

57-7148

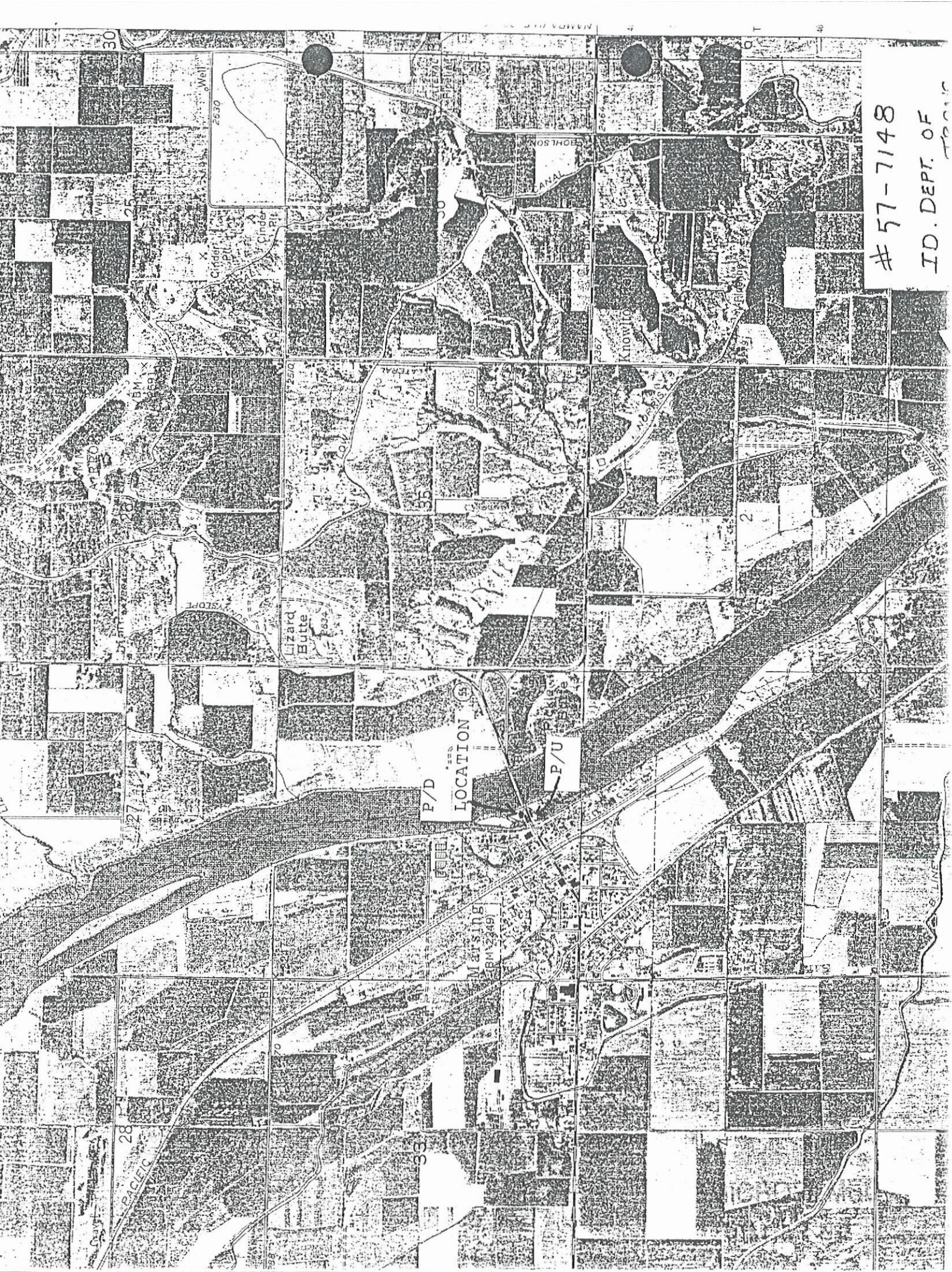
PICTURE # 1

This picture shows the location of the well with respect to the bridge crossing the Snake River, and the cement pad surrounding the place of use located on the north side of highway 55. Also shown is a portion of one of the shrubs within the P/U. This picture is looking southeast.



MICROFILMED

OCT 07 1992



57-7148

ID. DEPT. OF

#57-7148

Construed: 1570 sq yds

OCT 07 1992

ation will be allowed to
system and/or minor
be approved by the Engineer.
is brought to the Engineer

0.9

273

Concrete Slope Paving

Concrete Slope Paying

Answers to be
watered

Slough

klarsing

T.3N., R.4W., B.M.
S.E. 5.W. 34

Return to:

Note: Joint concrete
At D' intervals

Valve # 100

Marsing Mtn. Shed.
Owyhee Co.

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: A57-07148
Date Received: 4/05/1988
Receipt No: C002215
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO 208-334-8505
Address: DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
P.O. BOX 7129
BOISE, ID 83707

2. Date of Priority: AUG 13, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	34	SE	SW			OWYHEE

5. Description of diverting works:
WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/01	0.110		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
OPERATION OF MARSING MAINTENANCE SHED.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	34	SE	SW		IRR	3.0

Section Acres 3.0

A57-07148

Page 1

Date: 07/05/88

MICROFILMED JUL 27 1988

OCT 07 1992

Department of Water Resources

10. Place of Use: Continued

Total Acres 3.0

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:
 NONE

14. Remarks:
 AC. IRR.=2.5.

15. Basis of Claim: PERMIT
 Water Right Number:

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 Organizations:

I do solemnly swear or affirm that I am Senior R/W Agent of I.T.D., Division of Hwys., that I have signed the foregoing document in the space below as Senior R/W Agent of I.T.D., Division of Hwys. and that the statements contained in the foregoing document are true and correct.

Sharon L. Gould
Signature of Authorized Agent

SR/WA I.T.D., Div. of Hwys
Title and Organization

7/15/88
Date

State of Idaho)
County of Ada) SS.

