

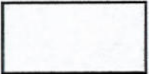
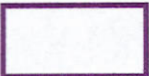
Idaho Department of Water Resources

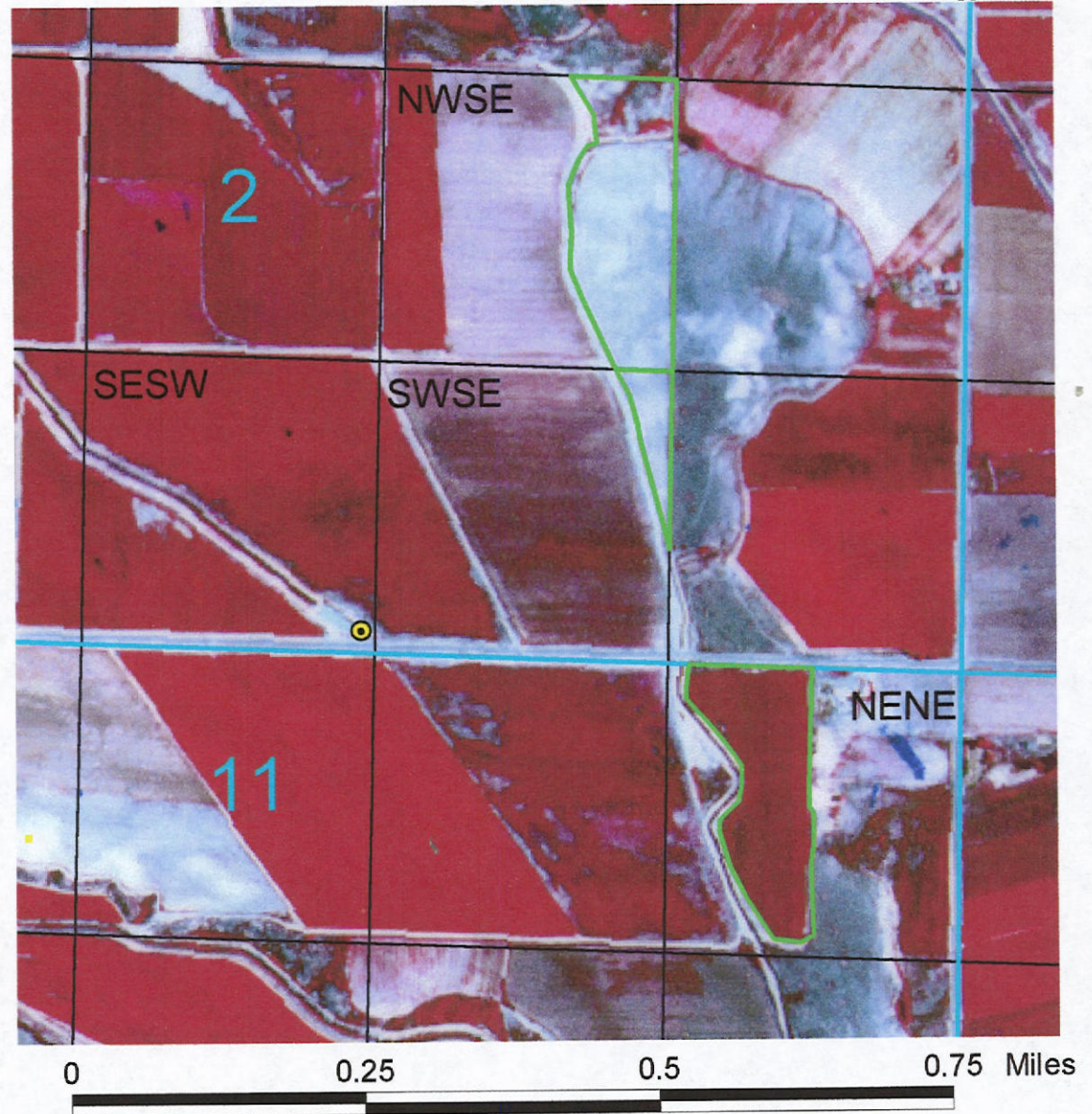
Claim Number: 57-07110

Legal: T02N, R05W, S02, 11

Reviewed By:

1987 Napp Photo

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



District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

RECEIVED
FEB 26 2003
Department of Water Resources

Important Information About Your Water Right

February 21, 2003

Marie Downing
C/O John Brandt, Manager
203 11th Ave. South
Nampa, Idaho 83651

Gold

RECEIVED
FEB 27 2003
WATER RESOURCES
WESTERN REGION

Dear Water Right Claimant(s):

This letter accompanies a copy of an **Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc** (hereinafter "**Order**") for water right number 57-07110. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

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

The purpose of the **Order** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the **Order**, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This **Order** also incorporates into the **Partial Decree** an express statement that the **Partial Decree** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This **Order**, in combination with the **Partial Decree** that was issued for this water right on December 15, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the **Partial Decree** to show evidence of this water right. The original of the **Order** and the original of the **Partial Decree** for this water right is on file with SRBA Court. If you do not have a copy of the original **Partial Decree**, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the **Order** is entered **Nunc Pro Tunc**, meaning that the **Order** will be treated as if it were issued on the same date that the **Partial Decree** was originally issued.

