIVED
OCT 24 1996

Department of Water Resources
Adjudication Bureau

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

) SETTLEMENT CONFERENCE REPORT

Case No. 39576

) Subcase No.: 57-00285, 02320, 02333

UNCONTESTED

This form is used to report the results of a Settlement Conference.

A. Attendance

The following individuals and person were present at the Settlement Conference held on

10-22, 1996, before Settlement Moderator, Terrence A. Dolan:

Claimant(s): ~~JAMES & CAROL ROESER~~ ^(GILLESPIE) Attorney: JAMES GILLESPIE

Objector(s): BLM

Attorney: FRITZ HOLLEMAN (Fred Price & Dan Jossie)

Also Present: IDWR

Attorney: Krogh/Howard/King/Spencer

Andrew Helminger (Bonnie McCarthy)

B. Standard Form 5

During the Settlement Conference, the parties reached an agreement as to all of the elements of this water right. The parties agree that a fully completed and executed *Standard Form 5* reflecting their agreement shall be submitted to the court no later than

(30 days maximum)

If a fully executed *Standard Form 5* is not received by this date, the parties agree this matter should immediately be set for a scheduling conference on trial.

RECEIVED
OCT 22 1996

C. Partial Settlement

The parties reached agreement on these elements as follows:

Parties Agreed to remove from Section 6 Land in right. Restrain
& IDWR
is amount of acreage. Parties will meet on ground within
2 weeks to set up field inspection.

D. Recommendation for Additional Settlement Conferences

Settlement Moderator, Terrence A. Dolan, recommends this subcase be set for an additional Settlement Conference within 90 days. The parties have represented to the Settlement Moderator that they are available on _____.

The reason(s) an additional Settlement Conference may be beneficial is:

E. Recommendation for Trial Setting:

Settlement Moderator, Terrence A. Dolan, recommends this subcase be set for trial. The parties have been unable to reach a resolution of elements:

1 2 3 4 5 6 7 8 9 10

DATED 10-22, 1996.

By signing this document, the parties acknowledge receipt of a copy of this document.

Signature of Parties

Signature of IDWR

Terrence A. Dolan, Settlement Moderator

Signature of Parties

Signature of Parties

RECEIVED

FEB 03 1997

Department of Water Resources
Adjudication Bureau

**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	)	STANDARD FORM 5
	)	
Case No. 39576	)	
	)	SUBCASE NO: 57-02320
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

THIS FORM MAY ONLY BE USED IF ALL PARTIES HAVE STIPULATED TO ALL ELEMENTS OF ONE WATER RIGHT AND MAY BE SUBMITTED AT ANY TIME FOLLOWING THE CLOSE OF THE STATUTORY RESPONSE PERIOD.

INSTRUCTIONS

This form has been adopted by the court in SRBA Administrative Order 1, Rules of Procedure (amended Sept. 30, 1996, Section 4, which may be consulted for further information.

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

A copy of this water right as recommended in the Director's Report shall be submitted with this form. A statement shall accompany each element of a water right.

RECORDED

FEB 2 1997

Elements where there has been no objection should be listed exactly as they appear in the director's report. The statement as to these uncontested elements shall state "as recommended in the director's report."

Contested elements that are the result of an objection filed with the court shall be accompanied by a statement fully describing all facts, documents, expert opinions and law which support the element of the water right (attach additional pages if necessary).

ELEMENTS

1. The name and address of the claimant is:

James E. Roeser
Charlene J. Roeser
Star Rt
Marsing, Idaho 83639

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

2. The source of water is: Springs, tributary to Squaw Creek.

Point of injection into and points of rediversion from Squaw Creek.

Required Statement: The parties and IDWR stipulate that this is a correct description of the source for this water right.

3. The quantity of water used in cubic feet per second or the quantity of water stored in acre-feet per year is:

0.54 cfs
35.0 AFY

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

4. The priority date is: 10/09/1972

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

5. The legal description of point(s) of diversion is; if the claim is for an instream flow, then a legal description of the beginning and ending points of the claimed instream flow:

T01S	R05W	S01	NESE (R)	SESE (R)	Within OWYHEE County	
		S12	NENE (R)	SWNE (R)	SENE (R)	NWSE (I)

SWSESE
T01S R05W S13 NENENE NWNENE

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

6. The purpose of use is: Irrigation
Irrigation Storage
Irrigation from Storage

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

7. The period of year when the water is to be used is:

Irrigation: irrigation season 0.54 cfs
Irrigation Storage: 01/01 - 12/31 35.0 AFY
Irrigation from Storage: irrigation season 35.0 AFY

Required Statement: The parties and IDWR stipulate that this is a correct description of the season of use for this water right.

8. The legal description of the place of use or of the reservation is:

T01S R05W S01 NESE 3.0 SESE 14.0
S12 NENE 14.0 NWNE 1.5 SWNE 1.5 SENE 3.0

37.0 Acres Total

Place of use for Stockwater is same as Irrigation.

Use of this right with right nos. 57-00285 and 57-02333 is limited to the irrigation of a combined total of 37 acres in a single irrigation season.

Required Statement: The parties and IDWR stipulate that this is a correct description of the place of use for this water right.

9. The annual volume of consumptive use is:

Use of this right with right nos. 57-00285 and 57-02333 is limited to a total combined annual consumptive use volume of 92.5 acre feet.

Required Statement: The parties and IDWR stipulate that this is a correct description of the place of use for this water right.

10. Other matters necessary to define this water right:

Explanatory material:

Basis of Claim - License

Right nos. 57-02333 and 57-07202A are also rediverted through points of diversion described above.

MICROFILMED
MAR 22 1996

Review By IDWR

To speed up entry of a decree, the parties are encouraged to talk to the Idaho Department of Water Resources about their proposed settlement and have IDWR indicate its concurrence by signing the Standard Form 5.

Where all parties have signed, a Standard Form 5 may be filed with the court without the concurrence of IDWR. However, the parties must certify that they have served IDWR with a copy of the Standard Form 5 and that they have made a good faith attempt to resolve the matter with IDWR.

Within 14 days of filing a Standard Form 5 not containing an IDWR concurrence, IDWR shall file a statement of its position with the court.

