

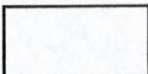
Idaho Department of Water Resources

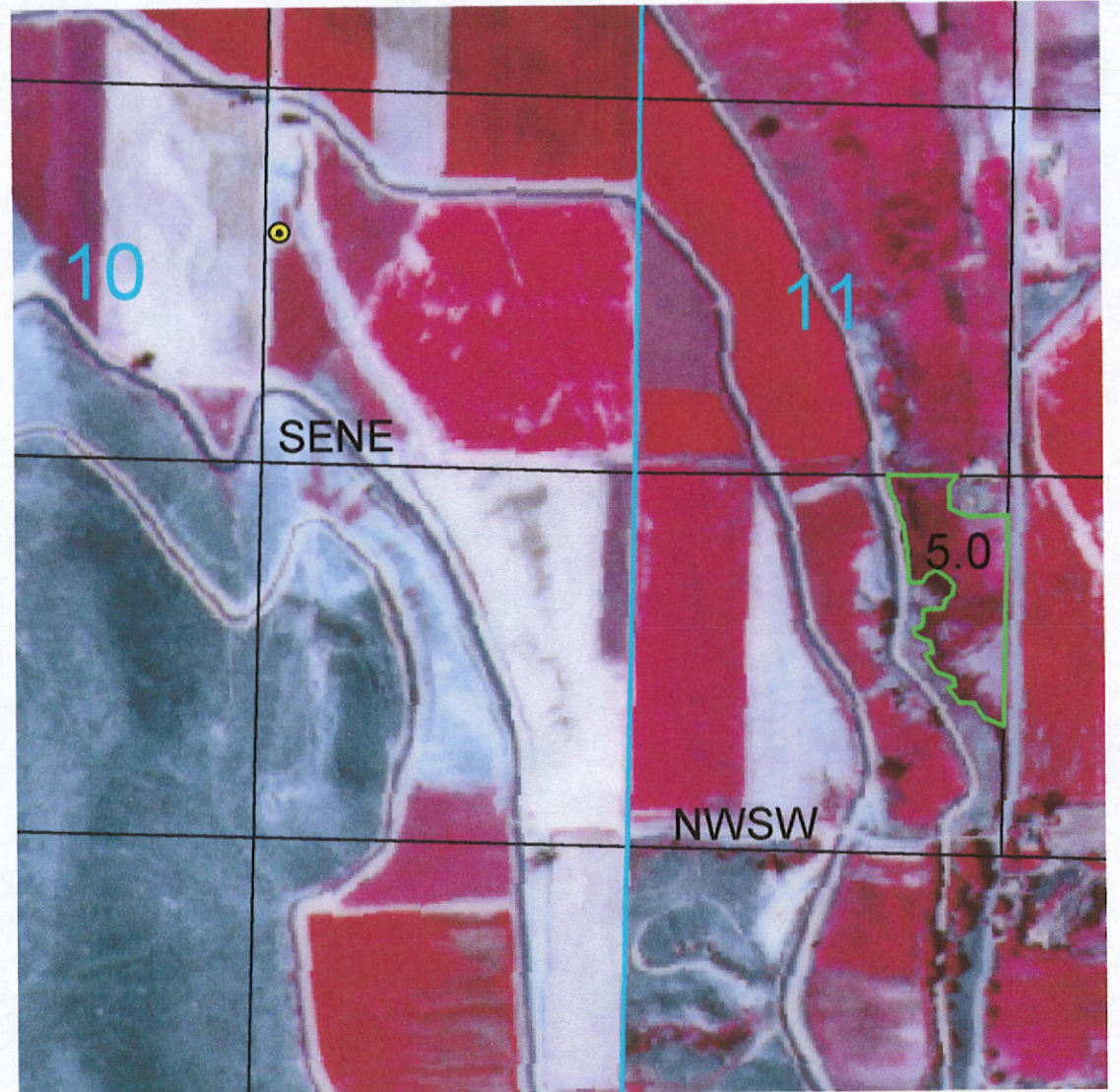
Claim Number: 57-10225

Legal: T02N, R04W, S11

Reviewed By:

