

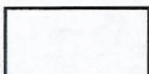
Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 57-07243

Legal: T06S, R04E, S04

Reviewed By:

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



3/03



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: A57-07243

Date Received: 8/19/1992

Receipt No: C025245

Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MERRILL TALLMAN 208-896-4004
Address: PO BOX 118
MARSING ID 83639

OR

Name: HESTHER TALLMAN 208-896-4004
Address: PO BOX 118
MARSING ID 83639

2. Date of Priority: MAY 4, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	04E	4	SW	NE			OWYHEE

5. Description of diverting works:
WELL, PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 2 HOMES

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	04E	4	SW NE		DOMEST	

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:

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Mervyn Tallman Date: 8-19-92

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of August 19 92 Carter Fritschle
Notary Public

Seal

Residing at Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 57-07243

Priority: April 17, 1980

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

4.6 AF

This is to certify, that MERRILL TALLMAN
HESTER TALLMAN

PO BOX 118
313 CANAL ST
MARSING ID 83639

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 4, 1979; and has submitted Proof of Beneficial Use on May 16, 1984. An examination indicates that the works have a diversion capacity of 0.040 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	0.03 CFS	3.6 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.04 CFS	4.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 4, Township 06S, Range 04E
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>
06S	04E	4	SWNE	0.8		0.8

Total number of acres irrigated: 0.8

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND 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.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

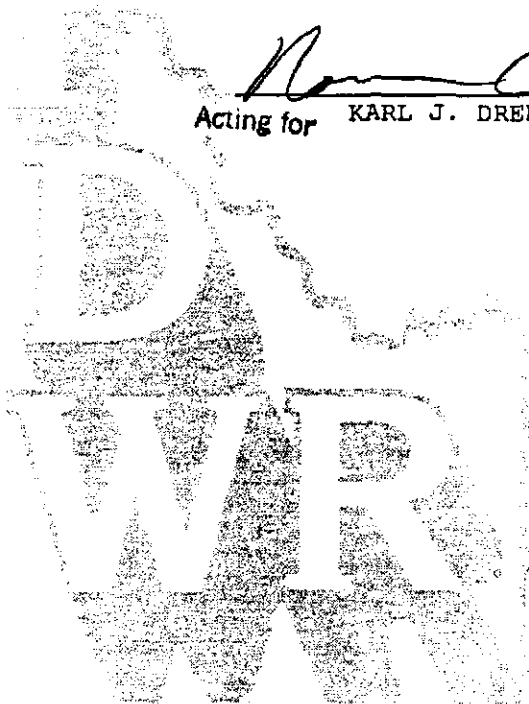
WATER RIGHT NO. 57-07243

CONDITIONS OF APPROVAL AND REMARKS

5. This right when combined with all other rights shall provide no more than .03 cfs nor more than 3.6 afa for the land described above.
6. Domestic use is for 2 homes.
7. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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 17TH day of NOVEMBER, 19 95.


Acting for KARL J. DREHER, Director



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) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS
Case No. 39576)
) Water Right 57-07243

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☒ Substitution of Party
☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 57-07243

From (Claimant/Seller):

Name of Claimant: MERRILL TALLMAN
HESTHER TALLMAN
Address: RT B BOX 184D
BRUNEAU ID 83604

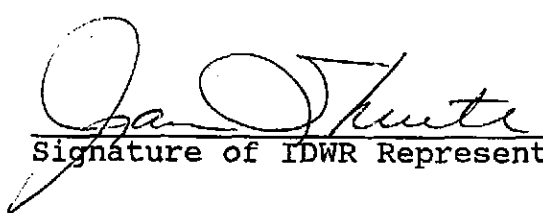
To (Claimant/Purchaser):

Name of Claimant: ROXIE E LINTON
Address: HC 85 BOX 184 D
BRUNEAU ID 83604
Phone: (208) 834-2337

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: January 30, 1998


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on January 30, 1998 I mailed the original and copies of this form to the following persons, 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:
Claimant/Seller for Substitution of Party or attorney of record:

MERRILL TALLMAN
HESTER TALLMAN
RT B BOX 184D
BRUNEAU ID 83604
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

ROXIE E LINTON
HC 85 BOX 184 D
BRUNEAU ID 83604
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Denise Buffington
Signature of person or attorney mailing the form

LEGAL DESCRIPTION

A tract of land in the North one-half $\frac{1}{2}$ of Section 4, Township 6 South, Range 4 East, B.M., Owyhee County, Idaho, more particularly described as follows:

COMMENCING at the West $\frac{1}{2}$ of corner of said Section 4; thence North $89^{\circ}33'50''$ East 3,280.97 feet along the South line of said North one-half ($\frac{1}{2}$) of Section 4 to the REAL POINT OF BEGINNING; thence North $1^{\circ}26'25''$ East 147.84 feet to a point on the South right-of way line of State Highway no. 78; thence South $78^{\circ}03'04''$ East 353.58 feet along said South right-of -way to a point; thence leaving said right-of way South $12^{\circ}27'12''$ West 360.02 feet along said South line of the North one-half ($\frac{1}{2}$) of Section 4 to the REAL POINT OF BEGINNING.