Sincerely,

Diana Delaney
Diana Delaney
Case Administrator

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	SUM
A5707110	NO MATCHES FOR THIS POU IN AJ-POU-TEMP																		
A0200064	GEM IRRIGATION	DISTRIC J	SNAKE RIVER	02N	05W	2 :				17 :	22			1 :					40
A0200064	GEM IRRIGATION	DIST. J	SNAKE RIVER	02N	05W	2 :	X	X		X :	X	X		X :					40
A0200065	GEM IRRIGATION	DISTRIC J	SNAKE RIVER	02N	05W	2 :				17 :	22			1 :					80
A0200065	GEM IRRIGATION	DIST. J	SNAKE RIVER	02N	05W	2 :	X	X		X :	X	X		X :					98
0202014	GEM IRRIGATION	DISTRIC L	SNAKE RIVER	02N	05W	2 :	40			40 :									15
0202276	GEM IRRIGATION	DISTRIC L	SNAKE RIVER	02N	05W	2 :	35	9		18 :	23	12	1						15
5707110	DOWNING	L	WASTE WATER	02N	05W	2 :										9	6		15
A5707110	DOWNING	L	WASTE WATER	02N	05W	2 :										9	6		15
5707486	DOWNING	P	WASTE WATER	02N	05W	2 :												15	15
1986 MAPPING DATA ---	-	-	COUNTY 73 QUAD X	53	02N	05W	2 :			42	39			39	40	37	39	36	42
																37	40	33	38
																			462

A5707110	NO MATCHES FOR THIS POU IN AJ-POU-TEMP																		
5704065	KIESTER	S	WASTE WATER	02N	05W	11 :													14
5707110	DOWNING	L	WASTE WATER	02N	05W	11 :	15												15
A5707110	DOWNING	L	WASTE WATER	02N	05W	11 :	15												15
5707486	DOWNING	P	WASTE WATER	02N	05W	11 :	15												15
1986 MAPPING DATA ---	-	-	COUNTY 73 QUAD X	53	02N	05W	11 :	37	38	33	37	35	37	39	39	36	37	39	603

OVERLAP
IS PERMIT
DON'T COMPTON
UNTIL LIC'D.

[OVER-LAP REVIEW]

(PERMIT)

ADJ. CLAIM: A57-07110 - IS OVER LAPPED BY 2nd DOWNING WR 57-07486

NO IRRIGATION CO. OVERLAPS

MICROFILMED
OCT 07 1992

57-07110
2N, 5W

S11

NWNE

57

SUB 3

58

33

NENE

56

52

57-07110

①

NWSE

12

#57

SWSE

3

#58

POD

#33

NE NE

13

#56

②



T3

T2

MICROFILMED
OCT 9 7 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-07110

Date Received: 12.10.90

Receipt No: 0012901

Received By: _____

DEC 10 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARIE DOWNING *now deceased* 208-466-7821
Address: C/O JOHN BRANDT:MANAGER
203 11TH AVE. SOUTH
NAMPA, ID 83651

2. Date of Priority: DEC 11, 1973

3. Source: WASTE WATER Trib. to: JUMP CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	05W	2	SE	SW			OWYHEE

5. Description of diverting works:

15HP MOTOR, TURBINE PUMP, HOLDING POND, SURFACE LINE, GATED PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.600		135.00

7. Total Quantity Appropriated is:

0.600 C.F.S. (and/or) 135.00 A.F.A.

8. Total consumptive use is ^{135.0} 150 acre feet Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	05W	2	NW	SE		IRR	9.0
			SW	SE		IRR	6.0

A57-07110

Page 1

Date: 12/05/90

MICROFILMED

OCT 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	15.0
		11	NE	NE	IRR	15.0
					Section Acres	15.0
					Total Acres	30.0

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:
OWYHEE IRRIG. DIST, A57-10041

14. Remarks:
SEE CONV. MEMO DTD. 12/4/90 BY RDH.

15. Basis of Claim: LICENSE

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

Number of attachments: 3

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): Mavis Downing Estate by Date: Dec. 6 1990
John A. Brandt, agent Date:

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 6 day December
of December 19 90

Don Brant
Notary Public

Seal

Residing at Nampa
My Commission Expires 12-15-92

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 57-7110 Priority Dec. 11, 1973 Amount 0.60 cfs

THIS IS TO CERTIFY, that MARIE DOWNING
of Pocostello, Idaho, has complied with the terms and conditions of Permit
No. 57-7110 issued pursuant to Application for Permit dated December 11, 1973
and has submitted proof to the Department of Water Resources on December 23, 1974
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.73 cfs of water from waste water
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 April 1 to Oct. 15	at 0.60 cfs and	135 acre feet or
	from _____	_____ cfs and	4.5 af per acre
	from _____	_____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.60 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
135 acre feet per year, said waters to be diverted within the SE 1/4 Sec. 2

Twp. 2 N, Rge. 6 W, E. M.

In the County of Owyhee

Description and location of place of use:

Twp.	Range	Section																Total
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	
2N	6W																	15
																		15

Total number of acres irrigated 30

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 5 day of
November, 19 75

Director

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 51-27110

Date: 2-12-03

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim		2N	5W	2														9	6	
GIS																		12.5	2.1	14.6
Claim				11	15															
GIS				10.7																10.7
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 30

Overlapping FOU Claim #'s:

Total GIS Acres: 25.3

COMMENTS:

County data indicates claimant doesn't own those parcels. Per claim map, I couldn't find any more acres to be correct.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-07110

Date: 2-12-03

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	2N	5W	2														9	6		
GIS																	12.5	2.1		14.6
Claim			11	15																
GIS				10.7																10.7
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 30

Overlapping FOU Claim #'s:

Total GIS Acres: 25.3

COMMENTS:

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Idaho Department of Water Resources

