



MICROFILMED
OCT 07 1992

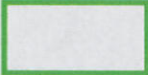
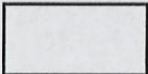
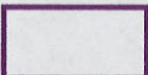
Idaho Department of Water Resources

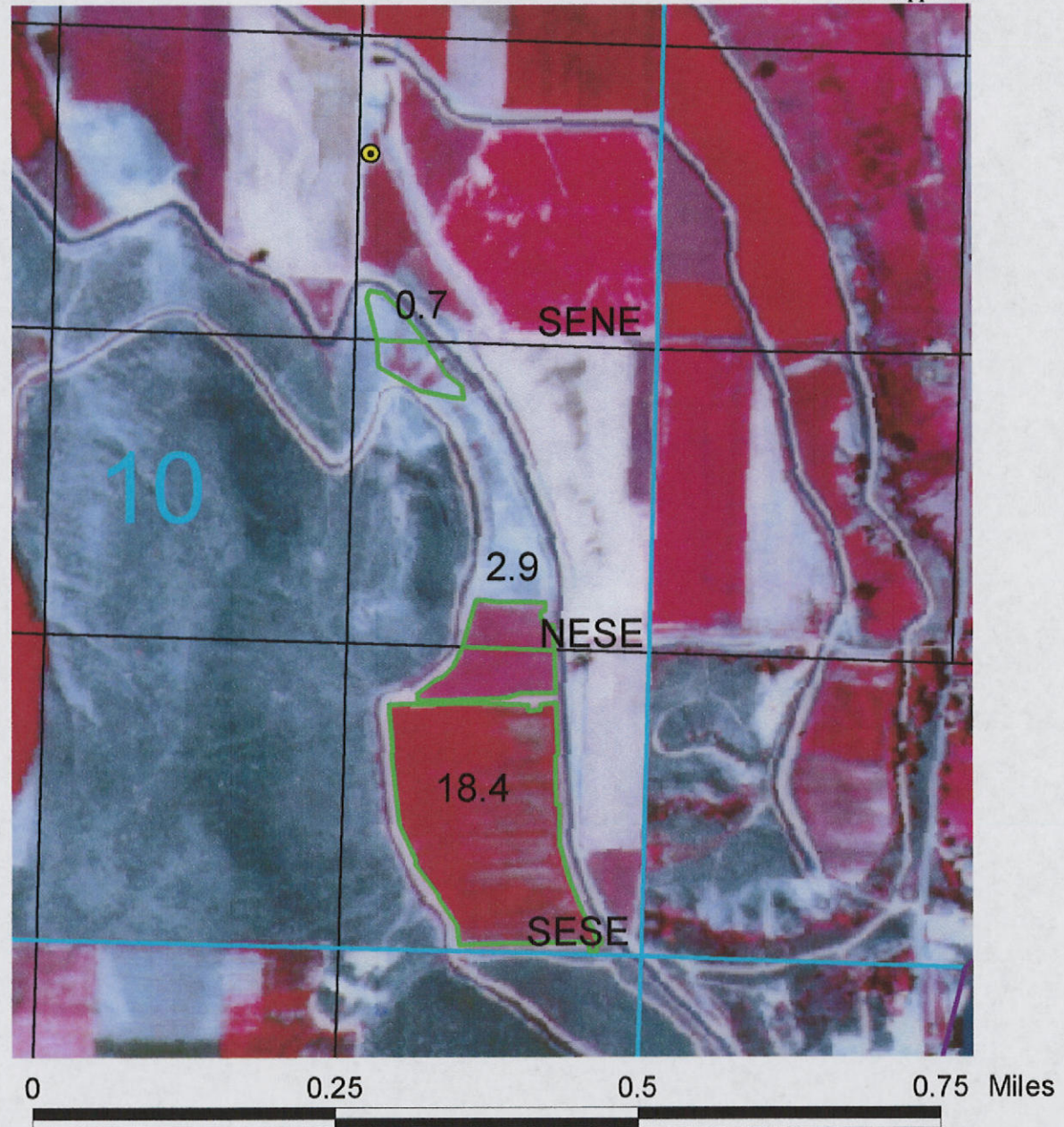
Claim Number: 57-04061

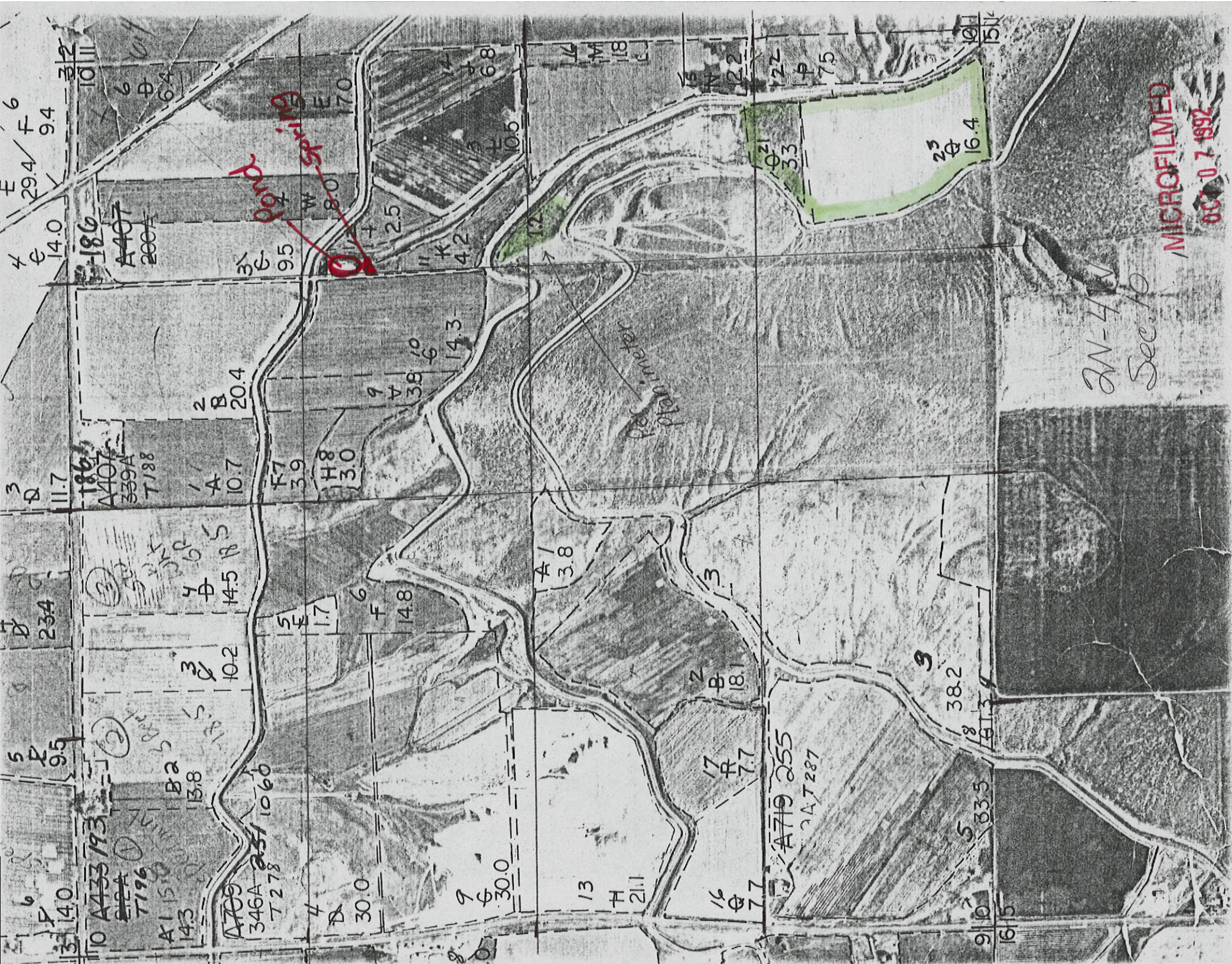
Legal: T02N, R04W, S10

Reviewed By:

1987 Napp Photo

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





2N-4W
Sec. 10

MICROFILMED
OCT 07 1992

Rathbone

A57-04061/A57-10225

11/21/1990



Drain
which
collects
wastewater
from
claimants
irrig. dist.
water



Drain
with
spring
water
in it.

Spring developed with perforated pipe
in drain.

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OCT 07 1992

Rathbone

A57-04061 & A57-10225

11/21/1990



Spring
water &
wastewater
collect in
drain
and fill
pond.
Pond is
8' deep
per
claimant.



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OCT 07 1992

Pathebone

A57-04061 & A57-10225

11/21/1990



20 HP
Pump
(Berkley
Centrifical)
used to
pump
water
from
pond.

MICROFILMED

OCT 07 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDA
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: A57-04061
Date Received: 12/14/1988
Receipt No: 11002171
Received By: JAC