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

Rock A. Bachmeyer
Notary Public

Seal

Residing at Boise

My Commission Expires 5-11-93

State of Idaho
Department of Water Resources

FEB 03 1982

WATER RIGHT LICENSE

Department of Water Resources
Western Regional Office

WATER RIGHT NO. 57-07148

Priority: August 4, 1976

Maximum Diversion Rate: 0.11 CFS
Maximum Diversion Volume: 0.9 AF

This is to certify, that STATE OF IDAHO
DEPT OF TRANSPORTATION
DIVISION OF HIGHWAYS
PO BOX 7129
BOISE ID 83720

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 13, 1975; and has submitted Proof of Beneficial Use on February 10, 1977. An examination indicates that the works have a diversion capacity of .280 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.11 CFS	0.9 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW, Sec. 34, Township 03N, Range 04W
(Lot 5) OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	04W	34	Lot 5 (SESW)	0.2		0.2

Total number of acres irrigated: 0.2

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

MICROFILMED

OCT 07 1992

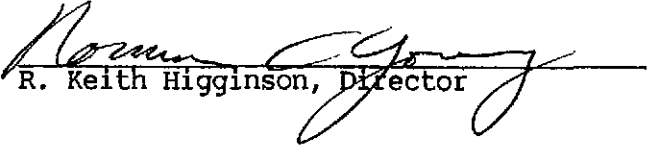
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 57-07148

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 30TH
day of JANUARY, 1992.

Acting for


R. Keith Higginson, Director

MICROFILMED

667-07-1992

RECEIVED

FEB 24 1997

Department of Water Resources
Adjudication Bureau

RECEIVED

FEB 21 1997

OFFICE OF THE
ATTORNEY GENERAL

1997 FEB 19 AM 10:16

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 ON PARTIAL DECREE

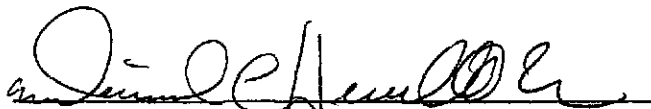
For Water Right 57-07148

On December 26, 1996, 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 57-07148 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 19, 1997.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication



560

1993 MAR -1 AM 11:04

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

Case No. 57-07148

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

OBJECTION

Petitioner,

filed w/
court 3/1/93

vs.

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

57-07148 -0001
received by WR 3/17/93

Respondents.

MICROFILMED

MAR 02 1993

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.

(Over)

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

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 & Address: Idaho Power Company
1221 W. Idaho
Boise, Idaho 83702

Briefly describe your interest in this water right:

This right is subject to Provision No. 4 of the Director's Report Part I - Basin 57. The water right withdraws out of the groundwater system which is tributary to the Snake River.

2. Owner of the water right:

Name: State of Idaho, Department of Transportation
Address: Division of Highways
P.O. Box 7129
Boise, Idaho 83720

MICROFILMED

3. If this objection is filed by an attorney:

MAR 02 1990

Attorney Name: James C. Tucker
Attorney Address: P.O. Box 2139
Boise, Idaho 83701-2139
Attorney Phone No.: (208) 336-0700

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

12. ☐ Water Right Recommendation: I object to:
- ☐ this water right being recommended at all; or
- ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☒ Other: I object to:
- General Provision No. 4 - Part I of the Director's Report for Basin 57 for the reason that this Provision violates the Swan Falls Agreement.

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.

A portion of Basin 57 is within the "Trust Water" area depicted in the Swan Falls Agreement. The Provision as worded violates this Agreement.

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 Provision should be either removed or revised so it does not conflict with the Swan Falls Agreement.

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. _____
- _____
- _____

MICROFILMED
MAR 02 1993

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.

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MAR 02 1938

(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 1ST day of MARCH, 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 & address: State of Idaho
 Department of Transportation
 Division of Highways
 P.O. Box 7129
 Boise, Idaho 83720

3. One copy to:

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

4. One copy to:

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724

MICROFILMED
MAR 02 1993



Signature of Objector or attorney
mailing on Objector's behalf

VERIFICATION (Must be Completed)

State of Idaho

County of TWIN FALLS

JAMES C. TUCKER, being first duly 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.

IDaho Power Company
Signature of person filing objection

By: [Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 15 day of March, 1993.

[Signature]
Notary Public for Idaho

Residing at: Boody

My commission expires: 12-17-97

MICROFILMED

MAR 02 1993

(Over)

2. Person who filed objection:

Name: IDAHO POWER COMPANY
Address: 1221 W IDAHO
BOISE ID 83702

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

14. ☒ Other: I respond to the objection concerning:
GENERAL PROVISION NO. 4

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 14 and all allegations of the objection regarding this item IDWR responds as follows: IDWR admits that a portion of Basin 57 is within the "Trust Water" area established pursuant to the Swan Falls Agreement. 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.

- ☒ 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:

MICROFILMED
MAR 02 1993

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. 57-07148 -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

MICROFILMED

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

MAR 02 1998

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)

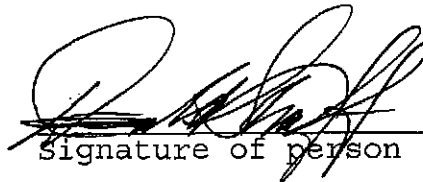
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

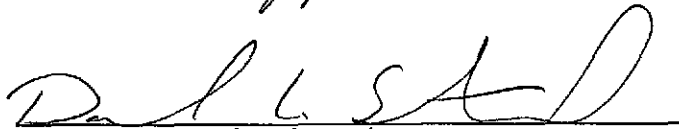
Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

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.



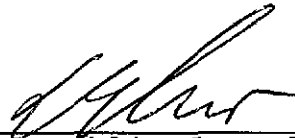
Signature of person filing response

By:



(Attorney signing in
representative capacity)

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



Notary Public for Idaho

Residing at: Emmett

My Commission expires: 5/30/98

MICROFILMED

MAR 02 1993

No. of
Pages

3

Notice of Claim No. A57-07148

MICROFILMED

MAR 02 1993

(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:

See No. 3

Name: IDAHO DEPT OF TRANSPORTATION
Address: DIVISION OF HIGHWAYS
PO BOX 7129
BOISE ID 83720

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: JAMES C TUCKER
Address: PO BOX 2139
BOISE ID 83701-2139

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 Respondent or attorney
mailing on Respondent's behalf

MICROFILMED

MAR 02 1993



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

July 16, 1993

John K. Simpson
ROSHOLT ROBERTSON & TUCKER
P.O. Box 2139
Boise, Idaho 83701-2139

Re: Idaho Power Co. objection to water right No. 57-07148.

