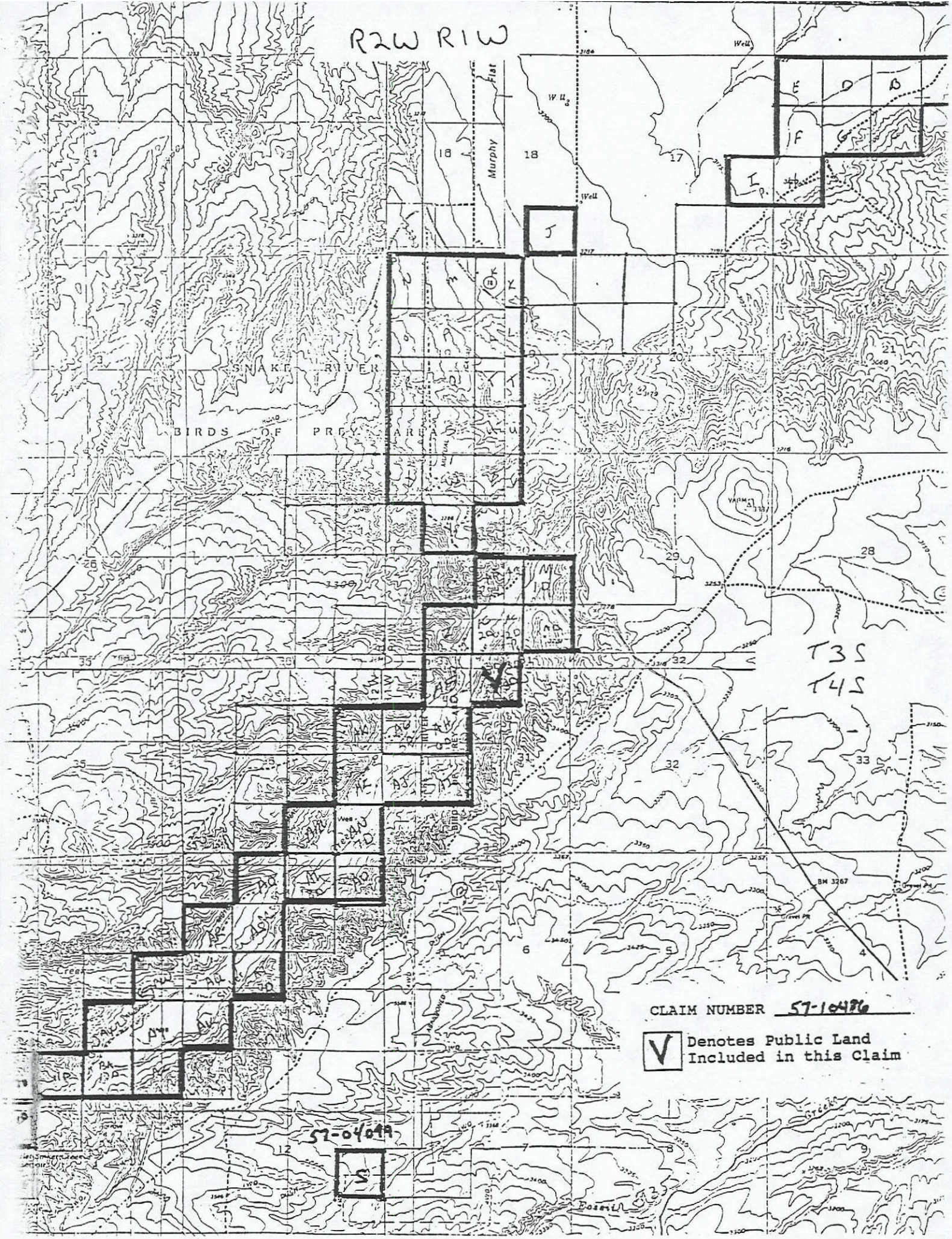
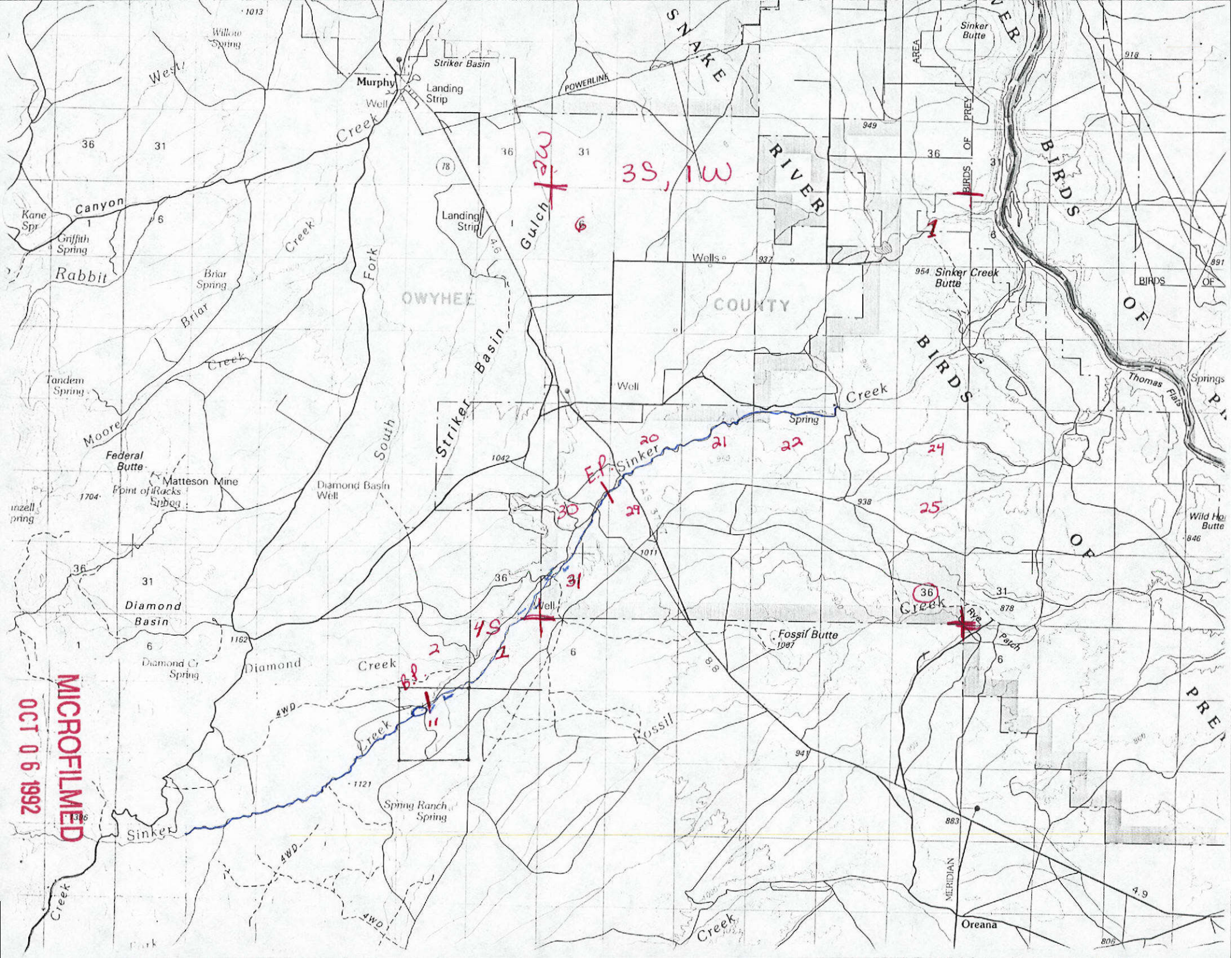
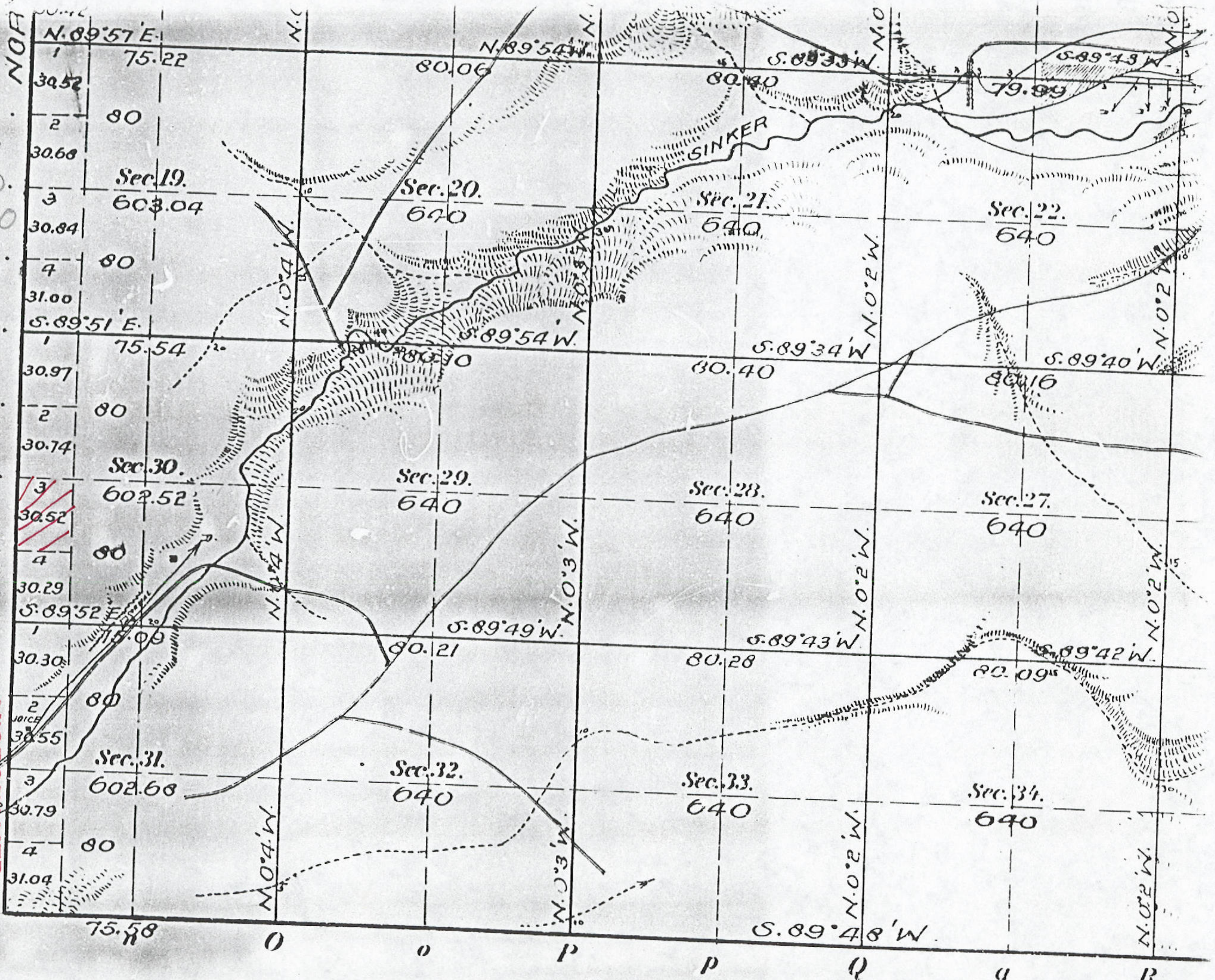

R2W R1W
Murphy Flat
SNAKE RIVER
BIRDS OF PREY AREA
T3S
T4S
CLAIM NUMBER 57-104886
V Denotes Public Land Included in this Claim
57-04099



MICROFILMED
OCT 06 1992

T3S
R1W.
Sec. 30
31.