RECEIVED

JUN 05 1997

WATER RESOURCES
WESTERN REGION

				BACK			
SEWER	SEPTIC	WATER	WELL	GAS AVAILABLE	NO	BRKFEST BAR	NO

PERSONAL PROPERTY INCLUDED: Oven/range, refrig., washer, new dryer, chest freezer, 5 ceiling fans, central vac. system, D.W., Water Softener.

PERSONAL PROPERTY EXCLUDED:

COMMENTS:

Nice home with finished basement. New carpet in basement & most of the main floor. Large country kitchen with lots of cabinets. New hot water heater and new pump in the well 2 years ago. Orchard with apple, peach, apricot, and plum trees. Property backs up to B.L.M. land. View of the Snake River. Close to schools and stores, yet private.

TAXES:\$ 378.96 -1996 W/H.O. EXEMPT INFORMATION DEEMED RELIABLE, BUT NOT GUARANTEED!

CO-OP. _3.0_

OVER FOR MORE INFORMATION AND PICTURES

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
JUN 03 1997
Department of Water Resources

RECEIVED

JUN 05 1997

WATER RESOURCES
WESTERN REGION

1. Water Right No(s).: 11 57-07243
Adjudication Claim No(s).: _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Merrill E. Telliman
313 Canal St. Box 118 Marsing, Id. 83639
4. New Owner/Claimant(s) Roxie E. Linton
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address HC 85 Box 1840
City, State and ZIP Code Bruneau, Id 83604
New Telephone Number (208) 834 2337
5. Date you acquired the property Oct 9, 1992
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 1 Number and type of stock _____
Diversion rate in CFS .20 Number of homes 1 Other uses irr.
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Roxie E. Linton
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Claim has spelling
of "Tallman".

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

1-27-98

WARRANTY DEED

FOR VALUE RECEIVED,

MERRILL E. TALLMAN and HESTHER TALLMAN, husband and wife,

the Grantors, do hereby grant, bargain, sell and convey unto
JAMES D. LINTON and ROXIE E. LINTON, husband and wife,the Grantees, whose current address is HC 85 Box 184-D,
Hwy. 78, Bruneau, Idaho 83604the following described real property, located in Owyhee
County, Idaho, to-wit:A tract of land in the North one-half (½) of Section 4,
Township 6 South, Range 4 East, B. M., Owyhee County, Idaho,
more particularly described as follows:COMMENCING at the West ¼ corner of said Section 4;
thence North 89°33'50" East 3,280.97 feet along the South
line of said North one-half (½) of Section 4 to the REAL
POINT OF BEGINNING; thence North 11°26'25" East 147.84 feet
to a point on the South right-of-way line of State Highway
No. 78; thence South 78°03'04" East 353.58 feet along said
South right-of-way to a point; thence leaving said
right-of-way South 12°27'12" West 70.62 feet to a point on
said South line; thence South 89°33'50" West 360.02 feet
along said South line of the North one-half (½) of Section 4
to the REAL POINT OF BEGINNING.Together with all and singular the tenements, hereditaments
and appurtenances thereunto belonging or in anywise
appertaining, including all water and ditch rights and
rights of way for water and ditches.TO HAVE AND TO HOLD the said premises, with their
appurtenances unto said Grantees, their heirs and assigns
forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners in fee
simple of said premises; that said premises are free from
all encumbrances except: None.FILED - RECORDED
92 OCT 9 PM 12 18
PIONEER COUNTY RECORDER
DEPUTY
REQUEST OF
Merrill E. Tallman
Roxie E. Linton
RE 6.00

208924

Subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises.

Taxes and assessments of all taxing units not yet due and payable.

Reservations in patents or state grants or in acts authorizing the issuance thereof.

All repayment contracts between any irrigation district within which the premises are situated and any government or agency.

The bonded debt of all taxing units within which said premises are located.

Restrictions imposed by law, ordinance, or regulation imposed by any governmental entity, department or agency.

Restrictions contained in any covenants of record affecting the premises.

All rights of way or easements affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not.

DATED: October 9, 1992

Merrill E. Tallman
Merrill E. Tallman

Hesther Tallman
Hesther Tallman

STATE OF IDAHO, COUNTY OF OWYHEE, ss.

On this 9th day of October, 1992, before me, a Notary Public, in and for the State, personally appeared Merrill E. Tallman and Hesther Tallman, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Nicholas K. Shli
Notary Public for Idaho
Residing at Murphy, Idaho
Commission Expires: 1/31/94

DEED OF DISTRIBUTION BY PERSONAL REPRESENTATIVE

THIS DEED, made by ROXIE E. LINTON, as personal representative of the estate of JAMES D. LINTON, also known as JAMES DURWOOD LINTON, deceased, Grantor, to ROXIE E. LINTON, Grantee, whose current address is HC 85 Box 184 D, Bruneau, Idaho 83604.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case No. SP-97-00861, in Owyhee County, Idaho;

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee the following described real property in Owyhee County, Idaho:

A tract of land in the North one-half ($\frac{1}{2}$) of Section 4, Township 6 South, Range 4 East, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

COMMENCING at the West $\frac{1}{4}$ corner of said Section 4; thence North $89^{\circ}33'50''$ East 3,280.97 feet along the South line of said North one-half ($\frac{1}{2}$) of Section 4 to the REAL POINT OF BEGINNING; thence North $11^{\circ}26'25''$ East 147.84 feet to a point on the South right-of-way line of State Highway No. 78; thence South $78^{\circ}03'04''$ East 353.58 feet along said South right-of-way to a point; thence leaving said right-of-way South $12^{\circ}27'12''$ West 70.62 feet to a point on said South line; thence South $89^{\circ}33'50''$ West 360.02 feet along said South line of the North one-half ($\frac{1}{2}$) of Section 4 to the REAL POINT OF BEGINNING.

with all appurtenances.

