

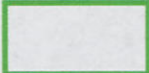
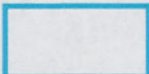
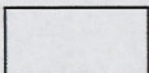
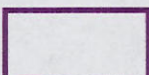
Idaho Department of Water Resources

Claim Number: 57-07010B

Legal: T07S, R02E, S12

Reviewed By:

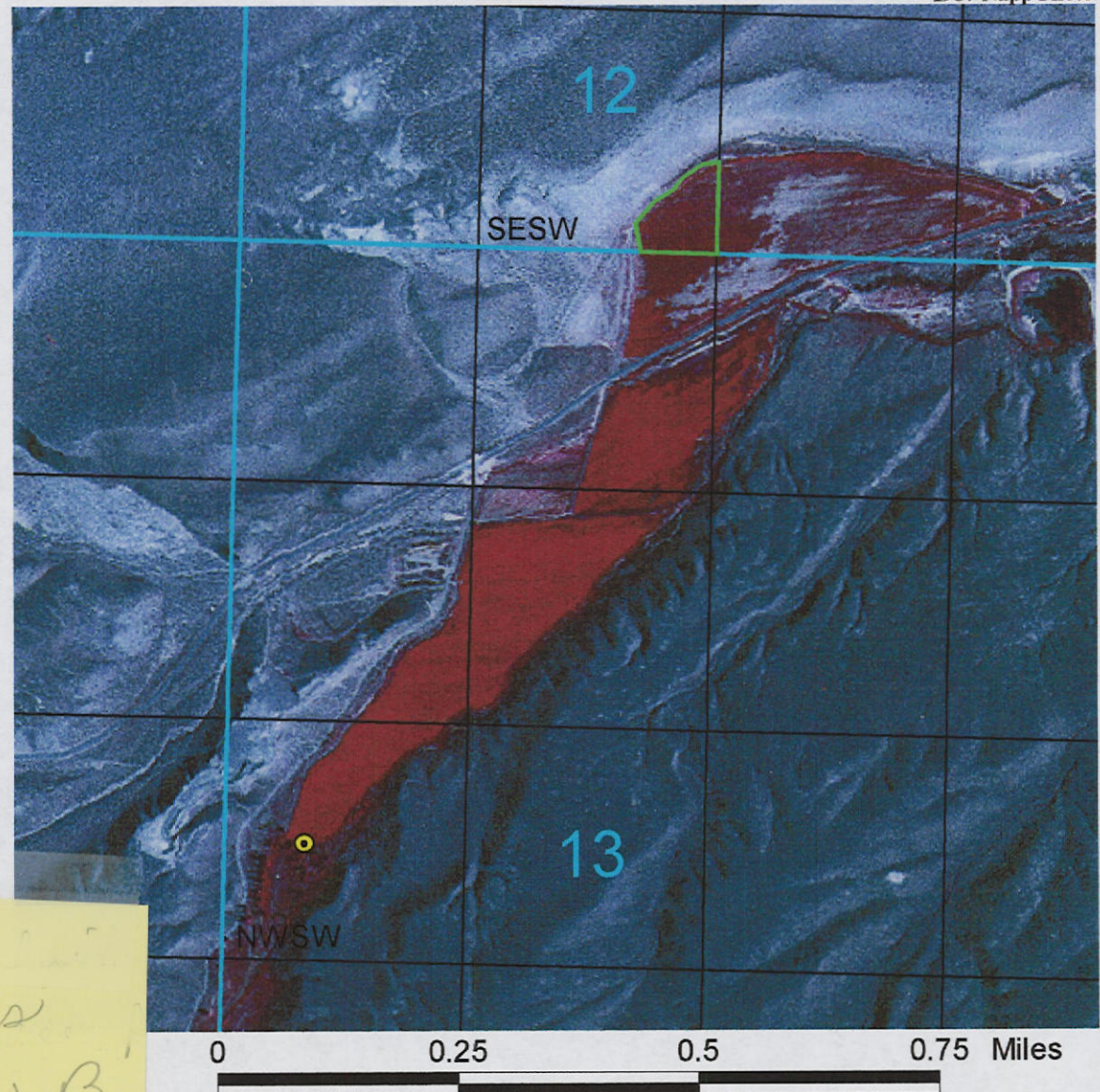
1987 Napp Photo

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



04/03

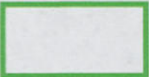
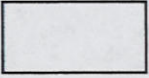
*Files
A & B*

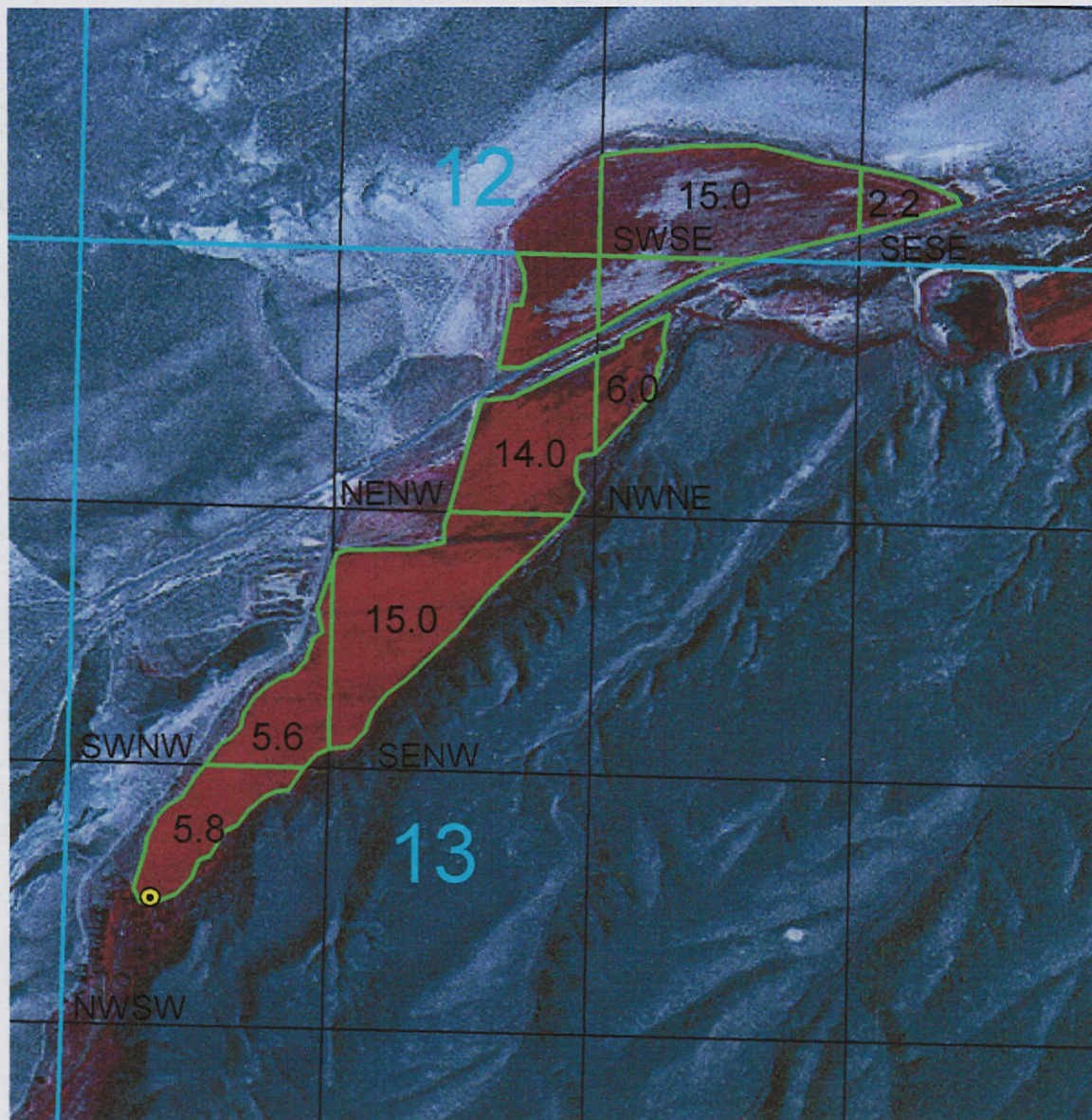


Idaho Department of Water Resources

1987 Napp Photo

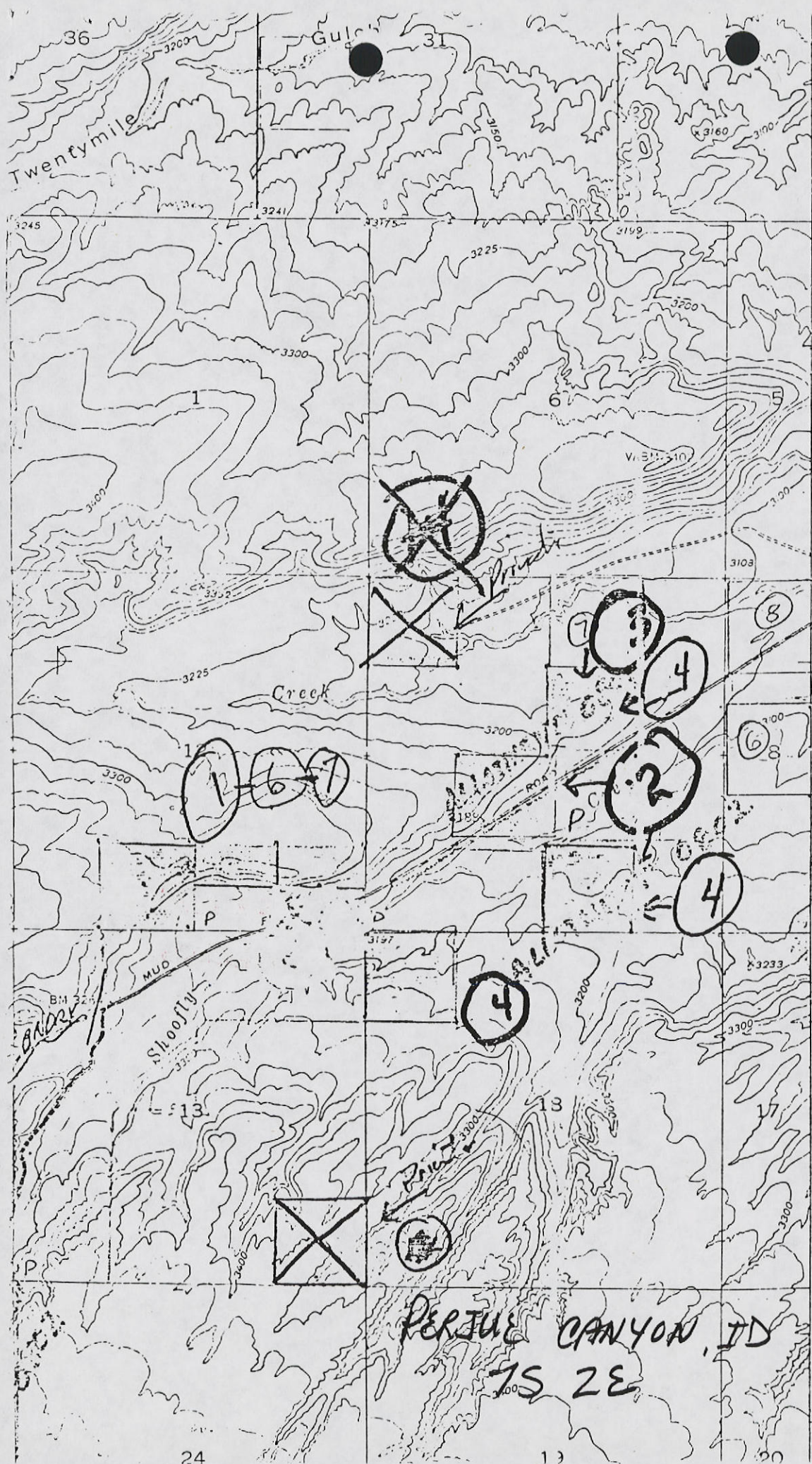
Claim Number: 57-07010A
Legal: T07S, R02E, S12, 13
Reviewed By:

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



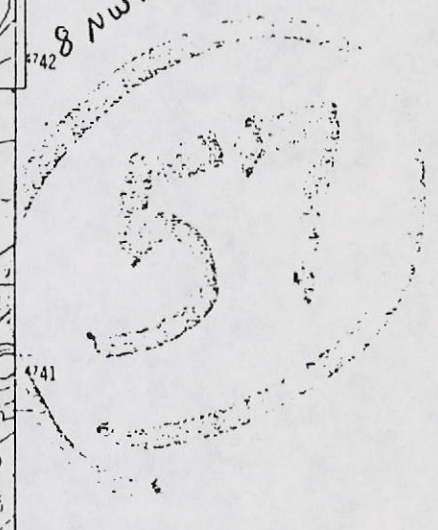
0 0.25 0.5 0.75 Miles

04/03



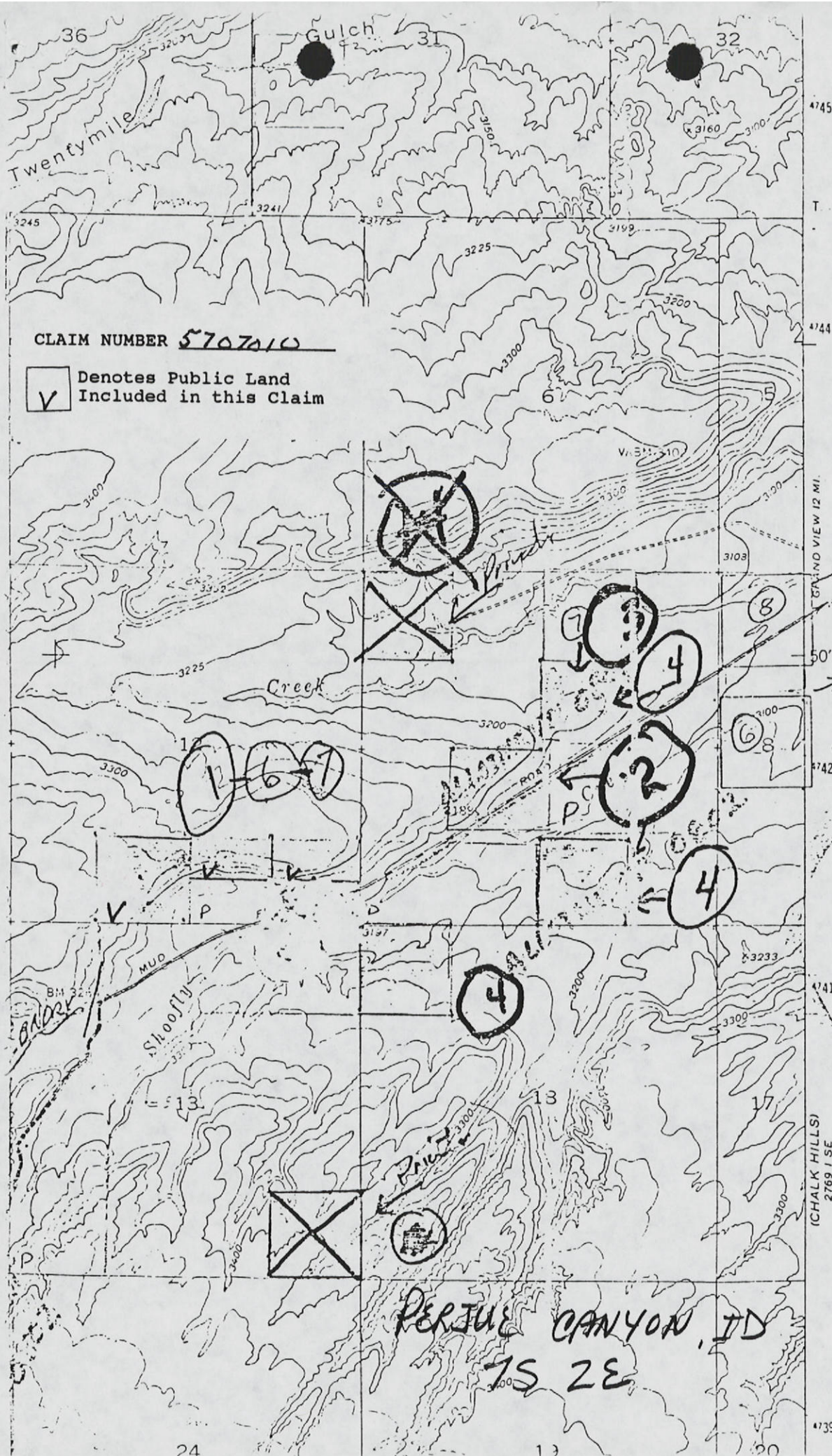
- 1. 57-01010
- 2. 57-07333
- 3. 57-07184
- 4. 57-07331
- 5. 57-07332
- ~~6. 57-01221~~
- 6. 57-01222
- 7. 57-07010

5 SWSE
8 NW NE



MICROFILMED
MAR 02 1998

PERJUE CANYON, ID
75 2E



1. 57-07010
2. 57-07333
3. 57-07184
4. 57-07331
5. 57-07332
- ~~6. 57-07331~~
6. 57-01222
7. 57-07016

5 SWSE
8 NW NE

(CHALK HILLS)
2769 J SE

MICROFILMED
MAR 02 1998

RECEIVED
OCT 24 1996
Department of Water Resources
Adjudication Bureau

Murphy

11:00 AM
1:30 PM
10/22/96

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

In Re SRBA

) SETTLEMENT CONFERENCE REPORT

Case No. 39576

) Subcase No.: 57-01220, 01222, 02108
) 07010
) obj.