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: P. T. RATHBONE 208-896-4478
Address: RT. 1 BOX 734
MARSING, ID 83639

AND/OR

Name: MARY W. RATHBONE 208-896-4478
Address: RT. 1 BOX 734
MARSING, ID 83639

2. Date of Priority: JUL 01, 1962

3. Source: WASTE WATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	04W	10	NW	SE	NE		OWYHEE

5. Description of diverting works:
HOLD PONDS, MOTOR & GRAVITY IRR. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.330		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is 94.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 RANGE

A57-04061

Page 1

Date: 12/14/88

MICROFILMED

001 07 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	04W	10	SE		NE		IRR	2.0
			NE		SE		IRR	5.0
			SE		SE		IRR	20.0
							Section Acres	27.0
							Total Acres	27.0

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:
GEM IRR. WATER.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 R Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and 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): *[Signature]* Date: 14 Dec 1988

Date: _____

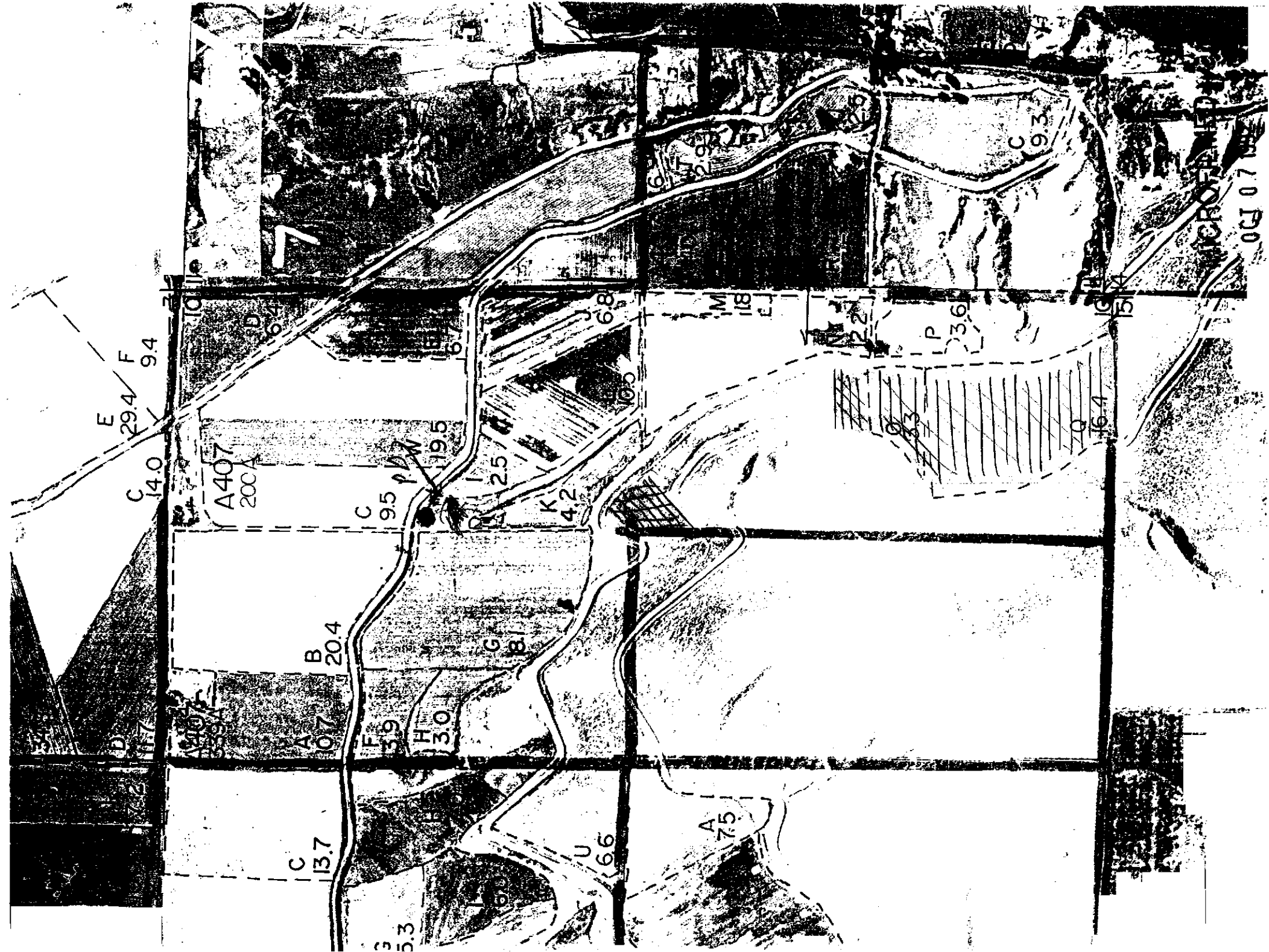
State of Idaho)
County of Dayton) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of Dec 19 88