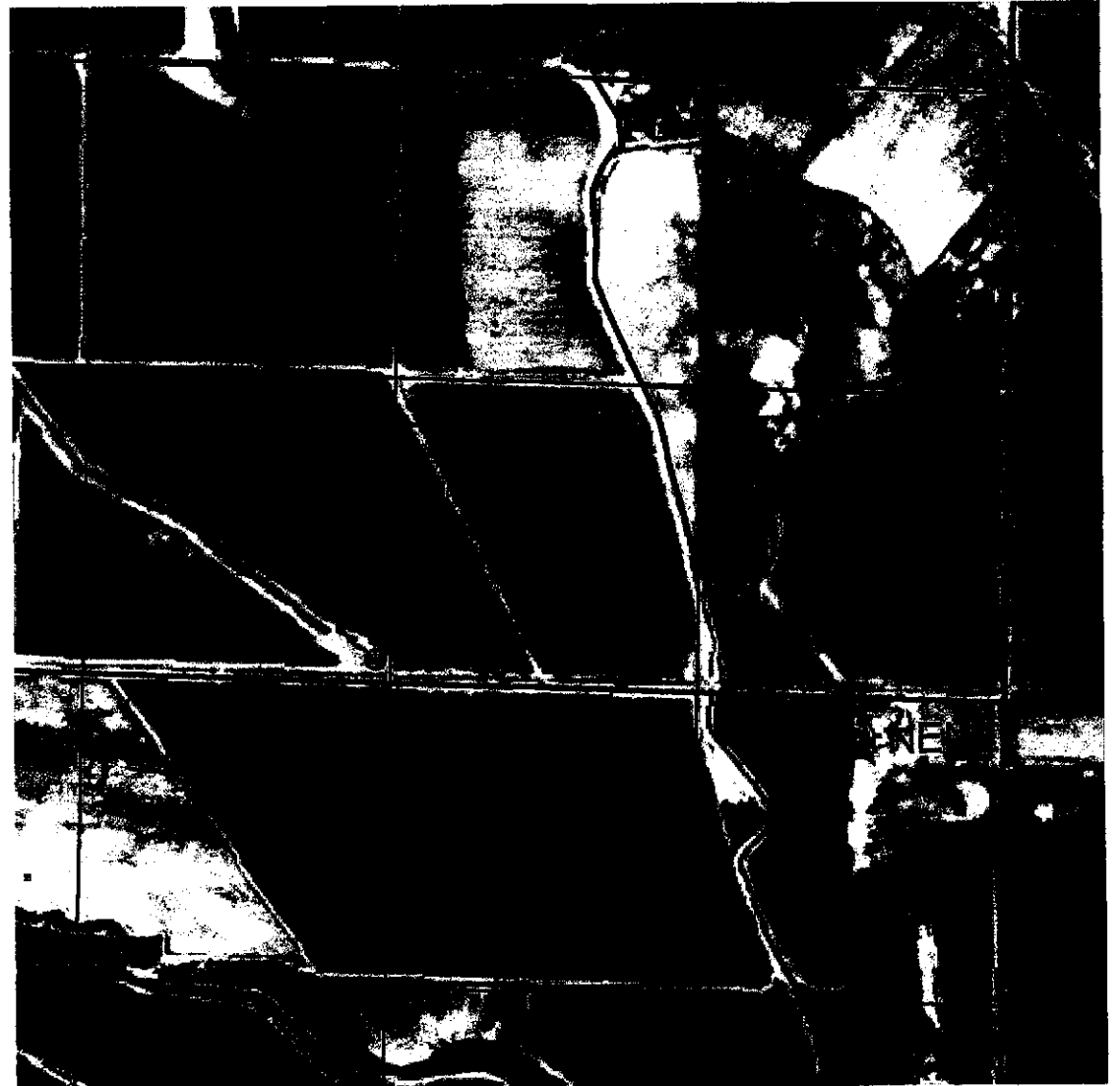
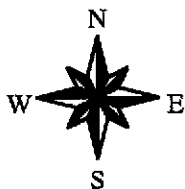
Claim Number: 57-07110

Legal: T02N, R05W, S02, 11

Reviewed By:

1987 Napp Photo

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



0 0.25 0.5 0.75 Miles



District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

RECEIVED

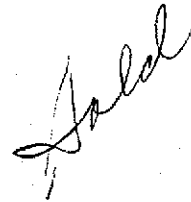
FEB 26 2003

Department of Water Resources

Important Information About Your Water Right

February 21, 2003

Marie Downing
C/O John Brandt, Manager
203 11th Ave. South
Nampa, Idaho 83651



RECEIVED

FEB 27 2003

WATER RESOURCES
WESTERN REGION

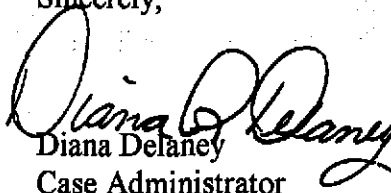
Dear Water Right Claimant(s):

This letter accompanies a copy of an **Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc** (hereinafter "**Order**") for water right number [REDACTED]. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

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

The purpose of the **Order** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the **Order**, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This **Order** also incorporates into the **Partial Decree** an express statement that the **Partial Decree** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This **Order**, in combination with the **Partial Decree** that was issued for this water right on December 15, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the **Partial Decree** to show evidence of this water right. The original of the **Order** and the original of the **Partial Decree** for this water right is on file with SRBA Court. If you do not have a copy of the original **Partial Decree**, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the **Order** is entered **Nunc Pro Tunc**, meaning that the **Order** will be treated as if it were issued on the same date that the **Partial Decree** was originally issued.

Sincerely,



Diana Delaney
Case Administrator

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____
2003 FEB 21 PM 2 25

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

In Re SRBA	)	Water Right 57-07110
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on December 15, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on July 26, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 2, IDWR Basin 57, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 04-01 to 10-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

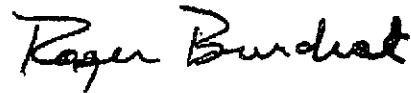
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

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

Dated February 21, 2003



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

OCT 26 2001

WATER RESOURCES
WESTERN REGION

RECEIVED

JUL 28 1999

Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 23, 1999

*Buying Place - that
sold - inform IDWR*

RE: Water Rights in Reporting Area 2, Basin 57
Snake River Basin Adjudication (SRBA)

as to buyers -

Dear Water Right Claimant(s):

57-07110

(Malmberg -

Please find enclosed the Idaho Department of Water Resources supplemental recommendation for your water right(s) in basin 57 (watershed of Owyhee County draining to Snake River). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area.

In response to the Idaho Supreme Court's decision in Basin-wide Issue 5 after most water rights in the Basin 57 had been decreed, the SRBA Court requested me to file supplemental reports for Basin 57 regarding the period of use for irrigation water uses and general provisions. The enclosed documents fulfill that request. The general provision enclosed is in addition to those already adopted by the Court.

