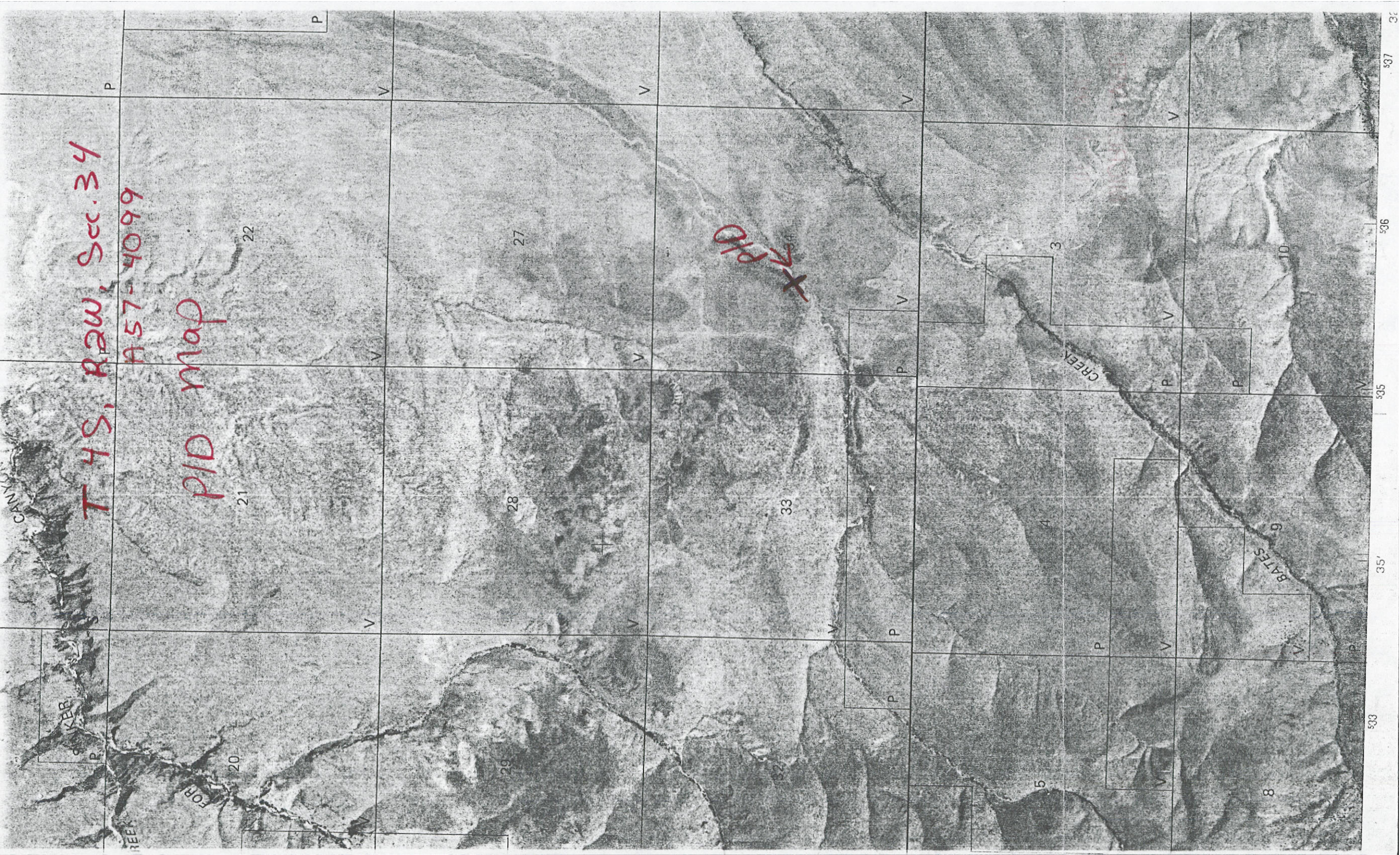


T 4S, R 2W, Sec. 34

A 57-4099

P/D map

P/D
X 2

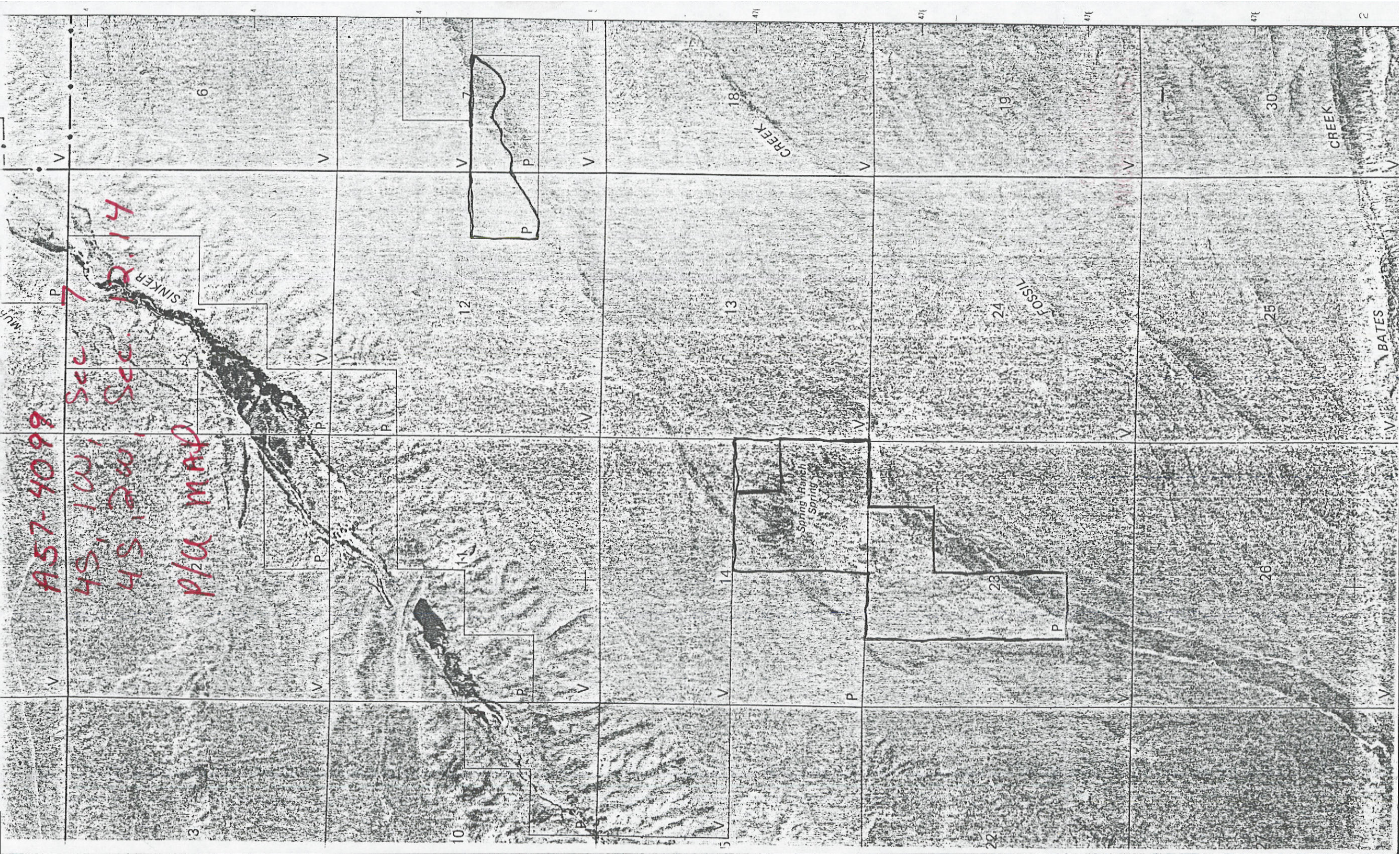


A57-4098

4S, 100,
4S, 200,

Sec 7
Sec 12, 14

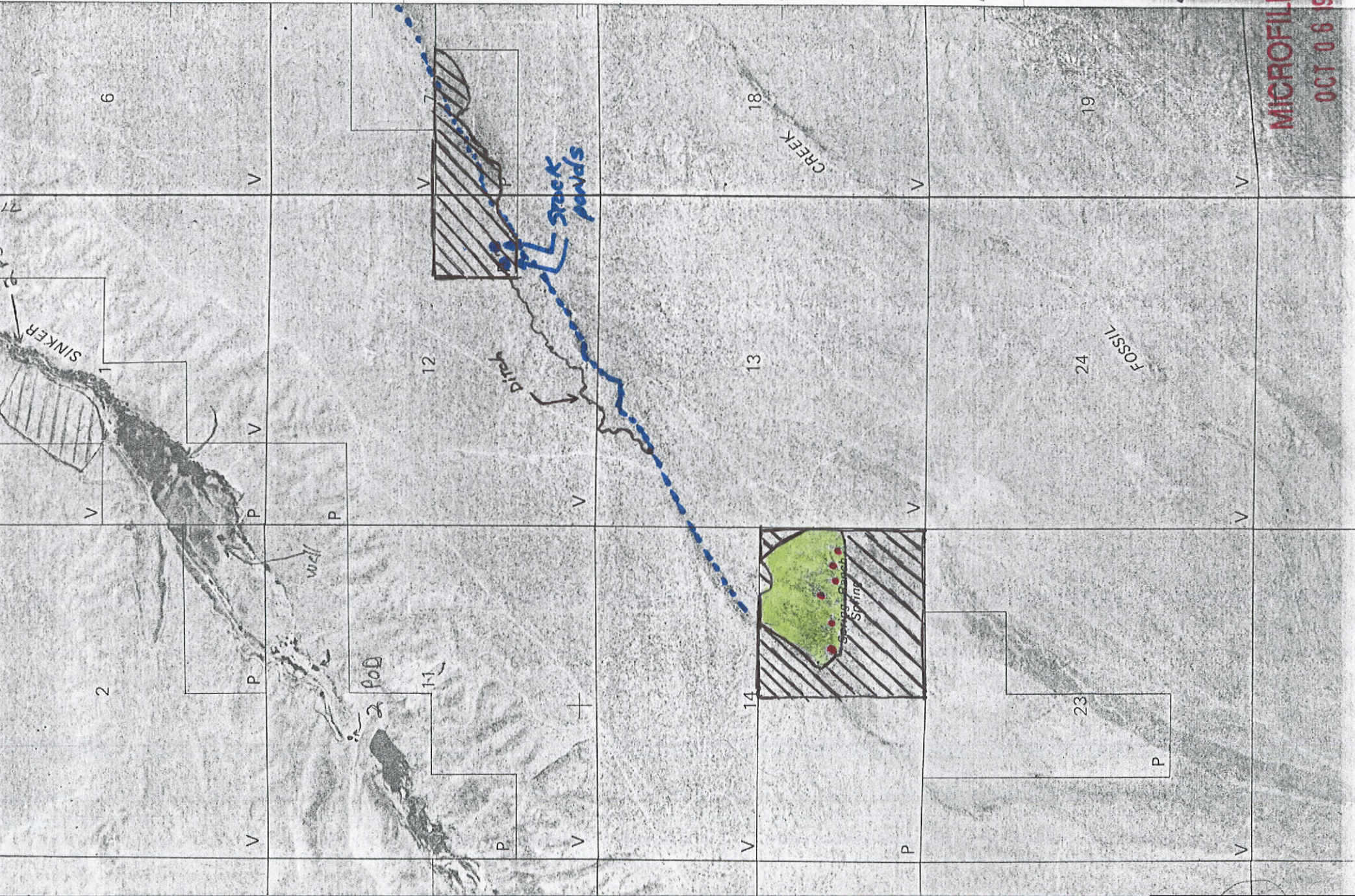
plus map



T

4772

T 4S
R 2W
Sec. 13



4771

5

4769

4768

4767

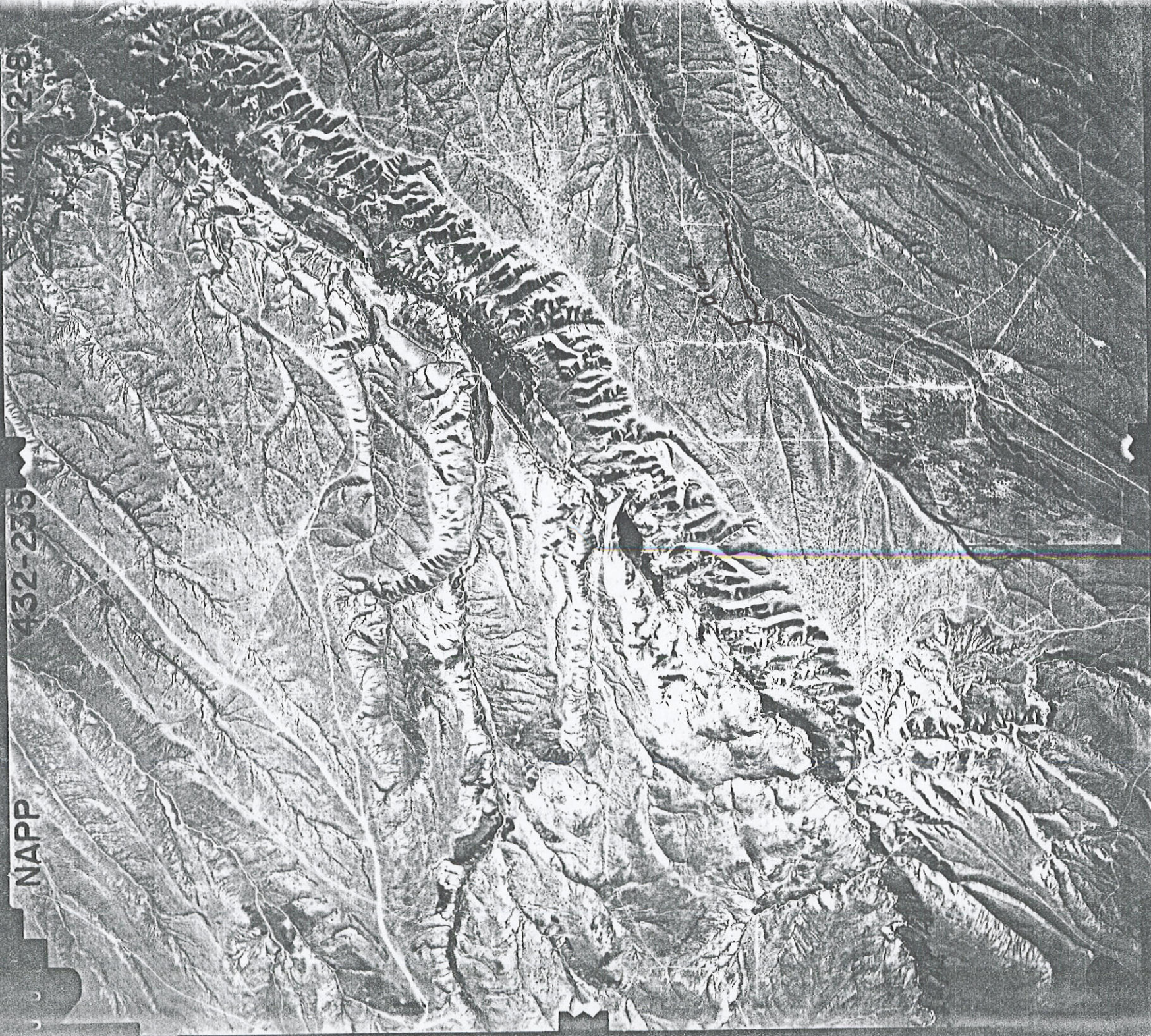
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OCT 0 6 1992

NAPP

432-235

B-2-8



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OCT 06 1992

A57-04099



Stock Ponds } ←



Both photos taken by G. Gibson on 8-21-90

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OCT 06 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: A57-04099
Date Received: 12/30/1988
Receipt No: W1834
Received By: 261

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOYCE LIVESTOCK CO. 208-834-2237
Address: C/O PAUL NETTLETON
MURPHY, ID 83650

2. Date of Priority: JUL 15, 1919

3. Source: SPRING RANCH SPRINGS Trib. to: FOSSIL CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	02W	13	NE	NW			OWYHEE
		14	NE	SE			OWYHEE

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/15	11/01	2.000		
STOCKWATER	01/01	12/31	0.090		
STOCKWATER STORAGE	01/01	12/31			0.50
STOCKWATER FROM STORAGE	01/01	12/31			0.50

7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) 0.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/400 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01W	7	NE	SW		IRR	15.0
			NW	SW		IRR	20.0
						Section Acres	35.0
	02W	12	NE	SE		IRR	25.0
						Section Acres	25.0
		14	NE	SE		IRR	40.0
						Section Acres	40.0
						Total Acres	100.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

STOCKPOND LOCATED IN NESE, S12, T4S, R2W.

15. Basis of Claim: STATUTORY CLAIM

(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.

