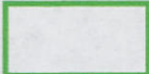
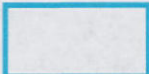
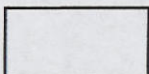
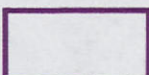


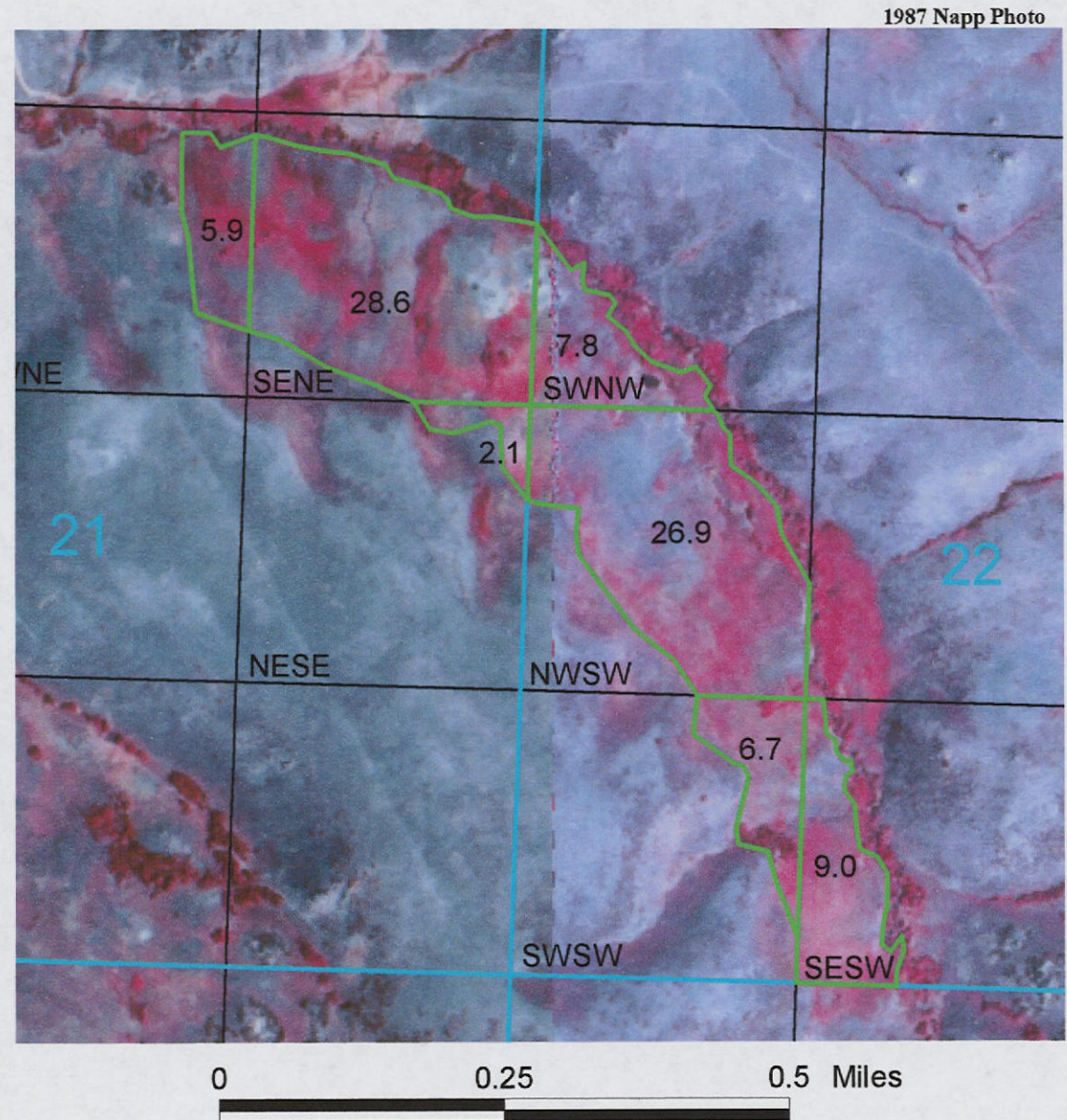
Idaho Department of Water Resources

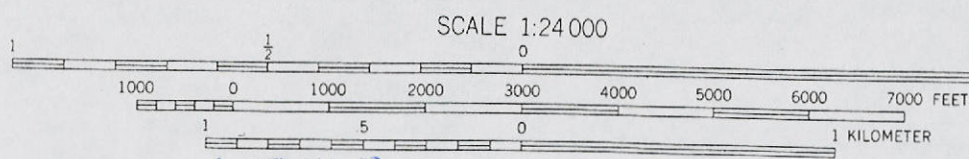
Claim Number: 57-04043

Legal: T03S, R04W, S21, 22

Reviewed By:

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





Gubica
TBS
R4W

A 57-4043

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PURCHASE COPIED PRINTS FROM
IDAHO DEPARTMENT OF LANDS, STATEHOUSE, BOISE, IDAHO 83720



QUADRANGLE LOCATION

MANNING EQUATION CHANNEL CAPACITY RESULTS

12-14-1990

File Number: A57-04043 and A57-04044

Claimant: Richard Gabica

Channel measured: Ditch #1

Date of measurement: 10-29-1990

Measurement location:

SE 1/4 SE 1/4 Section 28 T03S; R04W

Calculation prepared by: Gene Gibson

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 300 feet.

The upstream and downstream rod readings are 6.04 and 6.42 feet.

The channel cross section is 3.47 ft-sq.

The wetted perimeter is 4.95 feet.

The hydraulic radius is 0.70 feet.

The slope is 0.0013

The roughness coefficient is 0.0400

The flow velocity is 1.046 ft/sec.

The rate of flow is 3.62 cfs.



Lower Ditch where Mannings was taken.

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Mannings, Pg. 2

A57-04043



Lower Ditch



Lower Ditch - part of P.O.U.

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NOTICES IN THE
 THE Snake River Basin
 all notices of claims are
 filed to all parties
 interested.