Note you have just over 30 days in which to review your water rights and those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouse in Murphy and at all Idaho Department of Water Resources offices (see addresses in enclosure).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

*This property
was sold years
ago. We don't
manage it.
Don't buy it
gmb*

AJ5874NP

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

DATE: JUL-23-1999
PAGE: A-442

RIGHT NUMBER: 57-07110

NAME & ADDRESS: MARIE DOWNING
C/O JOHN BRANDT MANAGER
203 11TH AVENUE SOUTH
NAMPA ID 83651

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-15

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-07110

1997 DEC 15 AM 10:57

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: MARIE DOWNING
C/O JOHN BRANDT MANAGER
203 11TH AVENUE SOUTH
Nampa ID 83651

SOURCE: WASTE WATER TRIBUTARY: JUMP CREEK

QUANTITY: 0.6 CFS
135.0 AFY

PRIORITY DATE: 12/11/1973

POINT OF DIVERSION: T02N R05W S02 SESW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	0.6 CFS 135.0 AFY

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T02N R05W S02 S11	NWSE 9 SWSE 6 NENE 15
	30 ACRES TOTAL	

RULE 54(b) CERTIFICATE

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



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

AJ0749NP
No. R57-07110

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

DATE: 11/06/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARIE DOWNING C/O JOHN BRANDT MANAGER 203 11TH AVENUE SOUTH NAMPA ID 83651 (208) 466-7821	12/11/1973	IRRIGATION	03-15 11-15	0.60 CFS	135.00 AFA
TOTAL DIVERSION:					0.60 CFS	135.00 AFA

Water Source: WASTE WATER

Tributary to: JUMP CREEK

Stage: LICENSE

Point(s) of Diversion:

T02N R05W S02

SESW

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
02N	05W	2	:															09	06	:	15.0
02N	05W	11	:	15																:	15.0
TOTAL ACRES																				:	30.0

POU County: OWYHEE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
57-07110 A57-07110

Other Water Rights Listing Overlapping Place(s) of Use:
57-07110 A57-07110

Conditions of Approval:

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

Dates: Exam Made Date: Verified Date: 11/06/1997 Objection Filed Date:

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

AJ0749NP
No. R57-07110

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

DATE: 11/06/97
PAGE: 2

=====

Comments: Date: 09/04/1991 User-ID: HOWERTON Subject: IRRIG. DIST. & PERMIT
NO-OVERLAP WAS FOUND FOR THE IRRIGATION DISTRICT AS CLAIMED.
PERMIT 57-07486 OVERLAPS 15 ACRES OF THIS CLAIM, HOWEVER, THE
PERMIT IS NOT LICENSED YET AND CANNOT BE CONDITIONED WITH THIS
CLAIM. THE PERMIT WILL HAVE TO BE LOOKED AT WITH THIS CLAIM FOR
LICENSING PURPOSES.

Date: 07/16/1992 User-ID: WHITE Subject: DATA ENTRY
ADDED CONDITION CODES G01 AND G02,
ADDED AFY IN TOTAL QUANTITY AND TOTAL DIVERSION VOLUME,
NOTHING CHANGED TO EFFECT VERIFICATION STATUS.
CHANGES MADE PER LKH.

Date: 07/28/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 7/24/92. ADDED NOE FLAG "A".

Audit: 11/06/97 MSCHULTE

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

DATE: NOV-06-1997

PAGE: A-1

RIGHTS FROM: SOURCE: WASTE WATER TRIBUTARY: JUMP CREEK

RIGHT NUMBER: 57-07110

NAME AND ADDRESS: MARIE DOWNING
C/O JOHN BRANDT MANAGER
203 11TH AVENUE SOUTH
NAMPA ID 83651

SOURCE: WASTE WATER TRIBUTARY: JUMP CREEK

QUANTITY: 0.6 CFS
135.0 AFY

PRIORITY DATE: 12/11/1973

POINT OF DIVERSION: T02N R05W S02 SESW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		<u>Irrigation Season</u>	0.6 CFS
		<u>03/13 11/13</u>	135.0 AFY

PLACE OF USE: IRRIGATION Within Owyhee County
T02N R05W S02 NWSE 9 SWSE 6
S11 NENE 15
30 ACRES TOTAL

CONSUMPTIVE USE: 10310 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

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

AJ0749NP
No. R57-07110

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

DATE: 11/06/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARIE DOWNING C/O JOHN BRANDT MANAGER 203 11TH AVENUE SOUTH Nampa ID 83651 (208) 466-7821	12/11/1973	IRRIGATION	03-15 11-15	0.60 CFS	135.00 AFA
					TOTAL DIVERSION:	0.60 CFS
					CONSUMPTIVE USE:	135.00 AFA 105.00 AFA <i>delete</i>

Water Source: WASTE WATER

Tributary to: JUMP CREEK

Stage: LICENSE

Point(s) of Diversion:

T02N R05W S02

SESW

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
02N	05W	2	:															09	06	:	15.0
02N	05W	11	:	15																:	15.0
																				TOTAL ACRES	30.0

POU County: OWYHEE

Non-Irrigation Uses: ~~NONE~~

Other Rights: ~~NONE~~

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
57-07110 A57-07110

Other Water Rights Listing Overlapping Place(s) of Use:
57-07110 A57-07110

Conditions of Approval:

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

Dates: Exam Made Date: Verified Date: 08/22/1996 Objection Filed Date:

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

AJ0749NP
No. R57-07110

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

DATE: 11/06/97
PAGE: 2

=====

Comments: Date: 09/04/1991 User-ID: HOWERTON Subject: IRRIG. DIST. & PERMIT
NO-OVERLAP WAS FOUND FOR THE IRRIGATION DISTRICT AS CLAIMED.
PERMIT 57-07486 OVERLAPS 15 ACRES OF THIS CLAIM, HOWEVER, THE
PERMIT IS NOT LICENSED YET AND CANNOT BE CONDITIONED WITH THIS
CLAIM. THE PERMIT WILL HAVE TO BE LOOKED AT WITH THIS CLAIM FOR
LICENSING PURPOSES.

Date: 07/16/1992 User-ID: WHITE Subject: DATA ENTRY
ADDED CONDITION CODES G01 AND G02,
ADDED AFY IN TOTAL QUANTITY AND TOTAL DIVERSION VOLUME,
NOTHING CHANGED TO EFFECT VERIFICATION STATUS.
CHANGES MADE PER LKH.