MICROFILMED
OCT 0 6 1992

ge No 2 West of the Boise Meridian, Idaho.

T 4S
R 20
Sec. 1, 2,
11

MICROFILMED
OCT 06 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A57-10486**
Date Received: 1/10/1989
Receipt No: 42039
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOYCE LIVESTOCK CO. 208-834-2237
   Address: C/O PAUL NETTLETON
   MURPHY, ID 83650

2. Date of Priority: APR 01, 1865

3. Source: SINKER CR. Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04S	02W	11	NE NW		OWYHEE

5. Description of diverting works:
   INSTREAM STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   INSTREAM FLOW

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03S	01W	30	SE SW		STOCK	
			NE SE		STOCK	
			NW SE		STOCK	

MICROFILMED
OCT 0 6 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
03S	01W	30	SW	SE		STOCK	
		31	NE	NE		STOCK	
			SW	NE		STOCK	
			SE	NE		STOCK	
			NW	SW		STOCK	
	02W	36	NE	SE		STOCK	
			SW	SE		STOCK	
			SE	SE		STOCK	
04S	02W	1	NW	NE		STOCK	
			NE	NW		STOCK	
			SE	NW		STOCK	
			NE	SW		STOCK	
			NW	SW		STOCK	
			SW	SW		STOCK	
		2	SW	SE		STOCK	
			SE	SE		STOCK	
		11	NW	NE		STOCK	
			NE	NW		STOCK	

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:
THIS IS AN INSTREAM FLOW RIGHT WITH THE BEGINNING POINT SHOWN AS THE POINT OF DIVERSION. THE ENDING POINT IS IN 03S, 01W, SEC. 22.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
OCT 0 6 1992

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am owner of
Title
Joyce Livestock Co., that I have signed the foregoing
Organization
document in the space below as owner of
Title
Joyce Livestock Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Paul Nettleton
Signature of Authorized Agent

owner Joyce Livestock Co.
Title and Organization

1-10-89
Date

State of Idaho)
) SS.
County of Ada)

Subscribed and sworn (or affirmed) before me this 10 day of Jan 19 89

Linda Werner
Notary Public

Seal

Residing at Boise, ID

My Commission Expires 12-8-94

MICROFILMED
OCT 06 1992

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A57-10486**
Date Received: 1/19/1989
Receipt No: W002039
Received By: _____

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

1. Name: JOYCE LIVESTOCK CO 208-834-2237
   Address: C/O PAUL NETTLETON
   MURPHY ID 83650

2. Date of Priority: APR 1, 1865

3. Source: SINKER CR. Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03S	01W	30	NE SE		OWYHEE
			SW SE		OWYHEE
		31	NW NE		OWYHEE
			NE NW		OWYHEE
			SW NW		OWYHEE
			SE NW		OWYHEE
	02W	36	SE SE		OWYHEE
04S	02W	1	NW NE		OWYHEE
			NE SW		OWYHEE
		11	NW NE		OWYHEE
Beginning Point of Instream Flow					
03S	01W	30	NE SE		OWYHEE
Ending Point of Instream Flow					
04S	02W	11	NE NW		OWYHEE

5. Description of diverting works:
   INSTREAM STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.400		

MICROFILMED
OCT 0 6 1992

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM FLOW

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03S	01W	30	SE SW		STOCK	
			NE SE		STOCK	
			NW SE		STOCK	
			SW SE		STOCK	
		31	NE NE		STOCK	
			SW NE		STOCK	
			SE NE		STOCK	
			NW SW		STOCK	
	02W	36	NE SE		STOCK	
			SW SE		STOCK	
			SE SE		STOCK	
04S	02W	1	NW NE		STOCK	
			NE NW		STOCK	
			SE NW		STOCK	
			NE SW		STOCK	
			NW SW		STOCK	
			SW SW		STOCK	
		2	SW SE		STOCK	
			SE SE		STOCK	
		11	NW NE		STOCK	
			NE NW		STOCK	

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:
THERE ARE 2 P/D IN T4S, R2W, SEC. 11, NW,NE1/4; 2 P/D IN T3S, R1W, SEC. 31, SE,NW1/4; 2 P/D IN T4S, R2W, SEC. 1, NW,NE1/4 AND 2 P/D IN T3S, R1W, SEC. 30; SW,SE1/4.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
OCT 06 1992

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am GENERAL PARTNER of
Title
JOYCE LIVESTOCK CO, that I have signed the foregoing
Organization
document in the space below as GENERAL PARTNER of
Title
JOYCE LIVESTOCK CO. and that the statements contained in the
Organization
foregoing document are true and correct.

Jack Nettleton
Signature of Authorized Agent

GENERAL PARTNER - JOYCE LIVESTOCK CO
Title and Organization

7-13-92
Date

State of Idaho)
) SS.
County of Owyhee)

Subscribed and sworn (or affirmed) before me this 13th day of July 19 92

Nicholas K. Ishi
Notary Public

Seal

Residing at Murphy, Id

My Commission Expires 1/31/94

MICROFILMED
OCT 06 1992

JUL 14 1992
Department of Water Resources
Western Regional Office

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: **A57-10486**
Date Received: 1/19/1989
Receipt No: W002039
Received By: _____

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

1. Name: JOYCE LIVESTOCK CO 208-834-2237
   Address: C/O PAUL NETTLETON
   MURPHY ID 83650

2. Date of Priority: APR 1, 1865

3. Source: SINKER CR. Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03S	01W	30	NE SE		OWYHEE
			SW SE		OWYHEE
		31	NW NE		OWYHEE
			NE NW		OWYHEE
			SW NW		OWYHEE
			SE NW		OWYHEE
	02W	36	SE SE		OWYHEE
04S	02W	1	NW NE		OWYHEE
			NE SW		OWYHEE
		11	NW NE		OWYHEE

Beginning Point of Instream Flow

03S	01W	30	NE SE		OWYHEE

Ending Point of Instream Flow

04S	02W	11	NE NW		OWYHEE

5. Description of diverting works:
   INSTREAM STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.400		

MICROFILMED

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM FLOW

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
03S	01W	30	SE	SW		STOCK	
			NE	SE		STOCK	
			NW	SE		STOCK	
			SW	SE		STOCK	
		31	NE	NE		STOCK	
			SW	NE		STOCK	
			SE	NE		STOCK	
			NW	SW		STOCK	
	02W	36	NE	SE		STOCK	
			SW	SE		STOCK	
			SE	SE		STOCK	
04S	02W	1	NW	NE		STOCK	
			NE	NW		STOCK	
			SE	NW		STOCK	
			NE	SW		STOCK	
			NW	SW		STOCK	
			SW	SW		STOCK	
		2	SW	SE		STOCK	
			SE	SE		STOCK	
		11	NW	NE		STOCK	
			NE	NW		STOCK	

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:
THERE ARE 2 P/D IN T4S, R2W, SEC. 11, NW,NE1/4; 2 P/D IN T3S, R1W, SEC. 31, SE,NW1/4; 2 P/D IN T4S, R2W, SEC. 1, NW,NE1/4 AND 2 P/D IN T3S, R1W, SEC. 30; SW,SE1/4.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am GENERAL PARTNER of
Title
JOYCE LIVESTOCK CO, that I have signed the foregoing
Organization
document in the space below as GENERAL PARTNER of
Title
JOYCE LIVESTOCK CO. and that the statements contained in the
Organization
foregoing document are true and correct.

Jane C. McMillan
Signature of Authorized Agent

GENERAL PARTNER - JOYCE LIVESTOCK C
Title and Organization

7-13-92
Date

State of Idaho)
) SS.
County of Owyhee)

Subscribed and sworn (or affirmed) before me this 13th day of July 19 92

Nicholas K. Ihli
Notary Public

Seal

Residing at Murphy, Id

My Commission Expires 1/31/94

MICROFILMED

Roy

Movant: Jay Hulet

D. V. STEENSON
RINGERT CLARK CHARTERED
455 S. Third St., P.O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591

RECEIVED
MAY 29 1998
Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

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

In Re SRBA	)	Subcase 57-10486
	)	
CASE NO. 39576	)	MOTION TO ALTER OR AMEND
	)	SPECIAL MASTER'S
	)	RECOMMENDATION
	)	

DESCRIPTIVE SUMMARY

This is Jay Hulet's Motion to Alter or Amend the Special Master's Recommendation for the Joyce Livestock Co. water right in Subcase No. 57-10486 to include remarks or other provisions necessary for definition or administration of the water right as required by the Special Master's Amended Findings of Fact and Conclusions of Law.

MOTION

Jay Hulet hereby moves the Special Master to amend the Special Master's Recommendation for the Joyce Livestock Co. water right in Subcase No. 57-10486 to include remarks or other provisions necessary for definition or administration of the water right as required by the Special Master's Amended Findings of Fact and Conclusions of Law.

ARGUMENT

In the Amended Findings of Fact and Conclusions of Law for Subcase Nos. 57-10922, 57-10486, and 57-10487 the Special Master found that:

> Two of the water rights at issue are not delivered through the Canal nor through the Hulet Reservoir. The source for both water rights 57-10922 and 57-10486 is either return flow from irrigation rights out of Sinker Creek or recharge from the dam located just upstream from where the rights are used.

Amended Findings of Fact and Conclusions of Law, p. 4.

Based on this finding, the Special Master ordered that:

> For both water rights 57-10486 and 57-10922, a remark under the source element will be inserted indicating that neither water right is delivered through the Canal nor through Hulet reservoir. To the extent that the current remarks under the quantity element for either water right eludes [sic] to delivery through the Canal or through Hulet Reservoir, those remarks will be edited to comply with this order.

Id., at 4-5.