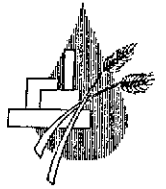
John P. Carlson
Notary Public

Seal

Residing at Bonin Isl
My Commission Expires 6/12/91



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that P. T. &/or Mary W. Rathbone
(Name of Claimant)
Rt. 1 Box 171 Marsing, Id. 83639 Telephone No. 896-4475
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 7/1/1962

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Waste Water tributary to Snake River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.54 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity	<u>.05</u>	Use <u>Stock Water</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity	<u>.59</u>	Use	Period of Use From	To

(4) .59 TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 NE 1/4, Sec. 10 Twp. 2N Rge. 4W B.M., County of Owyhee
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Hold Ponds, 20 H.P. Motor & Gravity Irrigation System.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>2N</u>	<u>4W</u>	<u>10</u>				<u>2</u>									<u>5</u>			<u>20</u>	<u>27</u>

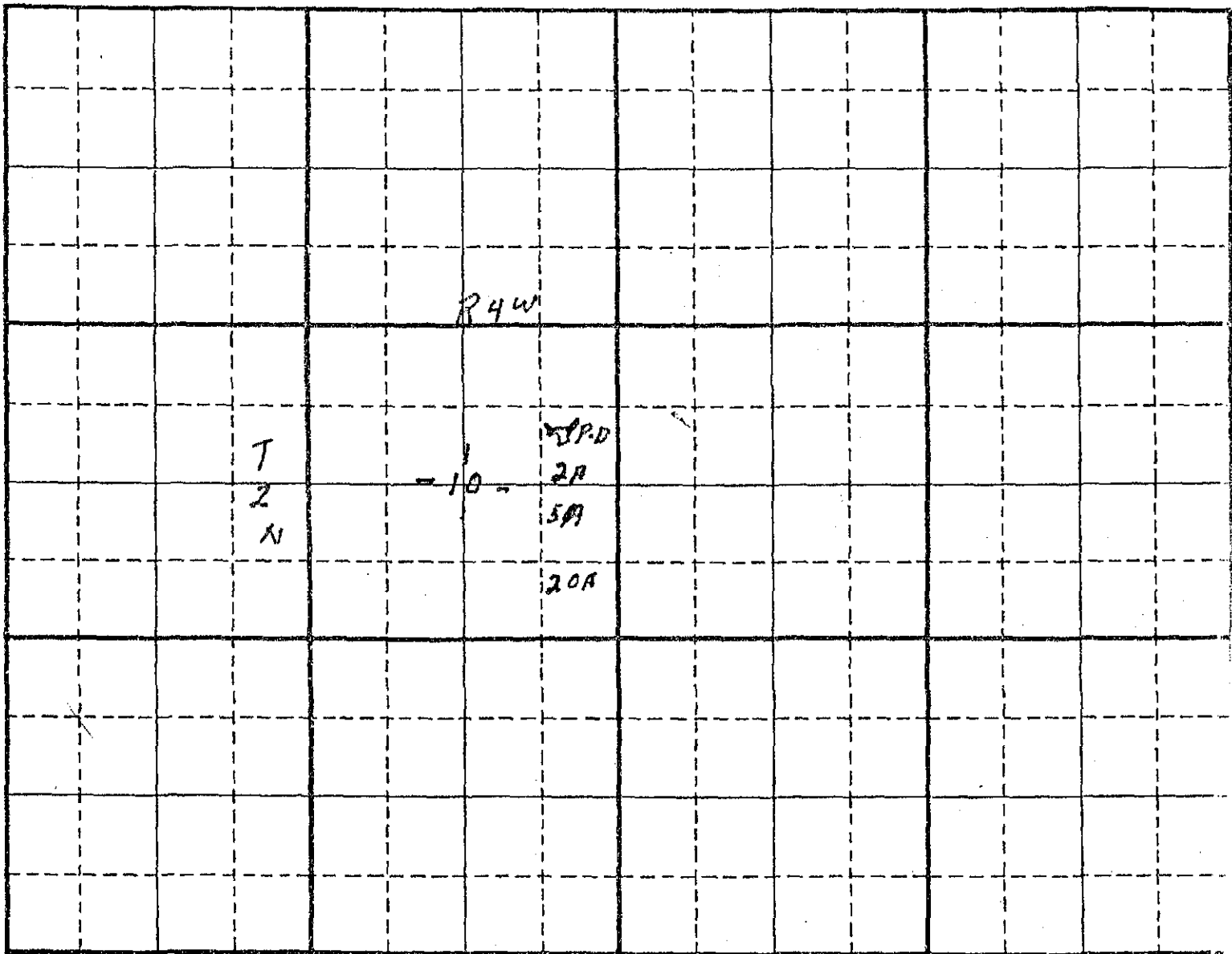
No. of acres 27

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 150 head range.

(7) If you are claiming water as a member of an organization, list name of organization:

(B) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

[Signature]
(Claimant)

Sworn to before me this 20 day of October, 19 81.

Nancy M. Mathway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by JKH Date 10/30/81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JK Date 10/31/81 claimant by: _____
\$20.00 fee received by JKH Date 10/20/81 # 30297
Published in Nugget _____
Dates 10-27-81 to 11-5-81 _____

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-04061 Date: 2-11-03

	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	2N	4W	10				1									2			19	22
GIS							.7									2.9			18.4	22
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 22

Overlapping ECU Claim #'s:

Total GIS Acres: 22

COMMENTS:

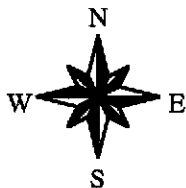
Per claim map & image interpretation.

Idaho Department of Water Resources

Claim Number: 57-04061
Legal: T02N, R04W, S10
Reviewed By:

1987 Napp Photo

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



0 0.25 0.5 0.75 Miles

A horizontal scale bar with four segments. The segments are labeled '0', '0.25', '0.5', and '0.75 Miles' from left to right. The bar itself is a thick black line with white tick marks at the segment boundaries.