Date: 07/28/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 7/24/92. ADDED NOE FLAG "A".

Audit: 00/00/00

BRANDT FARM MANAGEMENT SERVICE

EXPERIENCED :: SUCCESSFUL :: COMPLETE

203 ELEVENTH AVENUE SOUTH
NAMPA, IDAHO 83651

RECEIVED

MAR 1 1993

Department of Water Resources

466-7821

2/25/93

Idaho Department of Water Resources
State House Mail
Boise, Id 83702

Gentlemen:

Yesterday I received in the mail a booklet telling us to be sure our water rights are properly adjudicated. We manage the Marie Downing Estate property west of Marsing in Section 2 and 11, Township 2 North & Range 5 west Boise Meridian. This land is in the Owyhee Irrigation District, but we also filed on our domestic well and for use of some waste water.

As far as I know and believe, everything is in order, but I certainly don't want to fail to protect our water rights. If everything is in order, does the Director proceed and if not, does he notify us what is needed? Please let us know if anything further is needed.

Very truly yours,

John H. Brandt

John H. Brandt
JHB/kk

57-10041 Range 2 & 11
57-07110 Range 5
Called & confirmed
all in order. Talked
to Joyce.
3-3-94 Jf

MICROFILMED

JUL 20 1994



BRANDT AGENCY

REAL ESTATE - FARM MANAGEMENT

PHONE (208) 466-7821

FAX (208) 467-5565

203 - 11TH AVENUE SOUTH

NAMPA, IDAHO 83651

RECEIVED

SEP - 8 1992

Department of Water Resources
Western Regional Office

September 3, 1992

Ron Howerton
Senior Water Agent
Adjudication Bureau
2735 Airport Way
Boise, ID 83705-5082

Ron,

We concur that your legal description under water right
NO. (s) 57-07110 is correct.

Very truly yours,

John H. Brandt

MICROFILMED
000104 7 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

SEPTEMBER 1, 1992

RE: CLAIM TO A WATER RIGHT NO.(S) 57-07110

MARIE DOWNING
C/O JOHN BRANDT, MANAGER
203 11TH AVE SOUTH
NAMPA, ID 83651

Dear Mr. Brandt:

We are in receipt of the Notice of Error submitted on the above referenced claim. The legal descriptions have been recommended exactly as it was submitted to our Department. The legal descriptions are also exactly the same as it was Licensed.

I have enclosed a copy of the license and a copy of the claim along with a map showing the point of diversion and places of use.

Everything appears to be correct as we have recommended, if however, you still do not agree with our recommendations, you will need to call me and set up a time to come into our office, at your very earliest convenience. If I do not hear from you by September 11, 1992 I will assume that you now agree with our recommendations and will take no further action on the Notice of Error submitted in regard to this claim.

Sincerely,

Ron Howerton
Senior Water Agent
Adjudication Bureau

Enclosures: Copy of Map
Copy of License
Copy of Claim

MICROFILMED

OCT 07 1992

JUL-20-1992

NOTICE OF ERROR FORM

RECEIVED
JUL 24 1992

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

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

Department of Water Resources

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

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

1. Water right number: 57-07110

2. Name: MARIE DOWNING

Address: C/O JOHN BRANDT MANAGER
203 11TH AVE. SOUTH
NAMP, ID 83651

Weekday Telephone Number:

MICROFILMED
OCT 07 1992

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

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

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

Legal description

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

Should be T. 1 South R. 2 W.B. M

5. Describe why you disagree with the proposed recommendation:

Point of diversion is on the farm where the water is used

6. Date:

July 22, 1982

SIGNATURE

John A. Brandt

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARIE DOWNING C/O JOHN BRANDT MANAGER 203 11TH AVENUE SOUTH NAMPA ID 83651 (208) 466-7821	12/11/1973	IRRIGATION	03-15 11-15	0.60 CFS	135.0 AFA
					TOTAL DIVERSION:	0.60 CFS
					CONSUMPTIVE USE:	135.0 AFA 105.0 AFA

Water Source: WASTE WATER

Tributary to: JUMP CREEK

Stage: LICENSE

Point(s) of Diversion:

T02N R05W S02

SESW

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
02N	05W	2	:																	:	15.0
02N	05W	11	:	15																:	15.0
																				TOTAL ACRES	30.0

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion and Source:
A57-07110

Other Water Rights Listing Overlapping Place(s) of use:
A57-07110

Conditions of Approval:

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

Dates: Exam Made Date: 01/30/1991 Verified Date:

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

Comments: Date: 09/04/1991 User-ID: HOWERTON Subject: IRRIG. DIST. & PERMIT
NO-OVERLAP WAS FOUND FOR THE IRRIGATION DISTRICT AS CLAIMED.
PERMIT 57-07486 OVERLAPS 15 ACRES OF THIS CLAIM, HOWEVER, THE
PERMIT IS NOT LICENSED YET AND CANNOT BE CONDITIONED WITH THIS

MICROFILMED
OCT 07 1992

Comments: Date: 09/04/1991 User-ID: HOWERTON Subject: IRRIG. DIST. & PERMIT
CLAIM. THE PERMIT WILL HAVE TO BE LOOKED AT WITH THIS CLAIM FOR
LICENSING PURPOSES.

Date: 07/16/1992 User-ID: WHITE Subject: DATA ENTRY
ADDED CONDITION CODES G01 AND G02,
ADDED AFY IN TOTAL QUANTITY AND TOTAL DIVERSION VOLUME,
NOTHING CHANGED TO EFFECT VERIFICATION STATUS.
CHANGES MADE PER LKH.

Date: 07/28/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 7/24/92. ADDED NOE FLAG "A".