EXECUTED this 21st day of August, 1997.

302875

Roxie E. Linton

ROXIE E. LINTON

Personal Representative of the estate of JAMES D. LINTON, also known as JAMES DURWOOD LINTON, deceased.

ELMORE COUNTY, IDAHO ss
Request of

Time 2:10 PM

Date September 2, 1997

Book _____ Page _____
DOLORES ROBISON

Recorder

By _____ Deputy

Fee 6.00

REQUEST OF
BY *Roxie E. Linton*
DEPUTY
JIM HUNTER JR.
OWYHEE COUNTY RECORDER

97 SEP 5 PM 1 10

FILED-RECORDED

222786

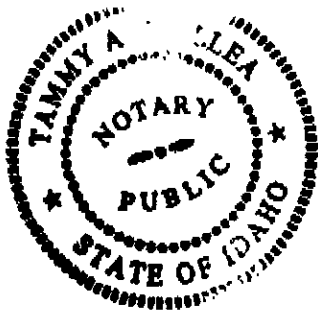
STATE OF IDAHO

)
: ss
)

COUNTY OF ELMORE

On this 29th day of August, 1997, before me, the undersigned, a notary public in and for said state, personally appeared, ROXIE E. LINTON, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the estate of JAMES D. LINTON, also known as JAMES DURWOOD LINTON, deceased, and acknowledged to me that she executed the same as such Personal Representative.

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



Tammy A. Mella
Notary Public for Idaho
Residing at Mtn. Home, Id.
My commission expires: 6-18-2003

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-07243

Date: 3-11-03

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	65	4E	4			.8														.8
GIS						.8														.8
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: .8

Total GIS Acres: .8

Overlapping EOU Claim #'s:

COMMENTS:

County data indicates claimant doesn't own this parcel.
 No claim map. Estimated per irrigated land within
 a county ownership.

POD estimated.

Idaho Department of Water Resources

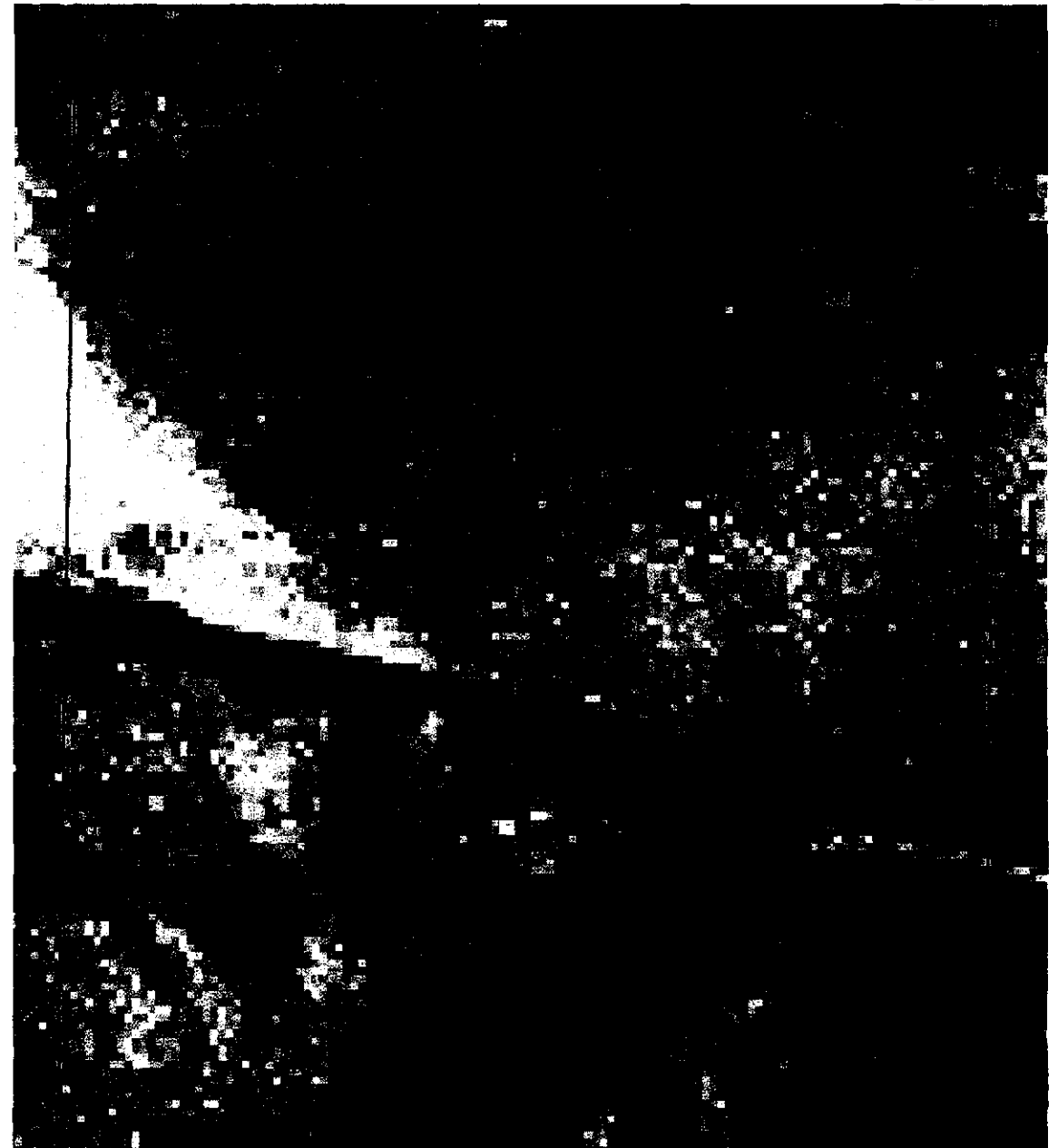
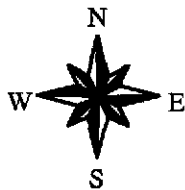
1987 Napp Photo