OCT 06 1992

US POW Sec 34

957 9099

PID MAP

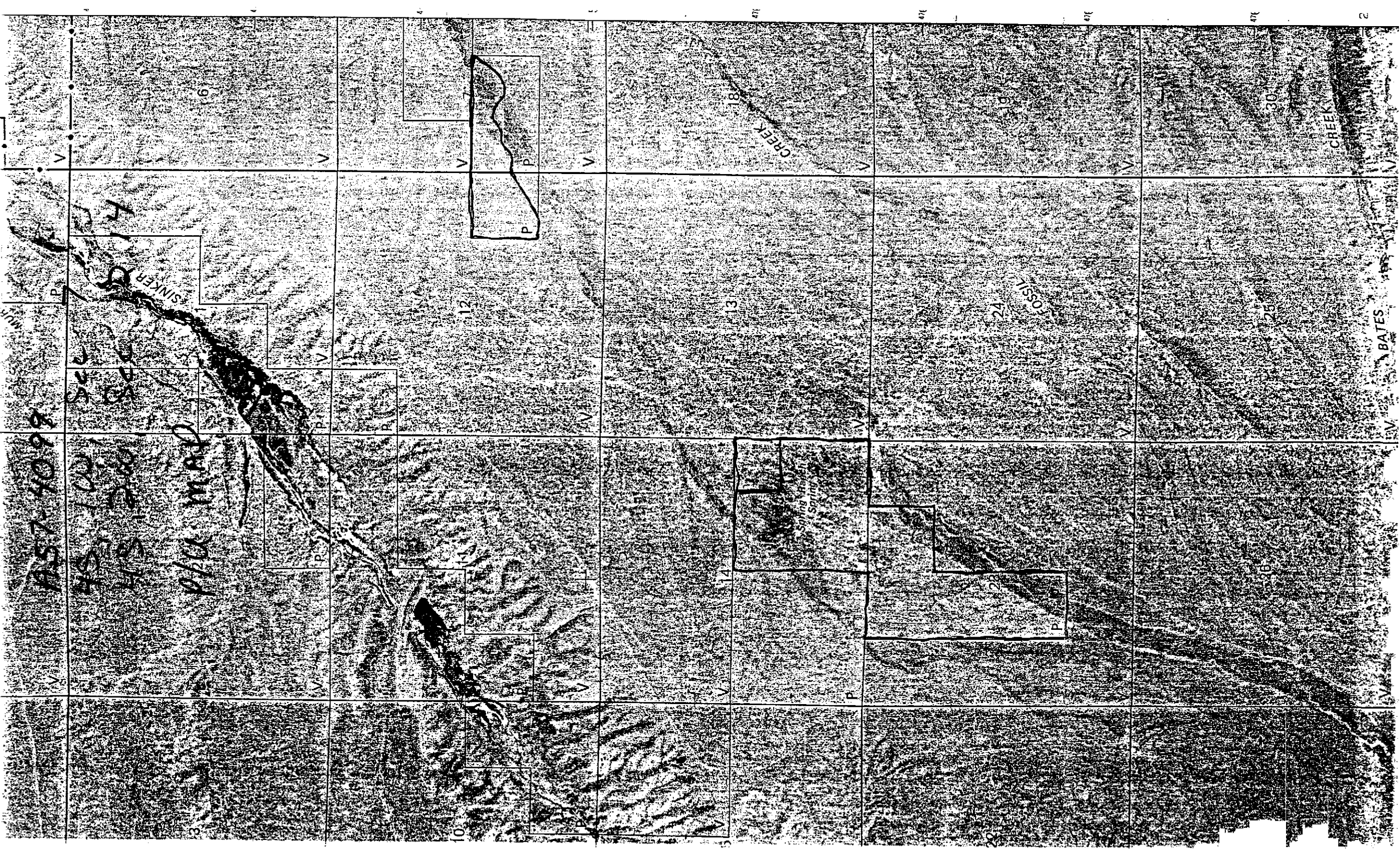


AS 7-4098

AS 1001
AS 200
AS 300

P/CA MAP

Sec 7
Sec 8
Sec 9



Water Right Number - 57-04099

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***
JOYCE LIVESTOCK CO.

1 -
2 -
3 -
City- MURPHY State- ID Zip- 83650
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/15/1919 14 S - STATUTORY CLAIM

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SPRING RANCH SPRINGS FOSSIL CREEK

Point of Diversion						Stream Index (Blank if no Index Code)
Twn	Rng	Sec	Tract	Lot	RFlg	County
04S	02W	13	NE NW			(73) OWYHEE
04S	02W	14	NE SE			(73) OWYHEE

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		01/15	11/01	2.000	
04 - STOCKWATER		01/01	12/31	0.090	
05 - STOCKWATER STORAGE		01/01	12/31		0.50
06 - STOCKWATER FROM STORAGE		01/01	12/31		0.50

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.000 0.50

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
04S	01W	7	NE SW		15.0	01	IRRIGATION	(73) OWYHEE
04S	01W	7	NW SW		20.0	01	IRRIGATION	(73) OWYHEE
04S	02W	12	NE SE		25.0	01	IRRIGATION	(73) OWYHEE
04S	02W	14	NE SE		40.0	01	IRRIGATION	(73) OWYHEE

Total Acres: 100.0

+ - - Diversion Means - DITCHES

- - Non-Irrigation Use - S/400 RANGE

- - Other Rights for Same Use -

- - - - - Remarks - - - - - +
STOCKPOND LOCATED IN NESE, S12, T4S, R2W.

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Water right number - 57-04099 Adj. flag translation: Standard Water Right Number.

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

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

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

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

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

DATE: OCT-31-1996

PAGE: A-143

RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: FOSSIL CREEK

RIGHT NUMBER: 57-04099

NAME AND ADDRESS: JOYCE LIVESTOCK CO
C/O PAUL NETTLETON
MURPHY ID 83650

SOURCE: UNNAMED STREAM TRIBUTARY: FOSSIL CREEK

QUANTITY: 0.09 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USED FOR STOCKWATER, 400 RANGE CATTLE

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

PRIORITY DATE: 07/15/1919

POINT OF DIVERSION: T04S R02W S13 SENWNW Within Owyhee County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
STOCKWATERPERIOD OF USE
01-01 12-31 ✓QUANTITY
0.09 CFSPLACE OF USE: STOCKWATER Within Owyhee County
T04S R02W S12 NESE

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 400 RANGE CATTLE ✓

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JUN 06 1997

Talked to Paul 9-22-92

OK with Springs AS CAN NOT QUANT
FLOW RATE. PAUL WANTS TO MAKE
SURE THAT THIS IS IRRIGATED
GROUND FROM THESE SPRINGS

The only ground covered under the
Springs is found in N2 SE Section 14

Per Gene Gibson

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OCT 06 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 14, 1992

PAUL NETTLETON
JOYCE LIVESTOCK CO
MURPHY ID 83650

RE: Notices of Error in the Snake River Basin Adjudication

Dear Mr. Nettleton:

This letter is in response to the remaining Notices of Error you submitted on your claims in basin 57. The following will outline our recommendations per item.