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

A. Attendance

The following individuals and person were present at the Settlement Conference held on _____, 1996, before Settlement Moderator, Terrence A. Dolan:

Claimant(s): PAUL & MATTIE BLACK Attorney: Pro se

Objector(s): BLM

Attorney: FRITZ HOLKMAN (Fred Price & Dan Jossie)

Also Present: IDWR

Attorney: Krogh/Howard/King/Spencer

Andrew Helwig (Roxanne McCarthy)

B. Standard Form 5

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

(30 days maximum)

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

MICROFILMED
MAR 02 1998

RECEIVED

APR 10 1997

Department of Water Resources

1997 APR -9 AM 11:25

COURT-SEAL
TWIN FALLS CO. IDAHO
FILED DL

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

) Subcases: **57-07010**, 57-07010A, 57-
) 07010B, 57-07333, 57-07333A, 57-
) 07333B, 57-07331, 57-07331A, 57-
) 07331B, 57-07184, 57-07184A, AND 57-
) 07184B

) NOTICE OF ISSUANCE OF
) PRELIMINARY SPECIAL MASTER'S
) REPORT AND RECOMMENDATION

On April 9, 1997, Special Master FRITZ X. HAEMMERLE lodged a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative Order 1 section 9 (f).

These documents are served only on parties to the subcase. They are not served on the Presiding Judge. Parties to this subcase may file a Motion to Alter or Amend with the Sepcial Master

Deputy Clerk

MICROFILMED

APR 02 1998

MICROFILMED
JUL 20 1984

☒ Denotes Public Land
Included in this Claim

PERIUE CANYON, ID
75 2E

SOURCE DIVERSION AT

Creek 5.13 SWNWSW to cement ditch

well 5.13 W 1/2 SWNW " " "

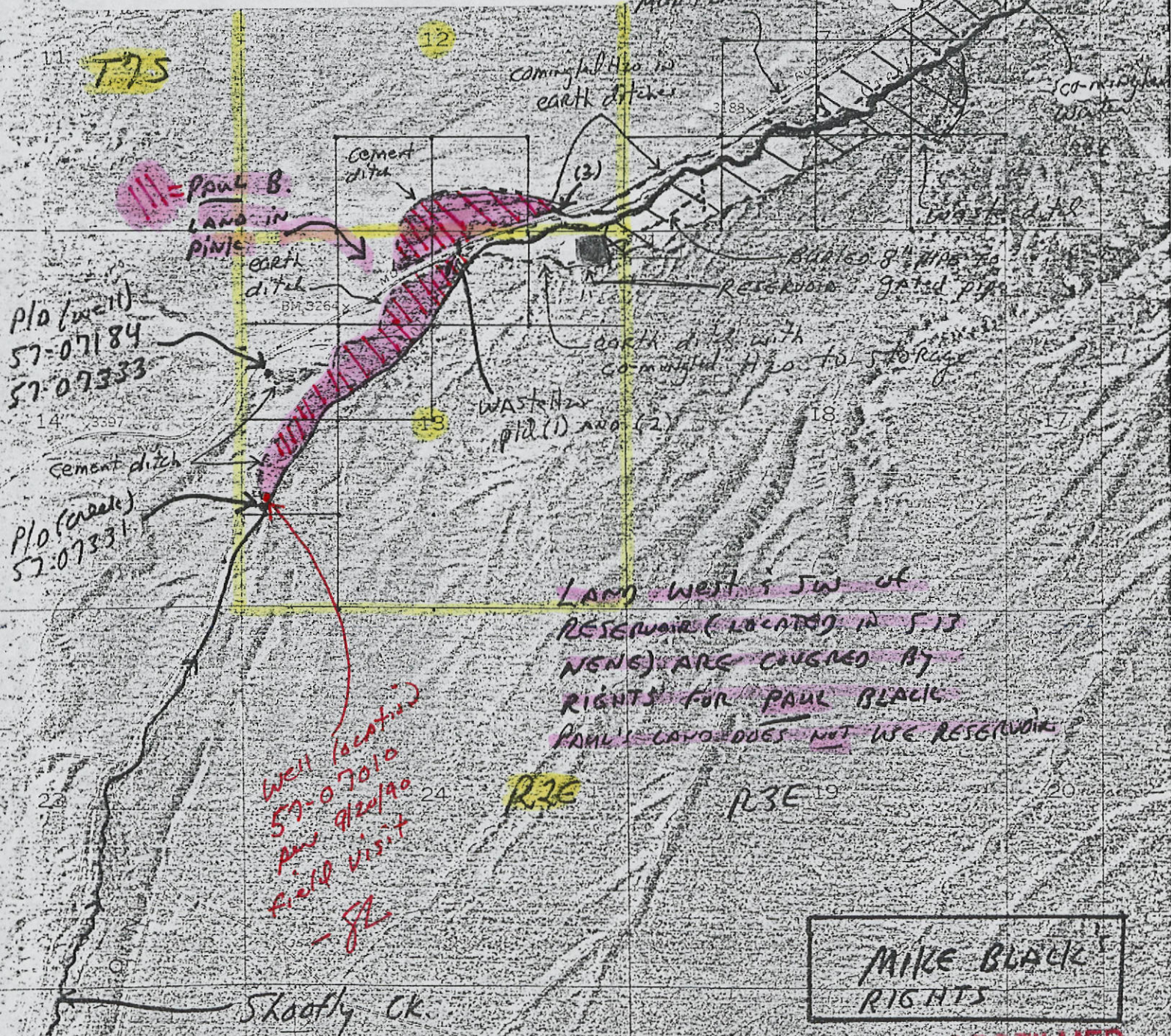
waste H₂O 3 pts: 1 & 2 in 5.13 NWNWNE,
3 " 5.12 SWSESE.

are points where waste ditches deliver
H₂O to common ditch & join with
Creek & well H₂O.

NOTE: commingled H₂O in Reservoir in 5.13 NENE
irrigates land south of creek.
commingled H₂O can also collect in pond in
5.7 SENE. pond is $\approx 300' \times 60' \times 6' = 2.5$
A-F

sprinklers - N. of road
gravity - S. of road

MIKE B.
P/O



57-7010

REPORT OF WELL DRILLER

State of Idaho

RECEIVED
JUL 19 1967

State law requires that this report shall be filed with the State Department of Conservation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name Paul BlackAddress Grand View, IdaOwner's Permit No. 637123NATURE OF WORK (check): Replacement well ☐New well ☒ Deepened ☐ Abandoned ☐Water is to be used for: irrigationMETHOD OF CONSTRUCTION: Rotary ☐ Cable ☒Dug ☐ Other ☐ (explain)CASING SCHEDULE: Threaded ☐ Welded ☒12 1/2 "Diam. from 0 ft. to 50 ft."Diam. from 0 ft. to 50 ft."Diam. from 0 ft. to 50 ft."Diam. from 0 ft. to 50 ft.Thickness of casing: 220 Material:Steel ☒ concrete ☐ wood ☐ other ☐

(explain)
PERFORATED? Yes ☒ No ☐ Type of
perforator used: machine perforator

Size of perforations: 3 " by 3/8 "perforations from 0 ft. to 50 ft.perforations from 0 ft. to 50 ft.perforations from 0 ft. to 50 ft.perforations from 0 ft. to 50 ft.WAS SCREEN INSTALLED? Yes ☐ No ☒

Manufacturer's name _____ Model No. _____

Type _____ Slot size _____ Set from _____ ft. to _____ ft.

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

CONSTRUCTION: Well gravel packed? Yes ☐No ☒ size of gravel _____ Gravel

placed from _____ ft. to _____ ft. Surface seal

provided? Yes ☐ No ☒ To what depth?

ft. Material used in seal: _____

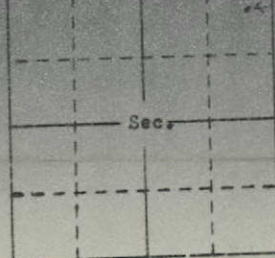
Did any strata contain unusable water? Yes ☐No ☒ Type of water: _____

Depth of strata _____ ft. Method of sealing

strata off: _____

Surface casing used? Yes ☒ No ☐Cemented in place? Yes ☒ No ☐

Locate well in section



LOCATION OF WELL: County _____

NE NE NE Sec. 13 T. 7 S. 2 E. 4

Use other side for additional remarks

NW SW 13 75 2E

Size of drilled hole: 12 " Total
depth of well: 535 Standing water
level below ground: 74 Temp.
Fahr. 68 Test delivery: 800 gpm
or _____ cfs Pump? ☒ Bail ☐

Size of pump and motor used to make test:

671 CM Diesel 10" bore 8" strokeLength of time of test: 2 Hrs. 15 Min.Drawdown: 24 ft. Artesian pressure: ft.

above land surface Give flow _____ cfs

or _____ gpm. Shutoff pressure: _____

Controlled by: Valve ☐ Cap ☐ Plug ☐No control ☐ Does well leak around casing?Yes ☐ No ☒

DEPTH MATERIAL WATER

FROM TO YES OR NO

FEET FEET

0 5 top soil yes5 27 gravel coarse yes27 40 gravel smaller yes40 50 fine gravel and sand yes50 80 sandstone - soft - brown yes80 120 clay - yellow - sandy yes120 145 sandstone - soft - brown yes145 160 clay - yellow yes160 220 clay - yellow yes220 275 sand - hard - black yes275 290 clay - yellow - sandy yes290 330 clay - brown - sandy yes330 530 clay - brown - sandy yes530 535 contact - hard - sand yes

USGS

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: A57-07010

Date Received: 11/17/1988

Receipt No: 0003946

Received By: 12/15/88

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MATTIE L. BLACK

Address: P.O. BOX 273
GRANDVIEW, ID

83624

AND/OR

Name: PAUL BLACK

Address: P.O. BOX 273
GRANDVIEW, ID

83624

2. Date of Priority: FEB 06, 1968

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	02E	13	NW	SW			OWYHEE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/31	2.030		560.00

7. Total Quantity Appropriated is:

2.030 C.F.S. (and/or) 560.00 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A57-07010

Page 1

Date: 11/17/88

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OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	02E	12	SW		SE		IRR	20.0
			SE		SE		IRR	4.0
							Section Acres	24.0
	03E	7	SE		NE		IRR	15.0
			SW		SW	4	IRR	25.0
			SE		SW		IRR	20.0
			NE		SE		IRR	3.0
			NW		SE		IRR	25.0
							Section Acres	88.0
							Total Acres	112.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

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

Signature of Claimant(s): Paul J Black Date: 12-15-88
Mattie L Black Date: 12-15-88

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of December 19 88

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994

Idaho Department of Water Resources

Claim Number: 57-07010B

Legal: T07S, R02E, S12

Reviewed By:

1987 Napp Photo



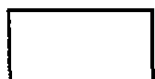
Point of Diversion



Place of Use



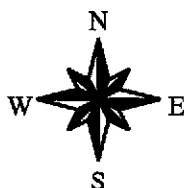
Section Lines



Quarter Quarter Lines



Township/Range Lines



*Files
A + B'*

0 0.25 0.5 0.75 Miles

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-07010B

Date: 3-11-03

	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	7S	2E	12												2					2
GIS															3.8					3.8
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 2

Overlapping FOU Claim #'s:

Total GIS Acres: 3.8

COMMENTS:

Per claim map.

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)
_____)

1997 JUL 8 AM 11:46
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
Water Right 57-070108
FILED _____

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
9.0 AFY

USE OF THIS RIGHT WITH RIGHT 57-01222B IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.04 CFS.

PRIORITY DATE: 02/06/1968

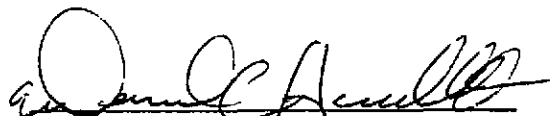
POINT OF DIVERSION: T07S R02E S13 NWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	Irrigation Season	0.04 CFS 9.0 AFY

PLACE OF USE: IRRIGATION Within Owyhee County
T07S R02E S12 SESW 2
2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT 57-01222B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 2.0 ACRES IN A SINGLE
IRRIGATION SEASON.

DATED: JUL 8 1997


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

RULE 54(b) CERTIFICATE

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

DATED: JUL 8 1997

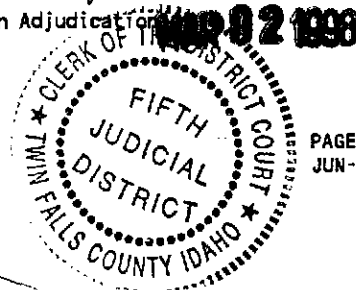

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-070108

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

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By 
DEPUTY CLERK



RECEIVED

JUL 10 1997

Department of Water Resources

JUL -8 AM 11:06

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

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

In Re SRBA

) ORDER OF PARTIAL DECREE

Case No. 39576

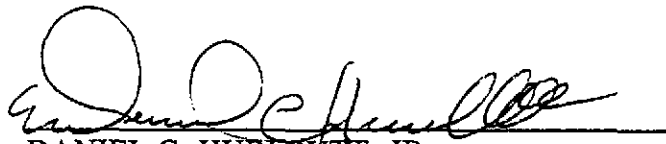
) For Water Right 57-07010B
)
)
)

On May 7, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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

Therefore, IT IS ORDERED that water right 57-07010B be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED July 8, 1997.

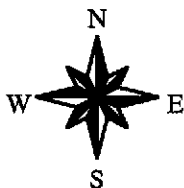

DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 57-07010A
Legal: T07S, R02E, S12, 13
Reviewed By:

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



04/03



0 0.25 0.5 0.75 Miles

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-07010A

Date: 3-11-03

	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	75	2E	12															17	6	23
GIS																		15	2.2	17.2
Claim			13		11			9		3	15		3							41
GIS					14			6		5.6	15		5.8							46.4
Claim																				
GIS																				
Claim																				
GIS																				

Number of FOD's 1

Total Claimed Acres: 64

Overlapping FOU Claim #'s:

57-02108, 57-01220

Total GIS Acres: 63.6

COMMENTS:

Per claim map, image interpretation + overlapping claims.

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)
_____)

1997 MAY -7 AM 8:55
SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
Water Right 57-07010A
FX

NAME & ADDRESS: MATTIE BLACK
PAUL BLACK
PO BOX 273
GRAND VIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 1.57 CFS
288.0 AFY

USE OF THIS RIGHT WITH RIGHT 57-01220, 57-01222A AND 57-02108
IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.04.