The Special Master's Recommendation for Partial Decree attached to the Special Master's Report for Subcase No. 57-10486 does not include the required remarks under the source element, or as other provisions necessary for definition and administration of the water right. Such remarks or provisions are necessary to ensure that the source of this water right is properly defined, and to ensure that the water right is not exercised or administered to divert water from the Hulet Reservoir or through the Canal.

Therefore, Jay Hulet respectfully requests that the Special Master amend the Special Master's Recommendation for Partial Decree for water right 57-10486 to include the required language either as remarks under the source element or as other provisions necessary for definition or administration of the water right.

Dated this 28th day of May, 1998.

RINGERT CLARK CHARTERED

By _____
D. V. Steenson

CERTIFICATE OF SERVICE

I certify that on this 28th day of May, 1998, I served a true and correct copy of Jay Hulet's Motion to Alter or Amend by placing a true and correct copy thereof in the United States mail, postage prepaid, addressed as follows:

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

Office of Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

Richard Harris
P.O. Box 1438
Caldwell, ID 83605

U.S. Dept. of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

_____
Daniel V. Steenson

RIGHTS FROM: SOURCE: SINKER CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-10486

NAME AND ADDRESS: JOYCE LIVESTOCK CO
C/O PAUL NETTLETON
MURPHY ID 83650

SOURCE: SINKER CREEK TRIBUTARY: SNAKE RIVER
THE SOURCE OF THIS WATER RIGHT IS WATER FLOWS ARISING IN SINKER CREEK DOWNSTREAM FROM THE HULET RESERVOIR. THIS WATER RIGT IS NOT DELIVERED THROUGH EITHER THE HULET RESERVOIR OR THE MURPHY MUTUAL CANAL.

QUANTITY: 0.4 CFS

THE QUANTITY FOR NON/IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY USED FOR/ STOCKWATER/ 1800 HEAD BEEF CATTLE & 30 HORSES

PRIORITY DATE: 07/26/1917

POINT OF DIVERSION:

T03S R01W S30	NESE	Within OWYHEE County	
	NESE	(E)	
	SWSE		
S31	NENW		
	SWNW		
	SENW		
R02W S36	SESE		
T04S R02W S01	NWNE		
	NESW		
S11	NWNE		
	NENW	(B)	
T03S R01W S31	NWNE		

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01-01 12-31	0.4 CFS

PLACE OF USE: STOCKWATER Within OWYHEE County

T03S R01W S30	SWSE				
S31	NENW	SWNW	SENW	Lot 3 (NWSW)	
R02W S36	NESE	SWSE	SESE		
T04S R02W S01	Lot 2 (NWNE)	Lot 3 (NENW)	SENW	NESW	
	NWSW	SWSW			

57-10486 (CONT.)

S02	SWSE	SESE
S11	NWNE	NENW
T03S R01W S31	NWNE	

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
TWO POINTS OF DIVERSION LOCATED IN SWSE, S30 AND SENW, S31, T03S R01W, TWO POINTS OF DIVERSION LOCATED IN NWNE, S01 AND NWNE S11, T04S, R02W,

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
TWO POINTS OF DIVERSION LOCATED IN SWSE, S30 AND SENW, S31, T03S, R01W; TWO POINTS OF DIVERSION LOCATED IN NWNE, S01 AND NWNE S11, T04S, R02W.
STOCKWATER, 1800 HEAD BEEF CATTLE AND 50 HORSES

RDX

RECEIVED
JUL 20 1998
Department of Water Resources
Adjudication Bureau

JUL 16 1998
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA	**Subcase: 57-10486 and 57-10922**
CASE NO. 39576	**ORDER GRANTING MOTIONS TO ALTER OR AMEND**

On June 24, 1998, Special Master Haemmerle held a hearing on Jay Hulet's *Motion to Alter or Amend the Special Master's Recommendation* for Subcase No. 57-10486 and on Jay Hulet's *Motion to Alter or Amend the Special Master's Recommendation* for Subcase No. 57-10922. All parties to the subcases appeared and participated in the hearing.

The Special Master finds that the *Special Master's Findings of Fact and Conclusions of Law* for the above reference subcases ordered that: "For both water rights 57-10486 and 57-10922, a remark under the source element will be inserted indicating that neither water right is delivered through the Canal nor through Hulet Reservoir." The record in these subcases supports the conclusion that the source of these water rights is water flows arising in Sinker Creek below the Hulet Reservoir and that neither water right is delivered through either the Hulet Reservoir or the Murphy Mutual Canal. Therefore, the Idaho Department of Water Resources shall prepare and file with the court Amended Special Master's Recommendations for Partial Decree for water right nos. 57-10486

and 57-10922 which contain the following language under the source element of each water right: "The source of this water right is water flows arising in Sinker Creek downstream from the Hulet Reservoir. This water right is not delivered through either the Hulet Reservoir or the Murphy Mutual Canal."

IT IS SO ORDERED.

Dated July 16, 1998.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTIONS TO ALTER OR AMEND was mailed on July 16, 1998, with sufficient first-class postage to the following:

STATE OF IDAHO
Represented by:
CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

JAY HULET
Represented by:
DANIEL V. STEENSON
599 W BANNOCK ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

JOYCE LIVESTOCK
PAUL NETTLETON
Represented by:
RICHARD L. HARRIS
PO BOX 1438
CALDWELL, ID 83605
Phone: 208-459-1541

USDI BLM
Represented by:
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

PAUL NETTLETON
JOYCE LIVESTOCK
MURPHY, ID 83650

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

Deputy Clerk

NOTICE OF ERROR FORM

JUL-20-1992

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

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000

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

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

1. Water right number: 57-10486

2. Name: JOYCE LIVESTOCK CO.

   Address: MURPHY, ID.

   Weekday Telephone Number: 834-2237

RECEIVED
AUG 18 1992
Department of Water Resources
Western Regional Office

MICROFILMED
OCT 06 1992

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

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

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

PRIORITY DATE 1917

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

PRIORITY DATE 1865

5. Describe why you disagree with the proposed recommendation:

LIVESTOCK HAVE USED THIS RIGHT CONTINUALLY SINCE 1865 WHEN HOMESTEAD WAS FIRST TAKEN UP.

6. Date:

8-18-92

SIGNATURE Paul Nettleton for: Joyce Livestock Co.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

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

In Re the General Adjudication of the Rights to the Use of Water from the Snake River Basin Water System	Case No. 57-10486 -0001
The State of Idaho, ex rel. R. Keith Higginson in his official capacity as Director of the Idaho Department of Water Resources, Petitioner, vs. The United States; the State of Idaho; and all Claimants to the use of water from the Snake River Basin Water System, Respondents.	**RESPONSE TO OBJECTION**

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

2. Person who filed objection:

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

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL

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

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. |X| Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.

2. |X| Source: I respond to the objection concerning the source of water.

3. |X| Quantity: I respond to the objection concerning:

4. |X| Priority Date: I respond to the objection concerning the priority date.

5. |X| Points of Diversion: I respond to the objection concerning the legal description of the points(s) of diversion.

7. |X| Purposes of Use: I respond to the objection concerning the purpose(s) of use.

8. |X| Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.

9. |X| Place of Use: I respond to the objection concerning:

10. |X| Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

11. |X| Remarks: I respond to the objection concerning the "remarks" listed with the water right.

12. |X| Water Right Recommendation: I respond to the objection concerning:

12a. |X| This water right being recommended at all.

REASONS SUPPORTING EACH BOX CHECKED

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

IDWR lacks sufficient information to form a belief as to whether any or all of the lands upon which water is diverted, conveyed, or used pursuant to this right are owned by the United States. The notices of claim attached to the objection were not filed with IDWR and IDWR has not recommended a water right based on these notices of claim. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

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

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

	No. of Pages
Notice of Claim No. A57-10486	3

(Over)

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

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

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

Signature of person filing response

By: _____
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 17th day of June, 1993.

SHELLEY WALTER KEEN NOTARY PUBLIC STATE OF IDAHO

Shelley Walter Keen
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: July 31, 1997

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of June, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

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

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

   Name: JOYCE LIVESTOCK CO
   Address: C/O PAUL NETTLETON
   MURPHY ID 83650

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

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

Signature of Respondent or attorney mailing on Respondent's behalf

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

In Re the General Adjudication of the Rights to the Use of Water from the Snake River Basin Water System	Case No. 57-10486 -0002
The State of Idaho, ex rel. R. Keith Higginson in his official capacity as Director of the Idaho Department of Water Resources, Petitioner, vs. The United States; the State of Idaho; and all Claimants to the use of water from the Snake River Basin Water System, Respondents.	**RESPONSE TO OBJECTION**

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

2. Person who filed objection:

Name: JAY HULET
Address: HC 79 BOX 2020
MURPHY ID 83650

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL

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

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. |X| Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.

5. |X| Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.

7. |X| Purposes of Use: I respond to the objection concerning the purpose(s) of use.

9. |X| Place of Use: I respond to the objection concerning:

9a. |X| The legal description of the place of use.

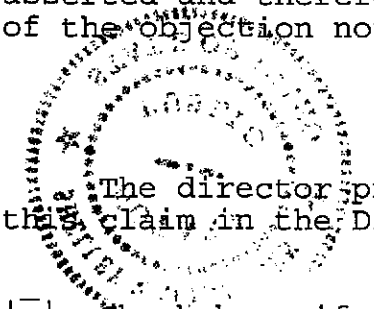
12. |X| Water Right Recommendation: I respond to the objection concerning:

12a. |X| This water right being recommended at all.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 5, 7, 9, 9a, 12, and 12a and all allegations of the objection regarding these items IDWR responds as follows: (1) This is an ownership dispute. Ownership of this right may be based on the contract referenced in the objection. (2) Mr. Nettleton has filed a

notice of claim for this water right. Mr. Hulet did not file a notice of claim for this right. IDWR lacks sufficient information to form a belief as to the truth of the matter asserted and therefore denies the objection and all allegations of the objection not expressly admitted herein.



CHANGES TO THE DIRECTOR'S REPORT

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

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

	No. of Pages
The notice of claim is attached to IDWR's response to Objection No. 57-10486-0001	

(Over)

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

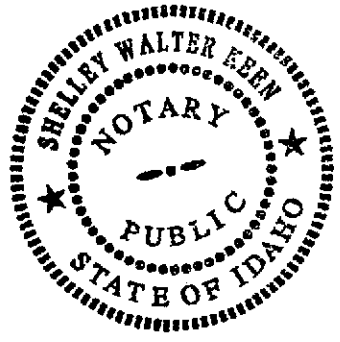
Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

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

Signature of person filing response

By: _____
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 1ST day of July, 1993.