Claim Number: 57-07243

Legal: T06S, R04E, S04

Reviewed By:

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



0 0.25 Miles

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 57-07243

1998 FEB -9 PM 1:09

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: ROXIE E LINTON
HC 85 BOX 184 D
BRUNEAU ID 83604

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
4.6 AFY

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

PRIORITY DATE: 04/17/1980

POINT OF DIVERSION: T06S R04E S04 SWNE Within OWYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.03 CFS
			3.6 AFY
	DOMESTIC 2 HOMES	01-01 12-31	0.04 CFS
			1.2 AFY

DOMESTIC USE DOES NOT INCLUDE LAWN, GARDEN, LANDSCAPE, OR
OTHER TYPES OF IRRIGATION.

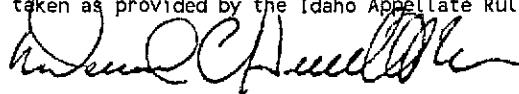
PLACE OF USE:	IRRIGATION	Within OWYHEE County
	T06S R04E S04	SWNE 0.8
	0.8 ACRES TOTAL	
	DOMESTIC	Within OWYHEE County
	T06S R04E S04	SWNE

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

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

RULE 54(b) CERTIFICATE

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



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

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

*new
address found*

57-7243

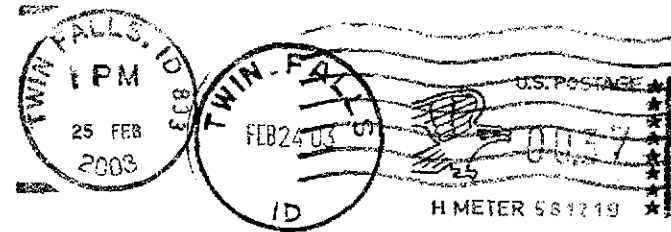
RETURNED
TO SENDER

FORWARD EXPIRED

Roxie E Linton
HC 85 Box 1
Bruneau, ID

Water Right Claimant(s):

83303/2707



RECEIVED

MAR 10 2003

WATER RESOURCES
WESTERN REGION



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

Important Information About Your Water Right

February 24, 2003

Roxie E Linton
HC 85 Box 184D
Bruneau, Idaho 83604

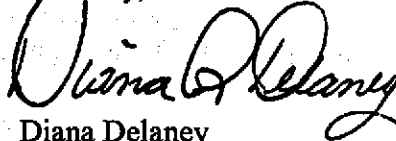
Dear Water Right Claimant(s):

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 57-07243. 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 February 9, 1998, 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 24 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 57-07243
	)	
	)	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 February 9, 1998. 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: 03-15 to 11-15
The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

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

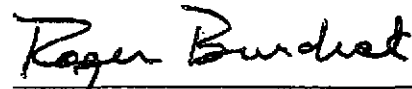
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

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 24, 2003

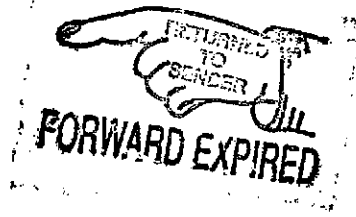


ROGER BURDICK

Presiding Judge

Snake River Basin Adjudication

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082



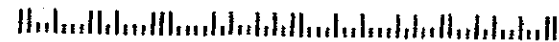
RECEIVED

FEB 05 1998

WATER RESOURCES
WESTERN REGION

★ ★ ★ UNITED STATES POSTAGE
151 PB8594393
9480 \$ 00.32⁰ JAN 30 98
7142 MAILED FROM BOISE ID 83705

MERRILL TALLMAN
HESTER TALLMAN
RT B BOX 184 D
BRUNEAU ID



IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-30-1998
PAGE: A-1-----
RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-07243

NAME & ADDRESS: ROXIE E LINTON
HC 85 BOX 184 D
BRUNEAU ID 83604

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
4.6 AFYTHE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/17/1980

POINT OF DIVERSION: T06S R04E S04 SWNE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.03 CFS
			3.6 AFY
	DOMESTIC 2 HOMES	01-01 12-31	0.04 CFS
			1.2 AFY

DOMESTIC USE DOES NOT INCLUDE LAWN, GARDEN, LANDSCAPE, OR
OTHER TYPES OF IRRIGATION.