If IDWR has not concurred by signing below, signing parties certify that they have served a copy of this document on the Idaho Department of Water Resources and have made a good faith attempt to obtain IDWR's concurrence, but have failed.

The stipulation of the parties is attached hereto and incorporated herein by reference.

Signatures and Addresses of Parties and their Attorney of Record (attach additional page if necessary):

I have read this form and know its contents and that the statements are true to the best of my knowledge.

Name: James E. Roeser
Charlene J. Roeser
Address: Star Rt
City/State/Zip: Marsing, ID 83639
Attorney of Record: J. Gillespie

James Roeser 1-24-97
Party's Signature Date

James Gillespie 1-24-97
Party's Signature Date

Name: Idaho Dept. of Water Resources
Address: P.O. Box 83720
City/State/Zip: Boise, ID 83720-0098
Attorney of Record: J. A. Holmlinger

J. Andrew Holmlinger
Attorney's Signature Date

Name: United States, through
Dept. of Justice
Address: 601 Pennsylvania Ave NW
City/State/Zip: Washington, D.C. 20004
Attorney of Record: Daria J. Zane Paul F. Hollenman

Paul F. Hollenman
Attorney's Signature
MICROFILMED 1/28/97

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on January 28, 1997, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

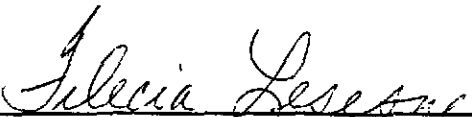
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Jim Gillespie
P.O.Box 2337
Boise, Idaho 83701

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

U.S. Department of Justice
Environment and Natural
Resources Division
550 West Fort Street, Box 33
Boise, ID 83724-0663



Signature of person or attorney mailing the form

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)
_____)

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-02320

1997 JUN 23 AM 9:3
DISTRICT COURT - SRB
TWIN FALLS CO., IDAH
FILED *[Signature]*

NAME & ADDRESS: JAMES E ROESER
CARLENE J ROESER
STAR RT
MARSING ID 83639

SOURCE: SPRINGS TRIBUTARY: SQUAW CREEK

POINT OF INJECTION INTO AND POINTS OF REDIVERSION FROM SQUAW
CREEK.

QUANTITY: 0.54 CFS
35.0 AFY

PRIORITY DATE: 10/09/1972

POINT OF DIVERSION: T01S R05W S12 SWSSE Within OWYHEE County
S13 NENENE
NWNENE
S12 NWSE (INJECTION)
S01 NESE (REDIVERSION)
SESE (REDIVERSION)
S12 NENE (REDIVERSION)
SWNE (REDIVERSION)
SENE (REDIVERSION)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	Irrigation Season	0.54 CFS
IRRIGATION STORAGE	IRRIGATION STORAGE	01-01 12-31	35.0 AFY
IRRIGATION FROM STORAGE	IRRIGATION FROM STORAGE	Irrigation Season	35.0 AFY

PLACE OF USE: IRRIGATION Within OWYHEE County
T01S R05W S01 NESE 3.0 SESE 14.0
S12 NENE 14.0 NWNENE 1.5 SWNE 1.5 SENE 3.0
37.0 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00285 AND 57-02333 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 37 ACRES IN A
SINGLE IRRIGATION SEASON.

Place of use for IRRIGATION FROM STORAGE is same as IRRIGATION

CONSUMPTIVE USE:

~~USE OF THIS RIGHT WITH RIGHT NOS. 57-00285 AND 57-02333 IS
LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 92.5
AF.~~

RECORDED
JUN 23 1997

DATED: 6/23/97

[Signature]
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

RECEIVED

JUN 24 1997

Department of Water Resources
Adjudication Bureau

1997 JUN 23 AM 9:31

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED PL

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

) Subcase 57-02320

Case No. 39576

) SPECIAL MASTER'S REPORT
)
)
)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

An objection to the *Director's Report* for water right 57-02320 was filed by United States (BLM). Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court.

A *Preliminary Special Master's Report and Recommendation* for this right was issued. No motion to alter or amend was filed and the time for filing such motions has now expired; therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-02320 be decreed as recommended in the attached *Special Master's Report and Recommendation for Partial Decree*.

DATED 6/23, 1997.

RECEIVED
JUN 23 1997

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master, Reporting Area 2
Snake River Basin Adjudication

RECEIVED

SEP 16 1997

Department of Water Resources
Adjudication Bureau

1997 SEP -9 AM 10:15

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

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

In Re SRBA

Case No. 39576

) ORDER OF PARTIAL DECREE

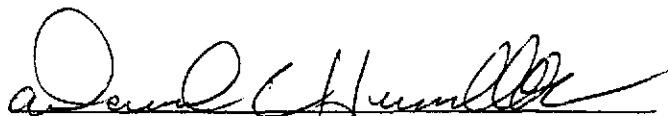
) For Water Right 57-02320

On June 23, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-02320 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 9, 1997.



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

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SEP 30 1997

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

MICROFILMED
OCT 07 1992

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

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

Case No. 57-02320 -0001

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

RESPONSE TO OBJECTION

Petitioner,

vs.

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

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: US BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706-2544

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. |☒| Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. |☒| Source: I respond to the objection concerning the source of water.
3. |☒| Quantity: I respond to the objection concerning:
4. |☒| Priority Date: I respond to the objection concerning the priority date.
5. |☒| Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
7. |☒| Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. |☒| Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. |☒| Place of Use: I respond to the objection concerning:

MICROFILMED

10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12a. ☒ This water right being recommended at all.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 2, 3, 4, 5, 7, 8, 9, 10, 12 and 12a. and all allegations of the objection regarding these items, IDWR responds as follows:

IDWR lacks sufficient information to form a belief as to whether any or all of the lands upon which water is diverted, conveyed, or used pursuant to this right are owned by the United States. The notices of claim attached to the objection were not filed with IDWR and IDWR has not recommended a water right based on these notices of claim. IDWR admits that the claims listed in the objection are recommended in the director's report. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

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

No. of
Pages

Notice of Claim No. A57-02320

3

(Over)

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

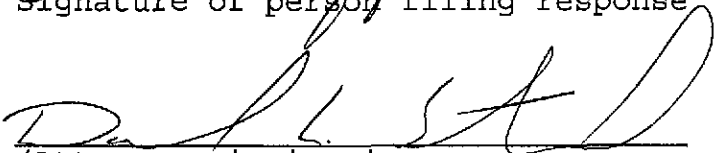
Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



Signature of person filing response

By:



(Attorney signing in representative capacity)

Subscribed and sworn to before me this 30 day of June, 1993.