Shelley Walter Keen
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: July 31, 1997

CERTIFICATE OF MAILING

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

1. Original to:

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

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

   Name: JOYCE LIVESTOCK CO
   Address: C/O PAUL NETTLETON
   MURPHY ID 83650

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

   Name: JAY HULET
   Address: HC 79 BOX 2020
   MURPHY ID 83650

4. One copy to:

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

Signature of Respondent or attorney mailing on Respondent's behalf

RECEIVED
JUN 2 2 1993
Department of Water Resources
Adjudication Bureau

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

In Re the General Adjudication of the Rights to the Use of Water from the Snake River Basin Water System	Case No. 57-10486 (Insert the Case No. from the Objection you are responding to)
The State of Idaho, ex rel. R. Keith Higginson in his official capacity as Director of the Idaho Department of Water Resources, Petitioner, vs. The United States; the State of Idaho; and all Claimants to the use of water from the Snake River Basin Water System, Respondents.	RESPONSE TO OBJECTION

INSTRUCTIONS

This form must be used to file a response to any objection filed against a water right recommended in a Director's Report. You may respond to objections filed against one water right, using one response form. The water right number listed as the "Case No." on the Objection you are responding to must be inserted above as the "Case No." If you choose to file one form to respond to all objections filed against the same water right, your response should cover every issue raised in the objections.

To respond to objections filed against more than one water right, you must file a separate response form for each water right. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your response by the deadline shown in the notice that IDWR mailed to you. The response must be **received** by the court on or before the deadline specified. Instructions for filing this response are found at Page 5, and must be strictly followed.

(Over)

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

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person responding to objection:

   Name: Paul Nettleton

   Address: Joyce Livestock Co.
   Murphy Idaho 83650

   Briefly describe your interest in this water right:
   Owner of water right

2. Person who filed objection:

   Name: Jay Hulet

   Address: HC 79 Box 2020
   Murphy Idaho 83650

3. If this response is filed by an attorney:

   Attorney Name: _____

   Attorney Address: _____

   _____

   Attorney Phone No.: _____

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

RECEIVED

II. STATEMENT OF THE RESPONSE

Please check each "box" which identifies your response.

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.

2. ☐ Source: I respond to the objection concerning the source of water.

3. ☐ Quantity: I respond to the objection concerning:

   a. ☐ the total quantity of water used in cubic feet per second; or

   b. ☐ the total quantity of water stored in acre-feet per year; or

   c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.

4. ☐ Priority Date: I respond to the objection concerning the priority date.

5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.

6. ☐ Instream Flow: I respond to the objection concerning the legal description of the beginning and ending points of the instream flow.

7. ☒ Purpose(s) of Use: I respond to the objection concerning the purpose(s) of use.

8. ☐ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.

9. ☒ Place of Use: I respond to the objection concerning:

   a. ☒ the legal description of the place of use; or

   b. ☐ the number of irrigated acres within each forty (40) acre subdivision.

10. ☐ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

(Over)

11. ☐ Remarks: I respond to the objection concerning the "remarks" listed with the water right.

12. ☒ Water Right Recommendation: I respond to the objection concerning:

    a. ☒ this water right being recommended at all; or

    b. ☐ this water right not being recommended.

13. ☐ Description of Reservation: I respond to the objection concerning the legal description of the reservation.

14. ☐ Other: I respond to the objection concerning: _____

_____

_____

_____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s), by number, for each box checked. You may use additional pages if necessary. BOX 1, 5, 7, 9A, 12A, – THE OBJECTOR IS DELIBERATELY TRYING TO MISLEAD THE COURT BY SELECTING PASSAGES OUT-OF-CONTEXT FROM SALES CONTRACT.
CONTRACT COVERS ONLY WATER RIGHTS USED FOR IRRIGATI AND MAKES NO MENTION OF STOCK WATER RIGHTS.

CHANGES TO THE DIRECTOR'S REPORT

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

DIRECTORS REPORT SHOULD REMAIN AS RECOMMENDED
#57-10486

Please note that you should attach copies of documents which support your response. Note on each document the "box number" it supports.

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

SALES AGREEMENT CONTRACT OF MARCH 1967 - 6 PAGES

_____

VERIFICATION (Must be Completed)

State of IDAHO

County of OWYHEE

PAUL NETTLETON, being first duly
(Name of person filing response)
sworn, upon oath, deposes and says:

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

Paul Nettleton
Signature of person filing response

By: _____
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 21st day of June, 1993.

Nicholas K Ihle
Notary Public for Idaho
Residing at: Murphy, Id
My Commission expires: 1/31/94

INSTRUCTIONS FOR MAILING

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

(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 21 day of June, 199 3, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

   Name: PAUL NETTLETON

   Address: JOYCE LIVESTOCK CO.

   MURPHY, ID. 83650

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

   Name: JAY HUCET

   Address: HC 79 - BOX 2020

   MURPHY ID 83650

4. One copy to:

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

5. One copy to:

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

Paul Nettleton

Signature of Respondent or attorney mailing on Respondent's behalf

RECEIVED
MAR - 1 1993
OFFICE OF THE
ATTORNEY GENERAL

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

In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System	Case No. 57-10486 (You must insert the water right number you are objecting to)
The State of Idaho, ex rel. R. Keith Higginson in his official capacity as Director of the Idaho Department of Water Resources, Petitioner, vs. The United States; the State of Idaho; and all Claimants to the use of water from the Snake River Basin Water System, Respondents.	**OBJECTION**

RECEIVED
MAR 0 2 1993
Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

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

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

(Over)

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: Jay Hulet

Address: HC79 Box 2020

Murphy, ID 83650

Briefly describe your interest in this water right:

In 1967 I bought this water right from Joyce Livestock.

2. Owner of the water right:

Name: Joyce Livestock Co.

Address: c/o Paul Nettleton

Murphy, ID 83650

Water Resources Region
Department of Water Resources
NOV 0 3 1992
RECEIVED

3. If this objection is filed by an attorney:

Attorney Name: _____

Attorney Address: _____

_____

Attorney Phone No.: _____

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

II. STATEMENT OF THE OBJECTION

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

1. ☒ Name and Address: I object to the name and/or address of the owner of the water right.

2. ☐ Source: I object to the source of water.

3. ☐ Quantity: I object to:

   a. ☐ the total quantity of water used in cubic feet per second; or

   b. ☐ the total quantity of water stored in acre-feet per year; or

   c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.

4. ☐ Priority Date: I object to the priority date.

5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.

6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.

7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.

8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.

9. ☒ Place of Use: I object to:

   a. ☒ the legal description of the place of use; or

   b. ☐ the number of irrigated acres within each forty (40) acre subdivision.

10. ☐ Consumptive Use: I object to the annual volume of consumptive use.

11. ☐ Remarks: I object to the "remarks" listed with the water right.

(Over)

12. ☒ Water Right Recommendation: I object to:

a. ☒ this water right being recommended at all; or

b. ☐ this water right not being recommended.

13. ☐ Description of Reservation: I object to the legal description of the reservation.

14. ☐ Other: I object to: _____

_____

_____

_____

_____

REASONS SUPPORTING EACH BOX CHECKED

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

1, 3, 7, 9, 9a, 12 - On March 13, 1967 this water right was purchased from Joyce Livestock, Murphy, ID - by Jay Hulet -.

_____

CHANGES TO THE DIRECTOR'S REPORT

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

Ownership of right should be changed to Jay Hulet, showing the points of diversion and places of use as used by Jay Hulet and/or Murphy Mutual Canal.

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

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

1 Page- Copy of water rights retained by Joyce Livestock.

VERIFICATION (Must be Completed)

State of Idaho

County of Owyhee

Jay Hulet, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

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

Jay Hulet
Signature of person filing objection

By: _____
(Attorney signing in representative capacity)

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

Linda A. Werner
Notary Public for LINDA WERNER
Residing at: RESIDING AT EAGLE, IDAHO
My Commission MY COMMISSION EXPIRES DEC. 8, 1994

(Over)

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I hereby certify that on the ~~25th~~ 1st day of ~~February~~ March, 1997, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows: Hand delivered

1. Original to:

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

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

   Owner name: Jay Hulet

   Owner's address: HC 79 Box 2020
   Murphy ID 83650

3. One copy to:

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

4. One copy to:

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

Jay Hulet
Signature of Objector or attorney mailing on Objector's behalf

AGREEMENT

THIS AGREEMENT, made and entered into this 24th day of March, 1967, by and between H. E. NETTLETON and HELEN A. NETTLETON, husband and wife, hereinafter referred to as Sellers, and J. H. HULET and GERTRUDE HULET, husband and wife, hereinafter referred to as Buyers,

W I T N E S S E T H:

WHEREAS, by written Option Agreement made the 17th day of October, 1964, recorded January 22, 1965, in Book 18 of Miscellaneous Records at Page 467, Owyhee County records, the Sellers herein agreed to sell to Pacific Land Company, a corporation, certain property situate in Owyhee County, Idaho; and,

WHEREAS, the Sellers and said Pacific Land Company, by written Supplemental Agreement made the 28th day of December 1964, recorded January 22, 1965 in Book 10 of Bonds and Agreement Page 304, Owyhee County records, supplemented and amended said agreement of October 17, 1964, which said agreements, constitute one contract which is hereinafter referred to for convenience as the Contract; and,

WHEREAS, the true and correct name of said Pacific Land Company, is Pacific Land corporation, and said Pacific Land Corporation is an Idaho corporation; and,

WHEREAS, said Pacific Land Corporation has been adjudicated a bankrupt by the U. S. District Court for the District of Idaho, Southern Division, In Bankruptcy, In the Matter of Pacific Land Corporation, Bankrupt, BR No. 66-22; and,

WHEREAS, the assets of said Pacific Land Corporation including the interest of said Pacific Land Corporation in and to the property covered by the said Contract are now in the possession and control of Howard Humphrey, Trustee in Bankruptcy, subject to the jurisdiction and orders of said U. S. District Court (In Bankruptcy); and,

WHEREAS, the Buyers have offered to purchase from said Truestee all of the right, title and interest of said bankrupt, Pacific Land Corporation, in and to the property covered by the Contract, subject to certain conditions, including the condition that said Trustee affirm said Contract between the Sellers herein and said Pacific Land Corporation, which said offer to purchase has been accepted by said Trustee, subject to ability to obtain consent of creditors as required by said offer and subject to confirmation by said Court; and,

WHEREAS, the parties contemplate that the Contract and all of the right, title and interest of Pacific Land Corporation in and to the property covered by said Contract, will be assigned by said Trustee to the Buyers herein and, in anticipation thereof, the parties desire to modify said Contract in certain respects, such modifications to become effective if and when the said Contract, together with Pacific Land Corporation's right, title and interest in and to the property covered thereby, shall be assigned by said Trustee to the Buyers,