Dear John:

Before meeting to discuss re-wording general provision No. 4, it might be helpful to have a draft of your proposed changes to the general provision and a list of your concerns about IDWR's rules of procedure.

Please let me know if you would prefer to skip this step and simply schedule a meeting.

Sincerely,

DANIEL L. STECKEL
Deputy Attorney General

MICROFILMED

MAR 02 1993

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on JANUARY 05, 1996, 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

IDAHO DEPT TRANSPORTATION
DIVISION OF HIGHWAYS
PO BOX 7129
BOISE, ID 83720

JAMES C. TUCKER
PO BOX 2139
BOISE, ID 83701
Phone: 208-336-0700
Rep: IDAHO POWER COMPANY

MICROFILMED

MAR 02 1998

RECEIVED

JAN 08 1996

Department of Water Resources

1996 JAN 05 PM 04:06
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 SETTING STATUS
	)	CONFERENCE
Case No. 39576	)	
_____	)	SUBCASE NO: 57-07148

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

✓ WEDNESDAY, FEBRUARY 14, 1996 at 01:30 PM

SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Option: Parties may participate by phone if they contact the
clerk at (208) 736-3011 prior to FEBRUARY 12, 1996.

IT IS SO ORDERED.

Dated: JANUARY 05, 1996

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

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

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on FEBRUARY 14, 1996, 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

IDAHO DEPT TRANSPORTATION
DIVISION OF HIGHWAYS
PO BOX 7129
BOISE, ID 83720

JAMES C. TUCKER
PO BOX 2139
BOISE, ID 83701
Phone: 208-336-0700
Rep: IDAHO POWER COMPANY

MICROFILMED
MAR 02 1993

RECEIVED

FEB 15 1996

Department of Water Resources

1996 FEB 14 PM 03:58
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 NO: 57-07148

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

FRIDAY, MAY 10, 1996 at 01:30 PM

SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Option: Parties may participate by phone if they contact the
clerk at (208) 736-3011 prior to MAY 08, 1996.

IT IS SO ORDERED.

Dated: FEBRUARY 14, 1996

MICROFILMED

MAR 02 1996

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

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

(continued)

RECEIVED

JUN 13 1996

U.S. DISTRICT COURT

The date for the scheduling conference will not be changed unless a Stipulation to Reset is received by the court fourteen (14) days before the date of the scheduling conference. Parties who wish to change the date of the scheduling conference must do the following:

1. Contact the clerk of the SRBA Court and obtain alternative dates and times (208-736-3011).
2. Contact each party to the subcase(s) or their attorney, if any, and reach an agreement on the alternative date(s) and time(s) provided by the clerk.
3. Prepare a Stipulation to Reset the hearing. The hearing must be reset on one of the dates and times provided by the clerk. The stipulation must specify the date(s) and time(s) agreed to and must contain a statement that you have contacted each party or their attorney and that all have agreed on the alternative date(s) and time(s). The court will send a notice resetting the hearing.
4. If the parties cannot agree on one of the alternative dates and times provided by the clerk, the party wishing to change the date and time must file an Expedited Motion to Reset with the court at least 21 days prior to the scheduled hearing.

IT IS SO ORDERED.

Dated: MAY 14, 1996

/S/ FRITZ X HAEMMERLE

Special Master

Snake River Basin Adjudication

MICROFILMED

MAR 02 1997

(Order Setting Scheduling Conference)

Page 2
5/13/96

RECEIVED

MAY 16 1996

Department of Water Resources

1996 MAY 14 PM 02:18
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 SUBCASE
	)	FOR SCHEDULING CONFERENCE
Case No. 39576	)	
		) SUBCASE NO: 57-07148

The Scheduling Conference for this subcase will be held as follows:

MONDAY, JUNE 24, 1996 at 01:30 PM
SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

8661 7 0 PM
JUN 24 1996

Parties and their attorneys, if any, shall attend the Scheduling Conference and shall be prepared to discuss the following matters:

1. Claimant representation and alignment of the parties;
2. Identification of the issues;
3. Admissions of facts and documents;
4. Amendment of pleadings, if required;
5. Discovery and discovery cut-off dates;
6. Expert witnesses, if planned;
7. Pre-trial conference dates;
8. Motions;
9. Settlement/alternative dispute resolution; and
10. Firm trial date.

MICROFILMED

MAR 02 1996

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

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING
SUBCASE FOR SCHEDULING CONFERENCE was mailed on MAY 14, 1996,
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

IDAHO DEPT TRANSPORTATION
DIVISION OF HIGHWAYS
PO BOX 7129
BOISE, ID 83720

JAMES C. TUCKER
PO BOX 2139
BOISE, ID 83701
Phone: 208-336-0700
Rep: IDAHO POWER COMPANY

MICROFILMED
MAR 02 1993

1 James C. Tucker
2 Rosholt, Robertson & Tucker
3 P. O. Box 1906
4 Twin Falls, ID 83303-1906
5 Phone 208-734-0700
6 Fax 208-736-0041

7 Attorney for Objector, Idaho Power Company

8
9 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
10 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

11 In Re the General Adjudication of)
12 Rights to the Use of Water from the)
13 Snake River Basin Water System)
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SUBCASE NO. 57-07148

STIPULATION

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.