For stockwater purposes from 4/1 to 10/31 amount 3.2 (cfs) or 3.2 (acre feet)
 For stockwater purposes from 4/1 to 12/15 amount .19 (cfs) or (acre feet)
 For purposes from to amount (cfs) or (acre feet)
 For purposes from to amount (cfs) or (acre feet)

7. Total quantity claimed (a) 3.2 (cfs) and/or (b) (acre feet)
8. Total consumptive use claimed is 212.5 acre feet per annum.
9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 5/800/range
10. Description of place of use:
 a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3S	4W	21				5 34													34
		22						5 18		5 3		5 30							51

Total number of acres irrigated 85

11. In which county (ies) are lands listed above as place of use located? owl/hce
12. Do you own the property listed above as place of use? Yes ☒ No ☐
 If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
57-04044 or None ()
14. Remarks:

steep porous hillside - Mountain meadow. See permit # 7233 (canceled) for particulars on land.

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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: A57-04043
Date Received: 11/ 3/1988
Receipt No: W002136
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: INEZ JACA 208-466-8801
Address: 817 BLAINE AVE
Nampa ID 83651
OR
Name: ELIAS JACA 208-466-8801
Address: 817 BLAINE AVE
Nampa ID 83651

2. Date of Priority: AUG 4, 1909

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	04W	28		SE	SE		OWYHEE

5. Description of diverting works:
DIVERSION DAM, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	3.200		
STOCKWATER	04/01	12/15	0.190		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/800 HEAD RANGE CATTLE

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	04W	21	SE	NE		STOCK	
			SE	NE		IRR	34.0
			Section Acres				34.0
		22	NE	NW		STOCK	
			SW	NW		STOCK	
			SW	NW		IRR	18.0
			NE	SW		IRR	3.0
			NW	SW		IRR	30.0
			NW	SW		STOCK	
			Section Acres				51.0
			Total Acres				85.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
57-04044

14. Remarks:
STEEP POROUS HILLSIDE, MOUNTAIN MEADOW. SEE PERMIT #7233
(CANCELED) FOR PARTICULARS ON LAND.
*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 8/12/92.

15. Basis of Claim: BENEFICIAL USE

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: _____

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OCT 07 1992

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 _____

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OCT 07 1992

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-04043

Date: 3-5-03

	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	35	4W	21			5	31									2				38
GIS						5.9	38.6									2.1				36.6
Claim			22							10				25	6.8					49
GIS										7.8				26.9	6.7	9				50.4
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 87

Overlapping POU Claim #'s:

Total GIS Acres: 87

COMMENTS:

Per claim map & image interpretation. There is no imagery available for location of POD.

Idaho Department of Water Resources

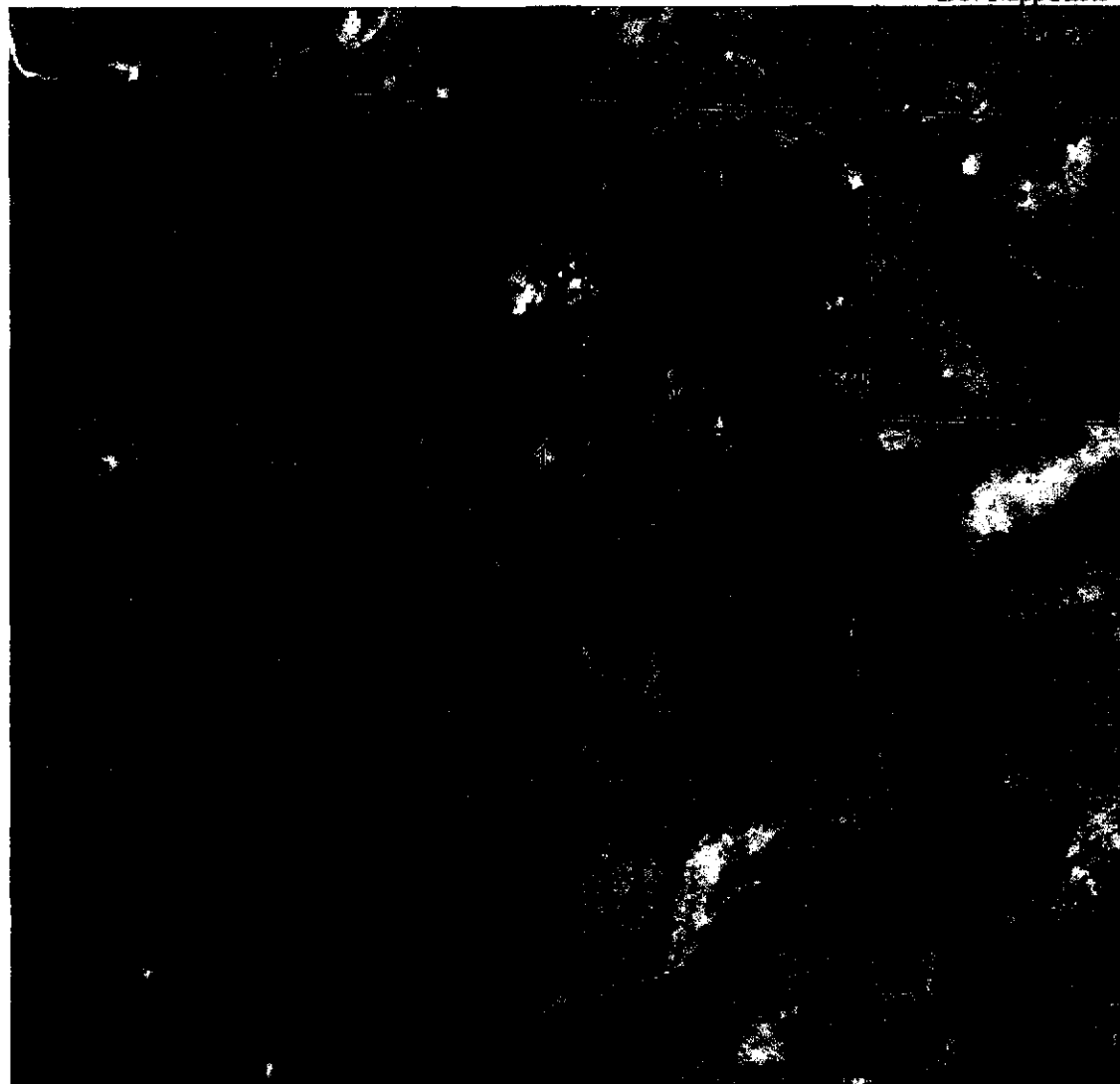
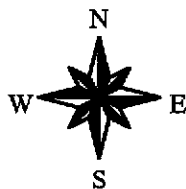
Claim Number: 57-04043