NOW, THEREFORE, in consideration of the premises and of the covenants and agreements herein contained to be kept and performed by the parties herein, the parties agree that if the Contract and the right, title and interest of Pacific Land Corporation in and to the property covered by said Contract shall be assigned to the Buyers herein by Howard Humphrey, Trustee in Bankruptcy, then, in that event, it is agreed that by such assignment the Buyers herein shall be substituted to the rights of Pacific Land Corporation under said Contract, and that said Contract shall thereupon be deemed amended and supplemented in accordance with the terms and provisions hereof, as follows:

The parties agree that there shall be excluded from the operation of said Contract and the Buyers agree to quitclaim to the Sellers the real proprty situate in Owyhee County Idaho, particularly described as follows, to wit:

> That portion of the Southeast Quarter (SE¼) of Section 35 lying North and East of the Highway and the Northwest Quarter of the Southwest Quarter (NW¼SW¼) of Section 36, all in Township 2 South, Range 2 West, B.M.; also, that portion of the West Half (W½) of Section 1, lying North and East of the Highway and the Northeast Quarter (NE¼) of Section 1, all in Township 3 South, Range 2 West, B.M.,

The parties acknowledge and confirm that the adjudicated rights in the flow of the waters of Sinker Creek reserved by the Sellers in the said Contract are those identified and described as follows:

Quantity (miners inches)		Priority
50.0	(Murphy Land and Irrigation Company, Limited)	April 1, 1865
597.4		April 1, 1867
62.5		April 1, 1867
118.6		April 1, 1871
30.0		April 1, 1876
72.0		April 1, 1881
88.0		April 1, 1892
35.0		April 1, 1901
1,053.5	TOTAL	

It is further agreed that the property to be covered by the said contract, as amended by the terms and provisions

hereof, consists of all that certain real property situate in Owyhee County, Idaho, particularly described as follows, to wit:

The Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4}NE\frac{1}{4}$), the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}SE\frac{1}{4}$), the North Half of the Southwest Quarter ($N\frac{1}{2}SW\frac{1}{4}$) and the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}NW\frac{1}{4}$) of Section 2; the Southeast Quarter ($SE\frac{1}{4}$), the West Half of the Southwest Quarter ($W\frac{1}{2}SW\frac{1}{4}$), and the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}NW\frac{1}{4}$) of Section 3; the South Half of the North Half ($S\frac{1}{2}N\frac{1}{2}$) and the South Half ($S\frac{1}{2}$) of Section 4; the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}NE\frac{1}{4}$), the East Half of the Southeast Quarter ($E\frac{1}{2}SE\frac{1}{4}$) and the East Half of the Southwest Quarter ($E\frac{1}{2}SW\frac{1}{4}$) of Section 5; all of Section 8; the South Half ($S\frac{1}{2}$), the Northeast Quarter ($NE\frac{1}{4}$), and the South Half of the Northwest Quarter ($S\frac{1}{2}NW\frac{1}{4}$) of Section 9; all of Section 10; the North Half of the Southwest Quarter ($N\frac{1}{2}SW\frac{1}{4}$) and the Northwest Quarter ($NW\frac{1}{4}$) of Section 11; the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4}NE\frac{1}{4}$), the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) of Section 15; and the Northeast Quarter ($NE\frac{1}{4}$), the West Half ($W\frac{1}{2}$), West Half of
t the Southeast Quarter ($W\frac{1}{2}SE\frac{1}{4}$) of Section 17; and the North Half of the Northwest Quarter ($N\frac{1}{2}NW\frac{1}{4}$) of Section 20; all in Township 3 South, Range 1 West, Boise Meridian.

Also, all water and water rights, ditch and ditch rights, used upon said described lands of used in connection therewith or used for the irrigation thereof. Such water rights include, but are not limited to the Sellers interest in and to the right for 400 cubic feet per second of the waters of Sinker Creek decreed to Murphy Land and Irrigation Company with priority of December 26, 1906, and the Sellers interest in and to flood rights in Sinker Creek in excess of said adjudicated rights.

Also, all right title and interest of the Sellers in and to the irrigation pipelines and all other fixtures installed upon said premises by Pacific Land Company or by Pacific Land Corporation.

Also, 270 shares of the capital stock of Murphy Mutual Canal Company, a defunct corporation.

Together, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Said described premises and property which are being purchased by the Buyers from the Sellers as aforesaid are sometimes hereinafter referred to, for convenience and clarity as the "Contract Property".

The purchase price for said described premises and property (the Contract Property) shall be the sum of FIVE HUNDRED FIFTY THOUSAND and no/100 ($550,000.00) DOLLARS, for which said sum the Sellers agree to sell the Contract Property to the Buyers, and the Buyers agree to pay said purchase price to the Sellers in the manner and at the times and in the installments as follows:

The sum of ONE HUNDRED THOUSAND and no/100 ($100,000.00) DOLLARS (hereinafter referred to as the down payment), shall be paid coincidentally with the assignment, transfer and conveyance of the Contract and of the interest of Pacific Land Corporation in and to the Contract Property to the Buyers by said Trustee in Bankruptcy;

The balance of the purchase price in the amount of FOUR HUNDRED FIFTY THOUSAND and no/100 ($450,000.00) DOLLARS (sometimes hereinafter referred to as the deferred balance of the purchase price), shall be paid in ten (10) equal consecutive annual installments in the amount of FORTY FIVE THOUSAND and no/100 ($45,000.00) DOLLARS, each, the first of which shall be paid on or before January 15, 1968, and the last of which shall be paid on or before the 15th day of January, 1977.

Objection to case no, 57-10486 by Jay Hulet

Box No. 1 - Murphy Mutual Canal Co
c/o Jay Hulet
HC79, Box 2020
Murphy ID 83650

Box No. 5 Point(s) of Diversion: T04S R02W S11 SENW OWYHEE County

Box No. 7 Place of use Legal Description for: ~~IRRIGATION~~ Stockwater (Box No. 7)

Box No. 9a

			NE				NW				SW				SE				
T	R	S	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	SUM
03S	01W	2			13				27			40				21			101.0
03S	01W	3							40			40	40		40	40	40	40	280.0
03S	01W	4			40	40			40	40	40	40	40	40	40	40	30	40	470.0
03S	01W	5				40									40			40	120.0
03S	01W	7												40	40	40	40	40	200.0
03S	01W	8	35	40	40	35	40	40	40	40	40	40	40	40	35	40	40	35	620.0
03S	01W	9	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640.0
03S	01W	10	35	35	40	40	37	40	40	40	40	40	40	40	40	40	40	40	627.0
03S	01W	11					40	40	40	40	40	40							240.0
03S	01W	15		34			40	30											104.0
03S	01W	17	40	40	40	40	40	35	40	40	40	40	40	40		40	40		555.0
03S	01W	18	40	40	40	40	40			40	40				40	40	40	40	440.0
03S	01W	19	35	25															60.0
03S	01W	20					40	40											80.0
															TOTAL ACRES				4537.0

POU County: OWYHEE

Stockwater place of use same as for irrigation.

Change to directors report.

Copy Of Water Right Retained By Nethleton (Sept. Livestock) Giving Up All Other Rights They Had In Sinker Creek To Jay Hulet from Pg. 4 and 5 Of Purchase Contract.

The parties acknowledge and confirm that the adjudicated rights in the flow of the waters of Sinker Creek reserved by the Sellers in the said Contract are those identified and described as follows:

Quantity (Miners inches)	Priority
50.0 (Murphy Land and irrigation Company, Limited)	April 1, 1865
597.4	April 1, 1867
62.5	April 1, 1867
118.6	April 1, 1871
30.0	April 1, 1876
72.0	April 1, 1881
88.0	April 1, 1892
35.0	April 1, 1901
1,053.5 Total	

Also, all water and water rights, ditch and ditch rights, used upon said described lands of used in connection therewith or used for the irrigation thereof. Such water rights include, but are not limited to the Sellers interest in and to the right for 400 cubic feet per second of the waters of Sinker Creek decreed to Murphy Land and Irrigation Company with priority of December 26,1906 and the Sellers interest in and to flood rights in Sinker Creek in excess of said adjudicated rights.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

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

In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System	Case No. 57-10486 (You must insert the water right number you are objecting to)
The State of Idaho, ex rel. R. Keith Higginson in his official capacity as Director of the Idaho Department of Water Resources, Petitioner, vs. The United States; the State of Idaho; and all Claimants to the use of water from the Snake River Basin Water System, Respondents.	**OBJECTION**

RECEIVED
FEB 2 6 1993
Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

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

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

(Over)

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting: United States of America
   Bureau of Land Management
   Name: U.S. Department of the Interior

   Address: 3380 Americana Terrace

   Boise, Idaho 83706

   Briefly describe your interest in this water right:

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

2. Owner of the water right:

   Name: claimant Joyce Livestock Co.

   Address: c/o Paul Nettleton

   Murphy, ID 83650

3. If this objection is filed by an attorney:

   Attorney Name: K. Jack Haugrud
   Daria J. Zane

   Attorney Address: U. S. Department of Justice
   500 West Fort Street
   P.O. Box 33
   Boise, Idaho 83734

   Attorney Phone No.: 202-272-4134/8351

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

II. STATEMENT OF THE OBJECTION

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

1. ☒ Name and Address: I object to the name and/or address of the owner of the water right.

2. ☒ Source: I object to the source of water.

3. ☒ Quantity: I object to:

   a. ☐ the total quantity of water used in cubic feet per second; or

   b. ☐ the total quantity of water stored in acre-feet per year; or

   c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.

4. ☒ Priority Date: I object to the priority date.

5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.

6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.

7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.

8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.

9. ☒ Place of Use: I object to:

   a. ☐ the legal description of the place of use; or

   b. ☐ the number of irrigated acres within each forty (40) acre subdivision.

10. ☒ Consumptive Use: I object to the annual volume of consumptive use.

11. ☒ Remarks: I object to the "remarks" listed with the water right.

(Over)

12. ☒ Water Right Recommendation: I object to:

a. ☒ this water right being recommended at all; or

b. ☐ this water right not being recommended.

13. ☐ Description of Reservation: I object to the legal description of the reservation.

14. ☐ Other: I object to: _____

_____

_____

_____

_____

REASONS SUPPORTING EACH BOX CHECKED

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

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

CHANGES TO THE DIRECTOR'S REPORT

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

The Directors report should be changed to recommend disallowance of this claim.

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

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

1. Map of claim on public land

2. Conflicting USDI claims

VERIFICATION (Must be Completed)

State of Idaho

County of Ada

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

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

J. David Brunner
Signature of person filing objection

By: _____
(Attorney signing in representative capacity)

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

Clarence D. Bale
Notary Public for Ada County
Residing at: Boise, Idaho
My Commission expires: April 27, 1997

(Over)

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

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

1. Original to:

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

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

   Owner name: Joyce Livestock Co.