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-04061

1998 FEB -9 PM 1:09

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: MARY W RATHBONE
P T RATHBONE
RT 1 BOX 734
MARSING ID 83639

SOURCE: WASTE WATER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.44 CFS

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

PRIORITY DATE: 08/23/1963

POINT OF DIVERSION: T02N R04W S10 NWSENE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.44 CFS
	STOCKWATER	01-01 12-31	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T02N R04W S10 SENE 1 NESE 2 SESE 19
22 ACRES TOTAL

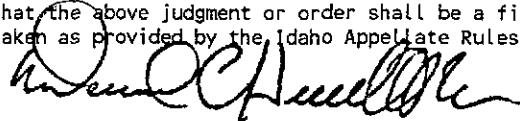
Place of use for STOCKWATER is same as IRRIGATION

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. R57-04061

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

DATE: 12/08/97
PAGE: 1

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARY W RATHBONE	08/23/1963	IRRIGATION	03-15 11-15	0.44 CFS	
C	P T RATHBONE		STOCKWATER	01-01 12-31	0.05 CFS	
	RT 1 BOX 734					
	MARSING ID 83639					
	(208) 896-4478			TOTAL DIVERSION:	0.44 CFS	

Water Source: WASTE WATER Tributary to: SNAKE RIVER Stage: BENEFICIAL USE

Point(s) of Diversion: T02N R04W S10 NWSENE 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	:	---
02N	04W	10	:				01	:					:					:	02			19	:	22.0
																						TOTAL ACRES		22.0

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

POU County: OWYHEE

Other Rights: GEM IRR. DIST.

Conditions of Approval:

- W01 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- GEM IRRIGATION DISTRICT.
- G01 - THIS RIGHT REMAINS SUBJECT TO THE RIGHT OF THE ORIGINAL
- APPROPRIATOR, IN GOOD FAITH AND IN COMPLIANCE WITH STATE LAWS
- GOVERNING CHANGES IN USE AND/OR EXPANSION OF WATER RIGHTS, TO
- CEASE WASTING WATER, TO CHANGE THE PLACE OR MANNER OF WASTING IT,
- OR TO RECAPTURE IT.
- G02 - THIS RIGHT IS SUBJECT TO ADMINISTRATION AS PART OF THE NATURAL
- SOURCE TO WHICH THE WASTE IS TRIBUTARY.
- 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, 150 RANGE CATTLE

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

Misc: Water District Number: Field Inspection Flag:

Presumption Flag:

AJ0749NP
No. R57-04061

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

DATE: 12/08/97
PAGE: 2

=====

Comments: Date: 07/16/1992 User-ID: WHITE Subject: DATA ENTRY
ADDED CONDITION CODES G01 AND G02,
CHANGE MADE IN THE BASIS OF THE CLAIM, PER LKH.

Audit: 12/08/97 KWALKER

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

DATE: DEC-08-1997

PAGE: A-1

RIGHTS FROM: SOURCE: WASTE WATER TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-04061

NAME AND ADDRESS: MARY W RATHBONE
P T RATHBONE
RT 1 BOX 734
MARSING ID 83639

SOURCE: WASTE WATER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.44 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR STOCKWATER, 130 RANGE.

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

PRIORITY DATE: 08/23/1963

POINT OF DIVERSION: T02N R04W S10 NWSENE Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	<u>Irrigation Season</u>	0.44 CFS
		~~03/13~~ ~~11/13~~	
	STOCKWATER	01-01 12-31	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T02N R04W S10 SENE 1 NESE 2 SESE 19
22 ACRES TOTAL

Place of use for STOCKWATER is same as IRRIGATION

CONSUMPTIVE USE: 7710 APY

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

57-04061 (CONT.)

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

THIS RIGHT REMAINS SUBJECT TO THE RIGHT OF THE ORIGINAL
APPROPRIATOR, IN GOOD FAITH AND IN COMPLIANCE WITH STATE LAWS
GOVERNING CHANGES IN USE AND/OR EXPANSION OF WATER RIGHTS, TO
CEASE WASTING WATER, TO CHANGE THE PLACE OR MANNER OF WASTING IT,
OR TO RECAPTURE IT.

THIS RIGHT IS SUBJECT TO ADMINISTRATION AS PART OF THE NATURAL
SOURCE TO WHICH THE WASTE IS TRIBUTARY.

STOCKWATER, 150 RANGE CATTLE

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	P T RATHBONE	08/23/1963	IRRIGATION	03-15 11-15	0.44 CFS	
C	MARY W RATHBONE RT 1 BOX 734 MARSING ID 83639 (208) 896-4478		STOCKWATER	01-01 12-31	0.05 CFS	
TOTAL DIVERSION:					0.44 CFS	
CONSUMPTIVE USE:						77.0 AFA

Water Source: WASTE WATER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T02N R04W S10

NWSENE

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	
02N	04W	10	:					:					:					:					:		
							01	:					:					:					:		
TOTAL ACRES																							19	:	22.0
TOTAL ACRES																								:	22.0

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

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 150 RANGE.

Other Rights: GEM IRR. DIST.

Conditions of Approval:

- W01 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- GEM IRRIGATION DISTRICT.
- G01 - THIS RIGHT REMAINS SUBJECT TO THE RIGHT OF THE ORIGINAL
- APPROPRIATOR, IN GOOD FAITH AND IN COMPLIANCE WITH STATE LAWS
- GOVERNING CHANGES IN USE AND/OR EXPANSION OF WATER RIGHTS, TO
- CEASE WASTING WATER, TO CHANGE THE PLACE OR MANNER OF WASTING IT,
- OR TO RECAPTURE IT.
- G02 - THIS RIGHT IS SUBJECT TO ADMINISTRATION AS PART OF THE NATURAL
- SOURCE TO WHICH THE WASTE IS TRIBUTARY.

Dates: Exam Made Date: 11/21/1990 Verified Date:

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

Comments: Date: 07/16/1992 User-ID: WHITE Subject: DATA ENTRY
ADDED CONDITION CODES G01 AND G02,
CHANGE MADE IN THE BASIS OF THE CLAIM, PER LKH.

Audit: 07/31/91 WALKER 11/12/91 WALKER 07/16/92 WHITE 07/29/92 PR-PRODM

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OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:26:32
06/04/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A57-04061

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	JS 10-12-90 KW 5-20-91	KW & rm 11-21-90	Y	6 Evidence of priority	KW 11-12-91	KW 11-12-91	
POINT OF DIV	N	N		N	5			
SOURCE	N			N	5			
PLACE OF USE	N			N	5			
DIV. AMOUNT CFS/VOLUME	Y			Y	5			
CONSUMPTIVE USE	-			Y	5			
PURPOSES	N			N	5			
PERIOD OF USE	N			N	5			
BASIS OF CLAIM	Y ✓			N	5			
Stat. Claim				N	5			
REMARKS				N	5			

"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.