Notary Public for Idaho

Residing at: Emmett

My Commission expires: 5/30/98

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of July, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

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

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

Name: JAMES E & CARLENE J ROESER
Address: STAR RT
MARSING ID 83639

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: US DEPT OF JUSTICE
Address: K JACK HAUGRUD & DARIA J ZANE
550 W FORT ST
PO BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

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

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

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

Petitioner,

vs.

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

Respondents.

Case No. 57-02320
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

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

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

(Over)

OBJECTION - 1

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JUL 20 1994

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

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

Briefly describe your interest in this water right:

The United States, through the Bureau of
Land Management, is the owner of the land
upon which this water right is claimed,
and claimant does not have a valid water
right.

2. Owner of the water right:
James E. Roeser
Name: claimant Carlene J. Roeser
Address: Star Rt.
Marsing, ID 83639
3. If this objection is filed by an attorney:
K. Jack Haugrud
Attorney Name: Daria J. Zane
U. S. Department of Justice
Attorney Address: 500 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: 202-272-4134/8351

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

II. STATEMENT OF THE OBJECTION

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

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

MICROFILMED

JUL 20 1994

(Over)

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

REASONS SUPPORTING EACH BOX CHECKED

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

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

CHANGES TO THE DIRECTOR'S REPORT

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

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

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

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

1. Map of claim on public land

2. Conflicting USDI claims

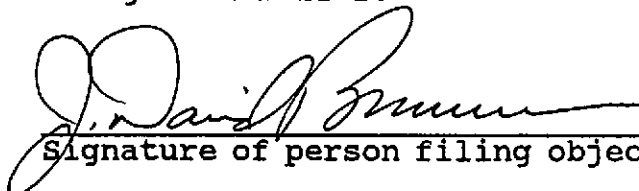
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

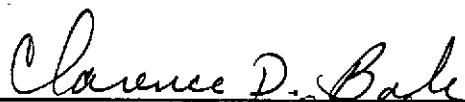
J. DAVID BRUNNER, BOISE DISTRICT MANAGER, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

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


Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

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


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

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 26 day of February, 1993, I ~~mailed~~^{certified} the original and ~~copies~~^{filed} of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

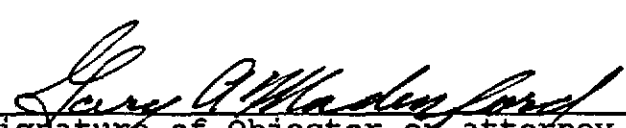
Owner name: James E. Roeser
Carlene J. Roeser
Owner's address: Star Rt.
Marsing, ID 83639

3. One copy to:

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

4. One copy to:

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

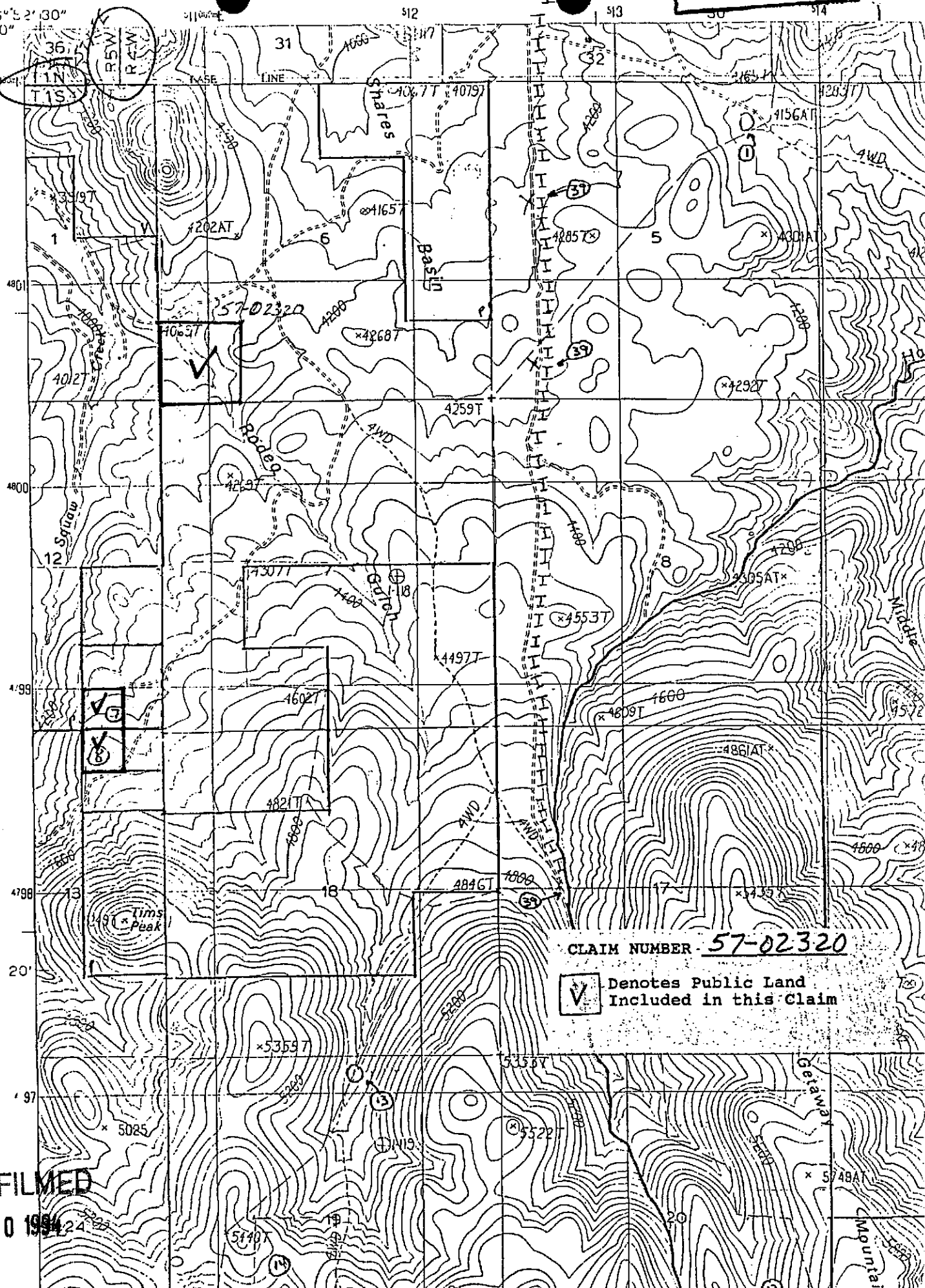


Signature of Objector or attorney
mailing on Objector's behalf

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

POOR ORIGINAL

115° 52' 30"
43° 22' 30"