   Owner's address: c/o Paul Nettleton

   Murphy, ID 83650

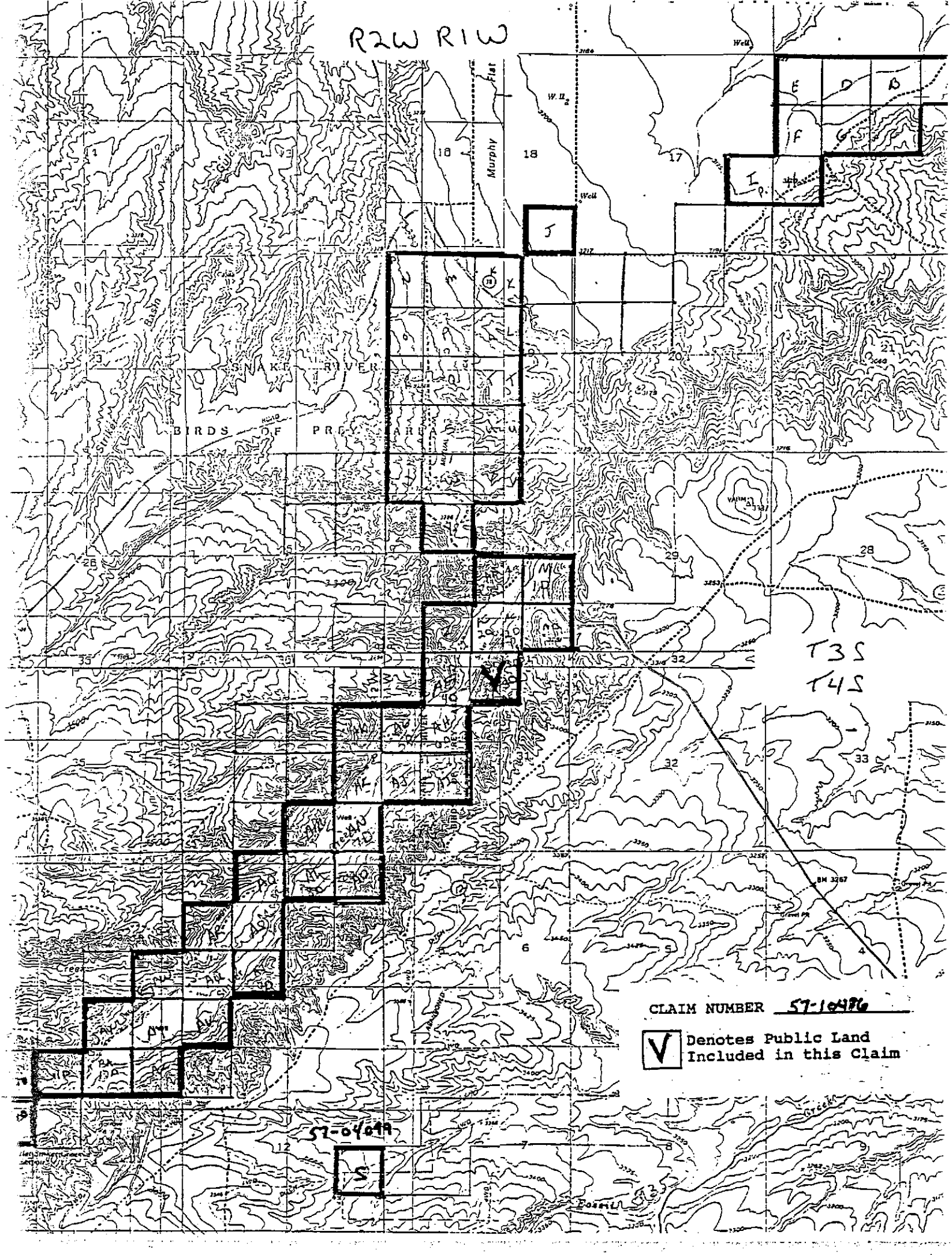
3. One copy to:

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

4. One copy to:

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

Larry A Woodward
Signature of Objector or attorney mailing on Objector's behalf


R2W R1W
T3S
T4S
SNAKE RIVER
BIRDS OF PREY AREA
Murphy
Flat
Well
CLAIM NUMBER 57-104796
V Denotes Public Land Included in this Claim
57-04699

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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5701582067
BLM NUMBER: 5701582067
BASIS OF CLAIM: BENEFICAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
SINKER CREEK	SNAKE RIVER

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF FROM	TO
STOCKWATER	0.300	0.00	0101	123
WILDLIFE	0.020	0.00	0101	123
TOTAL:	0.320 CFS	0.00 AF		

NON-IRRIGATION USES

S/1244 RANGE CATTLE W/ VAR AMOUNTS

POINT OF DIVERSION

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
03S	01W	31				01	OWYHEE
03S	02W	25		SE	NE	00	OWYHEE

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	IRRIGATED ACRES
03S	01W	31			01	OWYHEE	YES	0

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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5701582068
BLM NUMBER: 5701582068
BASIS OF CLAIM: BENEFICAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
SINKER CREEK	SNAKE RIVER

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF U FROM	TO
STOCKWATER	0.300	0.00	0101	1231
WILDLIFE	0.020	0.00	0101	1231
TOTAL:	0.320 CFS	0.00 AF		

NON-IRRIGATION USES

S/1244 RANGE CATTLE W/ VAR AMOUNTS

POINT OF DIVERSION

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
04S	02W	02		NE	SE	00	OWYHEE
04S	02W	01		SW	NW	00	OWYHEE

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	ACRES
04S	02W	02	NE	SE	00	OWYHEE	YES	0.(

03S	01W	31			01	OWYHEE	YES	0.0
03S	01W	30			04	OWYHEE	YES	0.0
03S	01W	30			03	OWYHEE	YES	0.0
03S	02W	25	SE	SE	00	OWYHEE	YES	0.0
03S	02W	25	NE	SE	00	OWYHEE	YES	0.0
03S	02W	25	NW	SE	00	OWYHEE	YES	0.0
03S	02W	25	SW	NE	00	OWYHEE	YES	0.0
03S	02W	25	SE	NE	00	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5701582074
BLM NUMBER: 5701582074
BASIS OF CLAIM: BENEFICAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
FOSSIL CREEK	SNAKE RIVER

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF U FROM	TO
STOCKWATER	0.320	0.00	0101	1231
WILDLIFE	0.020	0.00	0101	1231
TOTAL:	0.340 CFS	0.00 AF		

NON-IRRIGATION USES

S/1750 RANGE CATTLE W/ VAR AMOUNTS

POINT OF DIVERSION

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
04S	02W	34		NW	SW	00	OWYHEE
04S	02W	23		SE	SW	00	OWYHEE
04S	02W	23		NW	SE	00	OWYHEE
04S	02W	23		SW	NE	00	OWYHEE
04S	02W	23		NE	NE	00	OWYHEE

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	ACRES
04S	02W	34	NW	SW	00	OWYHEE	YES	0.0

04S	02W	02	NE	SE	00	OWYHEE	YES	0.0
04S	02W	02	NW	SE	00	OWYHEE	YES	0.0
04S	02W	01	SW	NW	00	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5701582075
BLM NUMBER: 5701582075
BASIS OF CLAIM: BENEFICAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
UNNAMED STREAM	SINKER CREEK

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF U FROM	TO
WILDLIFE	0.020	0.00	0101	1231
STOCKWATER	0.300	0.00	0101	1231
TOTAL:	0.320 CFS	0.00 AF		

NON-IRRIGATION USES

S/1244 RANGE CATTLE W/ VAR AMOUNTS

POINT OF DIVERSION

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
04S	02W	32		NE	SE	00	OWYHEE
04S	02W	32		NE	NW	00	OWYHEE

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	ACRES
04S	02W	32	NE	NE	00	OWYHEE	YES	0.0

04S	02W	34	NE	SW	00	OWYHEE	YES	0.0
04S	02W	34	SE	NW	00	OWYHEE	YES	0.0
04S	02W	34	SW	NE	00	OWYHEE	YES	0.0
04S	02W	34	NW	NE	00	OWYHEE	YES	0.0
04S	02W	34	NE	NE	00	OWYHEE	YES	0.0
04S	02W	27	SE	SE	00	OWYHEE	YES	0.0
04S	02W	27	NE	SE	00	OWYHEE	YES	0.0
04S	02W	26	NW	SW	00	OWYHEE	YES	0.0
04S	02W	26	SW	NW	00	OWYHEE	YES	0.0
04S	02W	26	NW	NW	00	OWYHEE	YES	0.0
04S	02W	23	SW	SW	00	OWYHEE	YES	0.0
04S	02W	23	SE	SW	00	OWYHEE	YES	0.0
04S	02W	23	NW	SE	00	OWYHEE	YES	0.0
04S	02W	23	SW	NE	00	OWYHEE	YES	0.0
04S	02W	23	NE	NE	00	OWYHEE	YES	0.0
04S	02W	34	NW	SW	00	OWYHEE	YES	0.0
04S	02W	34	NE	SW	00	OWYHEE	YES	0.0
04S	02W	34	SE	NW	00	OWYHEE	YES	0.0
04S	02W	34	SW	NE	00	OWYHEE	YES	0.0
04S	02W	34	NW	NE	00	OWYHEE	YES	0.0
04S	02W	34	NE	NE	00	OWYHEE	YES	0.0
04S	02W	27	SE	SE	00	OWYHEE	YES	0.0
04S	02W	27	NE	SE	00	OWYHEE	YES	0.0
04S	02W	26	NW	SW	00	OWYHEE	YES	0.0
04S	02W	26	SW	NW	00	OWYHEE	YES	0.0
04S	02W	26	NW	NW	00	OWYHEE	YES	0.0
04S	02W	23	SW	SW	00	OWYHEE	YES	0.0
04S	02W	23	SE	SW	00	OWYHEE	YES	0.0
04S	02W	23	NW	SE	00	OWYHEE	YES	0.0
04S	02W	23	SW	NE	00	OWYHEE	YES	0.0
04S	02W	23	NE	NE	00	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5701582442
BLM NUMBER: 5701582442
BASIS OF CLAIM: BENEFICAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
SINKER CREEK	SNAKE RIVER

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF U FROM	TO
STOCKWATER	0.300	0.00	0101	1231
WILDLIFE	0.300	0.00	0101	1231
TOTAL:	0.300 CFS	0.00 AF		

NON-IRRIGATION USES

S/1244 RANGE CATTLE W/ VAR AMOUNTS

POINT OF DIVERSION

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
03S	01W	31		NE	NW	00	OWYHEE
03S	01W	31		NW	NE	00	OWYHEE