MICROFILMED
MAR 02 1993

1 COME NOW, Idaho Power Company, State of Idaho Department of
2 Transportation, and the Idaho Department of Water Resources, and stipulate and agree
3 as follows:

4 1. The parties have executed a Standard Form 5 (Exhibit "A") in the above-
5 referenced subcase, stipulating to the elements of the water right as set forth therein.
6

7 2. Idaho Power Company filed objections to General Provision 4, as it relates to the
8 subject water right. By *Memorandum Decision and Order Re: Basin-Wide Issue No. 5*, No.
9 91-00005, dated April 26, 1996 (*B-W #5 Order*), the SRBA Court ordered that the
10 aforesaid General Provisions "*shall not be decreed in the SRBA*", and struck the general
11 provisions from the Directors Reports, *B-W #5 Order*, pg. 25.
12

13 3. On June 14, 1996, the State of Idaho, together with other interested parties to the
14 SRBA, filed petitions with the Supreme Court of the State of Idaho seeking permission
15 to appeal, pursuant to I.A.R. 12, the *B-W #5 Order*. As of the date of the execution of
16 this Stipulation, the Supreme Court has not acted on the petitions.

17 4. The parties have no objection to this Subcase proceeding, subject to the condition
18 that should the Supreme Court grant the State and others the right to file a permissive
19 appeal of the *B-W #5 Order*, and subsequently reverse the ruling of the SRBA Court with
20 regard to the General Provisions that are the subject of Idaho Power Company's
21 objection, that the Court will re-instate the objection and allow the same to be litigated
22 either in the context of this Subcase or as a basin-wide issue, as determined by the Court.
23
24

25
26 DATED this ____ day of _____, 1996.
27
28

MICROFILMED
MAR 02 1998

1 Name: State of Idaho
2 Dept. of Transportation
3 Address: Division of Highways
4 P.O. Box 7129
5 City/State/Zip: Boise, Idaho 83720
6 Attorney of Record:

Name: Idaho Power Company
Address: P. O. Box 70
City/State/Zip: Boise, Idaho 83702
Attorney of Record: James C. Tucker

7
8 Party's Signature Date

Party's Signature Date

9
10 Mary V. York 7-23-96
11 Attorney's Signature Date

[Signature] 7/16/96
Attorney's Signature Date

12 IDWR Concurrence:

Charles J. Honsinger 08/02/96
Signature Date

14 CERTIFICATE OF MAILING

15 I hereby certify that on the _____ day of _____, 199____,
16 I mailed the original and copies of this Stipulation, including all attachments, to the
17 following persons by mailing the original and/or copies, postage prepaid and addressed
18 as follows:

19 1. Original to:

20 Clerk of the District Court
21 Snake River Basin Adjudication
22 253 Third Avenue North
23 P.O. Box 2707
24 Twin Falls, Idaho 83303-2707

25 2. Copy to:

26 Idaho Department of Water Resources
27 Adjudication Bureau
28 P O Box 83720
Boise, ID 83720-0098

FILED
AUG 12 1998

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3. Copy to :
State of Idaho
Department of Transportation
Division of Highways
P. O. Box 7129
Boise, Idaho 83720

MICROFILMED
MAR 02 1998

1
2
3 James C. Tucker
4 Rosholt, Robertson & Tucker
5 P. O. Box 1906
6 Twin Falls, ID 83303-1906
7 Phone 208-734-0700
8 Fax 208-736-0041

9
10 Attorney for Objector, Idaho Power Company
11

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

14 In Re the General Adjudication of)
15 Rights to the Use of Water from the)
16 Snake River Basin Water System)

STANDARD FORM 5
AMENDED MAY 14, 1995

SUBCASE NO. 57-07148

STIPULATED ELEMENTS OF A
WATER RIGHT

17)
18)
19 The State of Idaho, ex rel. R. Keith)
20 Higginson in his official capacity as)
21 Director of the Idaho Department of)
Water Resources,)

22 Petitioner,)

23 vs.)
24)

25 The United States; the State of Idaho;)
26 and all Claimants to the Use of Water)
from the Snake River Basin Water)
System,)

27 Respondents.)
28

MICROFILMED
MAR 02 1995

1 **THIS FORM MAY ONLY BE USED IF ALL PARTIES HAVE STIPULATED TO ALL**
2 **ELEMENTS OF ONE WATERRIGHT AND MAY BE SUBMITTED AT ANY TIME**
3 **FOLLOWING THE CLOSE OF THE STATUTORY RESPONSE PERIOD.**

4 This form is used to report the proposed elements of one federal reserved water right or
5 one water right acquired under state law. Submission of this form will not result in the
6 automatic issuance of a partial decree. The Presiding Judge or Special Master will
7 conduct any hearing necessary to determine whether the facts, data, expert opinions and
8 law support the issuance of a partial decree for the water right.

9 The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the
10 parties and subject matter to enter a partial decree for this water right; and they have
11 been served with sufficient process, according to the law, and have appeared, prosecuted
12 and defended their positions with regard to this water right dispute.

13 **Instructions For Use**

14 A copy of this water right as recommended in the director's report shall be submitted
15 with this form. A statement shall accompany each element of a water right.

16 Elements where there has been no objection should be listed exactly as they appear in
17 the director's report. The statement as to an uncontested element shall state "as
18 recommended in the director's report."

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

22 **ELEMENTS**

- 23 1. The name and address of the claimant is:

24 **STATE OF IDAHO**
25 **DEPARTMENT OF TRANSPORTATION**
26 **DIVISION OF HIGHWAYS**
27 **P. O. BOX 7129**
28 **BOISE, ID 83720**

Required Statement:

AS RECOMMENDED IN THE DIRECTOR'S REPORT.

2. The source of water is:

GROUNDWATER

MICROFILMED
MAR 02 1997

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Required Statement:

AS RECOMMENDED IN THE DIRECTOR'S REPORT.

3. The quantity of water used is:

0.11 C/F/S

Required Statement:

AS RECOMMENDED IN THE DIRECTOR'S REPORT.

4. The priority date is:

08-04-1976

Required Statement:

AS RECOMMENDED IN THE DIRECTOR'S REPORT.]

5. The legal description of the 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:

T.03N R.04W S.34 LOT 05 (SESW)

Required Statement:

AS RECOMMENDED IN THE DIRECTOR'S REPORT.

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:

3/15-11/15

Required Statement:

AS RECOMMENDED IN THE DIRECTOR'S REPORT.

MICROFILMED
SEP 02 1996

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

T.03N R.04W S.34 LOT 5 (SESW) 0.2 ACRES TOTAL

Required Statement:

AS RECOMMENDED IN THE DIRECTOR'S REPORT.