0702 A
02320
07133

MICROFILMED

JUL 20 1994

CLAIM NUMBER: 57-02320

CONFLICTING CLAIMS FOUND IN THE DIRECTORS REPORT

57-11178
57-11179
57-10989
57-10989A
57-10990
57-10990A

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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5701582286
BLM NUMBER: 5701582286
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED STREAM	SQUAW CREEK

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER	0.150	0.00	0101	1231
WILDLIFE	0.020	0.00	0101	1231
TOTAL:	0.170 CFS	0.00 AF		

NON-IRRIGATION USES

S/ 428 RANGE CATTLE & WILDHORSES W/ VAR AMOUNTS

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	---	---	---	---	---
01S	05W	12		NE	SE	00	OWYHEE
01S	04W	18				01	OWYHEE

PLACE OF USE							IRRIGATED OWNED	ACRES
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	-----	-----
---	---	---	---	---	---	---	-----	-----
01S	05W	13	NE	NE	00	OWYHEE		0.0

MICROFILMED

JUL 20 1994

BLM NUMBER: 5701582286

PAGE: 2

01S	05W	12	SE	SE	00	OWYHEE	0.0
01S	05W	12	NE	SE	00	OWYHEE	0.0
01S	04W	18			01	OWYHEE	0.0
01S	05W	13	NE	NE	00	OWYHEE	0.0
01S	05W	12	SE	SE	00	OWYHEE	0.0
01S	05W	12	NE	SE	00	OWYHEE	0.0
01S	04W	18			01	OWYHEE	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5701582289
BLM NUMBER: 5701582289
BASIS OF CLAIM: BENEFICAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
RODEO GULCH	SQUAW CREEK

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
WILDLIFE	0.020	0.00	0101	1231
STOCKWATER	0.150	0.00	0101	1231
TOTAL:	0.170 CFS	0.00 AF		

NON-IRRIGATION USES

S/ 428 RANGE CATTLE & WILDHORSES W/ VAR AMOUNTS

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
01S	04W	18		SW	SE	00	OWYHEE
01S	04W	07		SW	NE	00	OWYHEE
01S	04W	06				07	OWYHEE

PLACE OF USE							IRRIGATED OWNED	ACRES
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY		
01S	04W	18	SW	SE	00	OWYHEE		0.0

MICROFILMED

JUL 20 1994

BLM NUMBER: 5701582289

PAGE:

01S	04W	07	SW	NE	00	OWYHEE	0.0
01S	04W	07	SE	NW	00	OWYHEE	0.0
01S	04W	07	NE	NW	00	OWYHEE	0.0
01S	04W	07			01	OWYHEE	0.0
01S	04W	06			07	OWYHEE	0.0
01S	04W	18	SW	SE	00	OWYHEE	0.0
01S	04W	07	SW	NE	00	OWYHEE	0.0
01S	04W	07	SE	NW	00	OWYHEE	0.0
01S	04W	07	NE	NW	00	OWYHEE	0.0
01S	04W	07			01	OWYHEE	0.0
01S	04W	06			07	OWYHEE	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5701582287
BLM NUMBER: 5701582287
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
UNNAMED STREAM	SQUAW CREEK

DESCRIPTION OF DIVERSION WORKS

SPRING

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
WILDLIFE STORAGE	0.000	0.40	0101	1231
STOCKWATER STORAGE	0.000	5.00	0101	1231
STOCKWATER FROM STORAGE	0.000	5.00	0101	1231
WILDLIFE FROM STORAGE	0.000	0.40	0101	1231
TOTAL:	0.540 CFS	0.00 AF		

NON-IRRIGATION USES

S/ 428 RANGE CATTLE & WILDHORSES W/ VAR AMOUNTS

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
01S	05W	12		SE	SE	00	OWYHEE

PLACE OF USE

							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
01S	05W	12	SE	SE	00	OWYHEE		0.0

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JUL 20 1994

BLM NUMBER: 5701582287

PAGE: 2

01S 05W 12 SE SE 00 OWYHEE

0.0

TOTAL ACRES IRRIGATED:

0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:14:01
10/11/90

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A57-02320

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	N		kw & js 3-12-91	N	6	kw 1-13-92	kw 1-13-92	
POINT OF DIV	N		[Large vertical line]	Y	1, 2, 4	[Large vertical line]	[Large vertical line]	
SOURCE	N			N	6			
PLACE OF USE	N			Y	1, 2, 4			
DIV. AMOUNT CFS/VOLUME	N	kw 9-30-91		Y	5			
CONSUMPTIVE USE	-			Y	5			
PURPOSES	N			N	6			
PERIOD OF USE	N			Y	New Standard of 1-6-92			
BASIS OF CLAIM	N			N	6			
REMARKS	Y			N	6			

"VERIFIED BY" CODES

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

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

6 - Same as licensed.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:14:01
10/11/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-02320

LAST: ROESER
ADDRESS: STAR RT.
CITY: MARSING
PHONE NUMBER: 208-896-4421

OWNER CODE: C

FIRST: JAMES E.

STATE: ID ZIP: 83639

LAST: ROESER
ADDRESS: STAR RT.
CITY: MARSING
PHONE NUMBER: 208-896-4421

OWNER CODE: C

FIRST: CARLENE J.