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	ACRES
03S	01W	31	NE	NW	00	OWYHEE		0.0

04S	02W	33	SW	NW	00	OWYHEE	YES	0.0
04S	02W	33	NW	NW	00	OWYHEE	YES	0.0
04S	02W	33	NE	NW	00	OWYHEE	YES	0.0
04S	02W	33	NW	NE	00	OWYHEE	YES	0.0
04S	02W	33	NE	NE	00	OWYHEE	YES	0.0
04S	02W	34	NW	NW	00	OWYHEE	YES	0.0
04S	02W	27	SW	SW	00	OWYHEE	YES	0.0
04S	02W	27	NW	SW	00	OWYHEE	YES	0.0
04S	02W	27	SW	NW	00	OWYHEE	YES	0.0
04S	02W	27	NW	NW	00	OWYHEE	YES	0.0
04S	02W	27	NE	NW	00	OWYHEE	YES	0.0
04S	02W	22	SE	SW	00	OWYHEE	YES	0.0
04S	02W	22	SW	SE	00	OWYHEE	YES	0.0
04S	02W	22	NW	SE	00	OWYHEE	YES	0.0
04S	02W	22	SW	NE	00	OWYHEE	YES	0.0
04S	02W	22	SE	NW	00	OWYHEE	YES	0.0
04S	02W	22	NE	NW	00	OWYHEE	YES	0.0
04S	02W	32	NE	NE	00	OWYHEE	YES	0.0
04S	02W	33	SW	NW	00	OWYHEE	YES	0.0
04S	02W	33	NW	NW	00	OWYHEE	YES	0.0
04S	02W	33	NE	NW	00	OWYHEE	YES	0.0
04S	02W	33	NW	NE	00	OWYHEE	YES	0.0
04S	02W	33	NE	NE	00	OWYHEE	YES	0.0
04S	02W	34	NW	NW	00	OWYHEE	YES	0.0
04S	02W	27	SW	SW	00	OWYHEE	YES	0.0
04S	02W	27	NW	SW	00	OWYHEE	YES	0.0
04S	02W	27	SW	NW	00	OWYHEE	YES	0.0
04S	02W	27	NW	NW	00	OWYHEE	YES	0.0
04S	02W	27	NE	NW	00	OWYHEE	YES	0.0
04S	02W	22	SE	SW	00	OWYHEE	YES	0.0
04S	02W	22	SW	SE	00	OWYHEE	YES	0.0
04S	02W	22	NW	SE	00	OWYHEE	YES	0.0
04S	02W	22	SW	NE	00	OWYHEE	YES	0.0
04S	02W	22	SE	NW	00	OWYHEE	YES	0.0
04S	02W	22	NE	NW	00	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

03S	01W	31	NE	NW	00	OWYHEE	0.0
03S	01W	31	NW	NE	00	OWYHEE	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

CONVERSATION MEMORANDUM

DATE 9-25-92

FILE

NAME OF PARTY Paul Nettleton

EMPLOYEE Linda Werner

RE:

57-10771- Upper Black Mtn Spring
Spring is on BLM land. They were
involved in the Reynolds ex. adj. & did
not file a claim; therefore the claim is
still recommended as disallowed.

57-10772- Bull Meadows Spring - Same as
above. BLM filed claim 57-11013 for a
spring in SESE 1/4, unnamed spring

57-10773- Unn. Spring - Same as above.

57-10487- Recommended 2.25 cfs 1/2.00 cfs as
conveyance loss.

57-10486- Right not included in previous
decree. No contrary evidence received

57-10598- Can't include instream stock
prior to decree. Decision to change priority
remains.

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CONVERSATION MEMORANDUM

DATE 9-22-92

FILE

NAME OF PARTY Paul Nettleton

EMPLOYEE Linda Werner

9-24-92 - Conversation w/P. Nettleton

RE:

57-10771 - Upper Black Mtn. Spring
Is this the same as BLM claim not. 57-1048 on Petre Gulch? NO 924 4S3W8 NWNENW

57-10772 - Bull Meadows spring - Possible - if no BLM claim 57-11013 for "spring" - Is it the other same? 4S3W7SESE springs on map
Also - Slacks Mtn. Spring

57-10773 - Unn. spring. Same as BLM filing 57-1093 4S3W19 (SE) NWNW NO

Reynolds cr. - Plaintiffs - 6-19 5-15-1979
Nettleton, Edith + J. N.
Stockwater required to be claimed
On-stream stock not required
Stock can be incidental to use year round
- There aint no use ground, but not a part of Reynolds
Tinker cr. - included stock for use incidental to use. When adj. are commenced, all use should be claimed

Catherine cr. - included all trib.

For conveyance loss - he will mail the check on 9-25.

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OCT 06 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 14, 1992

PAUL NETTLETON
JOYCE LIVESTOCK CO
MURPHY ID 83650

RE: Notices of Error in the Snake River Basin Adjudication

Dear Mr. Nettleton:

This letter is in response to the remaining Notices of Error you submitted on your claims in basin 57. The following will outline our recommendations per item.

Season of Use
Claim numbers: 57-10922, 57-04008, 57-00180A, 57-00176, 57-00174, 57-10428, 57-00173, 57-00001A, 57-02293, 57-00002 and 57-10488

The season of use as recommended on the above irrigation rights is based on several factors including area, weather and climate and are delineated by boundaries which represent an area as accurately as possible. Also, the general provisions for the SRBA decree allow early or late irrigation when water is available. I have enclosed a copy of the provisions which reflect this information.

Our recommendation for a season of use date March 15 to November 15 is upheld.

Priority Date
Claim numbers: 57-10598 and 57-10486

Both claims were filed on lands that are included in previous decrees. These decrees are on Catherine creek and Sinker creek. In order to establish the priority dates you have claimed, evidence must be submitted showing that the owner of the water right at the time of the decree was not joined as a party in that case, or that the water right was not required to be claimed in the prior adjudication because it had not been completed prior to the cut-off date for claims in that adjudication.

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Stockwater
Claim number: 57-10598

The number of head of stockwater has been changed to reflect usage for 950 cattle and 50 horses.

Land Description
Claim number: 57-10587

I have changed the record to show the added fork of Diamond creek so it also reflects water usage for instream stock. Enclosed is a copy for your records.

Conveyance Loss
Claim number: 57-10922

The recommended conveyance loss of 7.5 cfs is based on the information you submitted to this office. The variables calculated are dependent on type of conveyance and consist of factors such as soil type, length, width of canal and loss rate. I am enclosing a copy of the conveyance loss worksheet for your review. If the information was submitted in error, please resubmit this copy with corrections. We will review the information.

Claim number: 57-10487

This is the claim for stockwater usage out of the canal which you amended to 2.25 cfs of which 2.0 cfs is for conveyance loss. I am prepared to recommend this claim for the additional 2.0 cfs; however, before doing so I will need an additonal fee of $200.00. This is a variable fee, not based on irrigation, which is calculated at $100.00 per cfs. Upon receipt of the fee I can recommend the additional flow with a standard remark which will read as follows: 2.00 cfs of this right is limited to use for conveyance losses in delivery of this right during such time when water is not being delivered for irrigation uses. This will assure that when the watermaster delivers water he doesn't deliver the 7.5 cfs for conveyance losses necessary for irrigation on top of another 2.0 cfs for the stockwater usage.

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Acreage
Claim numbers: 57-10922, 57-00180A, 57-00176, 57-00174, 57-10428, 57-00173, 57-10488, 57-00001A, 57-02293 and 57-00002

I have recalculated the areas in sections 16, 19 and 30 where there was thought to be more acres. I used two different maps, the 1974 and 1979 ortho-photo quads and the 1987 Napp. The method of calculation was the dot grid method. I found a difference of 5 acres in those areas. Based on this information along with other factors such as roads and drainages, I do not find that a difference of 5 acres out of a total of 830 acres warrants changing our original recommendation of 830 acres.

Disallowed Irrigation
Claim number: 57-04099

I had a conversation with the field examiner of this right, Gene Gibson. He ascertains that there is a natural drain which conveys the spring water from its source and a ditch which picks up the water and takes it to the stock ponds. He stated that because of the topography of the land in the portions of section 12, T4S, R2W and section 7, T4S, R1W, the land can not be irrigated. As far as the land irrigated in the N1/2,SE1/4, section 14, T4S, R2W; this land is recommended under number 57-04008 from Fossil creek. The recommendation for stockwater usage only from 57-04099 remains.

The Directors Report is scheduled for October 1, 1992. Please submit your response to my attention by September 25, 1992.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures: Conveyance loss form
Excerpt from preliminary report, pp. 17 & 18
Map of season of use
Adjudication fee schedule
Notice of error response memo to 57-10487

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OCT 06 1992

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	JOYCE LIVESTOCK CO C/O PAUL NETTLETON MURPHY ID 83650 (208) 834-2237	07/26/1917	STOCKWATER	01-01	12-31	0.40 CFS TOTAL DIVERSION: 0.40 CFS	

Water Source: SINKER CREEK Tributary to: SNAKE RIVER Stage: BENEFICIAL USE

Point(s) of Diversion:	T03S	R01W	S30	NESE	SWSE		OWYHEE County
			S31	NWNE	NENW	SWNW SENW	OWYHEE County
			S31				OWYHEE County
		R02W	S36	SESE			OWYHEE County
	T04S	R02W	S01	NWNE	NESW		OWYHEE County
			S11	NWNE			OWYHEE County
Point(s) of Beginning Stream Reach:	T04S	R02W	S11	NENW			OWYHEE County
Point(s) of Ending Stream Reach:	T03S	R01W	S30	NESE			OWYHEE County

Place of use Legal Description for: STOCKWATER

			NE				NW				SW				SE			
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
03S	01W	30															S	
03S	01W	31		S			S		S	S		03-S						
03S	02W	36													S		S	S
04S	02W	1		02-S			03-S			S	S	S	S					
04S	02W	2															S	S
04S	02W	11		S			S											

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 1800 HEAD BEEF CATTLE & 50 HORSES

Other Rights: NONE

Remarks: TWO POINTS OF DIVERSION LOCATED IN SWSE, S30 AND SENW, S31, T03S R01W; TWO POINTS OF DIVERSION LOCATED IN NWNE, S01 AND NWNE S11, T04S, R02W.

Dates: Exam Made Date: 08/22/1990 Verified Date: 07/17/1992

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

Comments: Date: 07/14/1992 User-ID: HODGES Subject: DIVERTED STOCKWATER
STOCKWATER DIVERSIONS OCCUR IN SOME IRRIGATION DITCHES THROUGHOUT THE WINTER MONTHS, IN ADDITION TO INSTREAM STOCK USE, TO PROVIDE WATER FOR STOCK PASTURED AWAY FROM THE STREAM OR ADJACENT TO DRY REACHES. STOCKWATER DIVERSIONS DURING THE IRRIGATION SEASON ARE INCIDENTAL TO IRRIGATION.