Audit: 00/00/00

MICROFILMED

OCT 07 1992

EXPENDITURE VOUCHER

RON

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

Date	5057
Code	05/06/91
	193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAY
TO

BRANDT FARM MANAGEMENT
C/O BRANDT AGENCY
203 - 11TH AVE. SO.
NAMPA, ID 83651

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	8831		REFUNDS PER D. SHAFF WR #A57-07110 RECEIPT #W012901 3/14/91 50.00	50.00	
TOTAL						50.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

MICROFILMED

Date

Head of Agency or Institution

State Auditor

OCT 07 1992

REFUND REQUEST

Hold Until Acceptable To Fiscal 05-01-91
Claim
Received

TO: Debbie Allen

THRU: Don Shaff

Approved Initials/Date
hlf 4-23-91

FROM: John Carlson

Approved gac 4/18/91

RE: Payor Brandt Farm Management

Address 4 Brandt Agency
203 - 11th Ave. So.
Nampa ID 83651

Claimant if NOT Payor Marie Downing Estate

Receipt # W012901 Attached ☒ Logged 03-14-91 of

Amount \$ 50.00 Claim Location region

W/R #(s) A57-07110 Extension Filed? ☒ Y/N NA

Refund Generated By R. Howerton Copy Attached? ☒ Y/N NA

Not Refunded as of 03-15-91 of Late Fees Paid? ☒ Y/N NA

Reason for Refund overpmt. - ext. granted On Receipt # W012901

Date of Last Correspondence 03-12-91

Data Base Modified? Y/N ☒ NA By _____ Date _____

REMARKS: Owyhee Co. claim w/Ext. Reg. Rec'd & pd for 12-10-90.
Ext. approved, \$50.00 to be refunded. Ltr to John Brandt
Sent 03-12-91 Reg. p.o. & advising him of refund req.
OK gac 4/18/91

09/20/90

MICROFILMED
 OCT 07 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 1, 1991

John Brandt
Brandt Agency
203 - 11th Avenue South
Nampa, ID 83651

RE: Snake River Basin Adjudication (SRBA)
Owyhee County, Receipt #W012901, \$50.00
Marie Downing Estate

Dear Mr. Brandt:

Thank you for sending a copy of your Power of Attorney for the Marie Downing Estate. Your Request for Extension of Time was granted, and the late fees you paid on the above-referenced claim will be refunded. The refund process has been initiated with the State Auditor's Office. You should receive your check in the near future.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:ref

MICROFILMED

OCT 07 1992



BRANDT AGENCY

REAL ESTATE - FARM MANAGEMENT

PHONE 466-7821

203 - 11TH AVENUE SOUTH
NAMPA, IDAHO 83651

MAR 21 1991

Department of Water Resources
Western Regional Office

March 19, 1991

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Ron Howerton
Sr. Water Resource Agent

Dear Sir:

Please find enclosed our Management letter and a Power of attorney in response to your request.

If you have any questions regarding this matter, please let us know.

Very truly yours,

John H. Brandt

JHB/bks

enclosures

BRANDT FARM MANAGEMENT SERVICE
Mampa, Idaho

RECEIVED

MAR 21 1991

Gentlemen:

Department of Water Resources
Western Regional Office

**We hereby authorize you to manage our farm located near
Marsing, Idaho and legally described as:**

**W $\frac{1}{2}$ SW $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{2}$, SE SW, Section 2, T. 2 N. R. 5 W., B.M., Owyhee County,
AND NW $\frac{1}{2}$ NE $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{2}$ NE $\frac{1}{2}$, Section 11, T. 2 N. R. 5 W., B.M., Owyhee
County, State of Idaho.**

This management will be on a continuing basis, termination of which may be had by either party involved by notifying the other of the desire to terminate prior to February 1 of any year; provided, however, that any commitments by expenditures of money, arrangements for contracts or leases, and such like, shall be honored by me and be binding in me.

You are to take care of the rental, leasing, management, payment of taxes and assessments, purchase of seeds, fertilizer, and chemicals, hiring of services, and the general supervision of the operation of the property, planning crops and procedures, and selling the crops in a manner such as you would if you owned the property yourself, endeavoring to get the highest dollar return consistent with good farming practices, with a constant effort to improve the productivity of the soil by proper rotation and other desirable practices. You are to keep adequate records of income and expenditures and make an accounting at least once a year as promptly after January 1st as can reasonably be done. In case of dissatisfaction on our part, we will notify you no later than September 1 of any given year so that remedies may be sought. Nevertheless, termination can be effected by notification by February 1 of any year.

You are to have free hand concerning rental and management of all farming operations. The only further authorization required will be for major capital improvements such as extensive leveling, putting in concrete ditch, erecting a building, extensive repairs, and the like. You are to maintain our funds in the Brandt Farm Management Trust Account. Recognizing that need for funds for farming is ongoing, we hereby agree that you may bill us from time to time or borrow for us as needed. We agree to the procedure that at the end of each month, we will be charged interest on monies borrowed for our benefit and that, conversely, we are to be credited with interest on any money on hand at the end of each month, interest rates to be those charged or paid by the bank in which the funds are kept.

MICROFILMED
OCT 07 1992

Farm Management Authorization
Page two

In full compensation, we shall pay you or you may deduct from our funds at your option, 10% of the net returns from the farming operation and any rentals involved, after all expenses except major capital expenditures and taxes and water costs have been paid, with a minimum of \$ 00.00, regardless of gain or loss.

X Marie Downing
Mrs. Marie Downing

ACCEPTED BY:

John H. Brandt
Brandt Farm Management Service

MICROFILMED

OCT 07 1992

POWER OF ATTORNEY

NOW, ALL PERSONS BY THESE PRESENTS, that the undersigned does hereby make, constitute, and appoint John Brandt of Nampa, ID Canyon County, State of ID, the true and lawful attorney and in the name, place, and stead of the undersigned in connection with the following agricultural programs, numbered _____ (below), under the jurisdiction of the United States Department of Agriculture, administered through County ASC Committees.

- | | | |
|--------------------------------------|--|---|
| All programs. | 5. Marketing Quota and Acreage Allotment Programs. | 9. Upland Cotton, Feed Grain, Rice, and Wheat Programs. |
| Conservation Programs. | 6. Peanut Poundage Quota Program. | 10. Other (Specify) _____ |
| Emergency Feed Program. | 7. National Wool Program. | _____ |
| Farm Storage Facility Loan Programs. | 8. Price Support Programs. | _____ |

undersigned gives and grants unto said attorney full authority and power to do and perform all and every act and thing whatsoever wise and advisable to be done under such program(s), including access to County ASCS Office records necessary to complete transactions and the actions numbered _____ (below), as fully ratifying and confirming all that said attorney shall lawfully cause to be done by virtue hereof.