PRIORITY DATE: 02/06/1968

POINT OF DIVERSION: T07S R02E S13 NWSW Within OWYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	1.57 CFS 288.0 AFY

PLACE OF USE:	IRRIGATION	Within OWYHEE County
	T07S R02E S12	SWSE 17.0 SESE 6.0
	S13	NWNE 11.0 NENW 9.0
		NWSW 3.0 SWNW 3.0 SENW 15.0
	64.0 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT 57-01220, 57-01222A AND 57-02108
IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 81 ACRES IN A
SINGLE IRRIGATION SEASON.

DATED: 5/7/97

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

MICROFILMED
MAR 9 2 1998

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07010A

PAGE 1
APR-1-1997

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)

Case No. 39576

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

Subcase No. 57-07010-0001

Petitioner,

v.

STIPULATION AND ORDER
TO RESOLVE OBJECTION

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

Respondents.)

DESCRIPTIVE SUMMARY

This is a stipulation and order to resolve the United
States' objection to water right number 57 - 07010

STIPULATION

To resolve the dispute over the above-captioned water right,
the claimant, Mattie and Paul Black, the objector, the United
States of America, and the Idaho Department of Water Resources
(IDWR), stipulate and agree as follows:

1. The place of use as recommended in the Director's Report
is incorrect. The following place of use should be deleted:
T07S R02E S12 SESW 2.0 acres.

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MAR 02 1998

2. In connection with the change of the place of use, the amount of water recommended shall be reduced proportionately with the reduction of acreage. The amount of water shall be reduced from 1.62 cfs to 1.57 cfs.

3. The water right is accurately described in Exhibit 1, a revised page of the Director's report containing the changes described above showing specific changes made to the Director's original recommendation in an underline/overstrike format.

1 4. All decrees, whether partial or final, should describe the water right as modified and described in Exhibit 1.

5. Upon entry of partial and final decrees for this water right number describing the right as shown in Exhibit 1, including the modification indicated thereon, the objection of the United States shall be deemed withdrawn.

6. Because there are no remaining objections to this water right, a partial decree may be entered for it pursuant to I.C. 42-1412(8).

7. All parties agree to bear their own costs and attorneys' fees in connection with this matter.

8. This stipulation is entered into and executed voluntarily by all parties in good faith, and without any fraud, misunderstanding, overreaching, misrepresentation, duress, or undue influence, whatsoever.

MICROFILMED
MAR 02 1998

Respectfully submitted,

CLAIMANT

Dated:

UNITED STATES OF AMERICA
on behalf of the BLM

Dated:

By:

Daria J. Zane
Attorney
General Litigation Section
Environment & Natural Resources Division
U.S. Department of Justice
P.O. Box 663
Washington, D.C. 20044
(202) 272-8351

Dated:

By:

David Brunner
District Manager
Bureau of Land Management
Boise, Idaho 83720

IDAHO DEPARTMENT OF WATER RESOURCES

Dated:

By:

Daniel L. Steckel
Deputy Attorney General
Department of Water Resources
Statehouse
Boise, Idaho 83720-9000
(208) 327-7900

MICROFILMED
MAR 02 1998

ORDER

This matter having come before the Court upon stipulation of counsel, and good cause having been shown,

IT IS HEREBY ORDERED that the Court shall enter a partial decree for water right ____-____ as described in the attached Exhibit 1. The United States' objection shall be deemed withdrawn upon entry of the partial decree. Because no other objections have been raised to this water right, the hearing for entry of this partial decree is scheduled for _____, 199__, at the Snake River Basin Adjudication Courthouse, 253 Third Avenue North, Twin Falls, Idaho.

DATED and signed this ____ day of _____, 1994.

DANIEL C. HURLBUTT JR.
District Judge

MICROFILMED

MAR 02 1998

AJ5809NP
No. 57-01220

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/22/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PAUL BLACK	12/21/1886	IRRIGATION	03-15 11-15	0.52 CFS	
C	MATTIE BLACK		STOCKWATER	01-01 12-31	0.05 CFS	
TOTAL DIVERSION:					0.52 CFS	

Water Source: SHOOFLY CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T07S R02E S13

NWSW

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	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	: SUM
07S	02E	13	:				:	03	15	:	03				:			: 21.0
TOTAL ACRES																	21.0	

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

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 100 HD CATTLE

Other Rights: SEE REMARKS

Other Water Rights Listing Overlapping Place(s) of Use:

57-07010 A57-01220 R57-07010

Remarks: GEN USE OF THIS RIGHT WITH RIGHT 57-07010 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.78 CFS, A TOTAL COMBINED ANNUAL QNT
CONSUMPTIVE USE VOLUME OF 252 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 72 ACRES IN A SINGLE IRRIGATION SEASON.
~~0.40 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN~~
~~DELIVERY OF THIS RIGHT~~ 245.0 CON 1 POU1

Dates: Exam Made Date: 01/11/0091 Verified Date: 07/16/1992 Objection Filed Date:

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

MICROFILMED

MAR 02 1998

AJ5809NP
No. 57-02108

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/22/96
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PAUL BLACK	06/01/1917	IRRIGATION	03-15 11-15	0.50 CFS	
C	MATTIE BLACK					
TOTAL DIVERSION:					0.50 CFS	

Water Source: SHOOFLY CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T07S R02E S13

NWSW

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
07S	02E	13	:			11				09										20.0
TOTAL ACRES																			20.0	

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: SEE REMARKS

Other Water Rights Listing Overlapping Place(s) of Use:
57-07010 A57-02108 R57-07010

Remarks: GEN USE OF THIS RIGHT WITH RIGHT 57-07010 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.88 CFS, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 262.5 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 75 ACRES IN A SINGLE IRRIGATION SEASON.
~~0.40 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN
DELIVERY OF THIS RIGHT.~~

Dates: Exam Made Date: 01/11/1991 Verified Date: 07/16/1992 Objection Filed Date:

Misc: Water District Number: 57K Field Inspection Flag:
Presumption Flag:

MICROFILMED

MAR 12 1998

AJ5856NP

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

DATE: NOV-4-1996
PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-07010 (B)

NAME & ADDRESS: PAUL BLACK
MATTIE BLACK
PO BOX 273
GRAND VIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: ~~1.62~~ CFS 0.04
~~297.0~~ AFY 9.0

PRIORITY DATE: 02/06/1968

POINT OF DIVERSION: T07S R02E S13 NWSW Within Owyhee County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION NONE Irrigation Season ~~1.62~~ CFS 0.04
~~297.0~~ AFY 9.0

PLACE OF USE: IRRIGATION Within Owyhee County
T07S R02E S12 SESW 2.0 SWSE 17.0 SESE 6.0
S13 NWNE 11.0 NENW 9.0 SWNW 3.0 SENW 15.0
NWSW 3.0
~~66.0~~ ACRES TOTAL 9.0

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:
USE OF THIS RIGHT WITH RIGHT 57-01220, 57-01222 AND 57-02108 0.04
IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.08 CFS, A
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 290.5 AF, AND TO
THE IRRIGATION OF A COMBINED TOTAL OF 83 ACRES IN A SINGLE 7.0
IRRIGATION SEASON.
0.32 CFS OF RIGHT NOS. 57-01220, 57-01222 AND 57-02108 IS LIMITED
TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 57-01220,
57-01222 AND 57-02108.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

MICROFILMED

MAR 02 1998

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-4-1996
PAGE: A-1

MICROFILMED

MAR 02 1998

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-07010 *(A)*NAME & ADDRESS: PAUL BLACK
MATTIE BLACK
PO BOX 273
GRAND VIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: ~~1.62 CFS~~ *1.57*
~~297.0 AFY~~
288.0

PRIORITY DATE: 02/06/1968

POINT OF DIVERSION: T07S R02E S13 NWSW Within Owyhee County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USE
IRRIGATION NONEPERIOD OF USE
Irrigation SeasonQUANTITY *1.57*
~~1.62 CFS~~
~~297.0 AFY~~
288.0

PLACE OF USE:

IRRIGATION

Within Owyhee County

T07S R02E S12
S13~~SESW 2.0~~
NWNW 11.0
NWSW 3.0SWSE 17.0
NENW 9.0SESE 6.0
SWNW 3.0

SENE 15.0

~~66.0~~ ACRES TOTAL
64.0

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

USE OF THIS RIGHT WITH RIGHT 57-01220, 57-01222 AND 57-02108
IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF ~~2.08 CFS~~ *2.04* RNT
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF ~~290.5 AF~~ *283.5* CON
THE IRRIGATION OF A COMBINED TOTAL OF ~~83~~ *81.0* ACRES IN A SINGLE
IRRIGATION SEASON.
~~0.32 CFS OF RIGHT NOS. 57-01220, 57-01222 AND 57-02108 IS LIMITED~~
~~TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 57-01220,~~
~~57-01222 AND 57-02108.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

Limit POU to 5 1/2 of 5.12, SWSE & SESE
per BLM (F. Price)

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAR-24-1994
PAGE: A-5

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
-----------------	----------------	------------------	----------------	--------------------------	---------------------	----------------

SOURCE: GROUNDWATER

57-07010 MATTIE L BLACK
PAUL BLACK
PO BOX 273
GRAND VIEW ID 83624

02/06/1968 IRRIGATION

03-15 11-15

1.62 CFS
297.0 AFY
1.57
288

DECREED

TOTAL QUANTITY:

1.62 CFS
297.0 AFY
1.57
288

POINT OF DIVERSION:
T07S R02E S13
PLACE OF USE: IRRIGATION

NWSW

T07S R02E S12
S13

~~SESW~~ 2.0
NWNW 11.0
NWSW 3.0

SWSE 17.0
NENW 9.0

SESE 6.0
SWNW 3.0

SENE 15.0

64
66.0 ACRES TOTAL

REMARKS: USE OF THIS RIGHT WITH RIGHT 57-01220, 57-01222 AND 57-02108
IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.08 CFS, A
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 290.5 AF, AND TO
THE IRRIGATION OF A COMBINED TOTAL OF 83 ACRES IN A SINGLE
IRRIGATION SEASON.
0.32 CFS OF RIGHT NOS. 57-01220, 57-01222 AND 57-02108 IS LIMITED
TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 57-01220,
57-01222 AND 57-02108.

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MAR 02 1998

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: OCT-13-1992
PAGE: A-608

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
57-07010	MATTIE L BLACK PAUL BLACK PO BOX 273 GRAND VIEW ID 83624	02/06/1968	IRRIGATION	03-15 11-15	1.62 297.0	CFS AFY DECREED
TOTAL QUANTITY:					1.62 297.0	CFS AFY
POINT OF DIVERSION: T07S R02E S13		NWSW				
PLACE OF USE: IRRIGATION						
T07S R02E S12 S13		SESW 2.0 NWNW 11.0 NWSW 3.0	SWSE 17.0 NENW 9.0	SESE 6.0 SWNW 3.0	SESW 15.0	
66.0 ACRES TOTAL						
REMARKS: USE OF THIS RIGHT WITH RIGHT 57-01220, 57-01222 AND 57-02108 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.08 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 290.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 83 ACRES IN A SINGLE IRRIGATION SEASON.						
0.32 CFS OF RIGHT NOS. 57-01220, 57-01222 AND 57-02108 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 57-01220, 57-01222 AND 57-02108.						
57-10825	TERESA SILVER TRACY SILVER HC 85 BOX 327 GRAND VIEW ID 83624	04/01/1968	DOMESTIC	01-01 12-31	.04	CFS BENEFICIAL USE
			STOCKWATER	01-01 12-31	.05	CFS
TOTAL QUANTITY:					.09	CFS
NON-IRRIGATION-USES:						
DOMESTIC 1 HOUSEHOLD, STOCKWATER 200 HEAD BEEF CATTLE						
POINT OF DIVERSION: T05S R03E S36		SWSWNW SESWNW				
PLACE OF USE: DOMESTIC						
T05S R03E S36		SWNW				
PLACE OF USE: STOCKWATER						
T05S R03E S36		SWNW				

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MAR 02 1998

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

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

Briefly describe your interest in this water right:

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

2. Owner of the water right:

Name: Claimant: Mattie L. Black
Paul Black
Address: P.O. Box 273
Grand View, Idaho 83624

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice
550 West Fort Street
Box 33
Boise, Idaho 83734

Attorney Phone No.: (202) 272-8351

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

RECEIVED

JUL 06 1993

Department of Water Resources
Adjudication Bureau

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

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

Case No. 57-07010
(You must insert the
water right number you
are objecting to)

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

REVISED
OBJECTION

Petitioner,

vs.

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

Respondents.

INSTRUCTIONS

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

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

(Over)

12. ☒ Water Right Recommendation: I object to:
- a. ☒ this water right being recommended at all; or
 - b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☒ Other: I object to: The legal description of the claim as shown in the Director's Report includes public lands.

REASONS SUPPORTING EACH BOX CHECKED

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

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

CHANGES TO THE DIRECTOR'S REPORT

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

The Director's Report should be changed to recommend disallowance of this claim.

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

MICROFILMED
MAR 8 2 1998

II. STATEMENT OF THE OBJECTION

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

1. ☒ Name and Address: I object to the name and/or address of the owner of the water right.
 2. ☒ Source: I object to the source of water.
 3. ☒ Quantity: I object to:
 - a. ☒ the total quantity of water used in cubic feet per second; or
 - b. ☒ the total quantity of water stored in acre-feet per year; or
- MICROFILMED ☒ the total quantity of water reserved for each and every purpose, including all present and future uses.
MAR 02 1998
4. ☒ Priority Date: I object to the priority date.
 5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.
 6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
 7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.
 8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
 9. ☒ Place of Use: I object to:
 - a. ☒ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
 10. ☒ Consumptive Use: I object to the annual volume of consumptive use.
 11. ☒ Remarks: I object to the "remarks" listed with the water right.

(Over)

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of June, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Owner name: Mattie L. Black
Paul Black
Owner's Address: P.O. Box 273
Grand View, Idaho 83624

3. One copy to:

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

4. One copy to:

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

X. Paul Hanger
Signature of Objector or attorney
mailing on Objector's behalf

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

1. Map of claim showing federal parcel(s).

VERIFICATION (Must be Completed)

State of Idaho

County of Ada

Thomas M. Woodward, Notary
MICROFILM

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

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

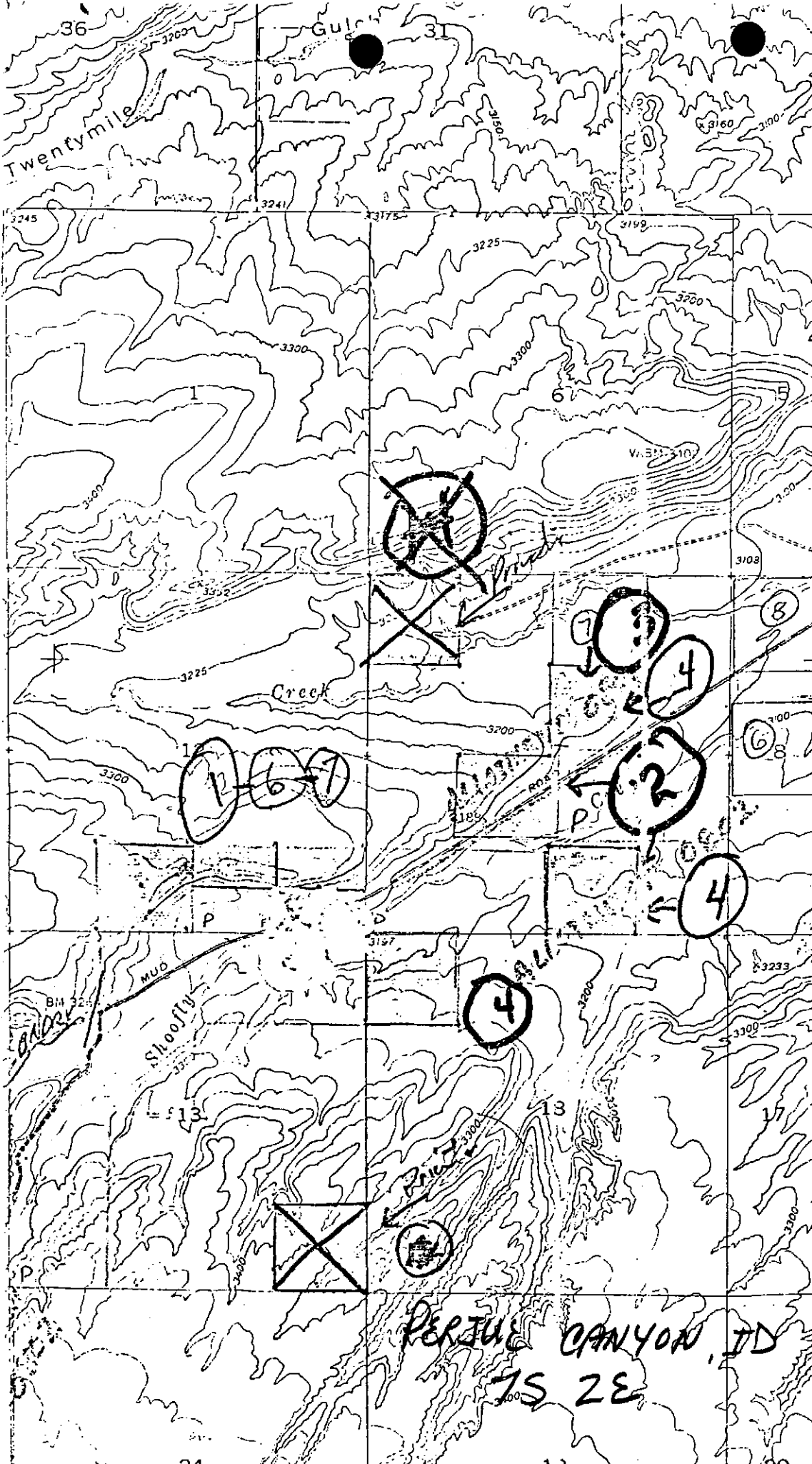
Thomas M. Woodward
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 25 day of June,
1993.