Legal: T03S, R04W, S21, 22

Reviewed By:

1987 Napp Photo

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



0 0.25 0.5 Miles

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 57-04043

1997 DEC 15 AM 10:56

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

NAME & ADDRESS: ELIAS JACA
INEZ JACA
817 BLAINE AVE
Nampa ID 83651

SOURCE: SUCCOR CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 3.2 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 08/04/1909

POINT OF DIVERSION: T03S R04W S2B NESESE Within OWYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	3.2 CFS
	STOCKWATER	Irrigation Season	0.19 CFS

PLACE OF USE:	IRRIGATION	Within OWYHEE County					
	T03S R04W S21	SWNE 5	SENE 31	NESE 2			
	S22	SWNW 10	NWSW 25	SWSW 6			SESW 8
	87 ACRES TOTAL						

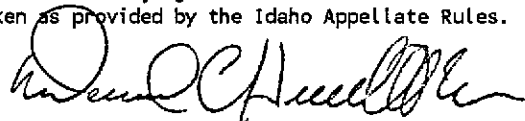
Place of use for STOCKWATER is same as IRRIGATION

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

RULE 54(b) CERTIFICATE

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



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

AJ0749NP
No. R57-04043

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

DATE: 11/17/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELIAS JACA	08/04/1909	IRRIGATION	04-15 10-15	3.20 CFS	
C	INEZ JACA		STOCKWATER	04-15 10-15	0.19 CFS	
	817 BLAINE AVE					
	NAMPA ID 83651			TOTAL DIVERSION:	3.20 CFS	
	(208) 466-8801					

Water Source: SUCCOR CREEK

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T03S R04W S28

NESESE

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	04W	21			05	31									02				38.0	
03S	04W	22						10				25	06	08					49.0	
																			TOTAL ACRES	87.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: OWYHEE

Other Rights: NONE

Conditions of Approval:

- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

Remarks: EXP STOCKWATER, 800 RANGE CATTLE

Dates: Exam Made Date: Verified Date: 11/17/1997 Objection Filed Date:

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

Comments: Date: 10/31/1991 User-ID: WERNER Subject: COPIED FROM REMARKS
STEEP POROUS HILLSIDE, MOUNTAIN MEADOW. SEE PERMIT #7233
(CANCELED) FOR PARTICULARS ON LAND.

Date: 07/14/1992 User-ID: WHITE Subject: DATA ENTRY

AJ0749NP
No. R57-04043

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

DATE: 11/17/97
PAGE: 2

=====
Comments: Date: 07/14/1992 User-ID: WHITE Subject: DATA ENTRY
CHANGE MADE TO BASIS OF CLAIM, PER LKH.
NOTHING CHANGED TO EFFECT VERIFICATION.

Date: 08/12/1992 User-ID: WERNER Subject: OWNERSHIP CHANGE
CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 8/12/92.

Date: 08/22/1996 User-ID: KWALKER Subject: CONVEYANCE LOSS
1.46 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
DELIVERY OF THIS RIGHT.

Audit: 11/17/97 KWALKER

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

DATE: NOV-17-1997

PAGE: A-1

RIGHTS FROM: SOURCE: SUCCOR CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-04043

NAME AND ADDRESS: ELIAS JACA
INEZ JACA
817 BLAINE AVE
NAMPA ID 83651

SOURCE: SUCCOR CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 3.2 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USED FOR STOCKWATER, 800 HP RANGE CATTLE

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 08/04/1909

POINT OF DIVERSION: T03S R04W S28 NESESE Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		<u>Irrigation Season</u>	3.2 CFS
		04/13 10/13	
	<u>STOCKWATER</u>	<u>Irrigation Season</u>	0.19 CFS
	<u>STOCKWATER</u>	04/13 10/13	0.19 CFS

PLACE OF USE: IRRIGATION Within Owyhee County

T03S R04W S21	SWNE 5	SENE 31	NESE 2	
S22	SWNW 10	NWSW 25	SWSW 6	SESW 8
87 ACRES TOTAL				

Place of use for STOCKWATER is same as IRRIGATION

Place of use for STOCKWATER is same as IRRIGATION

CONSUMPTIVE USE: 21713 AFY

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR

57-04043 (CONT.)

STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

THE EFB OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
DELIVERY OF THIS RIGHT.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 800 RANGE CATTLE

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD GABICA 403 WEST LINCOLN NAMPA ID 83651 (208) 466-6642	08/04/1909	IRRIGATION STOCKWATER	04-15 10-15 04-15 10-15	3.20 CFS 0.19 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	3.20 CFS 217.5 AFA

Water Source: SUCCOR CREEK

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T03S R04W S28

NESESE

OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
03S	04W	21	:				05	31	:											:	38.0
03S	04W	22	:						:	10				25	06	08				:	49.0
																			TOTAL ACRES	87.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 800 HD RANGE CATTLE

Other Rights: NONE

Remarks: 1.46 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
DELIVERY OF THIS RIGHT.

Dates: Exam Made Date: 10/29/1990 Verified Date:

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

Comments: Date: 10/31/1991 User-ID: WERNER Subject: COPIED FROM REMARKS
STEEP POROUS HILLSIDE, MOUNTAIN MEADOW. SEE PERMIT #7233
(CANCELED) FOR PARTICULARS ON LAND.

Audit: 07/08/92 WERNER

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:27:59
08/24/90

PAGE: 2
QUICKLOOK INFORMATION

CLAIM NUMBER: A57-04043

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	B/LU CLAIM							
POINT OF DIV	YES		G. Gibson	NO	Affidavit			
SOURCE	YES		10/29/90		5			
PLACE OF USE	N				5			
DIV. AMOUNT CFS/VOLUME	Y			Y	1.5			
CONSUMPTIVE USE	Y				Dept. STD.			
PURPOSES	-				Dept. STD.			
PERIOD OF USE	N				5			
BASIS OF CLAIM	CLOSE TO N BORDER			Y	Dept. STD.			
REMARKS	N				-			
	Y				-			

LETTER - NEEDS 3/4 PRIORITY DATE
" INFO. ON AMNT. OF H₂O
1.88" per acre FOR 85AC AT 3.2 CFS
& INCREASE IN D.W. FROM
1.08 CFS TO .19 CFS

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"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.