Season of Use

Claim numbers: 57-10922, 57-04008, 57-00180A, 57-00176, 57-00174, 57-10428, 57-00173, 57-00001A, 57-02293, 57-00002 and 57-10488

The season of use as recommended on the above irrigation rights is based on several factors including area, weather and climate and are delineated by boundaries which represent an area as accurately as possible. Also, the general provisions for the SRBA decree allow early or late irrigation when water is available. I have enclosed a copy of the provisions which reflect this information.

Our recommendation for a season of use date March 15 to November 15 is upheld.

Priority Date

Claim numbers: 57-10598 and 57-10486

Both claims were filed on lands that are included in previous decrees. These decrees are on Catherine creek and Sinker creek. In order to establish the priority dates you have claimed, evidence must be submitted showing that the owner of the water right at the time of the decree was not joined as a party in that case, or that the water right was not required to be claimed in the prior adjudication because it had not been completed prior to the cut-off date for claims in that adjudication.

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OCT 06 1992

Stockwater

Claim number: 57-10598

The number of head of stockwater has been changed to reflect usage for 950 cattle and 50 horses.

Land Description

Claim number: 57-10587

I have changed the record to show the added fork of Diamond creek so it also reflects water usage for instream stock. Enclosed is a copy for your records.

Conveyance Loss

Claim number: 57-10922

The recommended conveyance loss of 7.5 cfs is based on the information you submitted to this office. The variables calculated are dependent on type of conveyance and consist of factors such as soil type, length, width of canal and loss rate. I am enclosing a copy of the conveyance loss worksheet for your review. If the information was submitted in error, please resubmit this copy with corrections. We will review the information.

Claim number: 57-10487

This is the claim for stockwater usage out of the canal which you amended to 2.25 cfs of which 2.0 cfs is for conveyance loss. I am prepared to recommend this claim for the additional 2.0 cfs; however, before doing so I will need an additional fee of \$200.00. This is a variable fee, not based on irrigation, which is calculated at \$100.00 per cfs. Upon receipt of the fee I can recommend the additional flow with a standard remark which will read as follows: 2.00 cfs of this right is limited to use for conveyance losses in delivery of this right during such time when water is not being delivered for irrigation uses. This will assure that when the watermaster delivers water he doesn't deliver the 7.5 cfs for conveyance losses necessary for irrigation on top of another 2.0 cfs for the stockwater usage.

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Acreage

Claim numbers: 57-10922, 57-00180A, 57-00176, 57-00174,
57-10428, 57-00173, 57-10488, 57-00001A, 57-02293 and 57-00002

I have recalculated the areas in sections 16, 19 and 30 where there was thought to be more acres. I used two different maps, the 1974 and 1979 ortho-photo quads and the 1987 Napp. The method of calculation was the dot grid method. I found a difference of 5 acres in those areas. Based on this information along with other factors such as roads and drainages, I do not find that a difference of 5 acres out of a total of 830 acres warrants changing our original recommendation of 830 acres.

Disallowed Irrigation

Claim number: 57-04099

I had a conversation with the field examiner of this right, Gene Gibson. He ascertains that there is a natural drain which conveys the spring water from its source and a ditch which picks up the water and takes it to the stock ponds. He stated that because of the topography of the land in the portions of section 12, T4S, R2W and section 7, T4S, R1W, the land can not be irrigated. As far as the land irrigated in the N1/2, SE1/4, section 14, T4S, R2W; this land is recommended under number 57-04008 from Fossil creek. The recommendation for stockwater usage only from 57-04099 remains.

The Directors Report is scheduled for October 1, 1992. Please submit your response to my attention by September 25, 1992.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures: Conveyance loss form
Excerpt from preliminary report, pp. 17 & 18
Map of season of use
Adjudication fee schedule
Notice of error response memo to 57-10487

JUL-20-1992

NOTICE OF ERROR FORM

Please type or print clearly, fill out completely, and return to:

**Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000**

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: AUG-20-1992

1. Water right number: 57-04099

RECEIVED

AUG 18 1992

2. Name: JOYCE LIVESTOCK CO. Department of Water Resources

Address: Address: Western Regional Office

MURPHY, IDA.

Weekday Telephone Number: 834-2237

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TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

DELETION OF IRRIGATION

4. Describe the changes you wish to have made in the proposed recommendation:

ADD IN IRRIGATION

5. Describe why you disagree with the proposed recommendation:

THERE IS A DITCH + DIVERSION FROM SPRING FOR
IRRIGATION

6. Date:

8/18/92

SIGNATURE

Paul Nettleton for Joyce Livestock Co.

AJ5809NP
No. R57-04099

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/19/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOYCE LIVESTOCK CO C/O PAUL NETTLETON MURPHY ID 83650 (208) 834-2237	07/15/1919	STOCKWATER	01-01 12-31	0.09 CFS	
TOTAL DIVERSION:					0.09 CFS	

Water Source: UNNAMED STREAM

Tributary to: FOSSIL CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T04S R02W S13

SENWNW

OWYHEE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
04S	02W	12	:																	:
			:																	:

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 400 RANGE CATTLE

Other Rights: NONE

Dates: Exam Made Date: 08/21/1990 Verified Date:

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

Comments: Date: 11/08/1991 User-ID: WERNER Subject: COPIED FROM REMARKS
STOCKPOND LOCATED IN NESE, S12, T4S, R2W.

Date: 07/14/1992 User-ID: WHITE Subject: DATA ENTRY
CHANGE MADE TO BASIS OF CLAIM, PER LKH.