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T06S R04E S04	SWNE 0.8
	0.8 ACRES TOTAL	
	DOMESTIC	Within Owyhee County
	T06S R04E S04	SWNE

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

AJ0749NP
No. 57-07243

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

DATE: 01/29/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROXIE E LINTON HC 85 BOX 184 D BRUNEAU ID 83604 (208) 834-2337	05/04/1979	IRRIGATION DOMESTIC	03-15 11-15 01-01 12-31	0.04 CFS 0.16 CFS	
TOTAL DIVERSION:					0.20 CFS	
D	HESTHER TALLMAN					
D	MERRILL TALLMAN					
	RT B BOX 184D					
	BRUNEAU ID 83604					

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion:

T06S R04E S04

SWNE

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
06S	04E	4	:				02	:												:	2.0
TOTAL ACRES																				2.0	

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

POU County: OWYHEE

Non-Irrigation Uses: DOMESTIC, 4 HOMES & GREENHOUSES

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

A57-07243 R57-07243

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

A02-07242C R57-07243

Conditions of Approval:

- A01 - THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
- IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
- OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
- SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL
- BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
- IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ0749NP
No. 57-07243

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

DATE: 01/29/98
PAGE: 2

=====

Comments: Date: 01/29/1998 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 01/29/98 DBUFFING

AJ0749NP
No. R57-07243

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

DATE: 01/29/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROXIE E LINTON HC 85 BOX 184 D BRUNEAU ID 83604 (208) 834-2337	04/17/1980	IRRIGATION DOMESTIC	03-15 11-15 01-01 12-31	0.03 CFS 0.04 CFS	3.60 AFA 1.20 AFA
TOTAL DIVERSION:					0.04 CFS	4.60 AFA
D	HESTHER TALLMAN					
D	MERRILL TALLMAN					
	RT B BOX 184D					
	BRUNEAU ID 83604					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T06S R04E S04

SWNE

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
06S	04E	4	:					.8	:											:	0.8
																				TOTAL ACRES	0.8

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
06S	04E	4	:					D	:											:	

POU County: OWYHEE

Non-Irrigation Uses: 2 HOMES

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

57-07243 A57-07243

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

57-07243 A02-07242C

Conditions of Approval:

- N10 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N12 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: USE DOMESTIC USE DOES NOT INCLUDE LAWN, GARDEN, LANDSCAPE, OR OTHER TYPES OF IRRIGATION.

AJ0749NP
No. R57-07243

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

DATE: 01/29/98
PAGE: 2

=====

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
--------	-----------------	----------------	-----------------------

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

Comments: Date: 01/29/1998 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 01/29/98 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 30, 1998

RE: Water Right No. 57-07243

Roxie E Linton
HC 85 Box 184 D
Bruneau ID 83604

Dear Ms. Linton:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:d

Enclosures



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

PHILIP E. BATT
GOVERNOR

May 27, 1997

KARL J. DREHER
DIRECTOR

JIM LINTON
HC 85 BOX 184D
BRUNEAU ID 83604

RECEIVED

JUN 05 1997

RE: Snake River Basin Adjudication (SRBA)
Water Right #57-07243

WATER RESOURCES
WESTERN REGION

Dear Water Right Holder:

We have been advised you may be the new owner of the property and water right referenced above.

Before we can modify our records to reflect your new ownership of the property and water right referenced above, we need Form 42-248/42-1409(6) completed and returned. We have enclosed this form for your use.

Please contact this office at 208/327-7862 or call us toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosures:

Form 42-248/42-1409(6)
"How You Will Receive Notice..."
Docket Sheet Order Form

*Bruneau Postmistress said Jim L's family
lives here, but he is deceased. She
also told me Rt. #s are no longer used,
I gave me HC #.*

(Copied C.A. 6-2-97.)

AS

From: DWR80::LHARRIS
To: DWR03::DSHAFF
CC:
Subj: 57-07243

27-MAY-1997 08:11:04.21

DON,

THERE IS NO RECORD OF AN OWNERSHIP CHANGE BEING RECEIVED, OR
ANYTHING ELSE BEING DONE WITH THE CLAIM.

LORI

SUSPECTED
Δ OWNER LTR
TO LINTONS (PAPER CLIP)
AT BRUNDEAU ADDRESS.

RECEIVED

JUN 05 1997

WATER RESOURCES
WESTERN REGION



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 27, 1997

JIM LINTON
HC 85 BOX 184D
BRUNEAU ID 83604

RE: Snake River Basin Adjudication (SRBA)
Water Right #57-07243

Dear Water Right Holder:

We have been advised you may be the new owner of the property and water right referenced above.