Clarence D. Bale
Notary Public for Idaho
Residing at: Boise
My Commission expires: 4/20/97

(Over)



- 1. 51-01010
- 2. 57-07333
- 3. 57-07184
- 4. 57-07331
- 5. 57-07332
- ~~6. 57-01221~~
- 6. 57-01222
- 7. 57-07010

5 SWSE
8 NW NE

5

(CHALK HILLS)
2769 / SE

MICROFILMED
MAR 02 1998

PERJUE CANYON, ID
75 2E



U.S. Department of Justice

WMC:KJHaugrud
90-6-2-63C
(202) 272-4134

Washington, D.C. 20530

June 29, 1993

BY OVERNIGHT MAIL

Teri Hranac, Deputy Clerk
State of Idaho District Court
Snake River Basin Adjudication
253 Third Avenue North
Twin Falls, Idaho 83303

RECEIVED

JUL 06 1993

Department of Water Resources
Adjudication Bureau

Re: In re: General Adjudication of Rights to the Use
of Water from the Snake River Basin Water System,
Civil No. 39576.

Dear Ms. Hranac:

Please find enclosed revised objections to water right numbers 57-07333, 57-07010, 57-07331, and 57-01222. The original objections that were filed with the Court referenced as an exhibit a master title plat that was not attached to any of the objections. The revised objections have eliminated the reference to this exhibit but in all other respects are identical to the objections that were originally filed. Copies of the revised objections have been served on the State and on each claimant.

If you have any additional questions, please feel free to call me at (202) 272-4134.

Sincerely

K. Jack Haugrud
Attorney
General Litigation Section

encl.
cc. Clive Strong
Affected Claimants

MICROFILMED
MAR 02 1998

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

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

Briefly describe your interest in this water right:

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

2. Owner of the water right:

Name: Claimant: Mattie L. Black
Paul Black
Address: P.O. Box 273
Grand View, Idaho 83624

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice
550 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: (202) 272-8351

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

MICROFILMED

MAR 02 1998

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

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

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

Petitioner,

vs.

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

MICROFILMED Respondents.

Case No. 57-07010

(You must insert the
water right number you
are objecting to)

OBJECTION RECEIVED

FEB 26 1998

Department of Water Resources
Adjudication Bureau

MAR 02 1998

INSTRUCTIONS

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

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

(Over)

12. ☒ Water Right Recommendation: I object to:
- a. ☒ this water right being recommended at all; or
 - b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☒ Other: I object to: The legal description of the claim as shown in the Director's Report includes public lands.

REASONS SUPPORTING EACH BOX CHECKED

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

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

CHANGES TO THE DIRECTOR'S REPORT

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

The Director's Report should be changed to recommend disallowance of this claim.

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

II. STATEMENT OF THE OBJECTION

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

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

MICROFILMED

MAR 8 2 1998

(Over)

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

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

1. Original to:

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

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

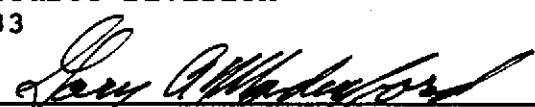
Owner name: Mattie L. Black
Paul Black
Owner's Address: P.O. Box 273
Grand View, Idaho 83624

3. One copy to:

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

4. One copy to:

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



Signature of Objector or attorney
mailing on Objector's behalf

MICROFILMED

MAR 02 1998

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

1. Map of claim showing federal parcel(s).
2. Copy of the Master Title Plat.

VERIFICATION (Must be Completed)

State of Idaho

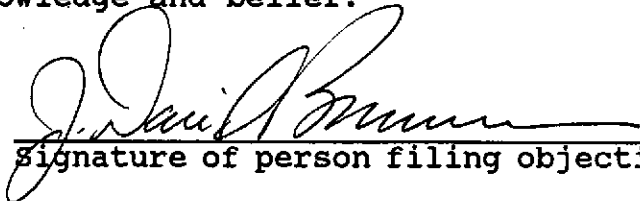
County of Ada

J. DAVID BRUNNER, BOISE DISTRICT MANAGER, being first duly
(Name of person filing objection)

sworn, upon oath, deposes and says:

MICROFILMED

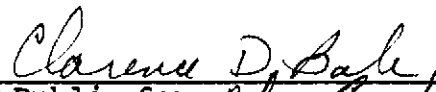
MAR 12 1998
That I am the person or entity filing this objection, that I am a party claimant or party in this proceeding, as defined by I.C. § 12-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


signature of person filing objection

By:

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 23 day of February,
1998.


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

(Over)

MAR 02 1998
MICROFILMED

PETITE CANYON, ID 75 23

(CHALK HILLS)
2769 1 SE

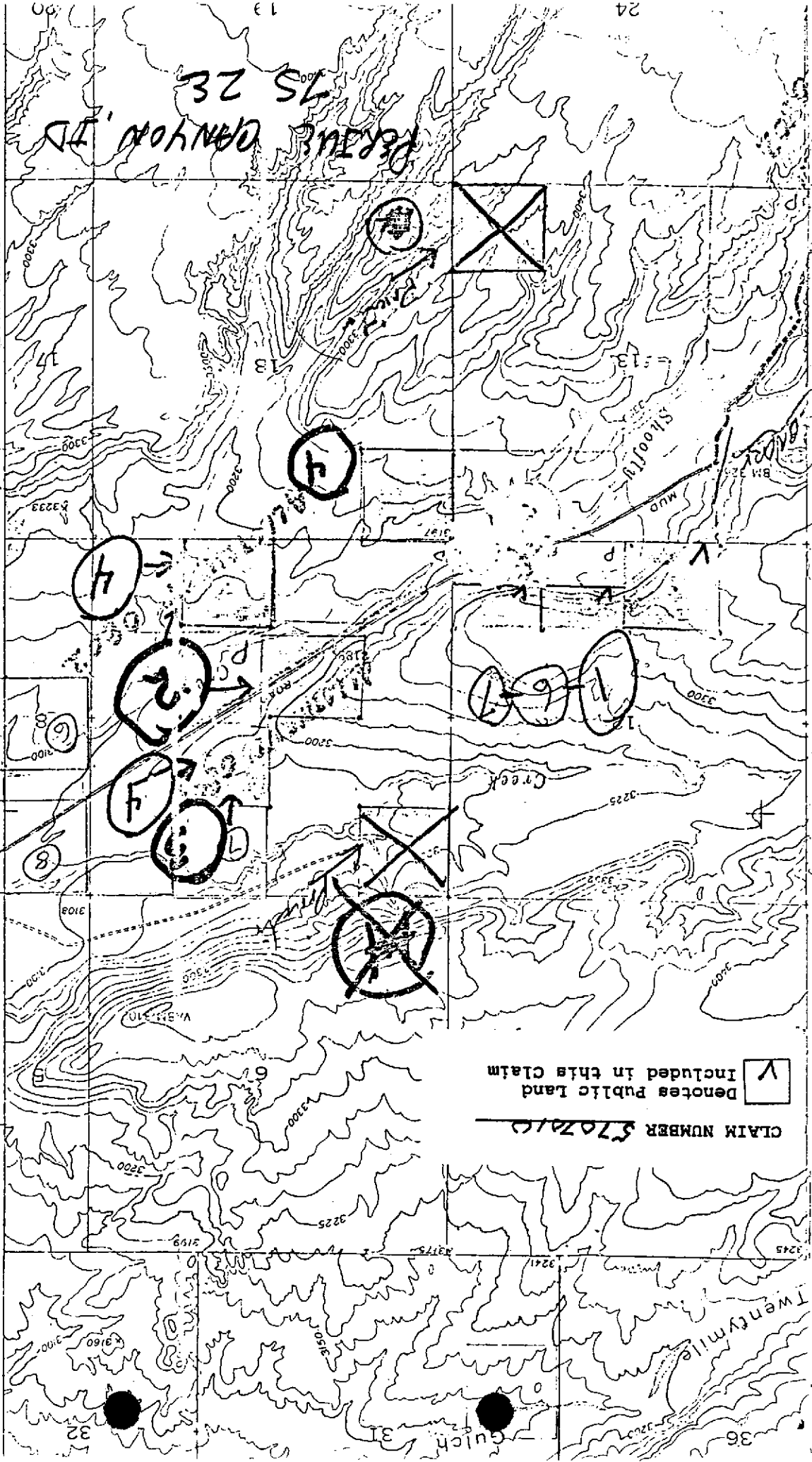
8 NW NE

5 SW SE
GRAND VIEW 12 MI.

☒ Denotes Public Land
Included in this claim

CLAIM NUMBER 5702010

1.57-07010
2.57-07333
3.57-07184
4.57-07331
5.57-07332
~~6.57-07332~~
6.57-01222
7.57-07010



2. Person who filed objection:

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

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL

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

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ Source: I respond to the objection concerning the source of water.
3. ☒ Quantity: I respond to the objection concerning:
 - 3a. ☒ The total quantity of water used in cubic feet per second.
 - 3b. ☒ The total quantity of water stored in acre feet per year.
4. ☒ Priority Date: I respond to the objection concerning the priority date.
5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the points(s) of diversion.
7. ☒ Purposes of Use: I respond to the objection concerning the purpose(s) of use.

MICROFILMED
MAR 02 1998

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

JUL -1 PM 5:02
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

Case No. 57-07010 -0001

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

RESPONSE TO OBJECTION

Petitioner,

vs.

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

Respondents.

MICROFILMED

I. GENERAL INFORMATION

1. Person responding to objection:

MAR 8 2 1998

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

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

No. of
Pages

Notice of Claim No. A57-07010

3

MICROFILMED
MAR 02 1998

8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I respond to the objection concerning:
- 9a. ☒ The legal description of the place of use.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.
12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12a. ☒ This water right being recommended at all.
14. ☒ Other: I respond to the objection concerning:
- Legal description of claim

MICROFILMED

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 2, 3, 3a, 5, 7, 8, 9, 9a., 10, 11, 12, 12a. and 14 and all allegations of the objection regarding these items, IDWR responds as follows:

IDWR lacks sufficient information to form a belief as to whether any or all of the lands upon which water is diverted, conveyed, or used pursuant to this right are owned by the United States. IDWR admits that the exercise of rights to water from the same source may impact each other. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

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

(Over)

CERTIFICATE OF MAILING

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

1. Original to:

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

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

Name: MATTIE & PAUL BLACK
Address: PO BOX 273
GRAND VIEW ID 83624

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

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


Signature of Respondent or attorney
mailing on Respondent's behalf

MICROFILMED
MAR 02 1998

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

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

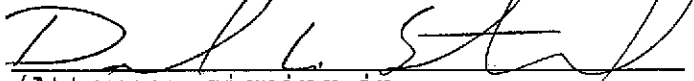
That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director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

MICROFILMED
MAR 8 2 1998



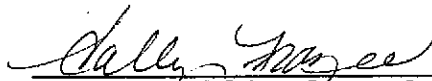
Signature of person filing response

By:



(Attorney signing in
representative capacity)

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



Notary Public for Idaho
Residing at: Boise ID
My Commission expires: 11/19/1998

(Over)

RECEIVED
OCT 24 1996
Department of Water Resources
Adjudication Bureau

Murphy

11.00
~~11.30~~ 11.17
10/22²³/96

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

In Re SRBA

)

SETTLEMENT CONFERENCE REPORT

Case No. 39576

)

)

Subcase No.: 57-01220, 01222, 02108
07010
obj.

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

A. Attendance

The following individuals and person were present at the Settlement Conference held on _____, 1996, before Settlement Moderator, Terrence A. Dolan:

Claimant(s): *Paul & Marie Black* Attorney: *Pro se*

Objector(s): *BLM*

Attorney: *Fritz Holleman (Fred Price & Dan Jossie)*

Also Present: IDWR

Attorney: *Krogh/Howard/King/Spencer*

Andrew Helalinger (Roxanne McCarthy)

B. Standard Form 5

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

(30 days maximum)

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

MICROFILMED
MAR 02 1997

C. Partial Settlement

The parties reached agreement on these elements as follows:

4220 1222 AXL 7010 will be split into 2 rights (2 acres in
Traverse to BLM & remainder to Blacks) & Blacks will pursue
"Ag. permit" ("2920" CFR) to continue use of 2 acres.
IDWR will prepare Transfer (42-222) paperwork for Blacks.
Parties request status conference in ~~late~~ last week of
February, 1997. Unobjected to rights will not be affected
except reference to split rights.

D. Recommendation for Additional Settlement Conferences

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

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

E. Recommendation for Trial Setting:

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

1 2 3 4 5 6 7 8 9 10

DATED 10-22, 1996.

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

Mattie L. Black
Signature of Parties

Andrew J. [Signature]
Signature of IDWR

Terrence A. Dolan
Terrence A. Dolan, Settlement Moderator

Paul F. [Signature]
Signature of Parties

Signature of Parties

MAR 24 1997

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

PROPOSED ELEMENTS OF A WATER RIGHT

MAR 02 1998

1. The name and address of the claimant is:

United States of America acting through
USDI Bureau of Land Management
Idaho State Office
1387 S. Vinnell Way
Boise, ID 83709

Required Statement: IDWR and the parties stipulate that this is the correct description of the name and address for this water right.

2. The source of water is : Groundwater

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

0.04 CFS 9.0 AFY

Use of this right with right nos. 57-01222B is limited to a total combined diversion rate of 0.04 cfs.

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

4. The priority date is: 2/06/1968

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

MICROFILMED
MAR 02 1998

T07S R02E S13 NWSW within OWYHEE COUNTY

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

6. The purpose of use is: IRRIGATION.

Required statement: IDWR and the parties stipulate that this is the correct description of the purpose of use for this water right.

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

Irrigation	Irrigation Season	0.04 cfs
------------	-------------------	----------

Required Statement: IDWR and the parties stipulate that this is the correct description of the period of year when the water is to be used.

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

Irrigation T07S R02E S12 SESW 2.0

2.0 Acres Total

All POU's are located in Owyhee County.

Use of this right with right nos. 57-01222B is limited to the irrigation of a combined total of 2.0 acres in a single irrigation season.

Required Statement: IDWR and the parties stipulate that this is the correct description of the place of use.

9. The annual volume of consumptive use is :

Use of this right with right 57-01222B is limited to a total combined annual consumptive use volume of 7.0 AF.