Audit: 11/08/91 WERNER 02/24/92 HARRIS 07/14/92 WHITE

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CONVERSATION MEMORANDUM

DATE 9-14-92FILE 57-4099NAME OF PARTY Aime GibsonEMPLOYEE Linda Warner

RE: _____

On 8-9-10-92 I talked w/ Aime Gibson, the field examiner of the above claim.

He stated that the water from the springs which is the source of the unim. stream, flows through natural runoff where it is picked up by a ditch which takes water to the stock ponds. He said that at the point where the stock ponds are, because of the topography you couldn't get water on the land unless it was pumped.

As far as the irr. land around the springs is concerned - there is no way to quantify the amount

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ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-04099

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*		G. Gibson	—				
PT. OF DIV.		8-21-90	5				DATA ENTRY COMPLETED BY <u>LKW</u> DATE
SOURCE			5				
PL. OF USE			5				FINAL RECOMMENDATION
DIV. AMOUNT CFS/AF			X	Y			BY DATE
CONSUMPTIVE USE			—				
NATURE OF USE			5	Y			
PERIOD OF USE			5				
BASIS OF CLAIM			—				
REMARKS							

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

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

VERIFICATION CODES

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

COMMENTS:

*Recommended for
microfilm usage only*

OCT 05 1992

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:51:31
06/15/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-04099

LAST: JOYCE LIVESTOCK CO.
ADDRESS: C/O PAUL NETTLETON
CITY: MURPHY
PHONE NUMBER: 208-834-2237

FIRST:
STATE: ID ZIP: 83650

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: STOCKPOND LOCATED IN NESE, S12, T4S, R2W.

FIELD EXAMINATION INFORMATION

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:

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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 11-8-91 (initial & date)
Claim Verification Report completed LRW 11-8-91 (initial & date)
Was CVR spot-checked by Supervisor? Yes No (initial & date)
R claim file created LRW 11-8-91 (initial & date)
Recommendations entered on R claim file (initial & date)

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A. AJ CLAIM: # A57-04099 PRIORITY DATE: 07-15-1919 STAGE: S
B. WR RECORD: # 57-04099 PRIORITY DATE: 07-15-1919 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

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

REMARKS:

Proof of priority required?

=====

RECOMMENDED PRIORITY DATE:

07-15-1919

REVIEWED BY

J Linda Werner

DATE

11-7-91

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-04099	04S	02W	13		NE	NW		OWYHEE
A57-04099	04S	02W	14		NE	SE		OWYHEE

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

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SPRING RANCH SPRINGS

TRIB: FOSSIL CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-04099	04S	02W	13		NE	NW		OWYHEE
57-04099	04S	02W	14		NE	SE		OWYHEE

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A57-10481 NONE

SOURCE: SPRING RANCH SPRINGS

TRIB: FOSSIL CREEK

C. FIELD EXAM REQUIRED?

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

REMARKS:

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

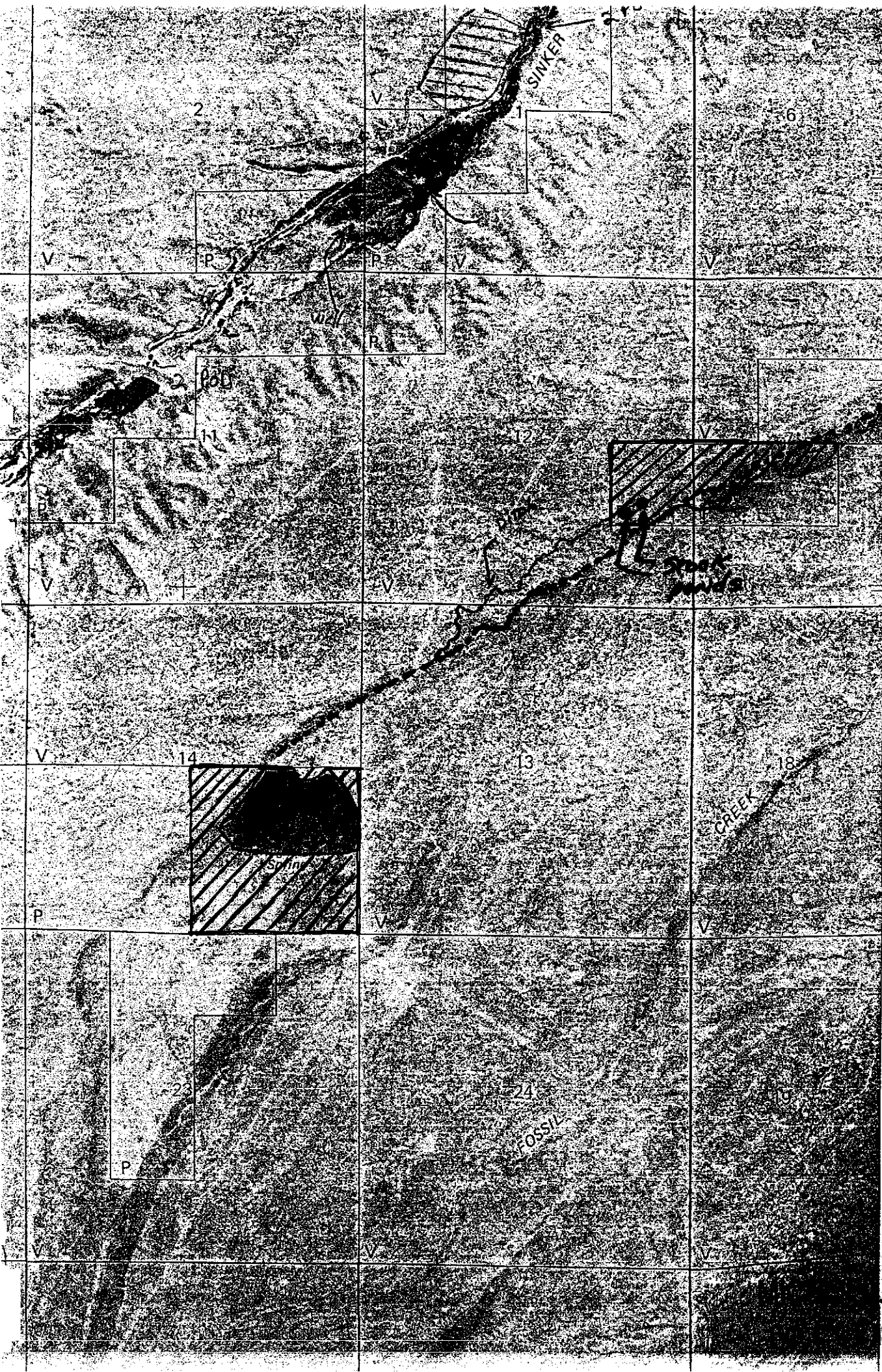
TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>4S</u>	<u>2W</u>	<u>13</u>	<u>SE</u>	<u>NW</u>	<u>NW</u>	<u>---</u>	<u>73</u>