9. The annual volume of consumptive use is:

0.7 AFY

Required Statement:

AS RECOMMENDED IN THE DIRECTOR'S REPORT.

10. Other matters necessary to define this water right:

N/A

These matters are necessary because:

N/A

These matters do not fall within the nine elements listed above because:

N/A

Review by IDWR

To speed up entry of a decree, the parties are encouraged to talk to the Idaho Department of Water Resources about their proposed settlement and have IDWR indicate its concurrence by signing the Standard Form 5.

Where all parties have signed, a Standard Form 5 may be filed with the court without the concurrence of IDWR. However, the parties must certify that they have served IDWR with a copy of Standard Form 5 and that they have made a good faith attempt to resolve the matter with IDWR.

Within 14 days of filing a Standard Form 5 not containing an IDWR concurrence, IDWR shall file a statement of its position with the court.

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.

MICROFILMED
MAR 02 1998

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

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

4 Name: State of Idaho
5 Dept. of Transportation
6 Address: Division of Highways
7 P.O. Box 7129
8 City/State/Zip: Boise, Idaho 83720

Name: Idaho Power Company
Address: P. O. Box 70
City/State/Zip: Boise, Idaho 83702

9 Attorney of Record:

Attorney of Record: James C. Tucker

10 _____
11 Party's Signature

Date

Party's Signature

Date

12 Mary V. York
13 Attorney's Signature

7-23-96
Date

Attorney's Signature

Date

14 IDWR Concurrence:

15 Charles L. Honsinger 08/02/96
16 Signature Date

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MICROFILMED
MAR 02 1993

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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 hereby certify that on the _____ day of _____, 199____, 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, Idaho 83303-2707

2. Copy to:

Idaho Department of Water Resources
Adjudication Bureau
P O Box 83720
Boise, ID 83720-0098

3. Copy to :

State of Idaho
Department of Transportation
Division of Highways
P. O. Box 7129
Boise, Idaho 83720

MICROFILMED
MAR 02 1996

ALAN G. LANCE
ATTORNEY GENERAL

JOHN J. McMAHON
Chief, Contracts and Administrative Law Division
Office of the Attorney General

MARY V. YORK
Deputy Attorney General
Idaho Transportation Department
3311 West State Street
P.O. Box 7129
Boise, Idaho 83707-1129
Telephone: (208)334-8816
Facsimile: (208)334-4498

Counsel for ITD

560
MAR 13 AM 10:29
DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED *DL*

*Andrew - This
is an old
document I
didn't have -
Thanks - V*

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	)	Sub-case No. 57-07148
	)	
Case No. 39576	)	
	)	NOTICE OF SUBSTITUTION
	)	OF COUNSEL
	)	

YOU ARE HEREBY NOTIFIED, pursuant to Idaho Rules of Civil Procedure 11(b)(1), that the State of Idaho, Idaho Transportation Department, the Claimant in the above-entitled action, has substituted Mary V. York of the Office of the Attorney General of the State of Idaho, as attorney of record in this cause in place of George M. Parham.

MICROFILMED
MAR 02 1994

All court orders and other documents in this action should now be served on Mary V. York, P.O. Box 7129, Boise, Idaho 83707-1129.

DATED this 12th day of September, 1996.


MARY V. YORK
Deputy Attorney General for the
Idaho Transportation Department

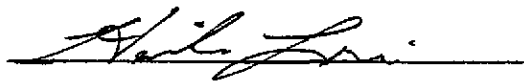
DATED this 12th day of September, 1996.


GEORGE M. PARHAM
Deputy Attorney General

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 17th day of September, 1996, I caused a true and correct copy of the above and within NOTICE OF SUBSTITUTION OF COUNSEL to be mailed, postage prepaid, to:

James C. Tucker
Rosholt Robertson & Tucker Chtd.
P.O. Box 1906
Twin Falls, Idaho 83303-1906
(Counsel for Idaho Power)



MICROFILMED
MAR 02 1997

RECEIVED

DEC 30 1996

Department of Water Resources

1996 DEC 26 PM 1:17

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)
_____)

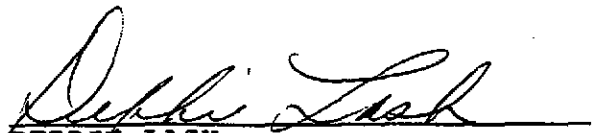
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-07148

On December 26, 1996, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (AO1), 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 (AO1, 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 December 26, 1996.


DEBBIE LASH
Deputy Clerk

NOTICE OF ISSUANCE

MICROFILMED
MAR 02 1997
PAGE 1
12/26/96

RECEIVED

DEC 30 1996

1996 DEC 26 PM 1:17

Department of Water Resources DISTRICT COURT - SRBA
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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-07148

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 December 26, 1996, with sufficient first-class postage prepaid to the following:

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

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720

YORK, MARY V.
DEPUTY ATTY GENERAL
P.O. BOX 7129
BOISE, ID 83707-1129

JAMES C. TUCKER
PO BOX 2139
BOISE, ID 83701

Debbie Lash
DEBBIE LASH
Deputy Clerk

REPROFILMED

PAGE 1

MAR 02 1997

CERTIFICATE OF MAILING

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)
)
)
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1996 DEC 26 PM 1:17
SPECIAL MASTER'S RECOMMENDATION FOR
DISTRICT COURT - SRBA
PARTIAL DECREE FOR TWIN FALLS CO., IDAHO
Water Right 57-07148 FILED *[Signature]*

NAME & ADDRESS: STATE OF IDAHO
DEPT OF TRANSPORTATION
DIVISION OF HIGHWAYS
PO BOX 7129
BOISE ID 83720

RECEIVED
DEC 30 1996

Department of Water Resources

SOURCE: GROUNDWATER

QUANTITY: 0.11 CFS
0.9 AFY

PRIORITY DATE: 08/04/1976

POINT OF DIVERSION: T03N R04W S34 LOT 5 (SESW)

Within OWYHEE County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
0.11 CFS
0.9 AFY

PLACE OF USE: IRRIGATION Within OWYHEE County
T03N R04W S34 Lot 5 (SESW) 0.2
0.2 ACRES TOTAL

CONSUMPTIVE USE: 0.7 AFY

DATED: 12-26-96

[Signature]
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION

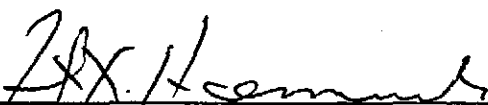
MICROFILMED
MAR 02 1997

PAGE 1
SEP-17-1996

A Preliminary Special Master's Report and Recommendation was issued on October 4, 1996. No motion to alter or amend was filed and the time for such a motion has now expired.