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Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosures:

Form 42-248/42-1409(6)
"How You Will Receive Notice..."
Docket Sheet Order Form

*Bruneau Postmistress said Jim L's family
lives here, but he is deceased. She
also told me Rt. #s are no longer used,
✓ gave me HC #.*

(Copied W.A. 6-2-97.) , 20

RECEIVED

JUN 05 1997

WATER RESOURCES
WESTERN REGION

WR5809NP
No. 57-07243

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/21/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MERRILL TALLMAN	04/17/1980	IRRIGATION	03/15 11/15	0.030 CFS	3.60 AFA
C	HESTHER TALLMAN		DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
	PO BOX 118					
	313 CANAL ST					
	MARSING ID 83639			TOTAL DIVERSION:	0.040 CFS	4.60 AFA
	(208) 896-4004					

Water Source: GROUNDWATER

Tributary to:

Stage: ~~RECE~~ NENSE

Point(s) of Diversion Capacity: 0.040 CFS

Point(s) of Diversion: T06S R04E S04 SWNE

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	:	---
06S	04E	4	:			.8		:					:					:					:	0.8
TOTAL ACRES																							0.8	

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

Pou County: OWYHEE

Other Water Rights Listing Overlapping Place(s) of use:
02-07242C 57-07507

Remarks: This right when combined with all other rights shall provide no more than .03 cfs nor more than 3.6 afa for the land described above.
Domestic use is for 2 homes.
Domestic use does not include lawn, garden, landscape, or other types of irrigation.

Dates: App. Received: 05/04/1979 Priority Date: 04/17/1980
Proof Due Date: 06/01/1984 Proof Made Date: 05/16/1984
Exam Made Date: 10/17/1994 Exam Sent to S.O.: 10/17/1995
Licensed Date: 11/17/1995

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 09/22/87 05/01/88 CONVERT 12/16/88 WALKER 10/28/94 STAYLOR
10/17/95 STAYLOR 11/14/95 BCHAPMAN

AJ5809NP
No. 57-07243

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/21/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HESTHER TALLMAN	05/04/1979	IRRIGATION	03-15 11-15	0.04 CFS	
C	MERRILL TALLMAN RT B BOX 184D BRUNEAU ID 83604		DOMESTIC	01-01 12-31	0.16 CFS	
TOTAL DIVERSION:					0.20 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T06S R04E S04 SWNE

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
06S	04E	4	:			02	:													:	2.0
TOTAL ACRES																				2.0	

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

POU County: OWYHEE

Non-Irrigation Uses: DOMESTIC, 4 HOMES & GREENHOUSES

Conditions of Approval:

- A01 - THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
- IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
 - OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
 - SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL
 - BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
 - IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

Dates: Exam Made Date: Verified Date: 09/22/1992 Objection Filed Date:

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

Audit: 02/29/92 MCCARTHY 09/22/92 WERNER 10/13/92 CPSHAW 12/05/92 ADT-SHAW
03/29/95 POST-STD

**WHERE AMENDED DIRECTOR'S REPORT FOR
BASIN 34 IS AVAILABLE FOR INSPECTION**

MOORE POST OFFICE, 321 MAIN STREET, MOORE
BUTTE COUNTY ASCS, 125 S WATER, ARCO
CUSTER COUNTY ASCS, 716 W CUSTER, MACKAY
CUSTER COUNTY CLERK'S OFFICE, CUSTER COUNTY
COURTHOUSE, 9TH & MAIN, CHALLIS
AUDITOR & RECORDER'S OFFICE, BUTTE COUNTY
COURTHOUSE, 248 W GRAND, ARCO
BIG LOST RIVER IRRIGATION DISTRICT OFFICE, 101 MAIN,
MACKAY
BIG LOST RIVER ELECTRIC CO-OP, 302 PINE, MACKAY

**WHERE AMENDED DIRECTOR'S REPORT FOR
BASIN 57 IS AVAILABLE FOR INSPECTION**

OWYHEE COUNTY ASSESSOR'S OFFICE, OWYHEE
COUNTY COURTHOUSE, MURPHY
U.S. POST OFFICE, MURPHY
U.S. POST OFFICE, 7 NORTH MAIN, HOMEDALE
U.S. POST OFFICE, MARSING
OWYHEE COUNTY ASCS, REICH STREET, MARSING
GEM IRRIGATION DISTRICT, 119 SOUTH FIRST, HOMEDALE
U.S. POST OFFICE, GRANDVIEW

**WHERE AMENDED DIRECTOR'S REPORT FOR
BASIN 36 IS AVAILABLE FOR INSPECTION**

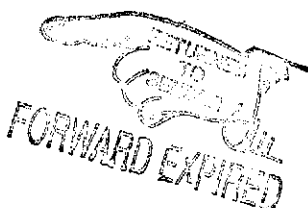
A&B IRRIGATION DISTRICT, 11TH & E STREETS, RUPERT
DISTRICT COURT CLERK, BLAINE COUNTY COURTHOUSE,
202-2 AVE. S, HAILEY
DISTRICT COURT CLERK, BUTTE COUNTY COURTHOUSE,
248 W GRAND, ARCO
HAGERMAN POST OFFICE, 444 NORTH STATE, HAGERMAN
DISTRICT COURT CLERK, JEROME COUNTY COURTHOUSE,
300 N LINCOLN, JEROME
DISTRICT COURT CLERK, MINIDOKA COUNTY COURT
HOUSE, 8TH & G STREET, RUPERT
NORTHSIDE CANAL COMPANY, 921 N LINCOLN, JEROME
DISTRICT COURT CLERK, LINCOLN COUNTY COURT
HOUSE, 111 W S, SHOSHONE