SOURCE: ~~SPRING RANCH SPRINGS~~ ^{unn. Stream} TRIB: FOSSIL CREEK

REVIEWED BY: Linda Warner DATE: 11-7-91

Changed the source to unn. stream. The springs originate in T43, R2W Sec. 14, NWSE & NESE & drain through a natural drain to the ditch diversion shown above.

MICROFILMED
OCT 06 1992



4772

T. 4S
R2W
Sec. 13

4771

5'

4769

4768

4767

NAPP

OCT 06 1992

A. ROOT WATER RIGHT NUMBERS: A57-04099

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	01W	7	NE	SW		JOYCE LIVESTOCK CO.	A57-04099 /15.0	57-04099 /15.0			
04S	01W	7	NW	SW		JOYCE LIVESTOCK CO.	A57-04099 /20.0	57-04099 /20.0			
04S	02W	12	NE	SE		JOYCE LIVESTOCK CO.	A57-04099 /25.0	57-04099 /25.0			
04S	02W	14	NE	SE		JOYCE LIVESTOCK CO.	A57-04099 /40.0	57-04099 /40.0			
						JOYCE LIVESTOCK CO.	A57-04008 /40.0	57-04008 /40.0			
						JOYCE LIVESTOCK CO.	A57-10481 /	- /			
TOTAL ACRES							A57-04099	100.00		100.00	

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

Some portion of this claim is not recommended. The land claimed as P.O.U. is irrigated by the springs which is actually sub water. There is no way to determine the flow & there is no manmade diversion from the springs. The water from these springs drains into the natural drainage shown on the map & is stored in 2 stock ponds; location same as P.O.U.

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

Linda Warner

DATE:

11-7-91

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	FROM	TO	DIVERSION QUANTITY
A57-04099 IRRIGATION	01-15	TO	11-01	2.000 CFS
A57-04099 STOCKWATER	01-01	TO	12-31	.090 CFS
A57-04099 STOCKWATER STORAGE	01-01	TO	12-31	.50 AF/A
A57-04099 STOCKWATER FROM STORAGE	01-01	TO	12-31	.50 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED				2.000 CFS .50 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	FROM	TO	DIVERSION QUANTITY
57-04099 IRRIGATION	01-15	TO	11-01	2.000 CFS
57-04099 STOCKWATER	01-01	TO	12-31	.090 CFS
57-04099 STOCKWATER STORAGE	01-01	TO	12-31	.090 CFS .50 AF/A
57-04099 STOCKWATER FROM STORAGE	01-01	TO	12-31	.090 CFS .50 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED				2.000 CFS .50 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X)[?] N() Explain in remarks, below.

REMARKS:

N/A
Note the period of time not per standard.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(X) N()

AJ TOTAL CLAIMED DIVERSION RATE: 2.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 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)

DATABASE EXAMINER
Y

FIELD
EXAMINER

*Due to status
Do theoretical first*

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM:

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-04099	SPRING RANCH SPRINGS	JOYCE LIVESTOCK CO.	2.000	0.020	0.50	
A57-04008	FOSSIL CREEK	JOYCE LIVESTOCK CO.	6.400	0.020	40.00	0.12

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A57-04099	STOCKWATER	JOYCE LIVESTOCK CO.	FROM 01-01 TO 12-31	.090 CFS	
A57-04099	STOCKWATER STORAGE	JOYCE LIVESTOCK CO.	FROM 01-01 TO 12-31		
A57-04099	STOCKWATER FROM STORAGE	JOYCE LIVESTOCK CO.	FROM 01-01 TO 12-31		
A57-10481	STOCKWATER	JOYCE LIVESTOCK CO.	FROM 01-01 TO 12-31	.120 CFS	

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 100 x 0.02 CFS/ACRE = 2.00 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 100 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 350 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 0.50 AF/A

ACRES 100 x DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 350 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

1b. CALCULATIONS

Stock Ponds

2 ponds - each measure
39' W x 30' L x 2' deep x .2 =
0.02 AF

Total volume - both ponds =
0.04 AF.

Flow for 400 hd cattle: 0.09 cfs
0.09 cfs x 1.9835 AF/d = 0.18 AF/d
which is more than the ~~0.2~~
storage capacity, therefore no
storage.