The record on file for water right 57-07148, including the *Standard Form 5*, clearly establishes the intent of the parties that this subcase should be decreed as set forth in the *Special Master's Report and Recommendation for Partial Decree for Water Right 57-07148*.

DATED December 19, 1996.


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

MICROFILMED
MAR 02 1998

RECEIVED

DEC 30 1996

Department of Water Resources

1996 DEC 26 PM 1:17

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED UL

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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	WATER RIGHT 57-07148

FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The Director for the State of Idaho Department of Water Resources (IDWR) examined the water system for Reporting Area 2 and investigated and abstracted the notice of claim for Reporting Area 2 (Basin 57), which includes portions of Owyhee County, State of Idaho. The *Director's Report for Reporting Area 2 (Director's Report)* contained a recommendation or abstract for the elements of this water right.

An objection to the *Director's Report* for water right 57-07148 was filed on March 1, 1993, by Idaho Power Company. Idaho Power Company objected to **element 14**; other: on the basis that General Provision 4 violates the Swan Falls agreement. A Response was filed on July 1, 1993 by IDWR. However, the court entered the *Memorandum Decision and Order Re: Basin-Wide Issue 5* on April 26, 1996, on which General Provisions were struck from the *Director's Report*. Subsequently, a settlement was reached and a *Standard Form 5* was issued. The signatories to the *Standard Form 5* are the claimant; the State of Idaho Department of Transportation, the objector; Idaho Power Company, and IDWR.

CONCLUSIONS OF LAW

Under *SRBA Administrative Order 1*, a Special Master is required to make a recommendation to the Presiding Judge as to whether and how a water right should be decreed.

MICROFILMED

SPECIAL MASTER'S REPORT
12/19/96

MAR 02 1998

1997 FEB 19 PM 02:00
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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-07148

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 57-07148 was mailed
on February 19, 1997, with sufficient first-class postage prepaid
to the following:

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

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720

YORK, MARY V.
DEPUTY ATTY GENERAL
P.O. BOX 7129
BOISE, ID 83707-1129

JAMES C. TUCKER
PO BOX 2139
BOISE, ID 83701

DIANA DELANEY
Chief Deputy Clerk

MICROFILMED

MAR 02 1998

CERTIFICATE OF MAILING

PAGE 1
02/19/97

Andrew

RECEIVED

FEB 21 1997

Department of Water Resources

1997 FEB 19 AM 10:16

DISTRICT COURT-S
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 ON PARTIAL DECREE

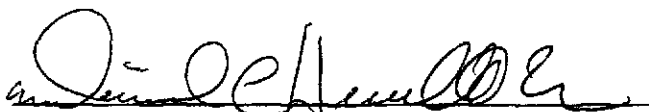
) For Water Right 57-07148

On December 26, 1996, 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 57-07148 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 19, 1997.


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

MICROFILMED
MAR 02 1998

57-7148

PICTURE # 1

This picture shows the location of the well with respect to the bridge crossing the Snake River, and the cement pad surrounding the place of use located on the north side of highway 55. Also shown is a portion of one of the shrubs within the P/U. This picture is looking southeast.



MICROFILMED

OCT 07 1992

FOR FILE A 57-7148.

I CONDUCTED A FIELD EXAM FOR PERMIT 57-7148
ON 10-24-89 AND FOUND THE USE TO BE
0.20 ACRES AND RECOMMENDED A DIVERSION RATE
OF 0.01 CFS. NO OTHER USE WAS FOUND.
ADDITIONAL INFO IS IN FILE 57-7148.

Kelly K. Christensen

MICROFILMED

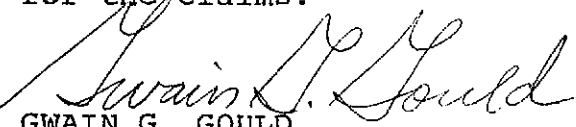
OCT 07 1992

STATE OF IDAHO - TRANSPORTATION DEPARTMENT

Carter Fritschle
July 27, 1988
Page 2

- (3) Claim A57-07148: This is for irrigation purposes only. There aren't any non-irrigation uses.
- (4) Claim A72-04059: Watts Bridge Rest Area is under control of the Bureau of Land Management and we do not wish to file on it. The BLM should be contacted at their office in Salmon to see if they wish to file on this claim.
- (5) Claim A72-02103: The land this well is on has been conveyed to Challis Joint School District No. 181. We don't wish to file on this well but perhaps they do.
- (6) Claim A31-07094A: This has been signed and is enclosed.
- (7) Claims A25-07011 and A21-07193: We do not wish to file on these claims.

Also enclosed are the draft claim forms for A34-07024 and A43-04045. If you will return the final forms we will have them properly executed and returned and a claim for payment form. The fee for the claims total \$2,272/00. Please sign the claim form and return it. We will request the Auditor to draw a warrant in that amount and send it to you for the claims.


GWAIN G. GOULD
Senior Right of Way Agent

GGG:oprwfrw

MICROFILMED

OCT 07 1992

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1993 MAR -1 AM 11:04

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

Case No. 57-07148

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

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.

(Over)

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JUL 20 1994

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

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 & Address: Idaho Power Company
1221 W. Idaho
Boise, Idaho 83702

Briefly describe your interest in this water right:

This right is subject to Provision No. 4 of the Director's Report Part I - Basin 57. The water right withdraws out of the groundwater system which is tributary to the Snake River.