- | | | |
|---|--|---------------------------|
| 1. All actions. | 5. The receiving of payments. | 9. The making of reports. |
| 2. The selling and delivery of a commodity. | 6. The executing of real or chattel mortgages. | 10. Other (Specify) _____ |
| 3. The signing of an application. | 7. The signing of promissory notes. | _____ |
| 4. The borrowing of money. | 8. Loan and pledge agreements. | _____ |

Power of Attorney shall remain in full force and effect until written notice of its revocation has been duly served upon the Owyhee County ASC Committee, Marsing, ID 83639

foregoing Power of Attorney set forth above is signed and dated at Sept 12, 1988 - Pocatello, ID, this 12 day of September, 1988

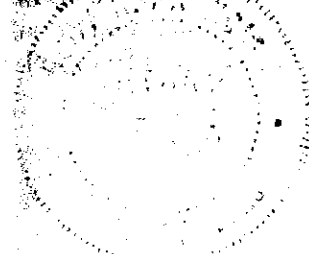
Signatures	Signatures
<u>John Brandt</u>	<u>Marie Downing</u>
<u>Kathie L. Summer</u>	

FOR CORPORATIONS ONLY

(Signature of attestation official)

ACKNOWLEDGEMENTS 2/

County of Idaho
City of Bannock
scribed and sworn to this 12th day of September, 1988 by me a notary Public residing at Pocatello. Signatures/witness and Marie Downing this day.



Notary Public

corporate principal, sign and affix seal in appropriate places; if no corporate seal, so state. I have here and have executed the form of acknowledgement required by law of State where property is located with respect to which Power of Attorney is given.

ATTORNEY'S COPY

MICROFILMED
OCT 07 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

March 12, 1991

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Brandt Agency
203 11th Avenue South
Nampa, Idaho 83651

RECEIVED
MAR 21 1991

Ref: Marie Downing Claim-
A57-07110

Department of Water Resources
Western Regional Office

Dear John Brandt,

I received your signed claim A57-07110 for Marie Downing. In order to process this claim I will need one more request. Please send a "Power Of Attorney" stating that you may sign for Marie Downing. If this is not possible, someone will need to sign the claim for her that has the "Power of Attorney". Please advise.

I have your copy of the request for extension of time showing that it was granted. I will send a request now to refund the late fee that you paid for this claim (\$50.00).

Thank you for your earlier fast response by returning the claim, I would appreciate your fast response again.

Truly yours,

Ron Howerton

Ron Howerton
Sr. Water Resource Agent

Enclosures:
Receipt W012901
Claim copy
Ext. of time copy

MICROFILMED

OCT 07 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-07110

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	Rsh 1/30/91	6	N	N		
PT. OF DIV.							DATA ENTRY COMPLETED BY _____ DATE _____
SOURCE							
PL. OF USE							FINAL RECOMMENDATION BY _____ DATE _____
DIV. AMOUNT CFS/AF							
CONSUMPTIVE USE			5	ADD			
NATURE OF USE			6	N			
PERIOD OF USE				CHG			
BASIS OF CLAIM				N			
REMARKS							

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

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

VERIFICATION CODES

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

COMMENTS: SAME AS LICENSE IN-OFFICE MATCH

001 07 1992

MICROFILMED

CLAIM NO. 57-07110

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET

(use in place of the CVR for ~~small Domestic/Stock~~ exams)

MATCH

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: _____

MICROFILMED

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)

SEASON OF USE: CHG'D. PER NEW SEASON/VOL MAP 1/6/92

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: 12 OFFICE 1/30/91

FIELD EXAMINER:

Ron Howerton

Signature

Ron Howerton

A57-07110

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 30 x 0.02 CFS/ACRE = .6 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 30 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 105 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(✓)

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

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WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM		
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
A5707110	NO MATCHES FOR THIS POU IN AJ-POU-TEMP																								
A0200064	GEM IRRIGATION	DISTRIC J	SNAKE RIVER	02N	05W	2 :					17 :	22			1 :								40		
A0200064	GEM IRRIGATION	DIST. J	SNAKE RIVER	02N	05W	2 :	X	X			X :	X	X		X :										
A0200065	GEM IRRIGATION	DISTRIC J	SNAKE RIVER	02N	05W	2 :					17 :	22			1 :								40		
A0200065	GEM IRRIGATION	DIST. J	SNAKE RIVER	02N	05W	2 :	X	X			X :	X	X		X :										
0202014	GEM IRRIGATION	DISTRIC L	SNAKE RIVER	02N	05W	2 :	40				40 :												80		
0202276	GEM IRRIGATION	DISTRIC L	SNAKE RIVER	02N	05W	2 :	35	9			18 :	23	12	1									98		
5707110	DOWNING	L	WASTE WATER	02N	05W	2 :												9	6				15		
A5707110	DOWNING	L	WASTE WATER	02N	05W	2 :												9	6				15		
5707110	DOWNING	P	WASTE WATER	02N	05W	2 :															15		15		
1986 MAPPING DATA ---		-	COUNTY 73 QUAD X 53	02N	05W	2 :					42	39 :			39	40 :	37	39	36	42	37	40	33	38 :	462

A5707110

NO MATCHES FOR THIS POU IN AJ-POU-TEMP

5704065	KIESTER	S	WASTE WATER	02N	05W	11 :																	14
5707110	DOWNING	L	WASTE WATER	02N	05W	11 :	15																15
A5707110	DOWNING	L	WASTE WATER	02N	05W	11 :	15																15
5707110	DOWNING	P	WASTE WATER	02N	05W	11 :	15																15
1986 MAPPING DATA ---		-	COUNTY 73 QUAD X 53	02N	05W	11 :	37	37	38	33 :	37	35	37	39 :	39	36	37	39 :	39	39	39	42 :	603

OVERLAP
IS PERMIT
DON'T. CONDITION
UNTIL LIC'D.