DATA ENTRY = B/LU V/STAT. CLAIM?

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:37:29
06/01/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-04043

LAST: GABICA
ADDRESS: 403 WEST LINCOLN
CITY: NAMPA
PHONE NUMBER: 208-466-6642

FIRST: RICHARD
STATE: ID ZIP: 83651

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: STEEP POROUS HILLSIDE, MOUNTAIN MEADOW. SEE PERMIT #7233
(CANCELED) FOR PARTICULARS ON LAND.

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

Richard Gabica

PHONE NUMBER: ()

466-6642

DATE OF FIELD EXAM:

10/29/90

APPOINTMENT MADE: Y(X) N()

TIME: : A() P()

ACCOMPANIED BY:

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

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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 10/31/91 (initial & date)
- Claim Verification Report completed LRW 10/31/91 (initial & date)
- Was CVR spot-checked by Supervisor? ☒ Yes ☐ No _____ (initial & date)
- R claim file created LRW 10/31/91 (initial & date)
- Recommendations entered on R claim file LRW 10/31/91 (initial & date)

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A. AJ CLAIM: # A57-04043 PRIORITY DATE: 08-04-1909 STAGE: J
B. WR RECORD: # 57-04043 PRIORITY DATE: 08-04-1909 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
NO

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

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
08-04-1909

REVIEWED BY

Andrea Warner

DATE

10/31/91

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OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-04043	03S	04W	28		SE	SE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A57-04044 NONE

WR RECORDS IN SAME 40 ACRE TRACT
57-04044

SOURCE: SUCCOR CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-04043	03S	04W	28		SE	SE		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
57-04044 NONE

SOURCE: SUCCOR CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

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>4W</u>	<u>28</u>	<u>NE</u>	<u>SE</u>	<u>SE</u>	<u>—</u>	<u>73</u>
<u>—</u>	<u>—</u>	<u>22</u>	<u>NW</u>	<u>SE</u>	<u>SE</u>	<u>—</u>	<u>8</u>

SOURCE: SUCCOR CREEK

TRIB: SNAKE RIVER

REVIEWED BY: Linda Warner

DATE: 10/31/91

Added 10-Ac tract

Also added the second P.O.D. in section 22. This diversion is used to
irr. the land east of the creek

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A. ROOT WATER RIGHT NUMBERS: A57-04043

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
03S	04W	22	SW	NW		GABICA , RICHARD	A57-04043 /	57-04043 /18.0			
			SW	NW		GABICA , RICHARD	A57-04044 /26.0	57-04044 /26.0			
			SW	NW		GABICA , RICHARD	R57-10727 /	- /			
			SW	NW		GABICA , RICHARD		57-04070 /			
03S	04W	22	NE	NW		GABICA , RICHARD	A57-04043 /	- /			
03S	04W	22	NW	SW		GABICA , RICHARD	A57-04043 /	57-04043 /30.0			
			NW	SW		GABICA , RICHARD	A57-04044 /35.0	57-04044 /35.0			
03S	04W	21	SE	NE		GABICA , RICHARD	A57-04043 /34.0	57-04043 /34.0		31	31
			SE	NE		GABICA , RICHARD	A57-04044 /34.0	57-04044 /34.0		2	2
		21	NE	SE							
03S	04W	22	SW	NW		GABICA , RICHARD	A57-04043 /18.0	57-04043 /18.0		10	10
			SW	NW		GABICA , RICHARD	A57-04044 /26.0	57-04044 /26.0			
			SW	NW		GABICA , RICHARD	R57-10727 /	- /			
			SW	NW		GABICA , RICHARD		57-04070 /			
		22	SW	SW						6	6
03S	04W	22	NE	SW		GABICA , RICHARD	A57-04043 / 3.0	57-04043 / 3.0			
			NE	SW		GABICA , RICHARD	A57-04044 / 5.0	57-04044 / 5.0			
			NE	SW		GABICA , RICHARD	R57-10727 /	- /			
			NE	SW		GABICA , RICHARD		57-04070 /			
		22	SE	SW						8	8
03S	04W	22	NW	SW		GABICA , RICHARD	A57-04043 /30.0	57-04043 /30.0		25	25
			NW	SW		GABICA , RICHARD	A57-04044 /35.0	57-04044 /35.0			
03S	04W	21	SE	NE		GABICA , RICHARD	A57-04043 /	57-04043 /34.0			
			SE	NE		GABICA , RICHARD	A57-04044 /34.0	57-04044 /34.0			
		21	SW	NE						5	5
TOTAL ACRES							A57-04043	85.00	167.00		

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

87 87

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PRESUMPTION FLAG:

REMARKS:

The recommended acreages are those lands ir. which lie west of the creek. They were ir. from the P.O.D. claimed. In 1952 - the dominant added the P.O.D. in section 22 & started ir. the land east of the creek. (A57-4044)

RECOMMENDATIONS:

TOTAL ACRES: 87
REVIEWED BY: Linda Werner

DATE: 10/31/91

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S-22

SW NW	10 AC
NE SW	7 AC — 4044
NW SW	25 AC
SW SW	6 AC
SE SW	10 AC — 8 AC, on 4043 + 2 on 4044
	58

S-21

SW NE	5 AC
SE NE	31 AC
NE SE	2 AC
	38

96 AC

Ditch #2 services area e. of creek
 Sec. 22 NESW 7
 SE SW 2

Recommend:

S-22 4043

SW NW	10
NW SW	25
✓ SW SW	6
✓ SE SW	8

S-21

SW NE	5
SE NE	31
NE SE	2

87

4044

S-22 NW SW	7
SE SW	2
	9

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50'

514

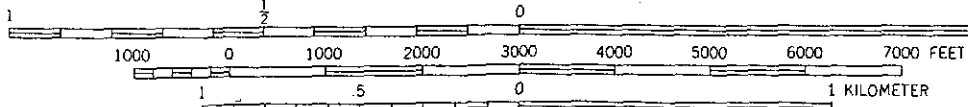
515

516

47° 30'

518

SCALE 1:24 000



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Cubica
T3S
R4W

A 57-4043

PURCHASE COPIES FROM
IDAHO DEPARTMENT OF LANDS, STATEHOUSE, BOISE, IDAHO 83726



QUADRANGLE LOCATION

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-04043	IRRIGATION	FROM 04-01 TO 10-31	3.200 CFS
A57-04043	STOCKWATER	FROM 04-01 TO 12-15	.190 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			3.200 CFS

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-04043	IRRIGATION	FROM 04-01 TO 10-31	3.200 CFS
57-04043	STOCKWATER	FROM 04-01 TO 12-15	.050 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			3.200 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)	Y	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(☒)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N() Explain in remarks, below.