Required Statement: IDWR and the parties stipulate that this is the correct description of the annual volume of consumptive use.

10. Other matters necessary to define this water right:

Explanatory Material: Basis of Claim - License

MICROFILMED
MAR 02 1998

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

Signature and Address of Parties and their Attorney of Record (attach additional page if necessary)

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

Name of objector:

Paul & Mattie Black
P.O. Box 273
Grand View, ID 83624

Attorneys of Record:

Attorney's Signature Date

Paul Black
Signature Date
Mattie Black

Name of Claimant:

United States of America acting through
USDI Bureau of Land Management
Idaho State Office
1387 S. Vinnell Way
Boise, ID 83709

Paul F. Jell 3/19/97
Signature Date

IDWR Concurrence:

Paul F. Jell 3/11/97
Signature Date

MICROFILMED
57-07010 B
MAR 02 1998

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

I certify that on March 20, 1997, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

Department of Justice
C/O Boise Adjudication Team
550 West Fort Street
MSC 033
Boise, Idaho 83724

Mattie & Paul Black
P.O. Box 273
Grand View, ID 83624

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

Idaho Department of Water
Resources
1301 N. Orchard St.
Boise, ID 83706

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Paula Cline

Signature of person or attorney
mailing the form

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on FEBRUARY 21, 1997, with sufficient first-class postage to the following:

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720
Phone: 208-334-2400
Rep: STATE OF IDAHO

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JACK HAUGRUD
US DEPT OF JUSTICE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 202-305-0438
Rep: USDI BLM

MATTIE L. BLACK
BLACK, PAUL
PO BOX 273
GRAND VIEW, ID 83624

PAUL & MATTIE BLACK
P.O. BOX 273
GRAND VIEW, ID 83624
Phone: 208-834-2467

PAUL & MATTIE BLACK
PO BOX 273
GRAND VIEW, ID 83624

PAUL & MATTIE BLACK
PO BOX 273
GRAND VIEW, ID 83624
Phone: 208-834-2467

MICROFILMED

MAR 02 1998

RECEIVED

FEB 24 1997

Department of Water Resources

1997 FEB 21 AM 08:38
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA	)	ORDER SETTING STATUS	
	)	CONFERENCE	
Case No. 39576	)		
	)	SUBCASE NOS: 57-01220	57-01221
		57-01222	57-02108 57-07010
		57-07184	57-07331 57-07333

Please be advised that Special Master FRITZ X HAEMMERLE
has set a Status Conference in the above subcase(s)
as follows:

FRIDAY, MARCH 28, 1997 at 11:30 AM

OWYHEE COUNTY COURTHOUSE
HIGHWAY 78
PO BOX 128
MURPHY, ID

IT IS SO ORDERED.

Dated: FEBRUARY 21, 1997

/S/ FRITZ X HAEMMERLE
Special Master
Snake River Basin Adjudication

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

MAR 24 1937

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

PROPOSED ELEMENTS OF A WATER RIGHT

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

1. The name and address of the claimant is:

Mattie Black and Paul Black
P.O. Box 273
Grand View, ID 83624

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

2. The source of water is : Groundwater

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

1.57 CFS 288.0 AFY

Use of this right with right nos. 57-01220, 57-01222A and 57-02108 is limited to a total combined diversion rate of 2.04 cfs.

Required Statement: IDWR and the parties stipulate that this is a correct description of the quantity of water used.

4. The priority date is: 2/06/1968

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

T07S R02E S13 NWSW within OWYHEE COUNTY

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

MICROFILMED
MAR 02 1998

6. The purpose of use is: IRRIGATION

Required statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

Irrigation	Irrigation Season	1.57 CFS
------------	-------------------	----------

Required Statement: IDWR and the parties stipulate that this is the correct description of the period of year when the water is to be used.

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

T07S R02E S12	SWSE 17.0	SESE 6.0		
S13	NWNE 11.0	NENW 9.0	SWNW 3.0	SENE 15.0
	NWSW 3.0			

64.0 Acres Total

All POU's are located in Owyhee County.

Use of this right with right nos. 57-01220, 57-01222A and 57-02108A is limited to the irrigation of a combined total of 81.0 acres in a single irrigation season.

Required Statement: IDWR and the parties stipulate that this is the correct description of the place of use.

9. The annual volume of consumptive use is :

Use of this right with right nos. 57-01220, 57-01222A and 57-02108 is limited to a total combined annual consumptive use volume of 283.5 AF.

Required Statement: IDWR and the parties stipulate that this is the correct description of the annual volume of consumptive use.

MICROFILMED
MAR 02 1998

10. Other matters necessary to define this water right:

Explanatory Material: Basis of Claim - Decree

Place of use within SWSE and SESE of Sec.12, T07S R02E is more specifically described as the S1/2SWSE and S1/2SESE of Sec.12, T07S R02E.

MICROFILMED

MAR 02 1998

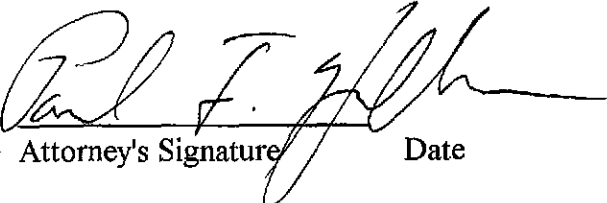
If IDWR has not concurred by signing below, signing parties certify that they have served a copy of this document on the Idaho Department of Water Resources and have made a good faith attempt to obtain IDWR's concurrence, but have failed.

Signature and Address of Parties and their Attorney of Record (attach additional page if necessary)

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

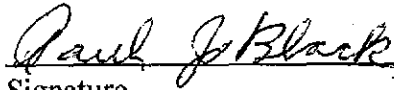
Name of objector:

United States through
Department of Justice for BLM
601 Pennsylvania Ave., NW
Washington, DC 20004
Attorneys of Record: R. Lee Leininger/Paul F. Holleman/
William Ferry


Attorney's Signature Date 3/2/97

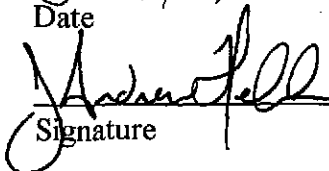
Name of Claimant:

Mattie & Paul Black
P.O. Box 273
Grand View, ID 83624


Signature Date


Signature Date Feb 24, 97

IDWR Concurrence:


Signature Date Feb 20, 97

MICROFILMED
MAR 02 1998

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

I certify that on MARCH 20, 1997, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

Department of Justice
C/O Boise Adjudication Team
550 West Fort Street
MSC 033
Boise, Idaho 83724

Mattie & Paul Black
P.O. Box 273
Grand View, ID 83624

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

Idaho Department of Water
Resources
1301 N. Orchard St.
Boise, ID 83706

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Paula Cline
Signature of person or attorney
mailing the form

RECEIVED

APR 10 1997

Department of Water Resources

APR -9 AM 11:25

CLERK OF DISTRICT COURT
TWIN FALLS, IDAHO
FILED AL

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

) Subcases: 57-07010, 57-07010A, 57-
) 07010B, 57-07333, 57-07333A, 57-
) 07333B, 57-07331, 57-07331A, 57-
) 07331B, 57-07184, 57-07184A, AND 57-
) 07184B

) NOTICE OF ISSUANCE OF
) PRELIMINARY SPECIAL MASTER'S
) REPORT AND RECOMMENDATION

On April 9, 1997, Special Master FRITZ X. HAEMMERLE lodged a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative Order 1 section 9 (f).

These documents are served only on parties to the subcase. They are not served on the Presiding Judge. Parties to this subcase may file a Motion to Alter or Amend with the Special Master

Debra L. L...
Deputy Clerk

MICROFILMED

APR 02 1998

RECEIVED

APR 9 1997

Department of Water Resources

1997 APR -9 AM 11:25

DIST. OF THE FIFTH JUDICIAL DISTRICT
TWIN FALLS CO. IDAHO
FILED

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

In Re SRBA

Case No. 39576

) Subcases: 57-07010, 57-07010A, 57-
) 07010B, 57-07333, 57-07333A, 57-
) 07333B, 57-07331, 57-07331A, 57-
) 07331B, 57-07184, 57-07184A, AND 57-
) 07184B

) CERTIFICATE OF MAILING

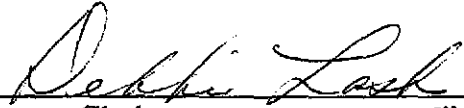
I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on April 9, 1997, with sufficient first-class postage prepaid to the following:

Director of IDWR
P O Box 83720
Boise, Idaho 83720-0098

Chief, Natural Resource Division
Office of the Attorney General
PO Box 44449
Boise, Idaho 83720-4449

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Paul and Mattie Black
P O Box 273
Grand View, Idaho 83624


Deputy Clerk

MICROFILMED

MAR 02 1998

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

In Re SRBA)
Case No. 39576)
_____)

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 57-07010A

177-9 AM 11:26
DISTRICT COURT-SE
TWIN FALLS CO, IDAHO
FILED *[Signature]*

NAME & ADDRESS: MATTIE BLACK
PAUL BLACK
PO BOX 273
GRAND VIEW ID 83624

RECEIVED

APR 10 1997

Department of Water Resources

SOURCE: GROUNDWATER

QUANTITY: 1.57 CFS
288.0 AFY

USE OF THIS RIGHT WITH RIGHT 57-01220, 57-01222A AND 57-02108
IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.04.

PRIORITY DATE: 02/06/1968

POINT OF DIVERSION: T07S R02E S13 NWSW Within OWYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	1.57 CFS 288.0 AFY

PLACE OF USE:	IRRIGATION	Within OWYHEE County
	T07S R02E S12 S13	SWSE 17.0 SESE 6.0 NWNE 11.0 NENW 9.0 NWSW 3.0
	64.0 ACRES TOTAL	SWNW 3.0 SENW 15.0

USE OF THIS RIGHT WITH RIGHT 57-01220, 57-01222A AND 57-02108
IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 81 ACRES IN A
SINGLE IRRIGATION SEASON.

CONSUMPTIVE USE:

USE OF THIS RIGHT WITH RIGHT 57-01220, 57-01222A AND 57-02108
IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF
283.5 AF.

DATED: 4/9/97

[Signature]
FRITZ XL HAEMMERLE
Special Master
Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-07010A

MICROFILMED

MAR 8 2 1997

APR-1-1997

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)
_____)

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-070108

APR -7 AM 11:26
DISTRICT COURT - 5th
TWIN FALLS, IDAHO
FILED *[Signature]*

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709

RECEIVED

APR 10 1997

Department of Water Resources

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
9.0 AFY

USE OF THIS RIGHT WITH RIGHT 57-01222B IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.04 CFS.

PRIORITY DATE: 02/06/1968

POINT OF DIVERSION: T07S R02E S13 NWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.04 CFS 9.0 AFY

PLACE OF USE: IRRIGATION Within Owyhee County
T07S R02E S12 SESW 2.0
2.0 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT 57-01222B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 2.0 ACRES IN A SINGLE
IRRIGATION SEASON.

CONSUMPTIVE USE:

~~USE OF THIS RIGHT WITH RIGHT 57-01222B IS LIMITED TO A TOTAL
COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 7.0 AF.~~

Fritz X. Haemmerle

DATED: 4/9/97

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-070108

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MAR 02 1998

PAGE 1
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Department of Water Resources

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TWIN FALLS CO., IDAHO
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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 SRBA	)	Subcase 57-07010, 57-07010A and 57-
	)	07010B
Case No. 39576	)	PRELIMINARY SPECIAL
		MASTER'S REPORT

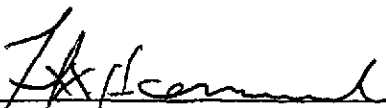
FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

An objection to water right 57-07010 was filed by the United States on behalf of the Bureau of Land Management (BLM). On March 19, 1997, a *Standard Form 5* was filed splitting water right 57-07010 into water rights 57-07010A and 57-07010B. When the right was split, the objection filed by the BLM was resolved and, therefore, withdrawn.

With the recommendation of the split rights, IT IS RECOMMENDED that water right 57-07010 be **disallowed**. IT IS FURTHER RECOMMENDED that water rights 57-07010A and 57-07010B be **decreed** as recommended in the Amended Director's Report and the attached *Recommendation for Partial Decree*.

DATED April 9, 1997.


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

1997 MAY -7 AM 8:55

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

RE

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

CERTIFICATE OF MAILING

Water Right(s): 57-07010
57-07184 57-07331 57-07333

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 07, 1997, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

MATTIE L. BLACK
BLACK, PAUL
PO BOX 273
GRAND VIEW, ID 83624

U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

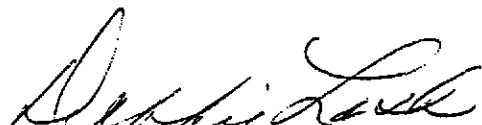
CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449

CERTIFICATE OF MAILING

MICROFILMED
PAGE 1
MAR 12 1998
07/97

PAUL & MATTIE BLACK
P.O. BOX 273
GRAND VIEW, ID 83624

PAUL & MATTIE BLACK
PO BOX 273
GRAND VIEW, ID 83624


DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

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PAGE 2
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MAR 02 1998

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MAY 08 1997

Department of Water Resources
Adjudication Bureau

1997 MAY -7 AM 8:55

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-07010
57-07184 57-07331 57-07333

On May 07, 1997, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (A01), Section 9.

Pursuant to SRBA Administrative Order 1, Section 14b, any party to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S REPORT AND RECOMMENDATION within 21 days following the date of publication of the filing of the Special Master's report in the Docket Sheet except parties to the subcase who failed to file a Motion to Alter or Amend before the Special Master (A01, Section 9f). The Notice of Challenge shall appear on the Docket Sheet and shall be served on parties to the subcase(s) covered by the challenged report and the SRBA Court Reporter.

DATED May 07, 1997.


DEBBIE LASH
Deputy Clerk

MICROFILMED
MAR 02 1998

NOTICE OF ISSUANCE

PAGE 1
05/07/97

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)
_____)

1997 MAY -7 AM 8:55
SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
Water Right 57-070108
Fritz X. Haemmerle

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
9.0 AFY

USE OF THIS RIGHT WITH RIGHT 57-01222B IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.04 CFS.

PRIORITY DATE: 02/06/1968

POINT OF DIVERSION: T07S R02E S13 NWSW Within OWYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.04 CFS 9.0 AFY

PLACE OF USE: IRRIGATION Within OWYHEE County
T07S R02E S12 SESW 2.0
2.0 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT 57-01222B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 2.0 ACRES IN A SINGLE
IRRIGATION SEASON.

DATED: 5/7/97

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-070108

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MAY 08 1997

Department of Water Resources
Adjudication Bureau

1997 MAY -7 AM 8:55

DISTRICT COURT - SREA
TWIN FALLS CO., IDAHO

DL

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

In Re SRBA	)	Subcase 57-07010, 57-07010A and 57-
	)	07010B
Case No. 39576	)	SPECIAL MASTER'S REPORT

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

An objection to water right 57-07010 was filed by the United States on behalf of the Bureau of Land Management (BLM). On March 19, 1997, a *Standard Form 5* was filed splitting water right 57-07010 into water rights 57-07010A and 57-07010B. When the right was split, the objection filed by the BLM was resolved and, therefore, withdrawn.

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

IT IS RECOMMENDED that water right 57-07010 be **disallowed**. IT IS FURTHER RECOMMENDED that water rights 57-07010A and 57-07010B be **decreed** as recommended in the Amended Director's Report and the attached *Recommendation for Partial Decree*.

DATED May 7, 1997.