STATE: ID ZIP: 83639

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

fw

CLAIM REMARKS: SUBJECT TO THE CONDITION THAT THE MAXIMUM VOLUME PER YEAR SHALL
NOT EXCEED 3.5 ACRE FEET PER ACRE WHEN COMBINED WITH LICENSES
NO. 15455/57-2140 & 16329/57-2333.
...NO MAPS FOR THIS AREA..

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CONTACT PERSON: James Roeser

PHONE NUMBER: () -

DATE OF FIELD EXAM: 3/12/91

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: Jan Shurte

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A57-02320 PRIORITY DATE: 10-09-1972 STAGE: L
B. WR RECORD: # 57-02320 PRIORITY DATE: 10-09-1972 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

kw

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

REMARKS:

RECOMMENDED PRIORITY DATE:
10-09-1972

REVIEWED BY

kw

DATE

1-13-92

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-02320	01S	05W	13		NE	NE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A57-02333 NONE

WR RECORDS IN SAME 40 ACRE TRACT
57-02333

SOURCE: SPRINGS

TRIB: SQUAW CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-02320	01S	05W	13		NE	NE		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
57-02333 A57-02333 NONE

SOURCE: SPRINGS

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
Y

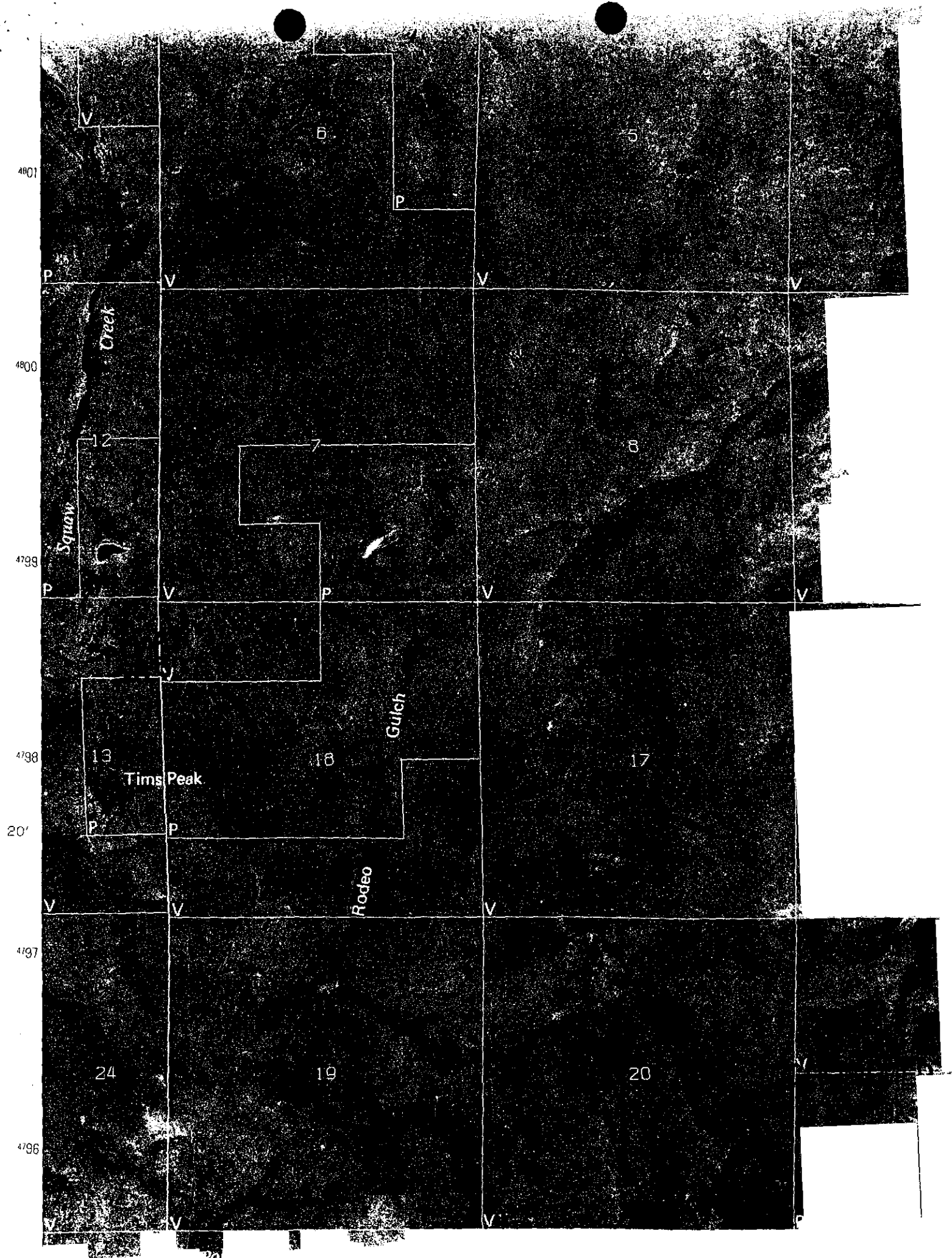
FIELD
EXAMINER

[Signature]
[Signature]

REMARKS:

Springs are tributary to Squaw Cr. and not Snake River.

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Reservoir

DIRT FACED TIRE RIP RAP

MAIN
SPRING

FROM 5 SPRINGS

350 to 400 yards long

SPRING

6" expandable plastic

From exam done by Kelly Christensen
on 7-6-1988.

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
—	—	—	—	—	—	—	Owyhee

SOURCE: springs

TRIB: Squaw Ck.

REVIEWED BY: FW

DATE: 1/13/92

15	5W	1	NESE
			SESE
		12	NENE
			SWNE
			SENE

Points where storage water can be rediverted & direct flow diverted.