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OCT 07 1992

Need to examine due to basis of claim (statutory)
increased div. rate to 0.05 cfs/ac. - needs excessive
flow sheet

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:26:32
06/04/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-04061

LAST: RATHBONE
ADDRESS: RT. 1 BOX 734
CITY: MARSING
PHONE NUMBER: 208-896-4478

FIRST: P. T.
STATE: ID ZIP: 83639

OWNER CODE: C

LAST: RATHBONE
ADDRESS: RT. 1 BOX 734
CITY: MARSING
PHONE NUMBER: 208-896-4478

FIRST: MARY W.
STATE: ID ZIP: 83639

OWNER CODE: C

FIELD EXAM REQUIRED? *Y- kw*

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER
kw

MICROFILMED

OCT 07 1992

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

*See field exam telephone conversation
memorandum attached-*

MICROFILMED

OCT 07 1992

1 1/2 - no answer
need aerial
photo -

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

NAME OF CONTACT Mr. Rathbone
PHONE NUMBER 896-4478 ADJ. AGENT Key 1 1/2
DATE SET FOR EXAM Wednesday Nov. 21 8:30
from Marsing
LOCATION/DIRECTIONS 1 mile S. on Hwy. 78 towards
turn east (left) at first mile marker
white stucco-red roof.

Diverting at full rates? no - only stock

Type of measuring devices? NO-

Places to make measurements? _____

Type of System? (pipelines, ditches) ponds

How many laterals are used? _____

Length and size of mainline? _____

Size of motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler heads? _____

COMMENTS _____

MICROFILMED

OCT 07 1992

A. AJ CLAIM: # A57-04061 PRIORITY DATE: 07-01-1962 STAGE: S

B. WR RECORD: # 57-04061 PRIORITY DATE: 07-01-1962 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

N

FIELD
EXAMINER

EW

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(☒) N(☐)

IF YES EXPLAIN.

REMARKS:

Evidence of priority date submitted on May 30, 1991, shows that pump was purchased for this system on Aug. 23, 1963. Recommend this date for priority of this claim.

RECOMMENDED PRIORITY DATE:

~~07-01-1962~~ 8-23-1963

REVIEWED BY

EW

DATE

11-12-91

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OCT 07 1992

R-LUCKY STAR RANCH

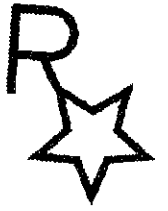
ROUTE NO. 1, BOX 734
MARSING, IDAHO 83639
(208) 896-4478

RECEIVED

MAY 30 1991

Department of Water Resources
Western Regional Office

21 May 91



Dear Mr. Walker,

I received your letter dated 20 May, Today.
I have no recollection of ever receiving a letter from
you in October, however that is our very busy harvest
time.

Enclosed are copies of documents that I hope will
be sufficient to prove my claims. I do see the date
on the Waste water project was 1963 not 1962. That
was the year we dug a pond to hold waste water and
installed a pump to push the water over the canal
to irrigate additional acreage.

The spring has been used for Irrigation and Stock water
since this place was first occupied or farmed. The
spring gives this farm additional value as it runs year
around and never freezes up.

Please let me know if you need additional
information.

Sincerely,


Certified Alfalfa & Barley Seed • Sugar Beets

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OCT 07 1992

MAY 30 1991

Department of Water Resources
Western Regional OfficeIDAHO POWER COMPANY
ELECTRIC SERVICE AGREEMENTDISTRICT Caldwell RATE SCHEDULE No. 24 ACCT. No. 2032-2470-1

Connected Load

15 H.P. Volts 3 Phase 4 Wire
 H.P. Volts Phase Wire
 K.W. Volts Phase Wire

P. T. Rathbone

(Name)

Rt. #1, Marsing, Idaho

(Mailing Address)

herein called Customer, agrees to receive and pay for, and IDAHO POWER COMPANY, herein called Company, agrees to supply electric service to the amount of 15 HP, in the form of Three phase alternating current at approximately 60 cycles per second and _____ volts, for Customer's Pumping operations, at or near Marsing, in Owyhee County, State of Idaho for a term of 10 year(s) from and after May 1, 1964, in accordance with and subject to the Company's rules and regulations and Schedule No. 24, as now or hereafter in effect at the time of delivery of service. The point of delivery of power shall be where the Company's wires or apparatus are connected with those of the Customer at or near SE¹, NE¹ of Section 10 T. 2 N R. 4 W M. E

All payments shall be made at Company's office at Caldwell, Idaho. The Customer agrees to pay, regardless of the amount of power actually consumed, the minimum charges as provided in the rate schedule, rules and regulations applicable to service hereunder. A copy of the rate schedule and the rules and regulations as now in effect are attached hereto as part of this agreement.

In consideration of the special investment to be made by the Company in extending its lines and facilities to supply the Customer's pumping power service requirements, Customer guarantees a minimum annual payment in the amount of \$240.00 to the Company during the term of this contract, such annual minimum to run with the land and pumping power service hereinabove referred to and to be payable by the Customer's successors or assigns as a condition of service during the term of this agreement.

Customer will advance in cash to the Company the excess cost of the extension and facilities required to supply service to the Customer, which at this time, based upon the guaranteed minimum annual payment agreed to in the above paragraph, is in the amount of \$1,216.00. Such cash payment is subject to adjustment or refund as provided in sections E and F of the Company's Line Extension Schedule No. 71.

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OCT 07 1992

Date July 24, 1963Attest
WitnessLyle H. Bramhall

Customer.

Attest
WitnessR. J. O'Connor

W.O. No.

ACREAGE 22 1/2 Supplemental

1010-2M-10-82

New
WFT 135' head

IDAHO POWER COMPANY

By

Its

E. J. O'Connor
Asst. Division Mgr.

51-3989

B. & M WHOLESALE CO., INC.

BOX 128

BOX 204

CALDWELL

IDAHO

POCATELLO

RECEIVED

MAY 30 1991

SOLD TO Pete RathboneADDRESS Rt. 1CITY & STATE Marsing, IdahoDepartment of Water Resources
Western Regional Office

SHIP TO

ADDRESS

VIA

SALESMAN		DATE ENTERED	
Earl Young		8-23-63	
INVOICE DATE		INVOICE NUMBER	
8-30-63		A 8728	
CUSTOMER'S ORDER NO.		DATE SHIPPED	
FILLED BY	TERMS		
	DEDUCT \$		
IF PAID BY			
GORE			
PLEASE REMIT TO			
BOX 128, CALDWELL, IDAHO			