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

MICROFILMED

MAR 02 1998

RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER		TRIBUTARY:				
57-07010	MATTIE L BLACK PAUL BLACK PO BOX 273 GRAND VIEW ID 83624	02/06/1968	IRRIGATION	03-15 11-15	1.57 ~~7162~~ 288.0 ~~29710~~	CFS CFS DECREASED AFY AFY
TOTAL QUANTITY:					1.57 ~~7162~~	CFS CFS
TOTAL VOLUME:					288.0 ~~29710~~	AFY AFY
POINT OF DIVERSION:						
T07S R02E S13		NWSW				
PLACE OF USE: IRRIGATION						
T07S R02E S12		SWSE 17.0	SESE 6.0			
S13		NWNE 11.0	NENW 9.0	SWNW 3.0	SENW 15.0	NWSW 3.0
S12		SESW 12.0				
<u>64.0 ACRES TOTAL</u>						
<u>1116610 ACRES TOTAL</u>						
REMARKS: USE OF THIS RIGHT WITH RIGHT 57-01220, 57-01222 AND 57-02108						
IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.98 CFS, A						
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 276.5 AF, AND TO						
THE IRRIGATION OF A COMBINED TOTAL OF 79 ACRES IN A SINGLE						
IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2100 CFS, A						
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 29013 AF, AND TO						
THE IRRIGATION OF A COMBINED TOTAL OF 83 ACRES IN A SINGLE						
IRRIGATION SEASON.						
0.32 CFS OF RIGHT NOS. 57-01220, 57-01222 AND 57-02108 IS LIMITED						
TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 57-01220,						
57-01222 AND 57-02108.						

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JUL 10 1997
Department of Water Resources

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JUL 10 1997
Department of Water Resources

1997 JUL -8 AM 11:46
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

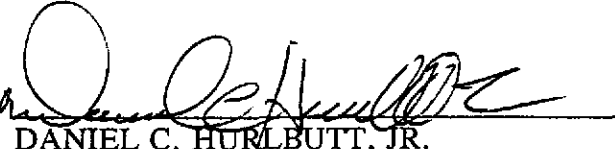
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
ORDER OF PARTIAL DECREE
For Water Right 57-07010

On May 7 , 1997, a *Special Master's Report and Recommendation* was filed for the above water right recommending that it be disallowed. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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

Therefore, IT IS ORDERED that water right 57-07010 is hereby decreed disallowed.
DATED July 8, 1997.

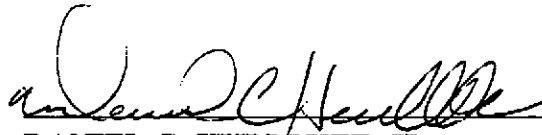

DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

MICROFILMED
MAR 02 1998

RULE 54(b) CERTIFICATE

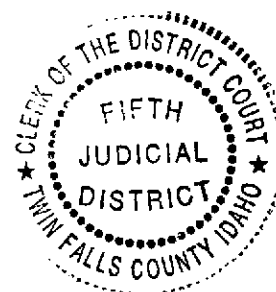
**RECEIVED
JUL 12 1997** respect to the issues determined by the above judgment or order it is hereby
CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there
is no reason for delay of the entry of a final judgment and that the court has and does hereby
direct that the above judgment or order shall be a final judgment upon which execution may issue
and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED July 8, 1997.


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

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK

ORDER OF PARTIAL DECREE
6/11/97



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	02E	12	SW	SE		IRR	20.0
			SE	SE		IRR	4.0
			Section Acres				24.0
	03E	7	SE	NE		IRR	15.0
SW			SW	4	IRR	25.0	
SE			SW		IRR	20.0	
NE			SE		IRR	3.0	
NW			SE		IRR	25.0	
			Section Acres				88.0
			Total Acres				112.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

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

Signature of Claimant(s): Paul J Black Date: 12-15-88
Mattie L Black Date: 12-15-88

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of December 19 88

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-07010

Date Received: 11/17/1988

Receipt No: 0003946

Received By: [Signature] 12/15/88

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MATTIE L. BLACK
Address: P.O. BOX 273
GRANDVIEW, ID 83624

AND/OR

Name: PAUL BLACK
Address: P.O. BOX 273
GRANDVIEW, ID 83624

2. Date of Priority: FEB 06, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	02E	13	NW	SW			OWYHEE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/31	2.030		560.00

7. Total Quantity Appropriated is:
2.030 C.F.S. (and/or) 560.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A57-07010

Page

1

Date: 11/17/88

MICROFILMED

OCT 07 1992

SRBA
RECOMMENDATION TO DEPARTMENT OF JUSTICE
FOR RESOLUTION OF OBJECTIONS
TO NON-BLM WATER RIGHT CLAIMS
AFFECTING WATER USE ON PUBLIC LAND

CASE NUMBER(S): 57-07010

CLAIMANT: MATTIE BLACK. PAUL BLACK

REASON FOR OBJECTIONS

The above water right claim is for irrigation use on a total of 66.0 acres. The Master Title Plats for the tracts claimed indicate that 2.0 of these acres are located on Public Domain lands administered by the Bureau of Land Management. This land is located at:

T07S R02E S12 SESW 2.0 acres

RESOLUTION RECOMMENDED

1. Change the Directors Report by removing the above referenced tract of BLM land and reducing the acres total in the following section:

- PLACE OF USE: IRRIGATION
 2.0 acres total

2. Change the Directors Report by further defining the place of use

from:

T07S R02E S12 SWSE 17.0 acres
 SESE 6.0 acres

to:

T07S R02E S12 S $\frac{1}{2}$ SWSE 17.0 acres
 S $\frac{1}{2}$ SESE 6.0 acres

3. Change the Directors Report by decreasing the 'COMBINED TOTAL ACRES' listed in REMARKS from 83.0 acres to 81.0 acres.
4. Change the Directors Report by reducing the 'TOTAL COMBINED ANNUAL CONSUMPTIVE VOLUME' listed in REMARKS from 290.5 AF to 283.5 AF. The basis for this change is the reduction in total acres irrigated from 83.0 acres to 81.0 acres.

MICROFILMED
JUL 20 1994

SRBA
RECOMMENDATION TO DEPARTMENT OF JUSTICE
FOR RESOLUTION OF OBJECTIONS
TO NON-BLM WATER RIGHT CLAIMS
AFFECTING WATER USE ON PUBLIC LAND

CASE NUMBER(S): 57-07010

CLAIMANT: MATTIE BLACK, PAUL BLACK

REASON FOR OBJECTIONS

The above water right claim is for irrigation use on a total of 66.0 acres. The Master Title Plats for the tracts claimed indicate that 2.0 of these acres are located on Public Domain lands administered by the Bureau of Land Management. This land is located at:

T07S R02E S12 SESW 2.0 acres

RESOLUTION RECOMMENDED

1. Change the Directors Report by removing the above referenced tract of BLM land and reducing the acres total in the following section:
 - PLACE OF USE: IRRIGATION
 2.0 acres total
2. Change the Directors Report by further defining the place of use
 - from:
 - T07S R02E S12 SWSE 17.0 acres
 - SESE 6.0 acres
 - to:
 - T07S R02E S12 S $\frac{1}{2}$ SWSE 17.0 acres
 - S $\frac{1}{2}$ SESE 6.0 acres
3. Change the Directors Report by decreasing the 'COMBINED TOTAL ACRES' listed in REMARKS from 83.0 acres to 81.0 acres.
4. Change the Directors Report by reducing the 'TOTAL COMBINED ANNUAL CONSUMPTIVE VOLUME' listed in REMARKS from 290.5 AF to 283.5 AF. The basis for this change is the reduction in total acres irrigated from 83.0 acres to 81.0 acres.

MICROFILMED
JUL 20 1994

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

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

Case No. 57-07010 -0001

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

RESPONSE TO OBJECTION

Petitioner,

vs.

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

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

2. Person who filed objection:

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

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL

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

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ Source: I respond to the objection concerning the source of water.
3. ☒ Quantity: I respond to the objection concerning:
 - 3a. ☒ The total quantity of water used in cubic feet per second.
 - 3b. ☒ The total quantity of water stored in acre feet per year.
4. ☒ Priority Date: I respond to the objection concerning the priority date.
5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the points(s) of diversion.
7. ☒ Purposes of Use: I respond to the objection concerning the purpose(s) of use.

8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I respond to the objection concerning:
- 9a. ☒ The legal description of the place of use.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.
12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12a. ☒ This water right being recommended at all.
14. ☒ Other: I respond to the objection concerning:
Legal description of claim

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 2, 3, 3a., 3b., 4, 5, 7, 8, 9, 9a., 10, 11, 12, 12a. and 14 and all allegations of the objection regarding these items, IDWR responds as follows:

IDWR lacks sufficient information to form a belief as to whether any or all of the lands upon which water is diverted, conveyed, or used pursuant to this right are owned by the United States. IDWR admits that the exercise of rights to water from the same source may impact each other. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

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

(Over)

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

No. of
Pages

Notice of Claim No. A57-07010

3

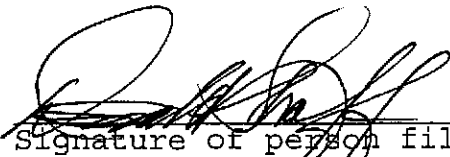
VERIFICATION (Must be Completed)

State of IDAHO

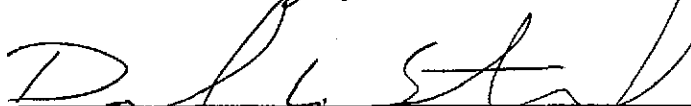
County of ADA

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

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


Signature of person filing response

By:


(Attorney signing in
representative capacity)

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


Notary Public for Idaho
Residing at: Boise ID
My Commission expires: 11-14-1998

(Over)

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CERTIFICATE OF MAILING

I hereby certify that on the 15th day of July, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

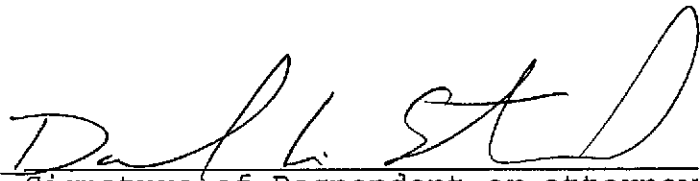
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

Name: MATTIE & PAUL BLACK
Address: PO BOX 273
GRAND VIEW ID 83624

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

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



Signature of Respondent or attorney
mailing on Respondent's behalf

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-07010

Date Received: 11/17/1988

Receipt No: 0003946

Received By: DD 12/15/88

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MATTIE L. BLACK
Address: P.O. BOX 273
GRANDVIEW, ID 83624

AND/OR

Name: PAUL BLACK
Address: P.O. BOX 273
GRANDVIEW, ID 83624

2. Date of Priority: FEB 06, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	02E	13	NW	SW			OWYHEE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/31	2.030		560.00

7. Total Quantity Appropriated is:
2.030 C.F.S. (and/or) 560.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A57-07010

Page 1

Date: 11/17/88

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JUL 20 1994

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OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	02E	12	SW	SE		IRR	20.0
			SE	SE		IRR	4.0
						Section Acres	24.0
	03E	7	SE	NE		IRR	15.0
			SW	SW	4	IRR	25.0
			SE	SW		IRR	20.0
			NE	SE		IRR	3.0
			NW	SE		IRR	25.0
						Section Acres	88.0
						Total Acres	112.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

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JUL 20 1984

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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): Paul J Black Date: 12-15-88
Mattie L Black Date: 12-15-88

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of December 19 88

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994

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

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

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

Petitioner,

vs.

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

Respondents.

Case No. 57-07010
(You must insert the
water right number you
are objecting to)

OBJECTION RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

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

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

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(Over)

OBJECTION - 1

JUL 20 1994

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

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

Briefly describe your interest in this water right:

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

2. Owner of the water right:

Name: Claimant: Mattie L. Black
Paul Black
Address: P.O. Box 273
Grand View, Idaho 83624

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice
550 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: (202) 272-8351

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

II. STATEMENT OF THE OBJECTION

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

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

12. ☒ Water Right Recommendation: I object to:
- a. ☒ this water right being recommended at all; or
 - b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☒ Other: I object to: The legal description of the claim as shown in the Director's Report includes public lands.

REASONS SUPPORTING EACH BOX CHECKED

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

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

CHANGES TO THE DIRECTOR'S REPORT

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

The Director's Report should be changed to recommend disallowance of this claim.

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

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

1. Map of claim showing federal parcel(s).
2. Copy of the Master Title Plat.

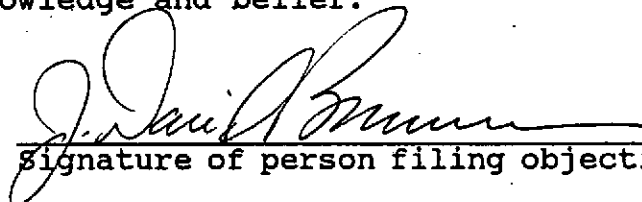
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

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

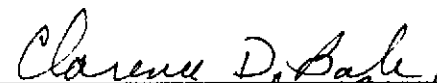
That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By:

(Attorney signing in
representative capacity)

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


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

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JUL 20 1994

(Over)

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

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

1. Original to:

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

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

Owner name: Mattie L. Black
Paul Black
Owner's Address: P.O. Box 273
Grand View, Idaho 83624

3. One copy to:

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

4. One copy to:

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



Signature of Objector or attorney
mailing on Objector's behalf

GRAND VIEW 12 MI.

50'

5 SWSE

8 NW NE

5

☒ Denotes Public Land
Included in this Claim

POOR ORIGINAL

MICROFILMED
JUL 20 1983

PERJUE CANYON, ID
75 2E

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MATTIE L BLACK	02/06/1968	IRRIGATION	03-15 11-15	1.62 CFS	297.0 AFA
C	PAUL BLACK					
	PO BOX 273					
	GRAND VIEW ID 83624					
TOTAL DIVERSION:					1.62 CFS	297.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07S R02E S13

NWSW

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
07S	02E	12	:																	:	25.0
07S	02E	13	:			11						09		03		15				:	41.0
TOTAL ACRES																				66.0	

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: SEE REMARKS

Remarks: USE OF THIS RIGHT WITH RIGHT 57-01220, 57-01222 AND 57-02108 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.08 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 290.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 83 ACRES IN A SINGLE IRRIGATION SEASON. 0.32 CFS OF RIGHT NOS. 57-01220, 57-01222 AND 57-02108 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 57-01220, 57-01222 AND 57-02108.

Dates: Exam Made Date: 01/11/1991 Verified Date:

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

MICROFILMED
JUL 20 1994

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MATTIE L BLACK	02/06/1968	IRRIGATION	03-15 11-15	1.62 CFS	297.0 AFA
C	PAUL BLACK					
	PO BOX 273					
	GRAND VIEW ID 83624					
TOTAL DIVERSION:					1.62 CFS	297.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07S R02E S13

NWSW

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
07S	02E	12	:																	:	25.0
07S	02E	13	:			11				09		03		15			03			:	41.0
TOTAL ACRES																			:	66.0	

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: SEE REMARKS

Other Water Rights with Same Point(s) of Diversion and Source:
A57-07010

Other Water Rights Listing Overlapping Place(s) of use:

A57-01220 A57-01222 A57-02108 A57-07010 R57-01220 R57-01222 R57-02108 R57-07331

Conditions of Approval:

M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
- MAINTAINED AS A PART OF THE DIVERTING WORKS.

Remarks: USE OF THIS RIGHT WITH RIGHT 57-01220, 57-01222 AND 57-02108
IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.08 CFS, A
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 290.5 AF, AND TO
THE IRRIGATION OF A COMBINED TOTAL OF 83 ACRES IN A SINGLE
IRRIGATION SEASON.
0.32 CFS OF RIGHT NOS. 57-01220, 57-01222 AND 57-02108 IS LIMITED
TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF RIGHT NOS. 57-01220,
57-01222 AND 57-02108.

Dates: Exam Made Date: 01/11/1991 Verified Date: 07/16/1992

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

Comments: Date: 03/11/1991 User-ID: HOWERTON Subject: INCORRECTLY CLAIMED LICENSE PRIOR TO DECREE.

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OCT 07 1992

AJ0749NP
No. R57-07010

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

DATE: 07/16/92
PAGE: 2

Comments: Date: 03/11/1991 User-ID: HOWERTON Subject: INCORRECTLY CLAIMED LICENSE PRIOR TO DECREE.
DECREE.