REMARKS:

4-15 to 10-15

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(Y) N()

AJ TOTAL CLAIMED DIVERSION RATE: 3.200 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.200 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?

FIELD
DATABASE EXAMINER
Y Y

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD Mannings, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 57-04044

LIST ALL RIGHTS WITH A SAME POI AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-04043	SUCCOR CREEK	GABICA , RICHARD	3.200	0.037		
A57-04044	SUCCOR CREEK	GABICA , RICHARD	18.000	0.180		

LIST ALL RIGHTS WITH SAME POI BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A57-04043	STOCKWATER	GABICA , RICHARD	FROM 04-01 TO 12-15	.190 CFS	
R57-10727	STOCKWATER	GABICA , RICHARD	FROM 01-01 TO 12-31	.200 CFS	

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MANNING EQUATION-DATA COLLECTION

Claim No(s):: A57-04043 F A57-04044Name of Claimant: Richard GabicaName of Ditch, Canal, or Stream Name: Ditch #1Date of Measurement: 10-29-1990 Data Collected By: GENE GIBSONMeasurement Location: SE 1/4 SE 1/4 Section 28 T 35 R 4W

General Description and Comments

Cross-section Data

Basis: High water mark (☒) Maximum capacity ()

Note: A minimum of five readings is necessary; first and last rod reading must be equal or zero.

Depth or Rod Reading	Dist. from Initial Point	Depth or Rod Reading	Dist. from Initial Point
1. <u>0.00</u>	<u>0.0</u>	11. _____	_____
2. <u>.80</u>	<u>.5</u>	12. _____	_____
3. <u>1.10</u>	<u>1.0</u>	13. _____	_____
4. <u>1.20</u>	<u>1.5</u>	14. _____	_____
5. <u>1.10</u>	<u>2.0</u>	15. _____	_____
6. <u>1.10</u>	<u>2.5</u>	16. _____	_____
7. <u>1.00</u>	<u>3.0</u>	17. _____	_____
8. <u>.70</u>	<u>3.5</u>	18. _____	_____
9. <u>0.00</u>	<u>3.9</u>	19. _____	_____
10. _____	_____	20. _____	_____

Slope Data

Basis: High water mark (☒) Channel bottom () Land surface ()Channel length from cross section: Upstream 150' Downstream 150'Total channel length used for slope measurement: 300'Rod reading at engineers level: 5.14Upstream rod reading 7.20 - High Water Mark(if taken from channel bottom) **MICROFILMED**Downstream rod reading 7.38 - High Water Mark(if taken from channel bottom) **OCT 27 1992 42**

Note: The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes (☒)

Mannings Pg. 1

MANNING'S EQUATION CHANNEL CAPACITY RESULTS

12-14-1950

File Number: R57-04043 and R57-04044

Claimant: Richard Sabice

Channel measured: Ditch #1

Date of measurement: 10-29-1950

Measurement location:

SE 1/4 & 1/4 Section 28 T32S; R64W

Calculation prepared by: Gene Gibson

Comments about the measurements:

The results of the calculation are:

The length of the channel measured is 200 feet.

The upstream and downstream rod readings are 6.04 and 6.48 feet.

The channel cross section is 3.47 sq. ft.

The wetted perimeter is 4.95 feet.

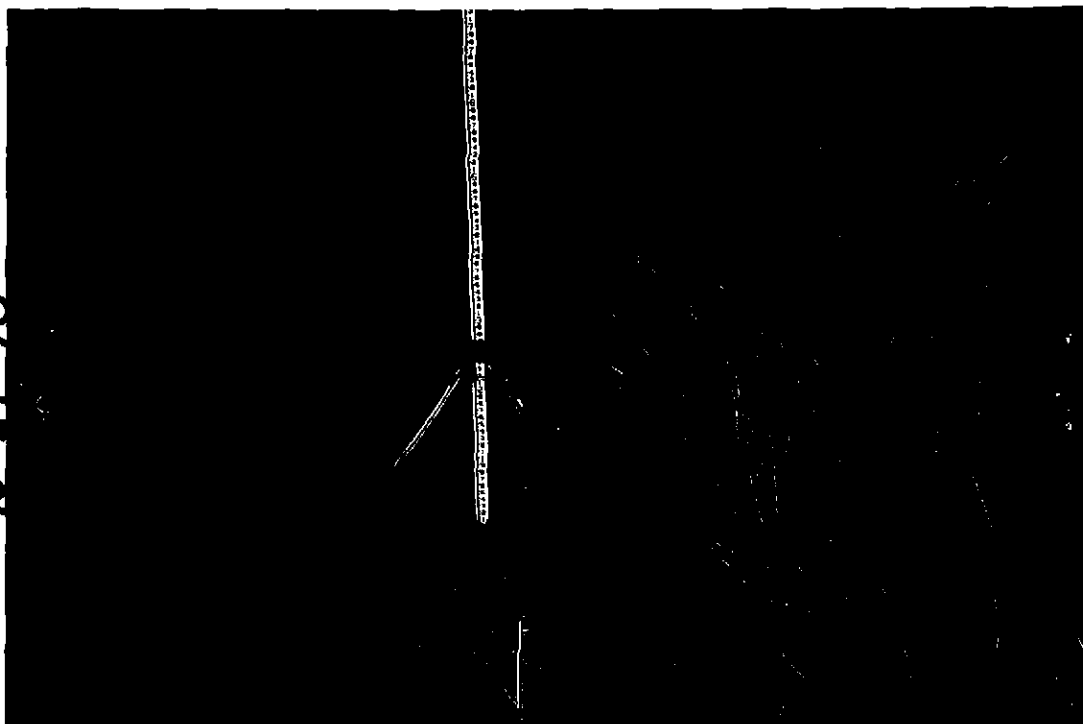
The hydraulic radius is 0.70 feet.