**THIS IS AN IMPORTANT LEGAL NOTICE CONCERNING
YOUR WATER RIGHT CLAIMS IN THE SNAKE RIVER
BASIN ADJUDICATION**

OFFICES OF IDWR AND SRBA DISTRICT COURT

IDWR State Office, 1301 N. Orchard St., Statehouse Mail, Boise, ID 83720-9000;
(208) 327-7906, or toll-free (800) 451-4129.
IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082; (208) 334-2190.
IDWR Southern Region, 222 Shoshone St. East, Twin Falls, ID 83301-6602; (208) 736-3033.
IDWR Eastern Region, 900 N. Skyline, Ste. A, Idaho Falls, ID 83402-3653; (208) 525-7161.
SRBA DISTRICT COURT, P.O. Box 2707, 253 3rd Ave. North, Twin Falls, ID 83303-2707;
(208) 736-3011.

Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098



RECEIVED

JAN 04 1996

WATER RESOURCES
WESTERN REGION

Presorted
First Class Mail
U.S. Postage Paid
Permit No. 1
Boise, ID

57-07243
HESTER TALLMAN
MERRILL TALLMAN
RT B BOX 1840
BRUNEAU

ID 83604

RECEIVED

JAN 02 1996

Department of Water Resources

**THIS IS AN IMPORTANT LEGAL NOTICE CONCERNING
YOUR WATER RIGHT CLAIMS IN THE SNAKE RIVER
BASIN ADJUDICATION**

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 FILING AMENDED DIRECTOR'S
) FOR REPORTING AREAS 1, 2, AND 3
) (BASINS 34, 57 AND 36)

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN REPORTING AREAS 1, 2 AND 3
(BASINS 34, 57 AND 36)

The Idaho Department of Water Resources has filed Amended Director's Reports for Reporting Areas 1, 2, and 3 (Basins 34, 57, and 36, also known as the test basins) with the SRBA District Court. One of the purposes of the Amended Reports is to conform the director's reports to the requirements of the adjudication statute, Title 42, chapter 14, Idaho Code, which was amended in 1994.

The Amended Reports amend the "preamble" to the director's reports, which include "general provisions." The general provisions apply to all water rights or certain classes of water rights, and are recommended to be included in the court's decree of water rights. The amendments significantly reduce the general provisions, and include some changes in the text of the remaining general provisions. The remainder of the preamble consists of explanatory material. The Amended Reports do not change the list of water rights in the report. IDWR will file amended reports at a later date that revise the list of water rights in the reports.

The SRBA District Court has entered an order granting the amendments to the Director's Report for Basin 57 in part. The order further provides that no additional objections to the remaining general provisions in the Basin 57 report will be allowed. The court has entered an order setting a hearing on the Amended Reports for Basins 34 and 36 on January 16, 1996, at 1:30 p.m., at the SRBA Courthouse. **The order provides that any party opposing the amendments to the report shall file with the court a notice and brief in opposition by 5:00 p.m. January 8, 1996;** any party wishing to file a response to the objections shall file their briefs prior to 5:00 p.m., January 15, 1996.

Some claimants have filed a motion asking the court to designate the general provisions as "Basin Wide Issue No. 5" for determination by the court. The court has entered an order designating the general provisions in Basin 57 as Basin Wide Issue No. 5. (One of the general provisions, concerning the Reynolds Creek Decree, was referred to the special master for Basin 57.) A hearing on the designation of general provisions in Basins 34 and 36 as part of Basin Wide Issue No. 5 will be held January 16, 1996, at 1:30 p.m. at the SRBA Courthouse.

The court's order also sets forth a schedule for the resolution of Basin Wide Issue No. 5. All parties to the SRBA who intend to participate must file with the SRBA District Court a notice of intent to participate by 5:00 p.m., January 5, 1996. The notice must state whether the party supports or opposes the inclusion of each general provision in the court's decree, and clearly and briefly explain their position. Briefs in support of the general provisions must be filed with the court by 5:00 p.m., January 26, 1996. Briefs in opposition to general provisions must be filed with the court by 5:00 p.m., February 9, 1996. Responsive briefs must be filed with the court by 5:00 p.m., February 16, 1996. A pretrial conference will be held at 9:00 a.m. on February 20, 1996, and hearing will be held at 9:00 a.m. on March 12, 1996, at the SRBA Courthouse.

A copy of each amended report is available for inspection at the locations listed on this notice. Copies of all or a portion of the amended reports and/or the court's orders are available from the offices of IDWR listed on this notice, subject to payment of costs of mailing and/or copying.

If you have questions about the SRBA, please call any office of IDWR listed in this notice; if you have questions concerning your rights and responsibilities as a claimant in the SRBA, please consult your attorney.

December 29, 1995
Karl J. Dreher
Director, Idaho Department of Water Resources

AUG 19 1992

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

Department of Water Resources

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.