Audit: 07/16/92 HOWERTON

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OCT 07 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. 57-07010

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*	N	Rch 1/11/91	b	N	N		
PT. OF DIV.			b	N			DATA ENTRY COMPLETED BY _____ DATE _____
SOURCE			b	N			
PL. OF USE			*	Y			FINAL RECOMMENDATION BY _____ DATE _____
DIV. AMOUNT CFS/AF			*				
CONSUMPTIVE USE			*				
NATURE OF USE			b	N			
PERIOD OF USE			*	Y			
BASIS OF CLAIM			b	N			
REMARKS			b	N			

*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: (*)b SAME AS DECREE, HOWEVER, INCORRECTLY CLAIMED OLD RIGHT
BEFORE IT WAS DECREED.

SEE MAPS IN THE FILE FOR VERIFICATION. Rch

U
1
0
7
1992

REPROFILED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
(use in place of the CVR for ~~small Domestic/Stock~~ exams)
MATCA

1. ☒ No Change NAME
NEW OWNER: _____
☐ No Change ADDRESS
NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____.
(if the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☒ No Change - SOURCE
Source is different than that claimed:
Source found: _____
4. ☒ No Change - POINT OF DIVERSION
Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete desc., complete items missing, IF KNOWN.
Additional comments in remarks.
HP of pump _____ Pump Ser. # _____ Pumping water level _____
Well depth _____ Motor Ser. # _____ Static water level _____
Casing size _____ Method of irr. _____
6. ☒ No Change - WATER USES
Different uses, (list uses found).
Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☒ No Change - TOTAL VOLUME
Incomplete on claim, the total is, -- -- _____ cfs _____ af
Change found, the new total is, -- -- -- _____ cfs _____ af
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____

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OCT 07 1992

10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4,

Remarks: (Comments pertinent to field examination)

CLAIMANT INCORRECTLY CLAIMED THE WAY
THE OLD-RIGHT READ, BEFORE IT WAS
DECREED.

CHANGED THE CLAIM AS DECREED.

SEE MAP IN THIS FILE...

ATTACHMENTS:

Attached to
This Form.

Attachments are
in Permit File.

PHOTOS (optional) ☐
MAP ☒
SYSTEM DIAGRAM ☐

☐
☐
☐

☐ Changes found during exam or additional information in the permit file, see permit file.

DATE EXAM CONDUCTED: 1/11/91

FIELD EXAMINER:

Ron Howerton

Signature

Ron Howerton

CENTRAL

DATE

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 66 x 0.02 CFS/ACRE = 1.32 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 66 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 231 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 66 x DIVERSION VOL. AF/A FOR AREA 4.5 =

TOTAL DIVERSION VOLUME 297 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(✓) N()

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

COMBINED WITH 57-01220, -1222, 2108

COMBINED CU VOL = 290.5 AF

11 DIV = 2.08 CFS

1b. CALCULATIONS

SEE OVERLAP
ANAL. SHT

CLAIMANT: BLACK, PAUL/MATTIE
 AGENT: RON HOWERTON DATE: AUG 28 1991
 GIVEN: _____

ACRES OVERLAPPING: _____

IRRIGATION METHOD: FLOOD _____% SPRINKLER _____%

DELIVERY LOSS FACTOR USED: _____

_____ = _____% _____ = _____%
 (SOURCE) (SOURCE)

_____ = _____%
 (SOURCE)

RANGE OF RECOMMENDABLE DIVERSION RATES & VOLUMES

SOURCE	ACRES	DIVERSION RATE		DIV VOL	C.U. VOL
		MIN	MAX		

ANALYSIS

SOURCE	NUMBER	ACRES	PRIORITY	CLAIMED CFS	CUM. CFS
GW	7010	66	2/6/1968	1.62	
SHOOFLY CR.	1220	21	12/21/1886	.52	
↓	1222	25	3/15/1968	.62	
↓	2108	20	6/1/1917	.50	

ANALYSIS FOR CLAIM NO.: A57-7010Standard Conditions: USE OF THIS RIGHT WHEN COMBINED WITH OTHER IS LIMITEDStandard Remarks: TO A TOTAL COMBINED DIVERSION RATE OF 2.08 CFS, 290.5 cu ft & 83 IRRIG. AC.

#7010 66 Ac @ (.0247619) PER AC.

1220 21 Ac @ (.0247619) PER AC.

1222 25 Ac @ (.0248) PER AC. AVE = (DIVERSION RATE) $(0.025/\text{Ac})(83 \text{ Ac}) = 2.08 \text{ CFS}$

2108 20 Ac @ (.025) PER AC

83 ACRES TOTAL AFTER OVERLAP REVIEW.

X 3.5 (CONS. USE)

290.5 C.U.

DITCH LOSS REMARK
 FOR SURFACE RTS
 COMBINED WITH THIS
 RIGHT. D04

1220 = .10 CFS + 1222 = .12 CFS + 2108 = .10 CFS =

TOTAL ADDED
 DITCH LOSS.
 0.32 CFS

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OCT 07 1992

OVERLAP REVIEW OF A57-7010

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
A57 - GW	7010	7S	2E	12												2			17	6	25	
				13		11			9		3	15		3							41	66

SHOFLY CR.

A57-*
A57-
A57-

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
1220	7S	2E	13							3	15		3							21	21
1222	7S	2E	12											2			17	6	25	25	
2108	7S	2E	13	11				9												20	20

TOTAL
ACRES

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	7S	2E	12										4			17	6	27			
	7S	2E	13		11			18		6	15		6					56	83		

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

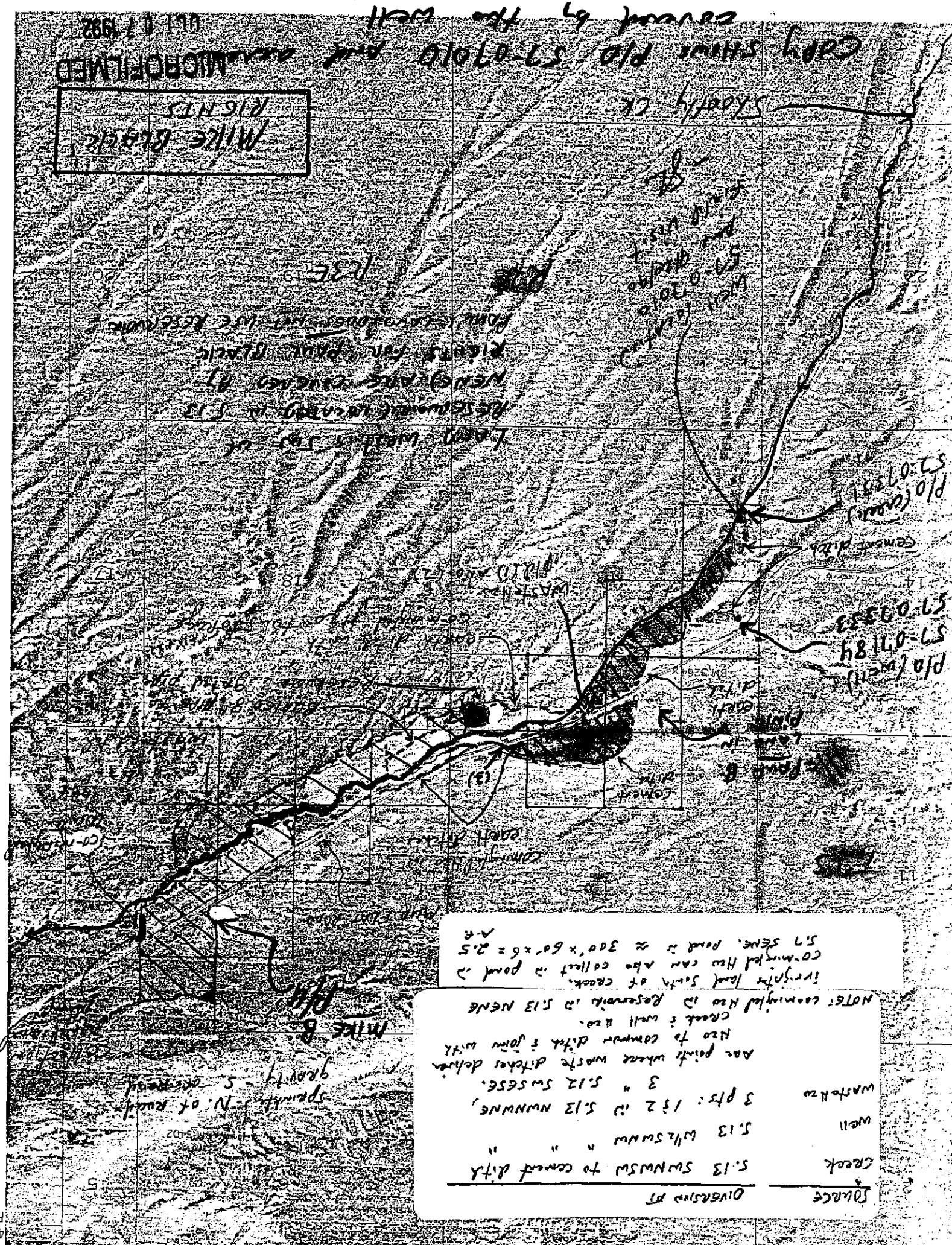
* 1220 IS REMARKED BY COMBINING 7010 ONLY

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copy shown p10 57-07010 and covered by the well

Mike Black
RICKS



Source
Ditch
5.13 SWMSW to cement ditch
Creek
Well
Waste Area
3 pts: 1 & 2 in 5.13 NWMSW, 5.12 SWMSW, 5.13 SWMSW
Are points where waste ditches deliver
H2O to common ditch & join with
Creek & well H2O
NOTE: cemented H2O in Reservoir in 5.13 NENE
Irrigation land south of creek.
Cemented H2O can also collect in pond in
5.7 SENE. Pond is $\approx 300' \times 60' \times 6' = 2.5$
A-6

R2E R3E

Poison
Creek

SPRINKLER (DAMAGED)

N. of ROAD

gravity irg. S. of

ROAD

WASTE P/L

WASTE P/L

WASTE P/L

WASTE P/L

WASTE P/L

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WASTE P/L

COMMON MAP : MIKE BLACK

PERMITS 57-07333 - well

57-07331 - Shoofty ck

DECREED 57-01221 - waste H2O

57-07184 - well

P/L Creek 5.13 SWNWSW to cement ditch

• well 5.13 W 1/2 SWNW " " "

(Same well in 57-07184)

• waste 3 pts. where injects into common delivery ditch: 2 in 5.13 NWNWNE

1 in 5.12 SWSESE

RESERVOIR - combined H2O in 5.13 NENE, irrigates land south of creek.

Regulating pond - 5.7 SENE 300'x60'x6' = 2.5 A.F. (not part of storage right(s))

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ORIGINAL MAP FILED IN 57-07333 U 7 1992

Shoofty
Creek

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFFDate 3/29/83Right No. 57-7010Claimant BLACK

Recommendation differs from claim:
(Document any differences)

☒ Yes☐ No☐ Disallow

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☒ License☐ Previous Statutory Claim.☐ Permits, valid or lapsed. Number(s) if different than above _____☐ Decree. Name & date _____☒ Conveyance Loss Calculations. See printout included.☐ Title abstract. ☐ In file. Or, Name & location _____☐ County records. ☐ In file. Or, Name & location _____☐ Affidavits. ☐ In file.☐ Posted Notices, Water Locations Notices. ☐ In file.☐ Deed Records. ☐ In file. Or, Name & location _____☐ Patent Records. ☐ In file. Or, Name & location _____☐ Metzker Maps. Identify _____☒ A.S.C.S. Records. Year & Photograph No. _____☐ Irrigation Company/District Records. ☐ In file. Or Name &

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OCT 07 1992

MEMORANDUM

TO: FILE 57-7010
FROM: Don Shaff *DS*
DATE: March 29, 1983
RE: Recommendation of Diversion Rate

The claimants filed a claim for a diversion rate cited by the license they received in 1976, but claiming fewer acres. They remarked on their claim that the duty of water for this land was greater than one miner's inch per acre and supported their claim by information supplied by the Soil Conservation Service. A study request to evaluate the water requirement needs for irrigation of this land was submitted to the Local Support Section. Assuming the crop requirements of corn, which is the predominant crop grown on this land, Mr. King cited a diversion requirement of less than one miner's per acre for this land. The findings of his study are contained in file 57-1217.

The water requirement of corn calculated by King is discarded in favor of a water requirement ~~of~~ alfalfa. The more liberal water requirement is used by the department for water rights as a matter of practice and policy. This change would mean a crop requirement of .6875 miner's inches per acre as opposed to .515 miner's inches per acre cited by King. The table in this file illustrates the results of various field efficiencies and the calculations of the LOSER program which was described in the memo for 57-1217. The recommendation for this water right and this land relies on the field efficiency cited by Mr. King. This system ~~was~~ of a new design with the fields recently leveled and laid out according to SCS specifications. The irrigation of these fields utilizes a scarce resource whether the water is taken from the creek or pumped from the well. With the concrete ditch for more than half of the ditch's length, conveyance efficiency is greater than under other circumstances and is assumed at 80%. This gives a overall project efficiency of 56%. The calculations for various efficiencies are on a separate sheet in this file.

The sources of information for analyzing the water requirements for this land are the same as those cited in 57-1217. The diversion rate required for the irrigation of this land under this water right is recommended at 1.62 cfs.

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WATER REQUIREMENT ANALYSIS

3/29/83

$$\text{CROP REQUIREMENT, ALFALFA} = 0.6875 \text{ MI/AC}$$

$$\text{AT } 60\% \text{ } E_a = 1.15 \text{ MI/AC}$$

$$E_d = 80\% : 1.15 / 80\% = 1.43 \text{ MI/AC}$$

$$\text{AT } 65\% \text{ } E_a = 1.06 \text{ MI/AC}$$

$$E_d = 80\% : 1.06 / 80\% = 1.325 \text{ MI/AC}$$

$$\text{AT } 70\% \text{ } E_a = 0.9821 \text{ MI/AC}$$

$$E_d = 80\% : 0.9821 / 80\% = 1.23 \text{ MI/AC} \times 66 \text{ AC} \times \frac{0.02 \text{ cfs}}{\text{MI}} = 1.62 \text{ cfs}$$

E_a = FIELD APPLICATION EFFICIENCY

E_d = DISTRIBUTION EFFICIENCY (CONSIDERED
INTERCHANGABLY WITH CONVEYANCE EFFICIENCY
DUE TO SMALL NATURE OF SYSTEM.)

TERMS TAKEN FROM FAO IRRIGATION & DRAINAGE PAPER #24.

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LOSER

② 20 FT/DAY

1 27 cfs

1 86 M-1/AC

① 15 FT/DAY

1 08 cfs

1 6 M-1/AC

1 57 cfs

1 19 M-1/AC

60%

FIELD EFFICIENCY

0 88 cfs
1 30 M-1/AC

25% E ON 24 ACRES
WEST OF CREEK.
57% E ON 10 ACRES
EAST OF CREEK.

E_p = 52.2%
E_d = 88.5%

1 21 TO 1 32
0 92 1 0 M-1/AC

1 64 cfs
1 24 M-1/AC
55.4% E_p

50%

FIELD EFFICIENCY

1 02 cfs
1 5 M-1/AC

E_p = 45.5%
E_d = 91.6%

1 47 cfs
1 11 M-1/AC

1 95 cfs
1 48 M-1/AC

ALFALFA
HAY
0 6875
M-1/AC
REPL. REQ

CORN
0 515 M-1/AC
REPL. REQ

ALFALFA
0 6875 M-1/AC
REPL. REQ

34 ACRES

66 ACRES

0 56 MI. EARTH DITCH

0 20 MI. CONCRETE

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(From King)

~~#1~~ #5 FIELD REPR. REQUIRED = .0103 c/f/Ac
= .515 M-1/Ac

@ 50% FIELD EFF = 1.03 M-1/Ac

$$\text{Div. REQ} = \left(\frac{.56}{1.2}\right)(10\%)(1.03) + \left(\frac{.02}{1.2}\right)(2\%)(1.03) + 1.03$$
$$= 1.11 \text{ M-1/Ac}$$

@ 60% FIELD EFF = .858 M-1/Ac

$$\text{Div. REQ} = \left(\frac{.56}{1.2}\right)(10\%)(.858) + \left(\frac{.02}{1.2}\right)(2\%)(.858) + .858$$
$$= .92 \text{ M-1/Ac}$$

#5 w/ ALFA
.6875 M-1/Ac

@ 50% FIELD EFF = 1.375 M-1/Ac

$$\text{Div. REQ} = \left(\frac{.56}{1.2}\right)(10\%)(1.375) + \left(\frac{.02}{1.2}\right)(2\%)(1.375) + 1.375$$
$$= 1.48 \text{ M-1/Ac}$$

@ 60% FIELD EFF = 1.15 M-1/Ac

$$\text{Div. REQ} = \left(\frac{.56}{1.2}\right)(10\%)(1.15) + \left(\frac{.02}{1.2}\right)(2\%)(1.15) + 1.15$$
$$= 1.24 \text{ M-1/Ac}$$

Loss 1.57 c/f
1.19 M-1/Ac

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1968 = Turned pump on July 7

grain Hay.