The slope is 0.0013

The roughness coefficient is 0.0400

The flow velocity is 1.045 ft/sec.

The rate of flow is 3.62 cfs.



Lower Ditch where Mannings was taken.

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Mannings, Pg. 2

CROSS SECTION NUMBER 1

For File Number A57-04043 and A57-04044 for the Ditch #1

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.80	0.80	0.50
3	1.10	1.10	1.00
4	1.20	1.20	1.50
5	1.10	1.10	2.00
6	1.10	1.10	2.50
7	1.00	1.00	3.00
8	0.70	0.70	3.50
9	0.00	0.00	3.90

The area for this cross section is 3.47 square feet
and the wetted perimeter is 4.95 feet.

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Mannings. Pg. 3

D. *Found* RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 87 x 0.02 CFS/ACRE = 1.74 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A
ACRES 87 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE 217.5 AF/A

3. IRRIGATION DIVERSION VOLUME - N/A

CLAIMED DIVERSION VOLUME = 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(X)

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

No overlap.

1b. CALCULATIONS

Flow Conveyance loss = 1.64 cfs
1.74 cfs
3.38 cfs

3.20 cfs claimed
- 1.74 cfs @ 1" / A
= 1.46 cfs for conveyance loss.

STD. Remark
002 - 1.46 cfs of this right is limited to use for conveyance losses in delivery of this right.

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ESTIMATING CONVEYANCE LOSS

Formula: $S = (W)(i)(0.0667)$ where: S is loss in cfs per mile
W is the top width of the high water mark in feet
i is the loss rate in feet per day (see Table)
0.0667 is a factor used to convert to cfs per mile

Table:	Type of soil	Loss rate i (ft/day)
	medium clay loam	0.5 to 1.5
	impervious clay	0.5
	medium soils	1.0
	somewhat pervious soils	1.5 to 2.0
	gravel	2.5 to 5.0

Worksheet: $S = (4 \text{ ft})(1.25 \text{ ft/day})(0.0667)$
 $S = 1.67 \text{ cfs/mi}$
Conveyance loss = (S)(length of ditch in miles)
Conveyance loss = (1.67 cfs/mi)(.98 mi)
Conveyance loss = 1.64 cfs

Ditch #1

$W = 4.0'$

$i = 1.25$

length of ditch = $5180.4' = 0.98 \text{ mi}$

No conveyance loss done on ditch #2 as it begins at the southern tip of the field,

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	4-15 10-15	DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
STOCKWATER	04-81 10-31	3.200 3.20		0.0 217.5
	04-81 12-15	0.190 0.19		
TOTAL FOR THIS RIGHT	4-15 10-15	3.200 3.20		217.5

REVIEWED BY: Linda Warner

DATE: 10/31/91

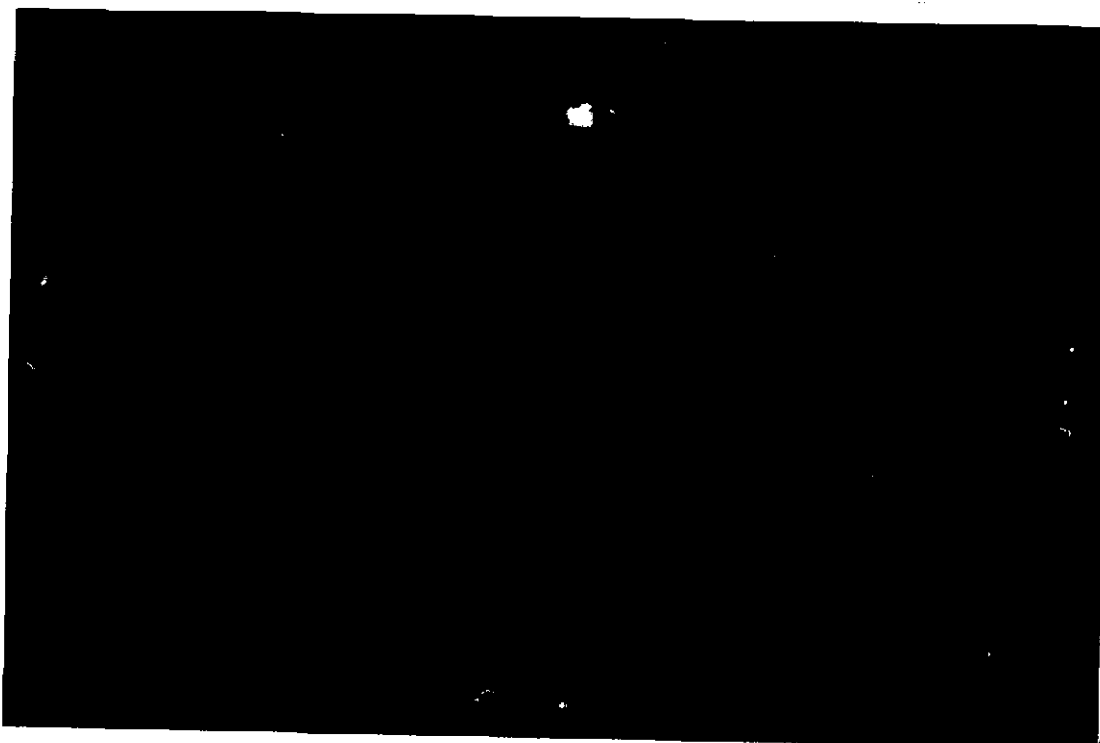
Non-irr. usage - instream stock, 800 hd. range cattle

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A57-04043



Lower Ditch



Lower Ditch - part of P.O.U.