15	5W	12	NWSE
----	----	----	------

- Point water is injected into Squaw Cr. from storage

15	5W	12	SWSESE
		13	NENE
			NW NENE

location of springs

A. ROOT WATER RIGHT NUMBERS: A57-02320

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
01S	05W	1	NE	SE	✓	ROESER, JAMES E. ROESER, JAMES E. ROESER, JAMES E. BRIMLEY, WILFORD BRIMLEY, WILFORD	A57-02320 / 5.0 A57-00285 / 5.0 A57-07202B / 5.0 - -	57-02320 / 5.0 57-00285 / - / 57-07202 / 5.0 L57-07202 / 2.4	5.0		~~5.0~~ 3.0
01S	05W	1	SW	SE		ROESER, JAMES E. ROESER, JAMES E. ROESER, JAMES E. ROESER, JAMES E. BRIMLEY, WILFORD	A57-02320 / 10.0 A57-00285 / 10.0 A57-07202B / 10.0 A57-02140 / 6.0 -	57-02320 / 10.0 57-00285 / - / 57-02140 / 6.0 57-07202 / 10.0			0
01S	05W	1	SE	SE		ROESER, JAMES E. ROESER, JAMES E. ROESER, JAMES E. ROESER, JAMES E. BRIMLEY, WILFORD BRIMLEY, WILFORD	A57-02320 / 10.0 A57-00285 / 10.0 A57-07202B / 10.0 A57-02333 / 10.0 -	57-02320 / 10.0 57-00285 / - / 57-02333 / 10.0 57-07202 / 10.0 L57-07202 / 11.0	17.0		14.0
01S	05W	12	NE	NE		ROESER, JAMES E. ROESER, JAMES E. ROESER, JAMES E. ROESER, JAMES E. BRIMLEY, WILFORD BRIMLEY, WILFORD	A57-02320 / 15.0 A57-00285 / 15.0 A57-07202B / 15.0 A57-02140 / 3.0 -	57-02320 / 15.0 57-00285 / - / 57-02140 / 3.0 57-07202 / 15.0 L57-07202 / 0.2	7.0		11.0
01S	05W	12	NW	NE		ROESER, JAMES E. ROESER, JAMES E. ROESER, JAMES E. ROESER, JAMES E. BRIMLEY, WILFORD BRIMLEY, WILFORD	A57-02320 / 5.0 A57-00285 / 5.0 A57-07202B / 5.0 A57-02140 / 5.0 -	57-02320 / 5.0 57-00285 / - / 57-02140 / 5.0 57-07202 / 5.0 L57-07202 / 2.8	4.0		1.5
01S	05W	12	SW	NE		ROESER, JAMES E. ROESER, JAMES E. ROESER, JAMES E. ROESER, JAMES E. BRIMLEY, WILFORD BRIMLEY, WILFORD	A57-02320 / 10.0 A57-00285 / 10.0 A57-07202B / 10.0 A57-02140 / 8.0 -	57-02320 / 10.0 57-00285 / - / 57-02140 / 8.0 57-07202 / 10.0 L57-07202 / 3.0	10.0		~~10.0~~ 1.5
01S	05W	12	SE	NE		ROESER, JAMES E. ROESER, JAMES E. ROESER, JAMES E. ROESER, JAMES E. BRIMLEY, WILFORD BRIMLEY, WILFORD	A57-02320 / 5.0 A57-00285 / 5.0 A57-07202B / 5.0 A57-02140 / 3.0 -	57-02320 / 5.0 57-00285 / - / 57-02140 / 3.0 57-07202 / 5.0 L57-07202 / 5.9	1.0		3.0
TOTAL ACRES							A57-02320	60.00	60.00	44.00	

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19 4W 6 SWSW - 3 ac.

Total = 37 ac.

WR5810NP
(OD-138)IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORTDATE: 03/08/91
PAGE: 2

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
A5702320																							
NO MATCHES FOR THIS POU IN AJ-POU-TEMP																							
5700283	WALKER	D	SQUAW CREEK	01S	05W	1	:				X	:	X	X		X	:			X	:		
A5700283	BRIMLEY	D	SQUAW CREEK	01S	05W	1	:				40	:	40	40		40	:		40	:	200		
5700285	WALKER	D	SQUAW CREEK	01S	05W	1	:				:	:				:	X		X	X	:		
A5700285	ROESER	D	SQUAW CREEK	01S	05W	1	:				:	:				:	5		10	10	:		
5702140	WALKER	L	SQUAW CREEK	01S	05W	1	:				:	:				:		6			:		
A5702140	ROESER	L	SQUAW CREEK	01S	05W	1	:				:	:				:		6			:		
5702320	WALKER	L	SPRINGS	01S	05W	1	:				:	:				:	5		10	10	:		
A5702320	ROESER	L	SPRINGS	01S	05W	1	:				:	:				:	5		10	10	:		
5702333	WALKER	L	SPRINGS	01S	05W	1	:				:	:				:			10		:		
A5702333	ROESER	L	SPRINGS	01S	05W	1	:				:	:				:			10		:		
5707202	BRIMLEY	P	SPRINGS	01S	05W	1	:				40	:	40	40		40	:	5	40	10	10	:	
A5707202	SPLIT RIGHT		SPRINGS	01S	05W	1	:				40	:	40	40		40	:	5	40	10	10	:	
L5707202	BRIMLEY	L	SPRINGS	01S	05W	1	:	1	13	:	4	3	2	:	:	:	2	5		11	:		
A5707202A	BRIMLEY	P	SPRINGS	01S	05W	1	:				40	:	40	40		40	:		40			:	
A5707202B	ROESER	P	SPRINGS	01S	05W	1	:				:	:				:	5		10	10	:		
1986 MAPPING DATA ---				-	COUNTY 73 QUAD Y	53	01S	05W	1	:	22	:		5	:	:	5	14		17	:	63	

A5702320

NO MATCHES FOR THIS POU IN AJ-POU-TEMP

5700285	WALKER	D	SQUAW CREEK	01S	05W	12	:	X	X	X	X	:				:					:	
A5700285	ROESER	D	SQUAW CREEK	01S	05W	12	:	15	5	10	5	:				:					:	
5702140	WALKER	L	SQUAW CREEK	01S	05W	12	:	3	5	8	3	:				:					:	
A5702140	ROESER	L	SQUAW CREEK	01S	05W	12	:	3	5	8	3	:				:					:	
5702320	WALKER	L	SPRINGS	01S	05W	12	:	15	5	10	5	:				:					:	
A5702320	ROESER	L	SPRINGS	01S	05W	12	:	15	5	10	5	:				:					:	
5707202	BRIMLEY	P	SPRINGS	01S	05W	12	:	15	5	10	5	:				:					:	
A5707202	SPLIT RIGHT		SPRINGS	01S	05W	12	:	15	5	10	5	:				:					:	
L5707202	BRIMLEY	L	SPRINGS	01S	05W	12	:	0	2	3	5	:				:	1	1			:	
A5707202B	ROESER	P	SPRINGS	01S	05W	12	:	15	5	10	5	:				:					:	
1986 MAPPING DATA ---				-	COUNTY 73 QUAD Y	54	01S	05W	12	:	7	4	10	1	:				1		:	23

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ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(✓) N()

~~IF YES SEE ATTACHED SHEET:~~

see below P/U listing on previous page.