1987 Napp Photo

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

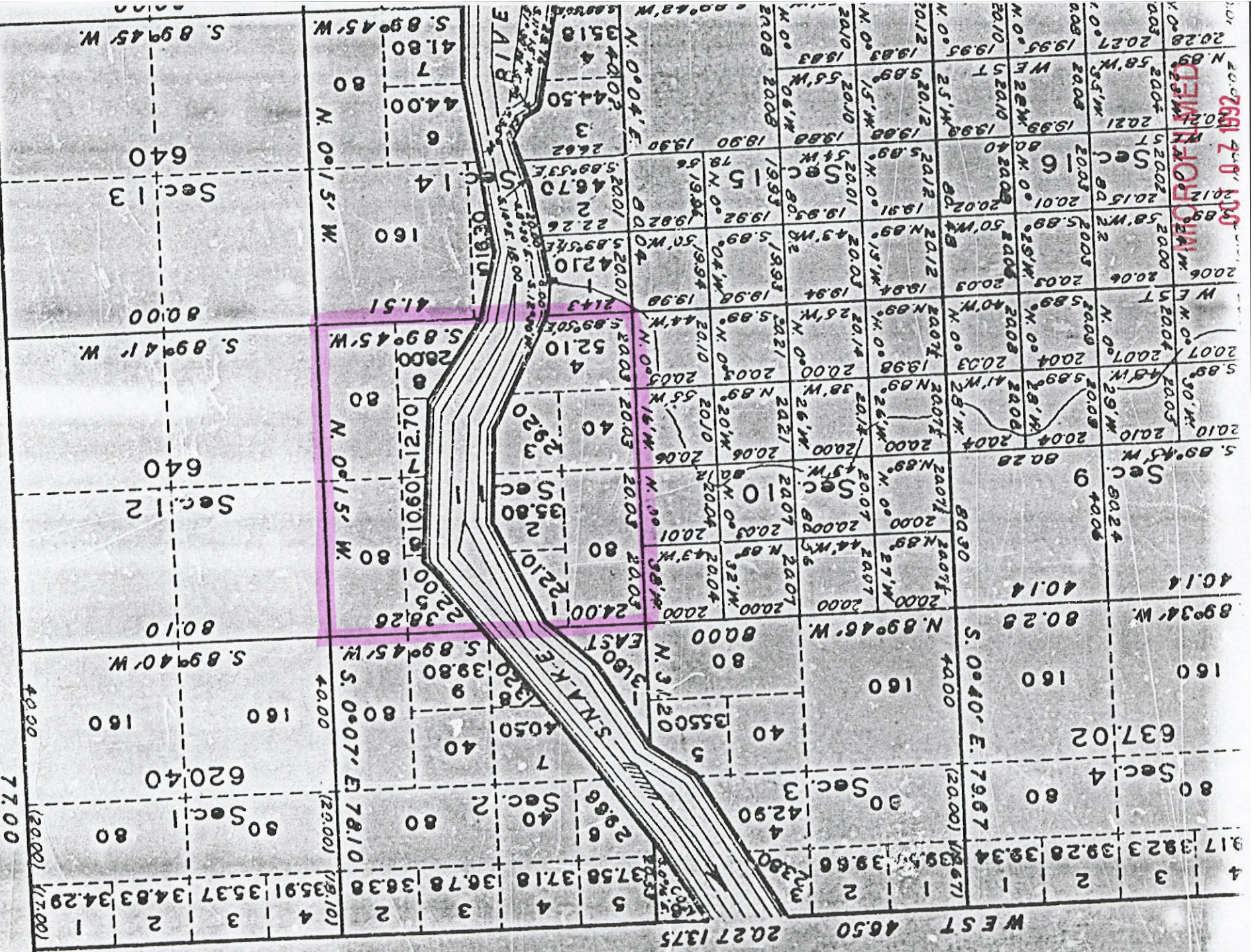


0 0.25 0.5 Miles



Nº 4 WEST, OF

WEST 4650 2027 1375



0°14' W.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDA
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: A57-10225
Date Received: 12/14/1988
Receipt No: MOO 2171
Received By: J AC

RECEIVED
JAN 15 1989

Department of Water Resources
Western Regional Office

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: P.T. RATHBONE 208-896-4478
Address: RT. 1 BOX 734
MARSING, ID 83639
AND/OR
Name: MARY W. RATHBONE 208-896-4478
Address: RT. 1 BOX 734
MARSING, ID 83639

2. Date of Priority: JUN 05, 1919

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	04W	10	NE	NW	SW		OWYHEE
			SE	NW	SW		OWYHEE

5. Description of diverting works:
SEVERAL DITCH DIVERSIONS WITH FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.110		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 150 HD. RANGE CATTLE.

A57-10225

Page 1

Date: 12/14/88

MICROFILMED
OCT 07 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	10	SE	NE		IRR	5.0
			SE	NE		STOCK	

Section Acres 5.0

Total Acres 5.0

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:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read & 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 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): _____

Date: 14 Dec 1988

Date: _____

State of Idaho)

County of Campbell)

SS.

Subscribed and sworn (or affirmed) before me this 14 day

of Dec 19 88

John Dale Carke
Notary Public

Seal

Residing at Bonanza

My Commission Expires 5/2/94

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-10225

Date: 2-11-03

	TNS	RNG	SEC	NE			NW			SW			SE			SUM
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	2N	4W	11									5				5
GIS												5				5
Claim																
GIS																
Claim																
GIS																
Claim																
GIS																

Number of POD's 1

Total Claimed Acres: 5

Overlapping FOU Claim #'s:

Total GIS Acres: 5

COMMENTS:

There is no County data available. Per claim map.

Idaho Department of Water Resources

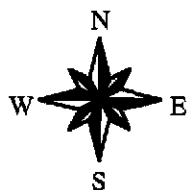
Claim Number: 57-10225

Legal: T02N, R04W, S11

Reviewed By:

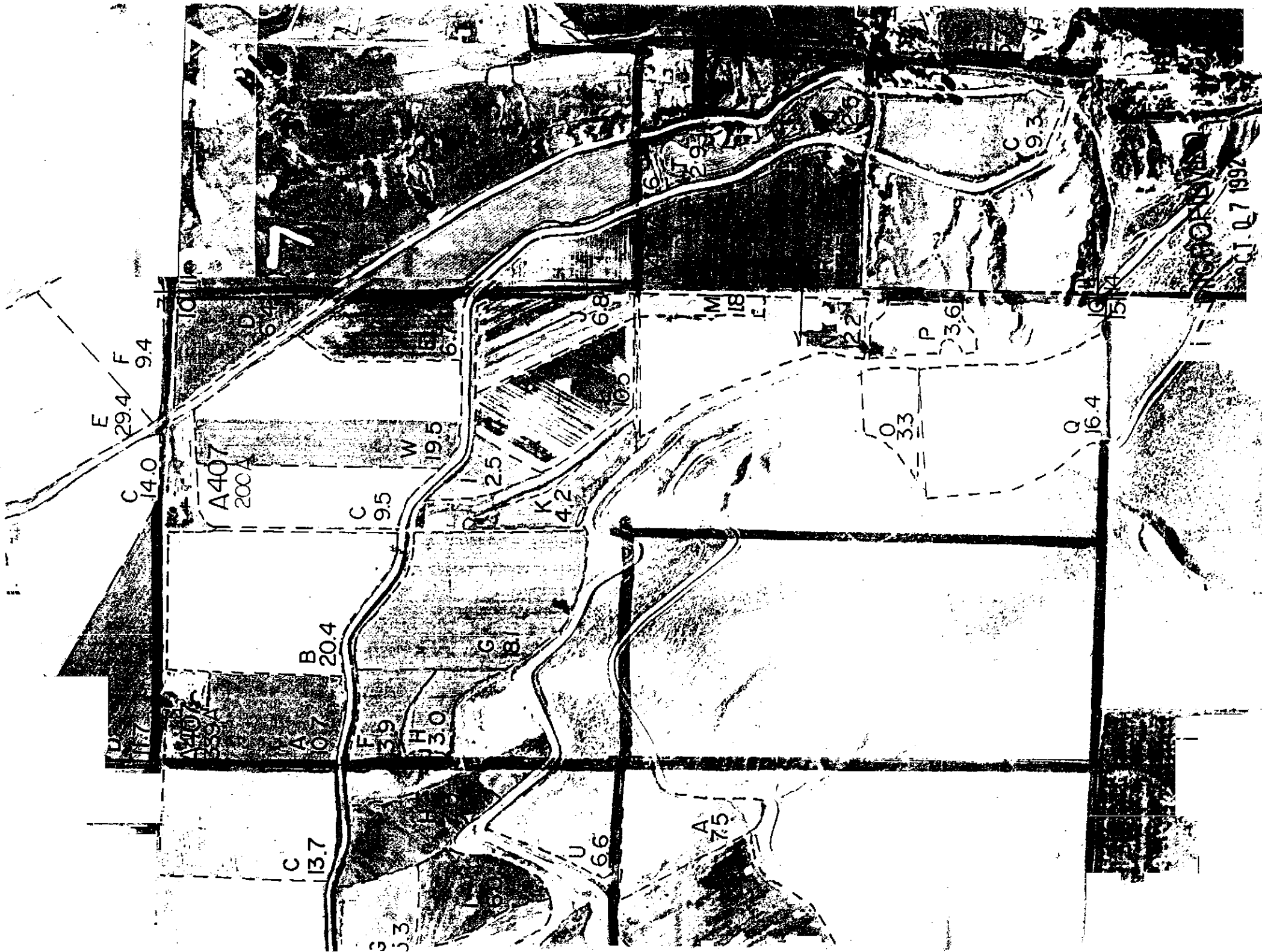
1987 Napp Photo

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



0 0.25 0.5 Miles

A horizontal scale bar with three segments. The first segment is labeled '0', the second '0.25', and the third '0.5 Miles'.



NOV 1992

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-10225

1998 FEB -9 PM 1:10

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

NAME & ADDRESS: MARY W RATHBONE
P T RATHBONE
RT 1 BOX 734
MARSING ID 83639

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.1 CFS

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

PRIORITY DATE: 06/05/1919

POINT OF DIVERSION: T02N R04W S10 NWSENE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.1 CFS
	STOCKWATER	01-01 12-31	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T02N R04W S11 NWSW 5
5 ACRES TOTAL

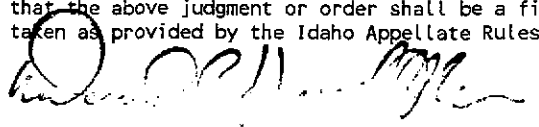
STOCKWATER Within Owyhee County
T02N R04W S11 NWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER 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

AJ0749NP
No. R57-10225

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

DATE: 12/09/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARY W RATHBONE	06/05/1919	IRRIGATION	03-15 11-15	0.10 CFS	
C	P T RATHBONE		STOCKWATER	01-01 12-31	0.05 CFS	
	RT 1 BOX 734					
	MARSING ID 83639			TOTAL DIVERSION:	0.10 CFS	
	(208) 896-4478					

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T02N R04W S10

NWSENE

OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
02N	04W	11	:																	:	5.0
																				TOTAL ACRES	5.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
02N	04W	11	:																	:	

POU County: OWYHEE

Other Rights: GEM IRR. DIST.

Conditions of Approval:

- W01 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- GEM IRRIGATION DISTRICT.
- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

Remarks: EXP STOCKWATER, 150 RANGE CATTLE.

Dates: Exam Made Date: Verified Date: 12/09/1997 Objection Filed Date:

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

AJ0749NP
No. R57-10225

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

DATE: 12/09/97
PAGE: 2

=====

Audit: 12/09/97 KWALKER

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

DATE: DEC-09-1997

PAGE: A-1

RIGHTS FROM: SOURCE: SPRING TRIBUTARY: SINKS

RIGHT NUMBER: 57-10225

NAME AND ADDRESS: MARY W RATHBONE
P T RATHBONE
RT 1 BOX 734
MARSING ID 83639

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.1 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR STOCKWATER, 170 HEAD RANGE CATTLE.

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

PRIORITY DATE: 06/05/1919

POINT OF DIVERSION: T02N R04W S10 NWSENE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		<u>Irrigation Season</u>	0.1 CFS
		03/19 11/19	
STOCKWATER		01-01 12-31	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T02N R04W S11 NWSW 5
5 ACRES TOTALSTOCKWATER Within Owyhee County
T02N R04W S11 NWSW

CONSUMPTIVE USE: 1719 AFY

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

AJ5856NP

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

DATE: DEC-09-1997

PAGE: A-2

57-10225 (CONT.)