1969 - Set up pump July 28 (Good year)
Shut off Oct 15th (corn)
Water run off Jan. 20 - Flood everything)
Water run off March 26-27-28

1970 - Set up pump June 29.
Sept 12 - Shut off pump
(lots June rains)

1971 Set up pump June 10th (lots of May, June
no run off. March 16 good rain + snow) rains.)
May 8 flood

1972 Set up pump Aug 16
Water run off Feb 28
cloud burst June 8
Snow Mtn. not much
Rain May + June
Sept.

1973 Set up pump June 24
(no run off water)

April 19 - 4" snow

1974 Started pump July 5th

Good year

Water come - Jan. 15-16
1975 Started pump July 4

April May June
rains

Water run off - Feb 28
1976 Started pump July 1

Rain, snow - Oct.
(cold Nov)
June rains

Water run off March 18th

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1974 in a Good year
Jan. 15th - Hard Come Snow mts etc
Started pump 5 July

1975 no snow
Feb. 28 - Water Come March
May June Rains

Started pump July 4
1976 March 18th Water Come
Started pump July 1 (May June rains)

1977 No run off - no little stream
Started pump April 20

1978 March 20 Water Come good stream
Started pump July 14 (April rains)

1979 March 6-7 Water Come flooded creeks
Started pump June 28

1980 Jan 13 - Run of Water Come went all over
Feb - 16 Water Come (May rains)
Started pumps - May 26 Miles
Started our pump July 1st

1981 No spring run off - Very little Creek.
Started pump April 17 - Creek died up.

1982 No Water in Shoo Fly Creek -
Very little in Spring
Lots of Water Come Feb 16
(May 26 pump Water Miles)
Started our pump 26 June
23 put all water in no ditch -
a small dam

50" water in
Ditch 50" deep
30" and 40" deep
Pumped water
lower place for
Cattle
Due to lawsuit
They stopped us
after hearing

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1977 Turned pump on April 20
no run off - (Very little water in creek
but it was out on fields lower place)
May Thunder Storms rain
June good rains - rain down.
flood food come -

1978 Turned pump on July 14 -
good rain + snow January -
Feb snow -
Water Come March 20. good stream)
July rain.

1979 Turned pump on June 28
Shut off Oct. (Snow Feb 22-24-29
Water Come Jan. 11 (Snow Jan. 14 - 6"
Water Come March 6-7. Flooded everywhere

1980 Turned our pump and mikes May 26 -
1980 ~~Turned pump on July 14~~
Water run off - Jan. 13. - (Jan. 5 snow
Water run off Feb 16 (11-12 snow wind rain)
warmed up

1981 Turned pump's on April 17
no run off - (Cold fog. lt snow
Creek dried up - May good rain
our spring didn't go to lower place) June rain
No Creek Water until Spring run
off - Come Feb 16 - 1982 -

1982 Turned pumps on May 26 to mikes (Pump water cattle
lower place)
no water in Creek = - lawsuit
Spring run off Come Feb 16 - 82
lots of water - more than we
have seen since 1951

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OCT 07 1992

57-7010

REPORT OF WELL DRILLER State of Idaho

RECEIVED
JUL 19 1935

State law requires that this report shall be filed with the State Registration Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name Paul BlackAddress Grand View, IdaOwner's Permit No. 633135NATURE OF WORK (check): Replacement well ☐New well ☒ Deepened ☐ Abandoned ☐Water is to be used for: irrigationMETHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other ☐ (explain)CASING SCHEDULE: Threaded ☐ Welded ☒12 1/2 "Diam. from 0 ft. to 50 ft."Diam. from ft. to ft."Diam. from ft. to ft."Diam. from ft. to ft.Thickness of casing: 250 Material:Steel ☒ concrete ☐ wood ☐ other ☐

(explain)

PERFORATED? Yes ☒ No ☐ Type ofperforator used: machine perforatorSize of perforations: 3 " by 3/8perforations from 0 ft. to 50 ft.perforations from ft. to ft.perforations from ft. to ft.Size of drilled hole: 12" Total
depth of well: 535 Standing water
level below ground: 74 Temp.
Fahr. 68 Test delivery: 900 gpm
or cfs Pump? ☒ Bail ☐

Size of pump and motor used to make test:

6 1/2 H.P. Disk 10" bore 8" strokeLength of time of test: 2 Hrs. Min.Drawdown: 24 ft. Artesian pressure: ft.
above land surface Give flow cfs

or gpm. Shutoff pressure:

Controlled by: Valve ☐ Cap ☐ Plug ☐No control ☐ Does well leak around casing?Yes ☐ No ☒

DEPTH MATERIAL WATER

FROM TO YES OR NO

FEET FEET

0 5 top soil yes5 27 granite coarse yes27 40 granite smaller yes40 50 granite and sand yes50 50 sandstone soft brown yes50 100 clay yellow sandy yes100 125 sandstone soft brown yes125 142 clay yellow sandy yes142 160 clay yellow sandy yes160 175 clay yellow sandy yes175 190 clay yellow sandy yes190 205 clay yellow sandy yes205 220 clay yellow sandy yes220 235 clay yellow sandy yes235 250 clay yellow sandy yes250 265 clay yellow sandy yes265 280 clay yellow sandy yes280 295 clay yellow sandy yes295 310 clay yellow sandy yes310 325 clay yellow sandy yes325 340 clay yellow sandy yes340 355 clay yellow sandy yes355 370 clay yellow sandy yes370 385 clay yellow sandy yes385 400 clay yellow sandy yes400 415 clay yellow sandy yes415 430 clay yellow sandy yes430 445 clay yellow sandy yes445 460 clay yellow sandy yes460 475 clay yellow sandy yes475 490 clay yellow sandy yes490 505 clay yellow sandy yes505 520 clay yellow sandy yes520 535 clay yellow sandy yes535 550 clay yellow sandy yes550 565 clay yellow sandy yes565 580 clay yellow sandy yes580 595 clay yellow sandy yes595 610 clay yellow sandy yes610 625 clay yellow sandy yes625 640 clay yellow sandy yes640 655 clay yellow sandy yes655 670 clay yellow sandy yesLOCATION OF WELL: County 46 N 46 E Sec. 13 T. 1 S. R. 2 E. W

Use other side for additional remarks

NW SW 13 75 2E

USGS

WATER RIGHT LICENSE

License of Water Right No. 57-7010 Priority Feb. 6, 1968 Amount 2.03 cfs

THIS IS TO CERTIFY, that MATTIE L. BLACK

of Grandview, Idaho, has complied with the terms and conditions of Permit No. 57-7010 issued pursuant to Application for Permit dated February 6, 1968 and has submitted proof to the Department of Water Resources on June 2, 1975 that he has applied water to a beneficial use; an examination by the Department indicates that the works have capacity for the diversion of 2.03 cfs of water from a ground water source tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>May 1</u> to <u>Oct. 31</u>	at <u>2.03</u> cfs and	<u>560 acre feet or</u>
			<u>5.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 2.03 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 560 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 13,

Twp. 7 S, Rge. 2 E, B. M. in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 S	2 E	12															20	4	24
7 S	3 E	7				15							25	20	3	25			88
													(lot 4)						

Total number of acres irrigated 112

A measuring device of a type approved by the Department shall be permanently maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this

May, 19 76

Director

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBJECT: Irrigation Water Needs

DATE: July 28, 1982

TO: Paul Black
Box 273
Grandview, Idaho

The purpose of this letter is to show the amount of water needed to irrigate alfalfa on silt loam and fine sandy loam soils.

Method of irrigation is surface from concrete ditches.

Gross seasonal need for alfalfa from the Soil Conservation Service Irrigation Guide is 34.18". This figure is based on 100% efficiency.

Gross alfalfa needs for summer months are:

June = 6.21"	average consumptive use = .21"/day
July = 8.19"	average consumptive use = .26"/day
August = 6.53"	average consumptive use = .21"/day

When determining irrigation needs the peak month needs to be met.

Recent surface irrigation trials by the Soil Conservation Service on very sandy soils ranged from 10% to 20%. However, with good management 25% to 30% efficiency should be achieved with the soils on this farm.

Based on 27% efficiency surface irrigation for alfalfa, 2 miners inches per acre would be needed.

Marlin Porter

Marlin Porter
Soil Conservation Technician
Mtn. Home, Idaho


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OCT 07 1992

Water Right Number - A57-07010

Adj. Flag Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***

BLACK

PAUL

1 - BOX 273

2 -

3 -

City- GRAND VIEW

State- ID Zip- 83624

Phone -

BLACK

MATTIE

1 - BOX 273

2 -

3 -

City- GRAND VIEW

State- ID Zip- 83624

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
02/06/1968 ✓ 14 ERROR IN REGION L - LICENSE ~~DECREED~~+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
07S 02E 13 NW SW ✓ (73) OWYHEE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 ✓ 1.620 ✓ ~~330~~+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.620 ✓ ~~330~~ 231+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 02E 12 SE SW 2.0 ✓ 01 IRRIGATION (73) OWYHEE
07S 02E 12 SW SE 17.0 ✓ 01 IRRIGATION (73) OWYHEE
07S 02E 12 SE SE 6.0 ✓ 01 IRRIGATION (73) OWYHEE
07S 02E 13 NW NE 11.0 ✓ 01 IRRIGATION (73) OWYHEE
07S 02E 13 NE NW 9.0 ✓ 01 IRRIGATION (73) OWYHEE
07S 02E 13 SW NW 3.0 ✓ 01 IRRIGATION (73) OWYHEE
07S 02E 13 SE NW 15.0 ✓ 01 IRRIGATION (73) OWYHEE
07S 02E 13 NW SW 3.0 ✓ 01 IRRIGATION (73) OWYHEE

Total Acres: 66.0 ✓

+ - Diversion Means - WELL AND DITCH

+ - Non-Irrigation Use -

+ - - Other Rights for Same Use - 57-1220, 57-1222, 57-2108

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Water right number - A57-07010

Adj. flag translation: ADJUDICATION CLAIM

+ - - - - Remarks - - - - -
No Remarks found.

+ - - - - 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 - 03/22/85 05/01/88 CONVERT

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

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

Court Report Filing - 00/00/0000	Field Inspection Made - 00/00/0000	Civil Case Number -
Objection Filed Date - 00/00/0000	Field Inspection Flag -	Old Case Number -
Response Filed Date - 00/00/0000	Verified Date - 00/00/0000	Old Judicial District -
Claim Received Date - 00/00/0000	Last Amended Date - 00/00/0000	Temporary Right - P
Claims Tape Error Flg -	Receipt Number -	Water District - 57K
Fee Exempt Flag -	POU Ownership Flag -	Federal/State Indicator -
Name Connector -	Microfilm Roll Number -	Presumption Flag -

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OCT 07 1992

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Upper Shoofly Creek
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

57-7010	I.D. No.	Map No.
\$10.00	Fee Paid	2438
		Receipt No.

Notice is hereby given that Paul and Mattie Black
(Name of Claimant)

Box 273, Grandview, ID 83624
(Mailing Address) (Zip Code)

Telephone No. 834-2467

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, or priority date of decreed, licensed or permit right) February 6, 1968

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) groundwater tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 1.62 2.03 cfs. Use Irrigation A Period of Use From 5/1 3/15 To 10/31 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 1.62 2.03 cfs. TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source NW 1/4 SW 1/4
Sec. 13, Twp. 7S, Rge. 2E, B.M., Owyhee 73 County
Additional Points: 361-2720

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.
Well and concrete ditch

(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	
7S	2E	12																	30 25
		13		11			9		38	15		3		2			17	19	48 26 39
																			41

OTHER RIGHTS: 57-1220, 57-2108, 57-1222

Total no. of acres 20 39 6

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:

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

(8) Remarks Duty of water is greater than .02 cfs; explained in 57-1217
This is a notice of transfer of this right. Department of Water Resources
Western Regional Office

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 57-7010 Part

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Sept 1, 1982
(Date)

Individual Paul J. Black
(Signature of Claimant)
x Mattie L. Black
(Signature of Spouse)

State of Idaho ss. Organization
County of Ada Seal

On this 1st day of Sept, in the year 1982, before me
a notary public, personally appeared Paul J. Black and Mattie L. Black, H & W,
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation,
partnership or _____) executed the same.

My commission expires

Notary Public residing at Boise Idaho

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Upper Shoofly Creek
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

57-7010	I.D. No.	Map No.
\$10.00	Fee Paid	2438
		Receipt No.

Notice is hereby given that Paul and Mattie Black
(Name of Claimant)

Box 273, Grandview, ID 83624
(Mailing Address) (Zip Code)

Telephone No. 834-2467

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, or priority date of decreed, licensed or permit right) February 6, 1968
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) groundwater tributary to _____
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|---|--|--|
| Quantity <u>2.03 cfs.</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>5/1</u> To <u>10/31</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 2.03 cfs. TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 13, Twp. 7S, Rge. 2E, B.M., Owyhee County
Additional Points: _____
- 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.
Well and concrete ditch
- (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 $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7S	2E	12															19	11	30
		13		11			9		5	15									40

Total no. of acres _____

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: _____

SEP 8 1982

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks Duty of water is greater than .02 cfs; explained in 58-1727 Department of Water Resources
This is a notice of transfer of this right. Western Regional Office
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 57-7010 Port

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Sept 1, 1982
(Date)

Individual

Paul J. Black
(Signature of Claimant)

X

Mattie L. Black
(Signature of Spouse)

Organization

State of Idaho

Organization

County of Idaho

Seal

(Signature of Authorized Agent)

On this 1st day of Sept, in the year 1982 before me
a notary public, personally appeared Paul J. Black and Mattie L. Black, H & W,
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation,
partnership or _____) executed the same.

My commission expires _____

Notary Public residing at Boise Idaho

WATER RIGHT LICENSE

License of Water Right No. 57-7010 Priority Feb. 6, 1968 Amount 2.03 cfs

THIS IS TO CERTIFY that MATTIE L. BLACK

of Grandview, Idaho, has complied with the terms and conditions of Permit

No. 57-7010 issued pursuant to Application for Permit dated February 6, 1968

and has submitted proof to the Department of Water Resources on June 2, 1975

that he has applied water to a beneficial use; an examination by the Department indicates that the works have

capacity for the diversion of 2.03 cfs of water from a ground water source

tributary to _____, and that the permit holder has applied to a beneficial use and

established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>May 1</u> to <u>Oct. 31</u>	at <u>2.03</u> cfs and	<u>560</u> acre feet or
			<u>5.0</u> af per acre
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 2.03 cfs of water be diverted at any one time, and

that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose

above mentioned and is limited to the amount which can actually be beneficially used and shall not exceed

560 acre feet per year, said waters to be diverted within the NW 1/4 SW 1/4 of Sec. 13,

Twp. 7 S, Rge. 2 E, B. M. in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7 S	2 E	12															20	4	24
7 S	3 E	7				15							25	20	3	25			88
													(lot 4)						

Total number of acres irrigated 112

A measuring device of a type approved by the Department shall be permanently maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 12 day of

May, 19 76

Director