2. Owner of the water right:

Name: State of Idaho, Department of Transportation
Address: Division of Highways
P.O. Box 7129
Boise, Idaho 83720

3. If this objection is filed by an attorney:

Attorney Name: James C. Tucker
Attorney Address: P.O. Box 2139
Boise, Idaho 83701-2139
Attorney Phone No.: (208) 336-0700

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.

(Over)

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JUL 20 1994

12. ☐ Water Right Recommendation: I object to:
- ☐ this water right being recommended at all; or
- ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☒ Other: I object to:
- General Provision No. 4 - Part I of the Director's Report for Basin 57 for the reason that this Provision violates the Swan Falls Agreement.

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.

A portion of Basin 57 is within the "Trust Water" area depicted in the Swan Falls Agreement. The Provision as worded violates this Agreement.

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 Provision should be either removed or revised so it does not conflict with the Swan Falls Agreement.

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. _____
- _____
- _____
- _____

VERIFICATION (Must be Completed)

State of Idaho

County of TWIN FALLS

JAMES C. TUCKER, being first duly 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.

IDaho Power Company
Signature of person filing objection

By: 

(Attorney signing in representative capacity)

Subscribed and sworn to before me this 15 day of March, 1993.


Notary Public for Idaho

Residing at: Provo

My commission expires: 12-17-97

(Over)

MICROFILMED
JUL 20 1994

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 1ST day of MARCH, 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:

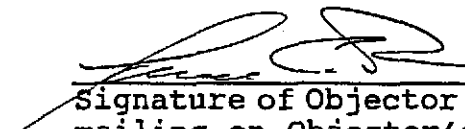
Owner name & address: State of Idaho
 Department of Transportation
 Division of Highways
 P.O. Box 7129
 Boise, Idaho 83720

3. One copy to:

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

4. One copy to:

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724



Signature of Objector or attorney
mailing on Objector's behalf

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO DEPT OF TRANSPORTATION DIVISION OF HIGHWAYS PO BOX 7129 BOISE ID 83720 (208) 334-8505	08/04/1976	IRRIGATION	03-15 11-15	0.11 CFS	0.9 AFA
					TOTAL DIVERSION:	0.11 CFS
					CONSUMPTIVE USE:	0.9 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R04W S34 Lot05(SESW)

OWYHEE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
03N	04W	34	:					:					:					:					:	0.2
																							TOTAL ACRES	0.2

POU County: OWYHEE

Other Rights: NONE

Dates: Exam Made Date: Verified Date: 02/10/1992

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

Comments: Date: 02/10/1992 User-ID: WALKER Subject: PRIORITY DATE
ISSUANCE OF LICENSE ADVANCED PRIORITY DATE. LICENSE DOES NOT
SPECIFY LOT 5 IN P/D DESCRIPTION. HAVE LEFT IN P/D ON ADJ. CLAIM
LICENSE ISSUED 1/30/92.

Audit: 07/31/91 WALKER 11/03/91 WALKER 01/09/92 WALKER 02/10/92 WALKER
07/29/92 PR-PRODM

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 OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:43:30
06/05/90

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A57-07148

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE		see B/U	KKC	N			KW 11-3-91	KW 2-10-92
POINT OF DIV	Y	field		N				
SOURCE		exam		N				
PLACE OF USE	Y	of 10-24-89		N				
DIV. AMOUNT CFS/VOLUME		attached.		Y				
CONSUMPTIVE USE	-	KW		N				
PURPOSES				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS	Y			P				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

see ~~proposed~~
licensing
attached. KW
11/3/91

~~ADT~~ Licensed 1/30/92-

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8/1/87
1992

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ 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 0.2 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 ✓ =

TOTAL CONSUMPTIVE USE 0.7 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES .2 x DIVERSION VOL. AF/A FOR AREA 4.5 ✓ =

TOTAL DIVERSION VOLUME 0.9 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(✓)

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

1b. CALCULATIONS

as of 1/6/92
kw

vs. $0.11 \times 1.98 \times \frac{246}{153} = \frac{53.6}{33.3}$

kw 11/3/91

NOT RECORDED
OCT 10 1992

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	
A5707148																							
A0200055	SHIELDS	J	SNAKE RIVER	03N	04W	34							23								23		
A0200064	GEM IRRIGATION DISTRIC	J	SNAKE RIVER	03N	04W	34							36	34			36	39	44		189		
A0200065	GEM IRRIGATION DISTRIC	J	SNAKE RIVER	03N	04W	34							36	34			36	39	44		189		
A0202113	DELETE	L	DELETE CLAIM	03N	04W	34																	
A0202113A	SIMPKINS	L	SNAKE RIVER	03N	04W	34																	
A0202113B	SHIELDS	L	SNAKE RIVER	03N	04W	34																	
A5707148	STATE OF IDAHO	P	GROUNDWATER	03N	04W	34												3			3		
A6302388	AMERICA, ACTING THROUG	L	BOISE RIVER	03N	04W	34																	
	1986 MAPPING DATA ---	-	COUNTY 27 QUAD X	54	03N	04W	34	37					32		31	41		41	28		210		
	1986 MAPPING DATA ---	-	COUNTY 73 QUAD X	54	03N	04W	34	36					38		33	42		42	36		227		

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009107X0992

MEMORANDUM

TO: File 57-7148

FROM: JIM JOHNSON

RE: Adjustment to field exam

DATE: December 17, 1991

=====

The beneficial use report contained an unusually low rate of flow recommendation for the identified place of use. The examiner pro-rated the area irrigated with the rate per acre to determine the recommended rate. Application of the pro-rate methodology in this case resulted in a flow too small to satisfy the area irrigated and is inconsistent with the discharge of the irrigation delivery system used.

Adjustment to the rate of flow is based on capacity of the irrigation system described in the report and is summarized below.