USE OF THIS RIGHT IS COMBINED WITH WATER FROM
GEM IRRIGATION DISTRICT.

STOCKWATER, 150 RANGE CATTLE.

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	P T RATHBONE	06/05/1919	IRRIGATION	03-15 11-15	0.10 CFS	
C	MARY W RATHBONE RT 1 BOX 734 MARSING ID 83639 (208) 896-4478		STOCKWATER	01-01 12-31	0.05 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.10 CFS 17.5 AFA

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T02N R04W S10

NWSENE

OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
02N	04W	11	:																	:	5.0
																				TOTAL ACRES	5.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
02N	04W	11	:																	:
																				S

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 150 HEAD RANGE CATTLE.

Other Rights: GEM IRR. DIST.

Conditions of Approval:

W01 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- GEM IRRIGATION DISTRICT.

Dates: Exam Made Date: 11/21/1990 Verified Date:

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

Audit: 07/31/91 WALKER 11/12/91 WALKER 07/29/92 PR-PRODM

MICROFILMED
OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:26:32
06/04/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A57-10225

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	Y	js 10-12-90 KW 5-20-91	EW & rm 11-21-90	N	5	EW 11-12-91	EW 11-12-91	
POINT OF DIV	Y	N		Y				
SOURCE	Y	N		N				
PLACE OF USE	Y	N		Y				
DIV. AMOUNT CFS/VOLUME	Y	N		Y				
CONSUMPTIVE USE	-	N		N				
PURPOSES	Y	N		N				
PERIOD OF USE	Y	N		N				
BASIS OF CLAIM	Y	N		N				
REMARKS		N		N				

"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.

MICROFILMED

OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:26:32
06/04/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-10225

LAST: RATHBONE
ADDRESS: RT. 1 BOX 734
CITY: MARSING
PHONE NUMBER: 208-896-4478

FIRST: P.T.

STATE: ID ZIP: 83639

OWNER CODE: C

LAST: RATHBONE
ADDRESS: RT. 1 BOX 734
CITY: MARSING
PHONE NUMBER: 208-896-4478

FIRST: MARY W.

STATE: ID ZIP: 83639

OWNER CODE: C

FIELD EXAM REQUIRED?

Y-kw

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
N

FIELD
EXAMINER

kw

NO REMARKS IN CLAIM

MICROFILMED
OCT 07 1992

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

See A57-04061

MICROFILMED

OCT 07 1992

A. AJ CLAIM: # A57-10225 PRIORITY DATE: 06-05-1919 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

Y

FIELD
EXAMINER

kw

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

REMARKS:

*Evidence of Priority submitted to verify
priority date claimed.*

RECOMMENDED PRIORITY DATE:

6-5-1919

REVIEWED BY

kw

DATE

11-12-91

MICROFILMED
OCT 07 1992

R-LUCKY STAR RANCH

ROUTE NO. 1, BOX 734
MARSING, IDAHO 83639
(208) 896-4478

MAY 30 1991

REGISTERED MAIL SERVICE
BY FIRST CLASS MAIL

21 May 91

see
original in
A57-04061

Dear Mr. Wright,

I received your letter dated 20 May, Today.
I have no recollection of ever receiving a letter from
you in October, however that is our very busy harvest
time.

Enclosed are copies of documents that I hope will
be sufficient to prove my claims. I do see the date
on the waste water project was 1943 not 1942. That
was the year we dug a pond to hold waste water and
installed a pump to push the water over the canal
to irrigate additional acreage.

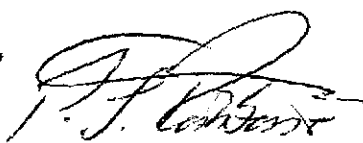
The spring has been used for irrigation and stock water
since this place was first occupied or farmed. The
spring gives this farm additional value as it runs year
around and never freezes up.

MICROFILMED

OCT 07 1992

Please let me know if you need additional
information.

Sincerely,



Certified Alfalfa & Barley Seed • Sugar Beets

Silver City, Idaho,
Monday, May 10th, 1909.

The Board of County Commissioners of Owyhee County, Idaho, met in special session at the office of the Clerk thereof, in Silver City, the county seat of said county, at 10 o'clock A.M., to canvass the votes cast at an election to be held on Tuesday, May 4th, 1909, to determine whether or not the lands included within the boundaries of the proposed Gem Irrigation District shall be duly organized as an irrigation district, and if, upon such canvass it appears that two-thirds of the votes cast are "Irrigation--Yes", the Board shall by order entered on its minutes, declare that such territory be duly organized as an irrigation district, under the name and style theretofore designated, * * *

Present: C. H. Grote, Chairman, J. W. McDowell and A. J. Harley, Commissioners; and J. S. St Clair, Clerk.

The following proceedings were had to-wit:

Whereupon, the Board proceeded to canvass the returns of the special election held May 4th, 1909, for the purpose of voting on the question of organizing the Gem Irrigation District.

Abstract of Votes Polled

Irrigation District	Yes 48	No 1
---------------------	--------	------

Whereupon the following order is made: On this 10th day of May, 1909, came on regularly to be canvassed the election returns of a special election heretofore ordered to be held on Tuesday, May 4, 1909, for the purpose of organizing the "Gem Irrigation District", * * * From the canvass it appearing that two-thirds of all the votes cast at said election were irrigation district yes, it is hereby ordered that the territory heretofore designated by order of the Board made and entered on the 16th day of March 1909, be and the same is hereby duly organized as an irrigation district under the name and style of "Gem Irrigation District", the boundaries of the said Gem Irrigation District are declared to be as heretofore fixed; * * * containing the following lands, situated in Owyhee County, State of Idaho, to-wit:

E½NE¼ Section 10, Township 2 North of Range 4 West, B. M.