✓	ORDERED	SHIPPED	ITEM AND DESCRIPTION	WEIGHT	UNIT	AMOUNT	DISC.	TOTAL
	1		15 HP B35pm Berkely cent pump					168 00
			3phase 220 /440 volt					
	6'		6" x 12ga Bare steel pipe					6 12
	1		Fab 4" x 6" Suction adapter					6 00
	11,00'		6" x 11/2 ga D. D. O ring Steel Pipe					1386 00
	1		6" Dresser coupling					8 02
	1		3" Clear flow screw check valve					51 35
	1		1/4" schewed gate valve					32 15
	2		1/4" x 3" Bushings					3 76
	5		3" x 1 1/2 galv nipples					5 50
	1		Fab 3x6 Discharge adapters					6 00
	1		Berkely Handee Primer					17 30
	1		B32-DB Delta switch panel					203 00
	1		Berkely model penn float control					14 20
	1		1/4" x close galve nipple					1 35
	1		1 1/2 coupling					74
	1		1 1/2 plug					32
	4		1/2 x 3 M Bolts					68
	8		1/2 Flat washers					20
	8		1/2 lock washers					24
	2		6" Dresser couplings					16 00

NOTICE: CLAIMS MUST BE MADE WITHIN 5 DAYS AFTER RECEIPT OF GOODS.
NO MERCHANDISE ACCEPTED FOR CREDIT WITHOUT OUR PRIOR APPROVAL.

TOTAL

ITEMS MARKED

BO - BACK ORDERED
DS - DIRECT FACTORY SHIPMENT
CS - CANNOT BUY LOCALLY
O - TEMPORARILY OUT PLEASE REORDERALL ACCOUNTS PAYABLE NOT LATER THAN THE 10TH OF THE MONTH FOLLOWING
PURCHASE. 1% HANDLING CHARGE WILL BE MADE EACH MONTH ON PAST DUE AC-
COUNTS. COURT COSTS AND ATTORNEY'S FEES WILL BE CHARGED IF NECESSARY
TO COLLECT BY LEGAL MEANS.

CUSTOMER INVOICE

MICROFILMED

Thank You!

OCT 07 1992

RECEIVED

MAY 30 1991

Department of Water Resources
Western Regional Office

SUPPLEMENTAL AGREEMENT

THIS AGREEMENT Made and entered into this 23rd day of August, 1963, by and between JOHN O. EDWARDS and ALICE A. EDWARDS, Husband and Wife, of Caldwell, Canyon County, Idaho, Parties of the First Part, hereinafter referred to as Sellers, and PEMBROKE THOM RATHBONE and MARY WELLS RATHBONE, Husband and Wife, of Marsing, Owyhee County, Idaho, Parties of the Second Part, hereinafter referred to as Buyers;

WITNESSETH: WHEREAS, the above named parties did on the 6th day of December, 1958, enter into a contract whereby the Sellers sold to the Buyers the following described real property, to-wit:

The Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), and the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 10, Township 2 North, Range 4 West of the Boise Meridian, in Owyhee County, Idaho.

AND, WHEREAS, Among other terms it was provided that the mortgage then on the premises and payable to the GRANGE MUTUAL LIFE INSURANCE COMPANY would be paid by the Sellers. The mortgage above referred to carried an interest rate of five per cent (5%) per annum.

The Buyers now desire to expend approximately \$8,000.00 for the purposes of leveling a portion of the purchased premises and to make water available for the land through a pump, motor and sprinkling system, and

WHEREAS, It will be necessary to borrow the money to make the improvements,

NOW, THEREFORE, IT IS AGREED That the Sellers will refinance the property in order to secure the additional

\$8,000.00 for the Buyers to be used as above set forth. The new loan will carry interest at the rate of six per cent (6%) per annum and it is agreed that the Buyers will compensate the Sellers for the difference of the interest rate between the five per cent (5%) per annum on the old loan, which will have to be paid off in refinancing, and the six per cent (6%) per annum on the new loan for the amount which is still due under the old mortgage, being the sum of \$_____, and as the payments fall due on this amount the Buyers will be responsible for one per cent (1%) thereof. The additional sum borrowed, together with the interest thereon, as it falls due will be paid by the Buyers to the Sellers who will make the payments to the GRANGE MUTUAL LIFE INSURANCE COMPANY. The additional payment as represented by the additional loan of \$8,000.00, or such amount as is determined to be necessary, will be paid by the Buyers in addition to the difference of one per cent (1%) in the rate of interest and the other payments due the Sellers by the terms of the original agreement.

IT IS FURTHER UNDERSTOOD AND AGREED That all the rest and remainder of the terms and conditions of the contract between the parties hereto dated the 6th day of December, 1958, shall remain the same.

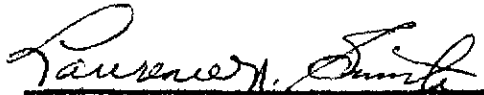
IN WITNESS WHEREOF, The parties hereto have hereunto set their hands and seals the day and year first above written.

John O. Edwards
Oliver J. Edwards
SELLERS
Emmett Thom
Mary Will Kallbone
BUYERS

STATE OF IDAHO)
)ss.
County of Canyon)

On this 26th day of August, 1963, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN O. EDWARDS and ALICE A. EDWARDS, Husband and Wife, and PEMBROKE THOM RATHBONE and MARY WELLS RATHBONE, Husband and Wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Notary Public for Idaho
Residing at Caldwell, Idaho

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-04061	02N	04W	10	NW	SE	NE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: WASTE WATER

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-04061	02N	04W	10		SE	NE		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: WASTE WATER

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER
FW
FW

REMARKS:

*Claimant added 10 ac. tract description to
p/d - verified by field exam.*

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>2N</u>	<u>4W</u>	<u>10</u>	<u>NW</u>	<u>SE</u>	<u>NE</u>	<u>—</u>	<u>Owyhee</u>

SOURCE: WASTE WATER

TRIB: SNAKE RIVER

REVIEWED BY: kw

DATE: 11-12-91

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OCT 07 1992

A. ROOT WATER RIGHT NUMBERS: A57-04061

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	04W	10	SE	NE		RATHBONE, P. T.	A57-04061 / 2.0	57-04061 / 2.0	37.0		
						RATHBONE, P.T.	A57-10225 / 5.0	- /		1	1
						GEM IRRIGATION DISTRICT		02-02276 / 29.0			
						THE GEM IRRIGATION DIST.		A02-00064 /			
						THE GEM IRRIGATION DIST.		A02-00065 /			
02N	04W	10	NE	SE		RATHBONE, P. T.	A57-04061 / 5.0	57-04061 / 5.0	27.0	2	2
						GEM IRRIGATION DISTRICT		02-02014 / 40.0			
						THE GEM IRRIGATION DIST.		A02-00064 /			
						THE GEM IRRIGATION DIST.		A02-00065 /			
02N	04W	10	SE	SE		RATHBONE, P. T.	A57-04061 / 20.0	57-04061 / 20.0	35.0	19	19
						GEM IRRIGATION DISTRICT		02-02014 / 40.0			
						THE GEM IRRIGATION DIST.		A02-00064 /			
						THE GEM IRRIGATION DIST.		A02-00065 /			
TOTAL ACRES							A57-04061	27.00	27.00	99.00	22