Irrigation system discharge summary:

1. Discharge of rain bird shrub head sprinkler = 1.3 gpm per head
2. Number of heads used in the system = 74 heads
3. Number of heads used per station = 36 to 38 heads
4. Instantaneous discharge per station = $1.3 \times 38 = 49.4$ gpm or 0.11 cfs

Pumping plant discharge:

1. Use horsepower equation to estimate discharge
$$Q = 2 \text{ hp} \times 8.8 \times 0.7 \text{ efficiency} / \text{TDH}$$
$$\text{TDH} = 15 \text{ feet (depth to water)} + 2.31 \times 30 \text{ psi}$$

$$Q = 0.15 \text{ cfs}$$

The discharge estimates of the two systems are approximately the same and support a rate higher than listed on the beneficial use report.

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OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

FEB 19 1991

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: ST OF ID. DEPT. OF TRANSPORTATION Permit No. 57-7148
Current Address: P.O. Box 7129 Boise, ID. 83720 Phone No. 375-4650
2. Accompanied by: LARRY ELLS EXAM. DATE: 10-24-89
Address: _____ Phone No. Same
Relationship to Permit Holder: SUPERINTENDENT
3. Source: GROUND WATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached

Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

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System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

THIS SYSTEM IS A WELL DELIVERING WATER TO TWO ISLANDS OF SHRUBBRY ON THE NORTH & SOUTH SLOPES OF HIGHWAY 55 JUST WEST OF THE BRIDGE CROSSING THE SNAKE RIVER. THE NORTH SIDE IS IRRIGATED VIA RAIN BIRD 1/2 CIRCLE SHRUB HEADS CONNECTED TO A BURIED PIPE LINE. THE SOUTH ISLAND IS IRRIGATED VIA A 1 1/4" LINE (REDUCES TO 1") WHICH HAS 1/8" HOLES DRILLED FROM 12" TO 18" APART. THIS LINE IS ON THE SURFACE.

See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	UNKNOWN	2 HP	UNKNOWN	UNKNOWN	1 1/4"

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	5	SE	SW		34	3N	4W	OWYHEE	ORTHO PHOTOGRAPHIC QUAD MAP

6. Place(s) of Use:

Indicate Method of Determination HIGHWAY DEP. PLAT.

Twp.	Rge.	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	
														0.20					0.20 AC
														LOT					
														5					

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

FOR ACRES: $\frac{4290 \text{ SQFT} \times 2 \text{ ISLANDS}}{43560} = 0.197 \text{ ACRES}$
 EACH ISLAND IS $13' \text{ WIDE} \times 330' \text{ LONG}$ OR $\approx 0.20 \text{ ACRES}$
 $13' \times 330' = 4290 \text{ SQFT}$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$\frac{2 \text{ HP} \times 88 \times .8}{15' + (2.3 \times 15')} = 0.284 \text{ CFS}$
 ↑
 psi; too low J.S.

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.20 \times 5.0 = 1.0 \text{ AFA}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.01 \times 153 \times 1.9835 = 3.03 \text{ AFA}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1.00 \text{ AFA}$

2. Volume Calculations for Other Uses:

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OCT 07 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

AND HAS REPLACED THE ORIGINAL SYSTEM (IDENTICAL TO THE NORTH SIDE).

NO OTHER USE WAS FOUND.

PERMIT IS FOR IRRIGATION OF 2.5 ACRES AND 0.11 CFS

FEES PAID FOR:

0.20 CFS MAX

FOUND [IRRIGATION OF 0.20 ACRES THEORETICAL 0.284 CFS

SEE MEMO [LEGAL LIMIT FOR 0.20 ACRES * 0.03 CFS/ACRE = .006 CFS

3.010 CFS

PICTURES WERE TAKEN ON 5-23-89, PUMP WAS DOWN AT THAT TIME.

THE CITY OF MARSING OPERATES THIS SYSTEM.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRRIGATION	4-1 10-1	0.01 CFS	1.00 AFA

Totals:

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

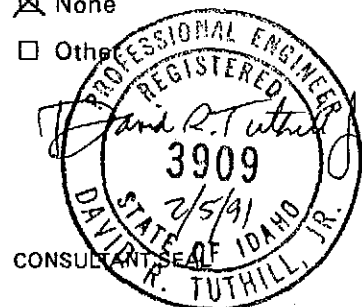
J. AUTHENTICATION

Field Examiner's Name KELLY K. CHRISTENSEN

Signature Kelly K. Christensen

Certification Date

Field Report Preparation Date 10-24-89



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

SC
2/20/91

MICROFILMED

OCT 6 / 1992

#57-7148

Constructed: 1570-50. yds.

OCT 07 1992

ation will be allowed to
system and/or manager
be observed by the Engineer.
brought to the Engineer's

Value # 100

Pitless Abolition

T.3N., R.4W., B.M.
S.E. S.W.34

Marsing

Slough

Areas to be
watered

Concrete Slope Paving

Concrete Slope Paving

Slough

15-2379

0.00

12. Value 100
12. Value 3

$\frac{1}{2}$ Valve 30
 $\frac{1}{2}$ Valve 40

Return to

POT 521677042007
ISPC Grid North

Marsing Mtee Shed.
Owyhee Co.

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: A57-07148
Date Received: 4/05/1988
Receipt No: C002215
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO 208-334-8505
Address: DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
P.O. BOX 7129
BOISE, ID 83707

2. Date of Priority: AUG 13, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	34	SE	SW			OWYHEE

5. Description of diverting works:
WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/01	0.110		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
OPERATION OF MARSING MAINTENANCE SHED.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	34	SE	SW		IRR	3.0

Section Acres 3.0

A57-07148

Page 1

Date: 07/05/88

MICROFILMED JUL 27 1988

OCT 07 1992

Department of Water Resources

10. Place of Use: Continued

Total Acres 3.0

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:
NONE

14. Remarks:
AC. IRR.=2.5.

15. Basis of Claim: PERMIT
Water Right Number:

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Senior R/W Agent of I.T.D., Division of Hwy's, that I have signed the foregoing document in the space below as Senior R/W Agent of I.T.D., Division of Hwy's and that the statements contained in the foregoing document are true and correct.

William L. Gould
Signature of Authorized Agent

SR/WA I.T.D., Div. of Hwy's
Title and Organization

7/15/88
Date

State of Idaho)
County of Ada) SS.

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

Rick A. Bachmeyer
Notary Public

Seal

Residing at Borise

My Commission Expires 5-11-93