(Also other lands.)

It is hereby ordered that a certified copy of the order organizing the Gem Irrigation District be filed and recorded in the office of the County Recorder of Owyhee County, Idaho.

Chas. H. Grote, Chairman.

Attest: J. S. St Clair, Clerk.

Note---Appended is a certificate by J. S. St Clair, Clerk of the Board of County Commissioners of Owyhee County, Idaho, by J. E. Dickens, Deputy, dated May 12th, 1909, and under the seal of said Board, "that the foregoing eight sheets contain a true and correct transcript of the proceedings of said Board held on Monday, the 10th day of May, 1909, in the Matter of the Organization of the Gem Irrigation District, and of the whole thereof."

Date of Record---May 12th, 1909, at 4:30 o'clock P.M.

Where Recorded---Book 7 Miscellaneous Record, page 81 et seq., Owyhee County Records.

OWYHEE COUNTY ABSTRACT CO.
BONDED
ABSTRACTERS
MURPHY, IDAHO

United States of America, : PATENT
Grantor, : Dated: June 5th, 1919.
to : Recorded: November 28th, 1919, 9:45 A.M.
Sidney Nelson, : Book 7 of Patents, page 407
Grantee. : Owyhee County Records.
:

Boise 014414

Issued pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto.

Executed by the President: Woodrow Wilson

By M. P. LeRoy, Secretary

L. Q. C. Lamar, Recorder of the General Land Office.

(G. L. O. Seal)

Recorded: Patent Number 683132.

Description---NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10 in Township 2 North of Range 4 West of the Boise Meridian, Idaho, containing forty acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor-General.

Covenants---Subject to usual water rights and mineral reservations, and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

OWYHEE COUNTY ABSTRACT CO.
BONDED
ABSTRACTERS
MURPHY, IDAHO

Sidney Nelson and Gladys G. :
Nelson, husband and wife, : WARRANTY DEED
Grantors, : Dated: November 24th, 1919
to : Recorded: Nov. 28th, 1919, 9:50 A. M.
H. A. Knott and Emmett : Book 13 of Deeds, pages 452 & 453
Knott, : Owyhee County Records.
Grantees. :
:

Consideration---\$16.00.

Signatures---

Sidney Nelson

Gladys G. Nelson

Acknowledged---November _____, 1919, by Sidney Nelson and Gladys G. Nelson, husband and wife, before T. A. Walters, Notary Public, Residence, Caldwell, Idaho. Seal.

Granting Words---Grant, bargain, sell, convey and confirm.

Description---All the following described real estate, situated in Owyhee County, State of Idaho, to wit

All of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10 in Township 2 North of Range 4 West from the Boise Meridian, comprising 40 acres of land, more or less, and all water, water rights, ditches and rights of way of ditches used upon or in connection with the said premises.

Covenants---Subject to the irrigation ditch tax levied by the Gem Irrigation District in the year 1919.

OWYHEE COUNTY ABSTRACT CO.
BONDED
ABSTRACTERS
MURPHY, IDAHO

United States of America,: PATENT
Grantor,: Dated: February 27, 1920.
to : Recorded: Sept. 24, 1920, 9:15 A.M.
Carl N. Nelson, : Book 7 of Patents, page 520,
Grantee.: Owyhee County Records.

Boise 018885

Issued pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto.

Executed by the President:

Woodrow Wilson
By M. P. LeRoy, Secretary,
L. Q. Lamar, Recorder of the
General Land Office.

Seal of the General Land Office Affixed.

Recorded: Patent Number 737409.

Description---SE¹₄SE¹₄, Section 10, T2N, R4W, B.M., Idaho, containing 40 acres.

Covenants---Subject to the usual water rights and mineral reservations.

And there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

(Also other covenants).

OWYHEE COUNTY ABSTRACT CO.
BONDED
ABSTRACTERS
MURPHY, IDAHO

Charles B. Callihan and Ruby : WARRANTY DEED
M. Callihan, husband and wife, : Dated: May 12, 1923.
Grantors, : Recorded: Feb. 23, 1939, 3:20 P.M.
to : Book 30 of Deeds, page 232,
H. M. Whitney, : Owyhee County Records.
Grantee.:

Consideration---\$10.00.

Signatures---

Charles B. Callihan

Ruby M. Callihan

Acknowledged---May 12, 1923, by Charles B. Callihan and Ruby M. Callihan, husband and wife, before T. A. Waters, a Notary Public for Idaho, Residence Caldwell, Idaho. Seal.

Granting Words---Grant, bargain, sell, convey and confirm.

Description---All the following described real estate, situated in Owyhee County, State of Idaho, to-wit:

All of the E¹/₄SE¹/₄, Sec. 10, T2N, R4W, B.M., comprising 80 Acres of land, more or less, and all water, water rights, ditches and rights of way for ditches, used upon or in connection with said premises, subject, however, to all taxes of every kind unpaid or delinquent, and also subject to a certain mortgage in the sum of \$1,500.00, made by the parties of the first part herein, to H. M. Whitney, mortgagee, dated January 1st., 1921, and recorded in Book 14 of Mortgages, at page 564, of the records of Owyhee County, State of Idaho, which said party of the second part assumes and agrees to pay as a part of the purchase price of the said premises.