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
fw

PRESUMPTION FLAG:

REMARKS:

*Claimant also uses Gem Irrig. Dist. water
on his place -*

RECOMMENDATIONS:

TOTAL ACRES: 22

REVIEWED BY: Ray Walker

DATE: 11-12-91

OCT 07 1992

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A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-04061	IRRIGATION	FROM 03-15 TO 11-15	1.330 CFS
A57-04061	STOCKWATER	FROM 01-01 TO 12-31	.050 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			1.330 CFS

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-04061	IRRIGATION	FROM 03-15 TO 11-15	.540 CFS
57-04061	STOCKWATER	FROM 01-01 TO 12-31	.050 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			.590 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

I gave Mr. Rathbone an "Excessive flow sheet" request form while out there on 11/21/90. He looked at it and decided that he was not interested in more than 1" per acre - Reduce claimed amt. to # 1" per acre.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 1.330 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.590 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 EXAMINER
DATABASE Y

fu

B. FLOW MEASUREMENT

MEASUREMENT METHOD *theoretical on pump - see below.*, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: GEM IRR. WATER. ☒

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-04061	WASTE WATER	RATHBONE , P. T.	1.330	0.049		
A57-10225	SPRING	RATHBONE , P.T.	0.110	0.022		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A57-04061	STOCKWATER	RATHBONE , P. T.	FROM 01-01 TO 12-31	.050 CFS	
A57-10225	STOCKWATER	RATHBONE , P.T.	FROM 01-01 TO 12-31	.050 CFS	

$$Q = \frac{(8.8)(20 \text{ HP})(.7 \text{ eff})}{118' \text{ lift}} = 1.04 \text{ cfs}$$
 - system capable of supplying water for this claim & claim A57-10225.

No measurement possible at time of exam.

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 22 x 0.02 CFS/ACRE = 0.44 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(☒) ***

1b. CALCULATIONS

*claimant did not
wish to pursue excessive
flow rate.*

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 94.5 AF/A

ACRES 22 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 ✓ =

TOTAL CONSUMPTIVE USE 77.0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A 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.)

W01 - Gem Irrig. District

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE 1.330 EXAMINER <u>0.44</u>	DATABASE EXAMINER	DATABASE EXAMINER
STOCKWATER	01-01 12-31	0.050 <u>0.05</u>	N/A	94.5 <u>77.0</u>
TOTAL FOR THIS RIGHT		1.330		

REVIEWED BY: Kw

DATE: 11-12-91

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OCT 07 1992

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(☒)	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-04061

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.590

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-04061	1.330	-		57-04061	0.590
	TOTAL CFS	1.330				0.590

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

OCT 07 1992

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Kay Walker
Kay Walker

11-12-1991
Sr. Water Resource Agent

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. *NONE in Sec. 10*)
- ☒ 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 *Gem Irrig. Dist.*
- ☐ Other: _____
- ☒ Appointment Letter Sent? *kw 10/19/90* (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 _____ (initial & date)
- Claim Verification Report completed _____ (initial & date)
- Was CVR spot-checked by Supervisor? ☐ Yes ☐ No _____ (initial & date)
- R claim file created _____ (initial & date)
- Recommendations entered on R claim file _____ (initial & date)

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OCT 07 1992

2N 4W 10 NW SENE

SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. A57-04061 & A57-10225

Mr. Backbone collects his own waste water from his irrig. district water in drain.

There is a spring (approx. 250' south of pond and 100' east of quarter section line) which was developed with perforated pipe in the drain.

The spring and waste water both collect in the drain and fill his pond. The pond is 8' deep per claimant.

A 20 HP Birkley Centrifical pump is used to divert water from pond. He pumps the water into 6" PVC pipe, then flood irrigates from gated pipe.

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Bathbone
11/21/1990

A57-04061/A57-10225



Drain
which
collects
wastewater
from
claimants
irrig. dist.
water



Drain
with
spring
water
in it.

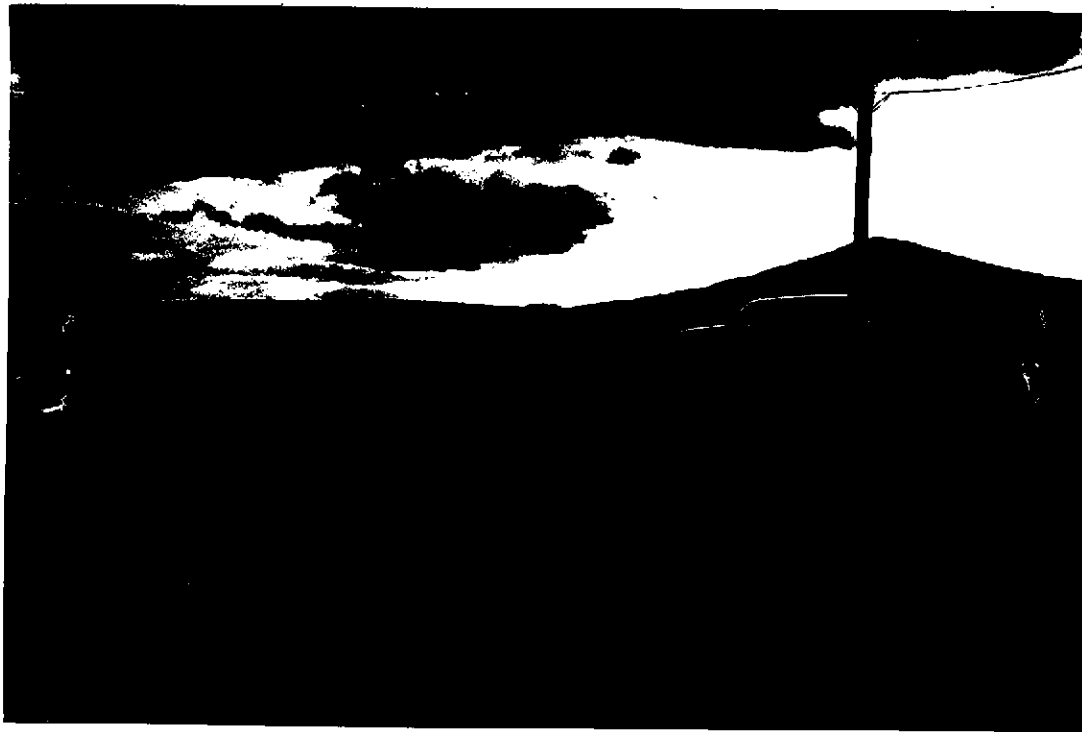
Spring developed with perforated pipe
in drain.
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Rathbone