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

This claim, when combined w/ all other WR, shall consumptively use no
more than 2.5 AF/A

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
~~IRRIGATION~~	~~01-15 11-01~~	~~2.000~~		0.0
STOCKWATER	01-01 12-31	0.090	0.09	
~~STOCKWATER STORAGE~~	~~01-01 12-31~~		0.50	
~~STOCKWATER FROM STORAGE~~	~~01-01 12-31~~		0.50	
TOTAL FOR THIS RIGHT		2.000 0.09	0.50	

REVIEWED BY:

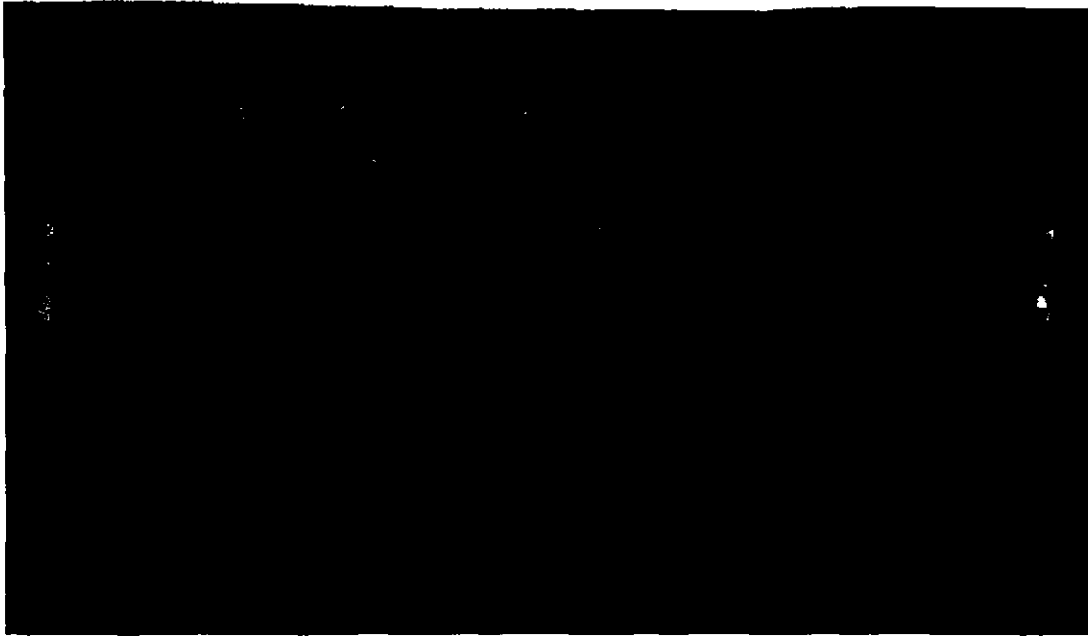
Linda Werner

DATE:

11-7-91

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A57-04099



Stock Ponds }
↓



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Both photos taken by G. Gibson on 8-21-90

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-04099

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 2.000	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-04099	2.000	-		57-04099	2.000
	TOTAL CFS	2.000				2.000

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: Linda C. Danner

DATE: 11-7-91

NAME OF FIELD EXAMINER: Gene Gibson

TITLE: Sr. WR Agent

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AFFIDAVIT FOR CLAIM NO. A57-04099

TO WHOM IT MAY CONCERN:

I SUBMIT THIS AS PROOF OF PRIORITY TO THE CLAIM TO WATERS OF SPRING RANCH CREEK TRIBUTARY TO FOSSIL CREEK OF OWYHEE COUNTY. PRIORITY DATE HAS BEEN RECORDED AS 1919. THESE COPIES OF LAND PATENTS GIVE PATENT DATES AS OF 1928 BUT AS THE LETTER INDICATES THE LAND FILING AND ATTEMPTS TO DIVERT WATER BEGAN IN 1919 OR BEFORE. THE BATES CREEK ATTEMPT PROVED UNSUCCESSFUL, BUT THE FOSSIL CREEK AND SPRING RANCH CREEK DIVERSIONS WERE THE BASIS FOR PROOF OF DESERT LAND ENTRY REQUIREMENTS AS EVIDENCED BY THE PATENT ISSUED.

Joyce Livestock Co.

by: Paul Nettleton

/S/ PAUL NETTLETON
GRANDSON OF VILLO F. NETTLETON
GENERAL PARTNER OF JOYCE
LIVESTOCK COMPANY

STATE OF IDAHO, COUNTY OF OWYHEE, ss.

On this 28 day of AUGUST, in the year
of 1991, before me, the undersigned, a Notary Public
personally appeared

PAUL NETTLETON

known or identified to me, to be one of the partners in the
in the partnership of JOYCE LIVESTOCK COMPANY
and the partner or one of the partners who subscribed said
partnership name to the foregoing instrument, and
acknowledged to me that he executed the same in said
partnership name.

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

Lolores J. H.

Notary Public
Residing at Murphy, ID
Comm. Expires 6/9/93

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CONVERSATION MEMORANDUM

DATE 8-7-91FILE A57-4099, 10485
10486, 10487, 10488

NAME OF PARTY

Paul Nettleton

EMPLOYEE

Linda Werner

RE:

Proof of priority

This proof was due on 6-6-91. He called
to state he was working on them & would
have it in by the end of August (91).

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OCT 06 1992

Paul Nettleton
Joyce Livestock Co.
Murphy, ID 83650

MAILING DATE: May 30, 1991
RESPONSE DATE: June 6, 1991

RE: NOTICE OF CLAIM NO[S]: A57-04099, A57-10485, A57-10486,
A57-10487 and A57-10488

Dear Mr. Nettleton:

We are currently in the process of preparing the above referenced Notice(s) 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. Also, if you filed other claims with yet a different prefix for the claim number, such as A02, A51 or A55, please be advised that these claims will be reviewed at a later date. The above claims require the information or changes listed: Proof of Priority

These claims were filed based on beneficial use of water dating back to the late 1800's. On October 12, 1990, the Department sent you a letter requesting that you submit evidence supporting the priority date you have listed on the claims. 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 this claim, 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 disallowal due to lack of evidence supporting any priority date.

Thank you for your cooperation. If you have any questions be sure and contact me.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure

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OCT 06 1992

45 50 12



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): A57-04099, A57- CECIL D. ANDRUS

A57-04099
JOYCE LIVESTOCK CO.,
C/O PAUL NETTLETON

10485, A57-10486 GOVERNOR
A57-10487 R. KEITH HIGGINSON
DIRECTOR

MURPHY ID 83650

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
Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

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OCT 06 1992