Covenant---Usual covenant of warranty.

(.50 Doc. Rev. Stamps duly cancelled.)

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-10225	02N	04W	10	NE	NW	SW		OWYHEE
A57-10225	02N	04W	10	SE	NW	SW		OWYHEE

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

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SPRING

TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
Y

FIELD
EXAMINER

Gu
KW

REMARKS:

Spring flows year around per claimant.

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
2N	4W	10	NW	SE	NE	—	Owyhee

SOURCE: Spring

TRIB: Sinks

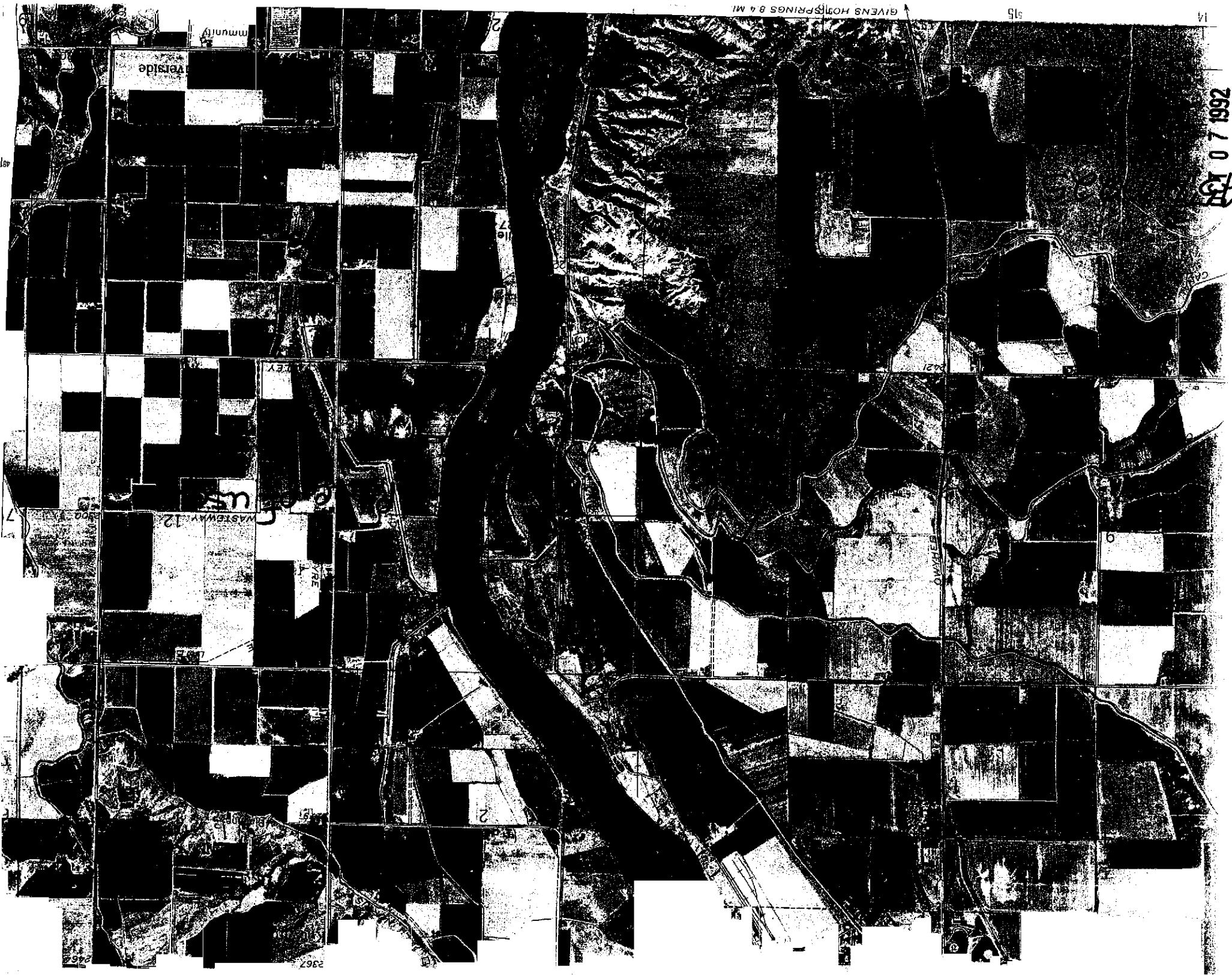
REVIEWED BY: FW

DATE: 11-12-91

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14
APR 07 1992



GIVENS HOT SPRINGS 8.4 MI.