Merrill Tallman or Heather Tallman 208 896-4004
Name of Claimant Phone Number

P.O. Box 118 Moscow, ID 83639
Mailing Address City State Zip

Carver 3-89
County(s) where place of use is located Date claim originally due

57-07843
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.

I originally filed with the State of Idaho and I had left my home. I signed the papers and paid \$25.00 and never heard any more. I am tired of this and I want to stop it. I am tired of this and I want to stop it. I am tired of this and I want to stop it.

Claimant requests an extension to 8-19, 19 92

Merrill Tallman 8-19, 19 92
Signature Date of request

owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

Notice was not mailed to this address

and if granted the filing deadline is extended to Aug 19, 19 92

Signed this 30 day of August, 19 92

David B. Shaw
Director or his designated agent

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HESTER TALLMAN	05/04/1979	IRRIGATION	03-15 11-15	0.04 CFS	
C	MERRILL TALLMAN		DOMESTIC	01-01 12-31	0.16 CFS	
	RT B BOX 184D					
	BRUNEAU ID 83604					
TOTAL DIVERSION:					0.20 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion:

T06S R04E S04

SWNE

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	Lt	Ac	Lt	Ac	:	
06S	04E	4	:				02	:					:					:							:	2.0
TOTAL ACRES																							:	2.0		

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

POU County: OWYHEE

Non-Irrigation Uses: DOMESTIC, 4 HOMES & GREENHOUSES

Conditions of Approval:

- A01 - THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
- IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
- OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
- SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL
- BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
- IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

Dates: Exam Made Date: Verified Date: 09/22/1992

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

Audit: 09/22/92 WERNER

MICROFILMED
OCT 07 1992

CONVERSATION MEMORANDUM

DATE 9-22-92FILE A57-7243NAME OF PARTY Merrill TallmanEMPLOYEE Linda WarnerRE: Status of claim in S.R.B.A.

This claim was taken in August, 1992, consequently, there was not enough time to do a beneficial use exam before the B57 Directors report went out. I called the claimant to advise him that his claim would be recommended in the Directors report as it was permitted with the AOI condition regarding completion of the stat. process.

MICROFILMED

OCT 07 1992

WR0749NP
No. 57-07243

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 09/22/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MERRILL TALLMAN	05/04/1979	IRRIGATION	03-15 11-15	0.04 CFS	
C	HESTER TALLMAN		DOMESTIC	01-01 12-31	0.16 CFS	
	RT. B BOX 184D					
	BRUNEAU ID 83604					
				TOTAL DIVERSION:	0.20 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T06S R04E S04 SW NE

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
06S	04E	4	:				02	:												:	2.0
																				TOTAL ACRES	2.0

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

Pou County: OWYHEE

Non-Irrigation Uses: D/4 HOMES & GREENHOUSES.

Dates:	App. Received:	Priority Date:	05/04/1979
	Proof Due Date: 06/01/1984	Proof Made Date:	05/16/1984
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		
Misc:	Water District Number:	Field Exam Fee:	N (Not Required)
Audit:	00/00/00		

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

March 4, 1993

Mr. & Mrs. Merrill Tallman
P.O. box 118
Marsing, ID 83639

RE: Snake River Basin Adjudication (SRBA)
Owyhee County - Notice of Claim #A57-07243

Dear Mr. & Mrs. Tallman:

Your Request for Extension of Time was granted, and the late fees you paid on the above-referenced claims 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

JUL 20 1994

REFUND REQUEST

SUBMITTED TO AUDITOR

ON 3-5-93

TO: S. Frazee to Log In
 FOR: D. Shaff/D. Allen
 FROM: Valerie Date: 1-6-93
 SUBJ: Receipt No. C025265 (Please attach ARQ2 Receipt copy)

RE: PayOR Merrill Tallman
 Address P.O. Box 118
Marsing, Id 83639

RECEIVED

FEB 19 1993

Department of Water Resources

Claimant if NOT Payor _____
 Refund Amount \$ 50.00 Claim Location (Region/Claimant)

Extension Filed? ☒ Y ☐ N NACopy Attached? ☒ Y ☐ N NALate Fees Paid? ☒ Y ☐ N NALate Fee Receipt # C025265

S.O. Verified Ext. by _____ on _____ D.B. Query by _____

Refund Generated By () Agent () Claimant

Refund Category LATE FEE PD. - EXT. APPROVED - NO LATE FEE REFUND
OF LATE FEE

Date of Last Correspondence (copy attached) _____

Claim No.	Use	Fees Paid	Correct Fee	Rec't #
<u>A57-07243</u>	<u>Domestic</u>	<u>\$ 75.00</u>	<u>25.00</u>	<u>C025265</u>
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
Total		\$ _____	\$ _____	

Detailed Reason(s) for Refund Attached Y/N

Paid a \$ 50.00 late fee for an approved Extension
of time (copy enclosed) - late fee paid & ext. request filed
at the time the claim was filed - ext. approved - no late fee refund.

Region AJ Spvsr. Approval [Signature] S.O. AJ Spvsr. Approval _____Don Shaff Approval [Signature] 3-04-93 Hold _____ To Fiscal 3-4-93Logged 02-26-93Data Base Modified? Y/N ☒ NA A &/or R Records By _____ on _____

MICROFILMED

JUL 20 1994