[OVER-LAP REVIEW]

(PERMIT)

ADJ. CLAIM: A57-07110 - IS OVER LAPPED BY 2nd DOWNING WR 57-07486

NO IRRIGATION CO. OVERLAPS

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WR5810NP
(OD-139)IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE LOTS COMPARISON REPORTDATE: 03/11/91
PAGE: 1.

WR-NUMBER	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	LOT	+	SUM
A5707110	T02N R05W S 2																		
A0200064	:	1L34	2L9	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	43
A0200065	:	1L34	2L9	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	43
73 MAPPING: 1L35 2L37 3L37 4L35																			

144

A5707110 T02N R05W S11

No Gov't. Lots

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WESTERN REGION

CLAIM NUMBERS 57-07110

AGENT MTS DATE 10-16-97

TOTAL ACRES FROM RECOMMENDATION 30

GEOGRAPHIC INFO SYSTEM ACRES 28

READY FOR DECREE ☒ (YES) SENT FOR DECREE ☐ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	2W	6W	2														9	6	
			11	15															15
																			30
RECOM			2														12	3	15
GIS			11	13															13
																			28

POLYGON CREATED ON 80__

POLYGON # ()()()() _____ UPDATED BY

ATTRIBUTES OF B57-POU.SHP (56)(57)(58)()()

ATTRIBUTES OF B57-POD.SHP (33)()()()()

B57-DBPOU.DBF _____ UPDATED BY

B57-DBPOD.DBF _____ UPDATED BY

RDH GPSTABLE

DRAFT

57-07110
2N, 5W

SWNE
57

SWSE
58

NENE
56

SW

57-07110

NUSE

12
#57

NUSE

3
#58

NUSE
#59

NUSE

13
#56



4022

T 3 N.

1.2 MI. TO IDAHO 55
MARSING 3.5 MI.

4021

32' 30"

T 2 N.

4020

4019

4018

401700m N

LMED

1992

T3

T2

Date Received

RECEIVED
DEC 28 1990

DEC 10 1990

State of Idaho
Department of Water Resources
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

Department of Water Resources
Western Regional Office

Department of Water Resources
Western Regional Office

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

MARIE DOWNING C/O JOHN BRANDT: MANAGER
Name of Claimant

(208) 466-07110
Phone Number

203 11th Ave. South
Mailing Address

Nampa Id 83651
City State Zip

Owyhee
County(s) where place of use is located

1/19/89
Date claim originally due

A57-07110
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

✓ *This installation was requested by your representative at a time when only part of the water the pump is capable of providing was being used. He suggested that he come back when the pumps were at full capacity so he could approve more water. I made arrangements with the owner to do so, but apparently your representative never got back.*

PLEASE SEE CONV. MEMO DTD. 12/4/90 ROH.
Claimant requests an extension to JANUARY 15,

The filing was made on the same date as the deadline was filed on, before the deadline.
Date of request 19 90

Signature

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to January 15, 19 91
Signed this 26 day of December, 19 90

Director or his designated agent

DAVID B. SHAW

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

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State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 4, 1990
Ref: Claim A57-07110

Dear John Brandt,

- 1) Please note on the form "extension of time" in your words what happened why the claim was not filed. Then fill in the rest of that form where checked.
- 2) Look over the claim form for any corrections you may have and the owner must initial by each.
- 3) She will need to sign the claim form and have her signature notarized. Make sure to place a ck. mark in Item 16(b): I/We do _____ do not wish _____ to receive...
- 4) Mail all forms back except for the copies I enclosed.
- 5) Enclose a check payable to IDAHO DEPARTMENT OF WATER RESOURCES for \$130.00. If your extension of time is approved you should receive a refund of \$50.00.

The Adjudication staff needs to review all claims for your area immediately!!!

Sincerely,

Ron Howerton
Sr. Water Resource Agent

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CONVERSATION MEMORANDUM

DATE 4 DEC 90FILE 57-07110NAME OF PARTY John BRANDT (MANGER FOR MARIE DOWNING)EMPLOYEE RON HOWERTON 406-7821 203 11th Ave South
Nampa, Idaho 83651RE: MR. BRANDT CALLED ME TODAY 4 DEC 90.

HE TOLD ME THAT HE HADN'T GOT A COPY OF HIS "RIGHT"
THAT BRUCE WAS SUPPOSED TO HAVE DONE. I ASKED
IF HE KNEW THE NUMBER? HE DIDN'T KNOW. I USED

THE COMPUTER AND MICROFICHE TO FIND 3 NO.'S. THEY ARE

- 1) A57-10041 - DOMESTIC CLAIM (BRUCE DID JULY 9TH 1990)
- 2) 57-07110 - LIC. WITH NO AD CLAIM
- 3) 57-07486 - PERMIT PROOF FILED AFTER (1987 PD)

NO CLAIM [REDACTED] NECESSARY.

I ASKED HIM IF HE REMEMBERED FILING A CLAIM?
HE THEN STATED "BRUCE WAS SUPPOSED TO MEET
WITH THE RENTER (MR. MOFFLER) TO TURN ON THE
PUMP AND BRUCE WAS SUPPOSED TO DO A PUMP
TEST TO GET MORE WATER FOR THE 30 ACRES
HE KEPT SAYING." (HE COULDN'T SAY HE FILED A CLAIM)

MY ACTION: I TOLD MR. BRANDT, SINCE I HAVE
NO RECORD OF FILING THIS CLAIM THAT I WILL
MAIL IT TO HIM FOR FILING. I ALSO AM
SENDING A LATE FEE NOTICE AND A REQUEST
FOR EXTENSION OF TIME. I ALSO TOLD HIM THAT
THIS MUST BE SENT BACK ASAP. I CHAT.
WITH KAY. THIS IS IN HER AREA. WE COULDN'T
FIND ANY RECORD OF 57-07110, BUT WE COULD
FIND A57-10041 DOMESTIC CLAIM, BRUCE DID FX ON IT.
WE MAY HAVE MISSED THIS OTHER CLAIM. RDH

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