515

verside

community

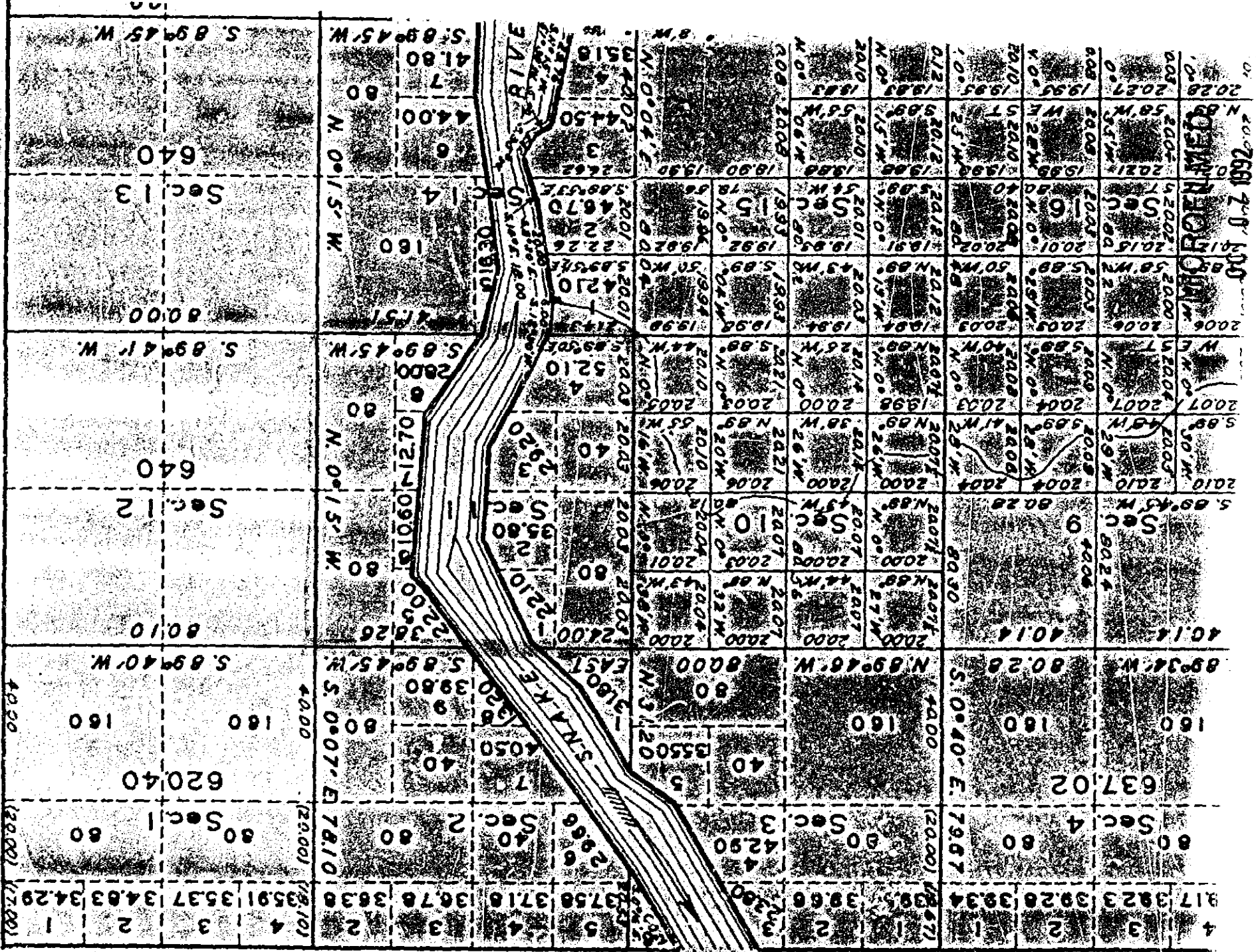
WASTEWATER 12

WATER

2967

N: 4 WEST 1/4

WEST 46.50 20.27.1375



77.00

701.4' W.

A. ROOT WATER RIGHT NUMBERS: A57-10225

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	04W	10	SE	NE		RATHBONE , P.T.	A57-10225 / 5.0	- /			37.0
						RATHBONE , P. T.	A57-04061 / 2.0	57-04061 / 2.0			
						GEM IRRIGATION DISTRICT		02-02276 / 29.0			
						THE GEM IRRIGATION DIST.		A02-00064 /			
						THE GEM IRRIGATION DIST.		A02-00065 /			
02N	04W	10	SE	NE		RATHBONE , P.T.	A57-10225 /	- /			37.0
						RATHBONE , P. T.	A57-04061 / 2.0	57-04061 / 2.0			
						GEM IRRIGATION DISTRICT		02-02276 / 29.0			
						THE GEM IRRIGATION DIST.		A02-00064 /			
						THE GEM IRRIGATION DIST.		A02-00065 /			
TOTAL ACRES							A57-10225	5.00			74.00

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

KW

PRESUMPTION FLAG:

REMARKS:

Place of use actually in NWSW, Sec. 11, 2N, 4W.

RECOMMENDATIONS:

TOTAL ACRES:

5

REVIEWED BY:

KW

DATE:

11-12-91

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A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-10225	IRRIGATION	FROM 03-15 TO 11-15	.110 CFS
A57-10225	STOCKWATER	FROM 01-01 TO 12-31	.050 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			.110 CFS

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-07237	RECREATION	FROM 01-01 TO 12-31	1.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.000 CFS

↑ City of Marsing right for pond in park. No relation to this claim.

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 0.110 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

** If an amount smaller than the original diversion rate is **

** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y

fw

B.

FLOW MEASUREMENT

MEASUREMENT METHOD theoretical, SEE ATTACHED CALCULATIONS.
see below

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-10225	SPRING	RATHBONE , P.T.	0.110	0.022		
A57-04061	WASTE WATER	RATHBONE , P. T.	1.330	0.049		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

$$Q = \frac{(8.8)(20 \text{ HP})(70\% \text{ eff})}{118' \text{ lift}} = 1.04 \text{ cfs}$$

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 5 x 0.02 CFS/ACRE = 0.10 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 = 17.5 AF/A

ACRES 5 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 ✓ =

TOTAL CONSUMPTIVE USE 17.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

1b. CALCULATIONS

*claimant did not
wish to pursue
excessive flow request.*

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>Irrig.</u>	<u>3/15 11/15</u>	<u>0.10</u>	<u>N/A</u>	<u>17.5</u>
<u>Stockwater</u>	<u>1/1 12/31</u>	<u>0.05</u>	<u>N/A</u>	<u>N/A</u>
TOTAL FOR THIS RIGHT		<u>0.10</u>	<u>N/A</u>	<u>17.5</u>
REVIEWED BY: <u>KW</u>		DATE: <u>11-12-91</u>		

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-10225

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-10225	0.110	-		-	
	TOTAL CFS	0.110				

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

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SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. A57-04061 & A57-10225

Mr. Ratkbone collects his own waste water from his irrig. district water in drain.