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
kw

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

37

REVIEWED BY:

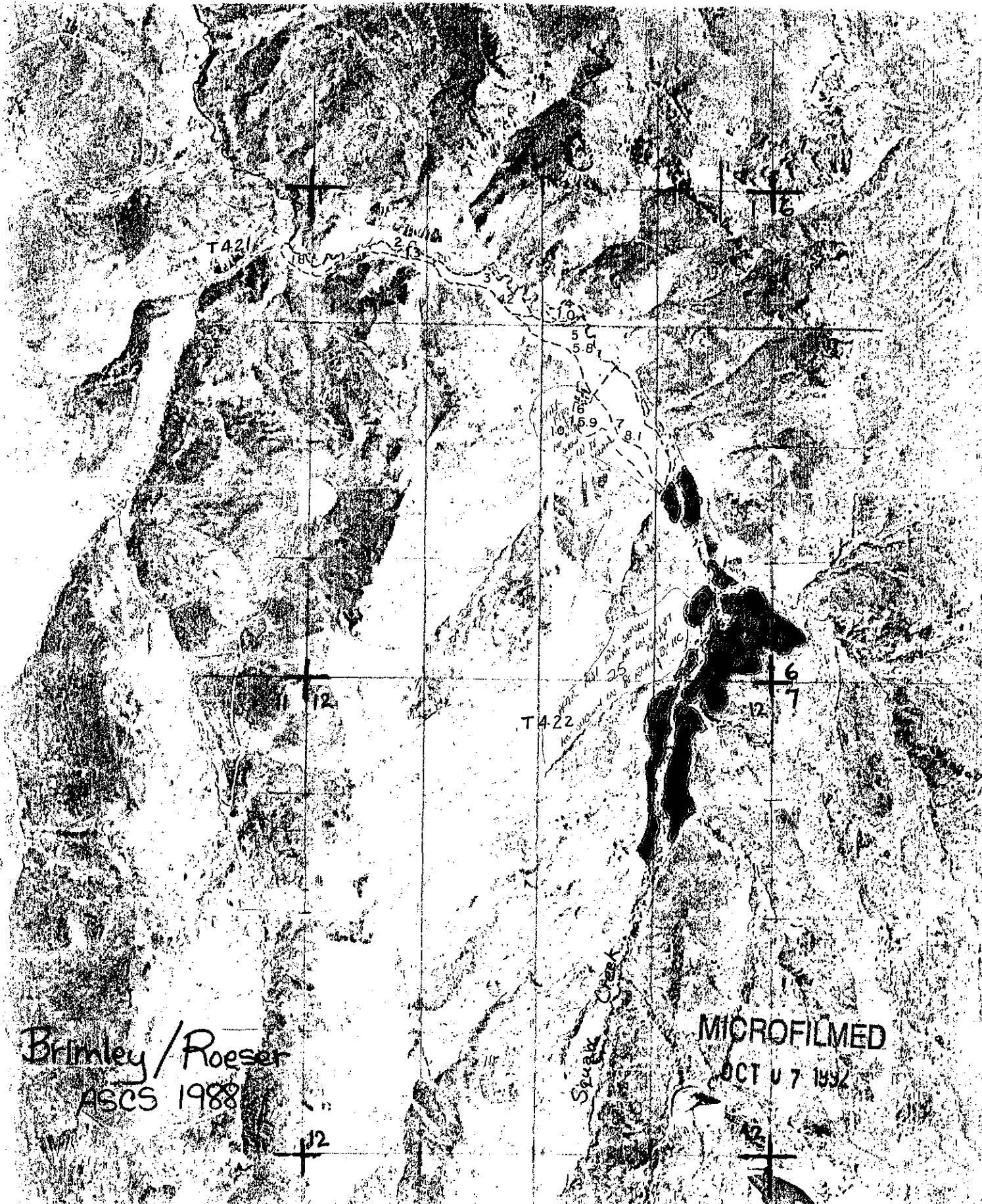
kw

DATE:

1-13-92

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A57-02320



Brimley/Roeser
ASCS 1988

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-02320 IRRIGATION	FROM 04-01 TO 10-31	1.200 CFS 210.00 AF/A
A57-02320 IRRIGATION STORAGE	FROM 01-01 TO 12-31	35.00 AF/A
A57-02320 IRRIGATION FROM STORAGE	FROM 04-01 TO 10-31	35.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.200 CFS 3.50 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-02320 IRRIGATION	FROM 04-01 TO 10-31	1.200 CFS 210.00 AF/A
57-02320 IRRIGATION STORAGE	FROM 01-01 TO 12-31	1.200 CFS 35.00 AF/A
57-02320 IRRIGATION FROM STORAGE	FROM 04-01 TO 10-31	1.200 CFS 35.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.200 CFS 3.50 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N() Explain in remarks, below.

REMARKS:

Recommend to standards set 1/6/92.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.200 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.200 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?