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-04043

DATABASE
3.200

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-04043	3.200	-		57-04043	3.200
TOTAL CFS		3.200				3.200

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:

AUTHENTICATION

SIGNATURE:

Wanda Warner
Aene Gibson

DATE:

10/31/91

NAME OF FIELD EXAMINER:

TITLE:

Sr. W. R. Agent

MAILED
OCT 10 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

Date August 18, 1992

{ Elias or Inez Jaca
817 Blaine Ave.
Nampa, ID 83651
[

Notice of Claim No.(s) A57-00246, A57-00267, A57-01017, A57-01021, A57-01022
A57-01023, A57-04043, A57-04044, A57-10726, A57-10727

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

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OCT 07 1992

54-4043

A F F I D A V I T

STATE OF IDAHO)
 : ss.
County of Owyhee)

THOMAS F. JOHNSTON, being first duly sworn, on oath, deposes and says:

That he is over the age of eighteen (18) years, a resident of Owyhee County, Idaho, a citizen of the United States of America, and fully competent to execute this instrument;

That this affiant has been a resident of Owyhee County for more than fifty (50) years, and at one time, was the owner of the following described tract of real property, to-wit: $N\frac{1}{2}SW\frac{1}{4}$; $SW\frac{1}{4}NW\frac{1}{4}$ of Section 22; $SE\frac{1}{2}NE\frac{1}{4}$ of Section 21; all in Township 3 South, Range 4, West of the Boise Meridian, Owyhee County, Idaho; that under date of April 11, 1956, this affiant and his wife, Dorothy M. Johnston, sold the aforementioned tract of real property to Richard Gabica, who is now the present owner thereof;

That the aforesaid tract was originally patented by Henry J. Hudson, said patent having been recorded in Owyhee County, Idaho, in Book 7 of Patents, page 139, October 11, 1915, records of Owyhee County; that said tract was subsequently purchased by Charles A. Johnston, father of this affiant, the Deed having been recorded in Book 11 of Deeds, page 442, September 11, 1917, and that this affiant subsequently acquired the interests of Charles A. Johnston in said tract of land;

That the affiant is fully familiar with the aforementioned tract of land, and knows of its prior use and management before the same was acquired by Richard Gabica; that in the cultivation and use of said tract, waters, both surface and from Succor Creek have been fully applied to cultivation and use of the lands since its acquisition by Charles A. Johnston and the subsequent ownership of Richard Gabica;

(1).

That such usage, application and appropriation of water has been continuous for agricultural purposes, and, according to the best information and observation of this affiant, such usage was never abandoned.

Thomas H. Johnston

SUBSCRIBED and sworn to before me this 28th day of
December, 1979.

Richard L. Gordon

Notary Public for the State of Idaho.

N $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; Section 22,
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21,
all in Twp. 3 South, R. 2,
W.B.M., Owyhee County, Ida.

Remarks to Accompany Claim to a Water Right

This claim is for the 3.2 cfs for which H.J. Hudson made application in 1909. Although proof of completion of works was made, the proof of application to beneficial use was not made. The Department of Water Resources cancelled the permit on January 16, 1976. The chronological sequence of events on this water-right application is as follows (see also photo copies attached):

- A. Application no. 7233 filed by Hudson on August 4, 1909.
- B. Application returned to Hudson for correction on September 3, 1909.
- C. Corrected application returned by Hudson on September 4, 1909.
- D. Application approved by State Engineer on September 14, 1909 and Permit No. 5195 assigned. Proof of completion of Works due by September 14, 1911; Proof of Application to Beneficial Use due by September 14, 1913.
- E. Approved permit returned to Hudson's agent by State Engineer on October 3, 1909.
- F. State Engineer advises Hudson on June 1, 1911 that proof of completion of work will be due on or before September 14, 1911 and enclosed blank form for advising that Hudson is ready to submit such proof.
- G. Hudson, on July 12, 1911, files notice with State Engineer that proof of completion of work will be taken September 14, 1911 at Reynolds in Owyhee County.
- H. Notice of submittal of proof of completion of works was published.
- I. State Engineer on August 8, 1911 advises Water Commission, 3rd Division, that Hudson will make proof of completion of works on September 14, 1911 at Reynolds.
- J. State Engineer on August 8, 1911 sends Hudson the necessary forms to submit proof of completion of works (for permit holder and two witnesses).
- K. Hudson and two witnesses complete the depositions relative to completion of works on September 14, 1911, before a notary public, and return them to the State Engineer.
- L. State Engineer, on September 21, 1911, advises Hudson the depositions have been received and a certificate of completion of works will be issued when the Water Commissioner's report is received.
- M. State Engineer, on April 11, 1912, advises Hudson by letter that Water Commissioner cannot examine and report on the works because of heavy work load; Hudson is required to send the name of someone competent to do such examination. A notation on the State Engineer's copy of the letter indicates an examination and report are not required since it is for less than 6.4 cfs.

- N. State Engineer on October 29, 1914 transmits to Hudson the certificate of completion of works.
- O. No reference to proof of application to beneficial use, or date such proof was required, nor transmittal of forms for such proof, were made by the State Engineer at any time between September 14, 1911 and 1975.
- P. On November 21, 1975 the Director of Department of Water Resources sent a form letter to H.J. Hudson, by certified mail, advising that proof of beneficial use was due September 14, 1913, and that he should show cause, prior to December 31, 1975, why the permit should not be cancelled under the provisions of Sec. 42-311 Idaho Code. This is the section in the Idaho Code whereby the Department is allowed to cancel a permit in order to clear their records of old permits that were not fully completed.
- Q. This form letter (certified mail no. 32583) was addressed to H.J. Hudson at Reynolds, Idaho via Murphy, Idaho and postmarked November 25, 1975. There is no Reynolds post office any more. The envelope was returned to the Department by the Murphy post office on November 26, 1975 marked "addressee unknown".
- R. On January 16, 1976 the Director, Department of Water Resources, entered an Order of Cancellation, cancelling permit no. 5195 (37-2032).

I am filing this claim to maintain the original priority date, because attempting to reinstate the original permit would mean filing proof of beneficial use now and losing the 1909 priority.

Also attached is an affidavit of Thomas F. Johnston, a previous owner, with a statement as to the continuous use of water on this land.

The amount claimed, which has always been used, is slightly more than one inch per acre but this is necessary because of topography, soils, and the relatively short period in each year's growing season that water is available.