There is a spring (approx. 250' south of pond and 100' east of quarter section line) which was developed with perforated pipe in the drain.

The spring and waste water both collect in the drain and fill his pond. The pond is 8' deep per claimant.

A 20 HP Birkley Centrifical pump is used to divert water from pond. He pumps the water into 6" PVC pipe, then flood irrigates from gated pipe.

See pictures in File A57-04061.

DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet For

SRBA Claim Verification Field Report

A. Prior to Conducting the Exam, the File Contains:

☒ Claim Verification Report(CVR)☒ Copy of Adjudication Claim☒ N/A Copies of pertinent files(prev. rts., exams, etc.)☒ N/A Well Inspection Form (If Needed)☒ Copy of U.S.G.S. Quad map, orthophotoquad, or NAPP photography☒ Check P.D. & P.U. desc. for Govt. Lots(if a lot is found, a copy of the Govt. plat is needed to add the lot onto the R claim file later.☒ Check CVR for P.D. overlap(see page titled Pt. of Div. Review Sheet)☒ Check AJ & WR P/D indexes(to ck. accuracy of CVR overlap ckd. above)Overlap ☐ yes ☐ no If yes: ☐ copy of claims & water rights incl?Type of Overlap? ☐ Add acres or uses to existing system☐ Increase rate of flow or volume☐ Other: _____☒ Check CVR for P.U. overlaps(see page titled Pl. of Use Review Sheet)☒ Check AJ & WR P/U indexes(to ck. accuracy of CVR overlap ckd. above)Overlap ☒ yes ☐ no If yes: ☐ copy of claims & water rights incl?Type of Overlap? ☐ Increase rate of flow or volume☐ Add P/D's☐ Increase number of acres within tracts☒ Different source for same acres☐ Other: _____☒ Appointment Letter Sent? 10-19-90 kw (initial & date)☒ Appointment Made and Telephone Conversation Memo Attached see A5M-04061

B. After Conducting the Exam, the File Contains:

☐ Fully Completed and Signed CVR Form☐ Photographs of Point(s) of Diversion and Place of Use☐ Completed map outlining Point(s) of Diversion and Place of Use

C. Review and Processing:

Claim No. submitted for weekly exam completed prog. report? ☐ Yes ☐ No

Exam completed date data entered on claim _____ (initial & date)

Claim Verification Report completed _____ (initial & date)

Was CVR spot-checked by Supervisor? ☐ Yes ☐ No _____ (initial & date)

R claim file created _____ (initial & date)

Recommendations entered on R claim file _____ (initial & date)

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← checked
WR data
base for
P/U in
Sec. 11-per
map
(NWSW)
Gem Irrig. Dist.
only



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

MAILING DATE: May 20, 1991

RESPONSE DATE: June 3, 1991

RE: NOTICE OF CLAIM NOS. A57-04061 and A57-10225

P. T. &/or Mary W. Rathbone
Rt. 1, Box 734
Marsing, ID 83639

Dear Mr. and Mrs. Rathbone:

We are currently in the process of preparing the above referenced Notices of Claim for court decree in the Snake River Basin Adjudication. During this review certain questions arose concerning the claims listed above. All claims with an A57 prefix number are being reviewed at this time. If you have other claims with this prefix, that are not shown here, we may be contacting you again if questions should arise during their review.

Claim No. A57-04061 Waste Water

This claim was filed based on beneficial use of water dating back to July 1, 1962. On October 12, 1990, the Department sent you a letter requesting that you submit evidence supporting the priority date you have listed on the above claim. This evidence was to have been submitted by December 1, 1990. However, this evidence has not been received in our office.

Claim No. A57-10225 Spring

This claim was filed based on beneficial use of water dating back to June 5, 1919. On October 12, 1990, the Department sent you a letter requesting that you submit evidence supporting the priority date you have listed on the above claim. This evidence was to have been submitted by December 1, 1990. However, this evidence has not been received in our office.

Before the Department can make a recommendation to the Court for decree of these claims, some evidence of the priority date claimed must be submitted. Again we are enclosing a brochure outlining types of evidence you may submit. If we do not receive the requested information, these claims will be recommended for disallow due to lack of evidence supporting any priority date.

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Thank-you for your cooperation. If you should have any questions, or need help in any way, please feel free to contact me at (208)334-2190.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker". The signature is written in dark ink and is positioned above the typed name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures:
Evidence of Priority Brochure

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OCT 07 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 12, 1990

RE: Claim No(s): A57-10225

CECIL D. ANDRUS

A57-10225

GOVERNOR

P.T. RATHBONE

R. KEITH HIGGINSON

RT. 1 BOX 734

DIRECTOR

MARSING

ID 83639

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no license, decree or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of first use, or "Priority Date", for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes the types of evidence required and explains what kind of documents will fulfill this requirement. While we encourage you to read the entire pamphlet, we would like to direct your attention to the right-hand half of this pamphlet once you open it. There you will find information concerning the evidence requirements mentioned above. The other sections describe to you why this evidence is necessary.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, cannot be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the above claim(s) have been or soon will be conducted by Department personnel.

Please submit the required evidence supporting the priority date(s) by December 1, 1990, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact a water resource agent in this office.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh

Enclosures

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