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

FIELD
DATABASE EXAMINER

N

[Signature]

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: ~~A57-02320~~, 02333, ~~02140~~, 00285
NO *NO*

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-02320	SPRINGS	ROESER , JAMES E.	1.200	0.020	3.50	0.05
A57-00285	SQUAW CREEK	ROESER , JAMES E.	0.800	0.013		
A57-02333	SPRINGS	ROESER , JAMES E.	0.200	0.020		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 37 x 0.02 CFS/ACRE = 0.54 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 150.0 AF/A

ACRES 37 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 92.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A - surface water
3.50 AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(☐) N(☒)

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

EOI (57-00285, 57-02320) 92.5 consumptive use
37 acres

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1b. CALCULATIONS
*Sent excessive
flow sheet to
claimant on 9/30/91-
no response. Allow
1" to the acre.*

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	~~01-01~~ 4-15 ~~10-31~~ 10-15	DATABASE 1.200 EXAMINER 0.54	DATABASE 210.00 EXAMINER N/A	DATABASE ~~150.0~~ EXAMINER 92.5
IRRIGATION STORAGE	01-01 12-31		35.00	35.
IRRIGATION FROM STORAGE	~~01-01~~ 4-15 ~~10-31~~ 10-15		35.00	35.
TOTAL FOR THIS RIGHT		1.200	~~3.50~~	

REVIEWED BY: KW DATE: 1-13-92

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(✓)	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW *N/A*

ROOT WATER RIGHT NUMBER: 57-02320

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.200	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-02320	1.200	-		57-02320	1.200
TOTAL CFS		1.200				1.200

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 Y	FIELD EXAMINER _____ _____
---------------	-------------------------------------

REMARKS:

*Recommend CO9 - portion of original
license forfeited.*

AUTHENTICATION:

SIGNATURE: *Ray Walker*

DATE: *1-13-92*

NAME OF FIELD EXAMINER: *Ray Walker*

TITLE: *Sr. Agent*

MOORE FILMED
OCT 7 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

MAILING DATE: September 30, 1991

RESPONSE DATE: October 15, 1991

RE: NOTICE OF CLAIM NOS: A57-00285, A57-02320, A57-02333, A57-02140
AND A57-07202B

James E. &/or Carlene J. Roeser
Star Rt.
Marsing, ID 83639

Dear Mr. and Mrs. Roeser:

We are currently in the process of preparing the above referenced Notices of Claim for court decree in the Snake River Basin Adjudication. During this review certain questions arose concerning the claims listed above. The following is a summary of what will be recommended to the court in regard to your claims.

Claim A57-00285

This claim will be recommended for direct diversion from Squaw Creek onto 37 acres of irrigation. Our recommendation on total number of acres are only those acres actually being irrigated and not the total acres owned. We have used all the 40-acre tract descriptions that Squaw Creek runs through on your property as points of diversion since your claim indicated that a portable pump is used to divert water to the irrigated lands. The claim also lists domestic use for one home and stockwater for 360 head range cattle and horses. The amount of water will be 0.74 cfs for 37 acres which is 1" of water for each irrigated acre, 0.04 cfs for the home and 0.09 cfs for stockwatering. I am enclosing a copy of the ASCS aerial photo on which I have based my recommendations.

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OCT 07 1992

Page 2 of 3
Roeser's
September 30, 1991

This right was originally decreed for use of 40 inches of Squaw Creek water for the irrigation of 40 acres, stockwater and domestic purposes. I have recommended 0.74 cfs for the irrigation of 37 acres. Idaho law states that the normal duty of water in Idaho be limited to one inch of water per acre, unless it can be shown that more water is needed. In order to determine if more water is necessary, the enclosed Irrigation Flow Rate Questionnaire must be completed. Once this form is completed and returned, the Department can then determine if more than 1 inch per acre is needed. If we do not receive this form by the response date on the top of page one, we will assume you agree with the inch per acre rule and this right will be recommended for 37 inches.

Claim A57-02320

This claim will be recommended for storage water from the springs tributary to Squaw Creek. On this claim we have shown the points of diversion from the springs, along with a point of injection from the reservoir to Squaw Creek and then the tracts that Squaw Creek runs through your property as rediversion points. This claim will be recommended for 35 acre feet of water, which is the capacity of the reservoir and a direct flow rate of 0.54 cfs (limited to 0.54 cfs due to the direct flow under A57-02333 for 0.20 cfs). We have also recommended this claim for the 37 acres of irrigated land as shown on the aerial photo.

Claim A57-02333

This claim will be recommended for direct flow from the springs that flow into and over your reservoir. Since this licensed right was originally for 10 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, Twp. 1S, Rge. 5W, we have recommended it the same way. This right also covers domestic use for your home. The points of diversion from the springs are shown, along with the point where the water is injected into Squaw Creek and a rediversion point in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1.

Claim A57-02140

Recommended for disallow because it was not claimed in the prior adjudication (Blackstock vs. Johnstone, dated March 8, 1973).

Claim A57-07202B

Recommended for disallow because you already have licensed rights for 1" to the acre from the springs. No beneficial use found under A57-07202B.

Please note that I did not include the 25 acres west of your home which are shown on the photo because this 25 acres did not appear irrigated on the 1987 Napp infrared photography of this area and it was not shown to our field examiner in 1988 when he went out to make an inspection of use under 57-07202. Before you irrigate these lands you will need to file a separate application for permit to appropriate the water.

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Page 3 of 3
Roeser's
September 30, 1991

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

Sincerely,



KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures:
Irrigation Flow Rate Questionnaire
Copy of 1988 ASCS Aerial Photo

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OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:58:31
05/22/90

PAGE: 2
QUICKLOOK INFORMATION

CLAIM NUMBER: A57 2320

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE <u>10/9/72</u>	<u>N</u>					<u>BAS 5/24/90</u>	<u>GG 12/15/80</u>	
POINT OF DIV <u>15 SW 14</u>	<u>N</u>					<u>"</u>	<u>"</u>	
SOURCE <u>Spring</u>	<u>N</u>					<u>"</u>	<u>"</u>	
PLACE OF USE	<u>N</u>					<u>"</u>	<u>"</u>	
DIV. AMOUNT CFS/VOLUME <u>1.20</u>	<u>N</u>					<u>"</u>	<u>"</u>	
CONSUMPTIVE USE <u>150</u>	<u>N</u>					<u>"</u>	<u>"</u>	
PURPOSES <u>I / IS / IFS</u>	<u>N</u>					<u>"</u>	<u>"</u>	
PERIOD OF USE <u>1/1 12/31</u>	<u>N</u>					<u>"</u>	<u>"</u>	
BASIS OF CLAIM <u>License</u>	<u>N</u>					<u>"</u>	<u>"</u>	

"VERIFIED BY" CODES

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

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

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OCT 07 1992