A57-04061 & A57-10225

11/21/1990



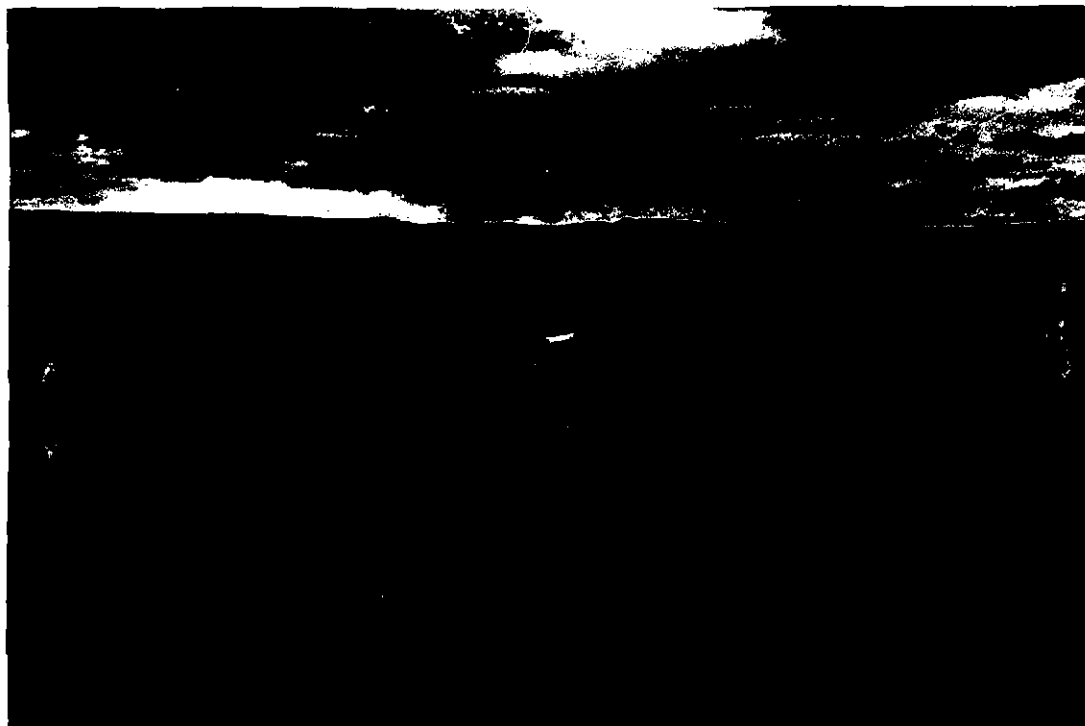
Spring
Water &
Wastewater
Collect in
drain
and fill
pond.
Pond is
8' deep
per
claimant.



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OCT 07 1992

Rathbone A57-04061 & A57-10225
11/21/1990



20 HP
pump
(Berkley
Centrifical)
used to
pump
water
from
pond.

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OCT 07 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

MAILING DATE: May 20, 1991

RESPONSE DATE: June 3, 1991

RE: NOTICE OF CLAIM NOS. A57-04061 and A57-10225

P. T. &/or Mary W. Rathbone
Rt. 1, Box 734
Marsing, ID 83639

Dear Mr. and Mrs. Rathbone:

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. All claims with an A57 prefix number are being reviewed at this time. If you have other claims with this prefix, that are not shown here, we may be contacting you again if questions should arise during their review.

Claim No. A57-04061 Waste Water

This claim was filed based on beneficial use of water dating back to July 1, 1962. On October 12, 1990, the Department sent you a letter requesting that you submit evidence supporting the priority date you have listed on the above claim. This evidence was to have been submitted by December 1, 1990. However, this evidence has not been received in our office.

Claim No. A57-10225 Spring

This claim was filed based on beneficial use of water dating back to June 5, 1919. On October 12, 1990, the Department sent you a letter requesting that you submit evidence supporting the priority date you have listed on the above claim. This evidence was to have been submitted by December 1, 1990. However, this evidence has not been received in our office.

Before the Department can make a recommendation to the Court for decree of these claims, some evidence of the priority date claimed must be submitted. Again we are enclosing a brochure outlining types of evidence you may submit. If we do not receive the requested information, these claims will be recommended for disallow due to lack of evidence supporting any priority date.

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OCT 07 1992

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

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker". The signature is written in dark ink and is positioned above the typed name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures:
Evidence of Priority Brochure

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October 19, 1990

P. T. &/or Mary Rathbone
Rt. 1, Box 734
Marsing, ID 83639

RE: Claims filed in the Snake River Basin Adjudication

Dear Claimants:

The Department of Water Resources is now conducting beneficial use and water right claim verification examinations in your area. An examination is needed to verify your water use in order to issue a water right license and/or decree.

Information on your permit or claim which may need to be verified includes source of water, type of usage, amount of water used and legal descriptions of the point of diversion and/or place of use.

In order to expedite these field examinations, due to the oncoming winter months, we request that you contact our office at (208)334-2190 within two weeks to make an appointment at a time convenient for you.

Although it is not mandatory that you accompany the field examiner, it does insure that an accurate description of your system will be made. If either yourself, or someone familiar with the system, could accompany the examiner it would be appreciated.

In some cases, the date of priority also needs to be verified. Recently, letters were sent to some claimants notifying them that evidence of the date of first use of their water right(s) was required. If you received one of these letters and have questions, we can address those during our examination.

If you have any questions or problems with the exam verification, please call within the two week period.

Sincerely,

KAY WALKER
Water Resource Agent

KW:k

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State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 12, 1990

RE: Claim No(s): A57-04061

CECIL D. ANDRUS

A57-04061

GOVERNOR

P. T. RATHBONE

R. KEITH HIGGINSON

RT. 1 BOX 734

DIRECTOR

MARSING

ID 83639

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no license, decree or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of first use, or "Priority Date", for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes the types of evidence required and explains what kind of documents will fulfill this requirement. While we encourage you to read the entire pamphlet, we would like to direct your attention to the right-hand half of this pamphlet once you open it. There you will find information concerning the evidence requirements mentioned above. The other sections describe to you why this evidence is necessary.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, cannot be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the above claim(s) have been or soon will be conducted by Department personnel.

Please submit the required evidence supporting the priority date(s) by December 1, 1990, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact a water resource agent in this office.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh

Enclosures

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OCT 07 1992