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

A57-04033, A57-04044, A57-01017, A57-10726
A57-00246, A57-00267, A57-01021, 01022, 01023, A57-10727

☐ Name and Address of Former Owner/Claimant(s)(Seller):

Richard Salinas

☐ New Owner/Claimant (Purchaser):

JACA, ELIAS & INEZ

☐ New Mailing Address:

817. Blaine Ave
Nampa ID 83651

☐ New Telephone Number:

() 466-8801

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s)

Elias Jara

Date *Aug. 12, 1992*

Date _____

☐ Signature of Former Owner/Claimant(s):

Richard Salinas

Date *8-12-92*

Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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OCT 07 1992

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

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: A57-04043
Date Received: 11/03/1988
Receipt No: W002136
Received By: DE JHL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD GABICA 208-466-6642
Address: 403 WEST LINCOLN
Nampa, ID 83651

2. Date of Priority: AUG 04, 1909

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	04W	28		SE	SE		OWYHEE

5. Description of diverting works:
DIVERSION DAM, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	3.200		
STOCKWATER	04/01	12/15	0.190		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/800 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	04W	21	SE	NE		IRR	34.0
			SE	NE		STOCK	

Section Acres 34.0

A57-04043

Page 1

Date: 02/08/99

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	04W	22	NE	NW		STOCK	
			SW	NW		IRR	18.0
			SW	NW		STOCK	
			NE	SW		IRR	3.0
			NW	SW		IRR	30.0
			NW	SW		STOCK	
						Section Acres	51.0
						Total Acres	85.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
57-04044

14. Remarks:
STEEP POROUS HILLSIDE, MOUNTAIN MEADOW. SEE PERMIT #7233
(CANCELED) FOR PARTICULARS ON LAND.

15. Basis of Claim: BENEFICIAL USE

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 _____

NOTICES IN THE
 TUESDAY, APRIL 11, 1995
 THE SNAKE RIVER BASIN
 COPIES OF ALL
 NOTICES OF CLAIMS ARE
 FILED TO ALL PARTIES
 INTERESTED

Purposes: (both dates are inclusive) (cfs) (acre feet)

For stockwater purposes from 4/1 to 10/31 amount 3.2 or 3.2

For stockwater purposes from 4/1 to 12/15 amount .19 or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 3.2 (cfs) and/or (b) (acre feet)
8. Total consumptive use claimed is 212.5 acre feet per annum.
9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 5/800/range
10. Description of place of use:
 a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3S	4W	21				<u>S</u>													34
		22						<u>S</u>	<u>S</u>	<u>S</u>									51

Total number of acres irrigated 85

11. In which county (ies) are lands listed above as place of use located? owl/hce
12. Do you own the property listed above as place of use? Yes ☒ No ☐
 If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
57-04044 or None ()
14. Remarks:

8 steep porous hillside - Mountain
meadow see permit # 2233 (canceled) for
particulars on land.

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 OCT 07 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 57-04043Date Received 11-3-88Receipt Number W002136/W002137

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Richard Gabiea Phone (208) 466-6642Mailing Address 403 W. Lincoln Nampa, Ida Zip 836512. Date of Priority (Only one (1) per claim) 8/4/19093. Source of water supply (a) Succot Creek.
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 3S Range 4W Section 28,
_____ 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Owyhee

Additional points of diversion if any: _____

b. If Instream flow, beginning point of claimed Instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Diversion damSoarity Irrigation

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/1 to 10/31 amount 3.2 or _____

For stockwater purposes from 4/1 to 12/15 amount .19 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 5/800 range

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3S	4W	21				5 34													34
		22						5 18			5 3	5 30							51

Total number of acres irrigated 85

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

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
57-04044 or None ()

14. Remarks:

Steep porous hillside - Mountain meadow. See permit #7233 (canceled) for particulars on land.

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OCT 07 1992

Last Name Gabica Ident No. 57-04043

Copies: White -State, Yellow-Claimant

[illegible]

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

10

Information Sheet No. 42-1400 a 2/88

Scale: 2 inches equals 1 mile

[illegible]

Gabjea

Ident No.

57-04043

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 57-04043

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled

"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

✓ Signature of Claimant (s) Richard Galica Date Nov 2 / 1988

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)

County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 2 day of November 19 88

SEAL

Notary Public John R. Noyes

Residing at 15470 Homedale Rd.

Caldwell, Idaho

My Commission Expires Sept 21, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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OCT 07 1992

Last Name Galica Ident. Number 57-04043

Copies White-State, Yellow-Claimant

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

GABICA

CLAIM IDENT. NO.

A57-04043

DATE RECEIVED

11-3-88

CK #

570/4390

AMOUNT \$

635/3.00

YES

NO

Required
Info?

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

Claim checked by:

VERIFIED RDH

Date:

1-27-89Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be sent a copy of amended claim for approval: ☐ (Yes) ☐ (No)**MICROFILMED**

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

OCT 17 1992Comments: CLAIMED MORE ON STOCKWATER BUT SINCE ITS NOT APPROPRIATEIN THE TOTAL CFS - CHANGE AS ON CLAIM - (200 KMG WAS ON ORIGINAL CLAIM)50.00

Water Right Number - 57-04043

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***

GABICA

RICHARD

1 - 403 WEST LINCOLN AVENUE

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/04/1909 14 S - STATUTORY CLAIM+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
SUCCOR CREEK SNAKE RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
03S 04W 28 SE SE (73) OWYHEE 272.0 334.0 67.8+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 3.200
04 - STOCKWATER 04/01 12/15 0.050+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
200+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
03S 04W 21 SE NE 34.0 01 IRRIGATION (73) OWYHEE
03S 04W 22 SW NW 18.0 01 IRRIGATION (73) OWYHEE
03S 04W 22 NE SW 3.0 01 IRRIGATION (73) OWYHEE
03S 04W 22 NW SW 30.0 01 IRRIGATION (73) OWYHEE

Total Acres: 85.0

+ - - Diversion Means - DAM AND DITCH

+ - - Non-Irrigation Use - S/800 RANGE

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.MICROFILMED
OCT 6 7 1992Added
Stock p.s.v.

Water right number - 57-04043 Adj. flag translation: Standard Water Right Number

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

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

+ - - Audit Fields - 01/13/86 05/01/88 CONVERT

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

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 01/13/1986	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	-
Decree Date	- 00/00/0000	Presumption Flag	-	Microfilm Roll Number	-

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OCT 07 1992