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Audit: 07/17/92 HODGES

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OCT 0 6 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:19:22
06/05/90

QUICKLOOK INFORMATION

CLAIM NUMBER: A57-10486

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 Need Proof		G. Gibson 8-22 to 24, 1990			LW 6-18-90	LW 6-18-90	
POINT OF DIV	Y Field ck				5			
SOURCE	Y Same as above							
PLACE OF USE	Y map check			Y				
DIV. AMOUNT CFS/VOLUME	(Y)			Y				
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

"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 0 6 1992

A57-10486

6-90 STATE OF IDAHO Adjudication Claim No.

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

___ Copies of pertinent files(prev. rts., exams, etc.)

___ 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? _____(initial & date)

___ Appointment Made and Telephone Conversation Memo Attached

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 LRW 11-8-91 (initial & date)

Claim Verification Report completed LRW 11-8-91 (initial & date)

Was CVR spot-checked by Supervisor? ___Yes ___No _____(initial & date)

R claim file created LRW 11-8-91 (initial & date)

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

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OCT 06 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:19:22
06/05/90

GENERAL INFORMATION

CLAIM NUMBER: A57-10486

LAST: JOYCE LIVESTOCK CO. FIRST:
ADDRESS: C/O PAUL NETTLETON
CITY: MURPHY STATE: ID ZIP: 83650
PHONE NUMBER: 208-834-2237

OWNER CODE: C

	DATABASE	FIELD EXAMINER
FIELD EXAM REQUIRED?		
VERIFICATION REQUIRED DUE TO REMARKS?	Y	

CLAIM REMARKS: THIS IS AN INSTREAM FLOW RIGHT WITH THE BEGINNING POINT SHOWN

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Sw A57-00040 PHONE NUMBER: (___) ___-____

DATE OF FIELD EXAM: __/__/__ APPOINTMENT MADE: Y(___) N(___) TIME: ___:___ A(___) P(___)

ACCOMPANIED BY: _____ PHONE NUMBER: (___) ___-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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CLAIM NUMBER: A57-10486

A. AJ CLAIM: # A57-10486 PRIORITY DATE: 04-01-1865 STAGE: J

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

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N)	Y	

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(X) N(_) - B.U. claim
IF YES EXPLAIN.

REMARKS: Waiting on proof - See attached w/ correspondance

7/17/92 Because no Stockwater listed on these lands in decree, Stockwater date of Priority must fall after decree.

RECOMMENDED PRIORITY DATE: ~~4-1-1865~~ 7/26/1917 GJH

REVIEWED BY Linda Werner DATE 11-7-91

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POINT OF DIVERSION REVIEW SHEET CLAIM NUMBER: A57-10486

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-10486	04S	02W	11		NE	NW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A57-00001A	NONE
A57-00173	
A57-00174	
A57-00176	
A57-00180A	
A57-10428	
A57-10487	

WR RECORDS IN SAME 40 ACRE TRACT

57-00179
57-00180
57-07470

SOURCE: SINKER CR. TRIB: SNAKE RIVER

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?

		DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY?	(Y/N)	Y	N
DUE TO SOURCE DISCREPANCY?	(Y/N)	Y	N

REMARKS:

Added all points of diversion represented - amended claim 7/14/92
P/D's ~~same~~ as for Surface water Irrigation rights 57-00180A et al.

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POINT OF DIVERSION REVIEW SHEET CONTINUED

CLAIM NUMBER: A57-10486

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
						N/A	instream stock
							See claim copy

SOURCE: _____ TRIB: _____

REVIEWED BY: _____ DATE: _____

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CLAIM NUMBER: A57-10486

A. ROOT WATER RIGHT NUMBERS: A57-10486

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	02W	1	SW	SW		JOYCE LIVESTOCK CO.	A57-10486 /	- /40.0			
						JOYCE LIVESTOCK CO.	A57-00001A /20.0	- /			
						JOYCE LIVESTOCK CO.	A57-00173 /20.0	- /			
						JOYCE LIVESTOCK CO.	A57-00174 /20.0	- /			
						JOYCE LIVESTOCK CO.	A57-00176 /20.0	57-00176 /			
						JOYCE LIVESTOCK CO.	A57-00180A /20.0	- /			
						JOYCE LIVESTOCK CO.	A57-10428 /20.0	- /			
						JOYCE LIVESTOCK CO.	A57-10488 /20.0	- /			
						NETTLETON , H. E.		57-00172 /			
						NETTLETON , HUBERT		57-02291 /26.0	See claim copy		
04S	02W	2	SW	SE		JOYCE LIVESTOCK CO.	A57-10486 /	- /40.0			
						JOYCE LIVESTOCK CO.	A57-00001A /10.0	- /			
						JOYCE LIVESTOCK CO.	A57-00173 /10.0	- /			
						JOYCE LIVESTOCK CO.	A57-00174 /10.0	- /			
						JOYCE LIVESTOCK CO.	A57-00176 /10.0	57-00176 /			
						JOYCE LIVESTOCK CO.	A57-00180A /10.0	- /			
						JOYCE LIVESTOCK CO.	A57-10428 /10.0	- /			
						JOYCE LIVESTOCK CO.	A57-10487 /	- /			
						JOYCE LIVESTOCK CO.	A57-10488 /10.0	- /			
						NETTLETON , H. E.		57-00172 /			
04S	02W	2	SE	SE		JOYCE LIVESTOCK CO.	A57-10486 /	- /40.0			
						JOYCE LIVESTOCK CO.	A57-00001A /30.0	- /			
						JOYCE LIVESTOCK CO.	A57-00173 /30.0	- /			
						JOYCE LIVESTOCK CO.	A57-00174 /30.0	- /			
						JOYCE LIVESTOCK CO.	A57-00176 /30.0	57-00176 /			
						JOYCE LIVESTOCK CO.	A57-00180A /30.0	- /			
						JOYCE LIVESTOCK CO.	A57-10428 /30.0	- /			
						JOYCE LIVESTOCK CO.	A57-10487 /	- /			
						JOYCE LIVESTOCK CO.	A57-10488 /30.0	- /			
						NETTLETON , H. E.		57-00172 /			
						NETTLETON , HUBERT		57-02291 /16.0			
03S	02W	36	NE	SE		JOYCE LIVESTOCK CO.	A57-10486 /	- /40.0			
						JOYCE LIVESTOCK CO.	A57-00001A /20.0	- /			
						JOYCE LIVESTOCK CO.	A57-00173 /20.0	- /			
						JOYCE LIVESTOCK CO.	A57-00174 /20.0	- /			
						JOYCE LIVESTOCK CO.	A57-00176 /20.0	57-00176 /			
						JOYCE LIVESTOCK CO.	A57-00180A /20.0	- /			
						JOYCE LIVESTOCK CO.	A57-10428 /20.0	- /			
						JOYCE LIVESTOCK CO.	A57-02293 /20.0	57-02293 / 6.0			
						JOYCE LIVESTOCK CO.	A57-10487 /	- /			
						JOYCE LIVESTOCK CO.	A57-10488 /20.0	- /			
						NETTLETON , H. E.		57-00172 /			
03S	02W	36	SW	SE		JOYCE LIVESTOCK CO.	A57-10486 /	- /40.0			
						JOYCE LIVESTOCK CO.	A57-00001A / 5.0	- /			
						JOYCE LIVESTOCK CO.	A57-00173 / 5.0	- /			

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				JOYCE LIVESTOCK CO.	A57-00174	/ 5.0	-	/	
				JOYCE LIVESTOCK CO.	A57-00176	/ 5.0	57-00176	/	
				JOYCE LIVESTOCK CO.	A57-00180A	/ 5.0	-	/	
				JOYCE LIVESTOCK CO.	A57-10428	/ 5.0	-	/	
				JOYCE LIVESTOCK CO.	A57-02293	/ 5.0	57-02293	/ 1.0	
				JOYCE LIVESTOCK CO.	A57-10487	/	-	/	
				JOYCE LIVESTOCK CO.	A57-10488	/ 5.0	-	/	
				NETTLETON , H. E.			57-00172	/	
03S	02W	36	SE	SE	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
					JOYCE LIVESTOCK CO.	A57-00001A	/30.0	-	/
					JOYCE LIVESTOCK CO.	A57-00173	/30.0	-	/
					JOYCE LIVESTOCK CO.	A57-00174	/30.0	-	/
					JOYCE LIVESTOCK CO.	A57-00176	/30.0	57-00176	/
					JOYCE LIVESTOCK CO.	A57-00180A	/30.0	-	/
					JOYCE LIVESTOCK CO.	A57-10428	/30.0	-	/
					JOYCE LIVESTOCK CO.	A57-02293	/30.0	57-02293	/12.0
					JOYCE LIVESTOCK CO.	A57-10488	/30.0	-	/
					NETTLETON , H. E.			57-00172	/
03S	01W	30	SE	SW	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
					JOYCE LIVESTOCK CO.	A57-00001A	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-00173	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-00174	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-00176	/15.0	57-00176	/
					JOYCE LIVESTOCK CO.	A57-00180A	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-10428	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-02293	/15.0	57-02293	/ 2.0
					JOYCE LIVESTOCK CO.	A57-10477	/	-	/
					JOYCE LIVESTOCK CO.	A57-10488	/15.0	-	/
					NETTLETON , H. E.			57-00172	/
03S	01W	30	NE	SE	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
					JOYCE LIVESTOCK CO.	A57-00001A	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-00173	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-00174	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-00176	/15.0	57-00176	/
					JOYCE LIVESTOCK CO.	A57-00180A	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-10428	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-02293	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-10488	/15.0	-	/
					NETTLETON , H. E.			57-00172	/
03S	01W	30	NW	SE	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
					JOYCE LIVESTOCK CO.	A57-00001A	/10.0	-	/
					JOYCE LIVESTOCK CO.	A57-00173	/10.0	-	/
					JOYCE LIVESTOCK CO.	A57-00174	/10.0	-	/
					JOYCE LIVESTOCK CO.	A57-00176	/10.0	57-00176	/
					JOYCE LIVESTOCK CO.	A57-00180A	/10.0	-	/
					JOYCE LIVESTOCK CO.	A57-10428	/10.0	-	/
					JOYCE LIVESTOCK CO.	A57-02293	/10.0	57-02293	/ 1.0
					JOYCE LIVESTOCK CO.	A57-10488	/10.0	-	/
					NETTLETON , H. E.			57-00172	/
03S	01W	30	SW	SE	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
					JOYCE LIVESTOCK CO.	A57-00001A	/30.0	-	/
					JOYCE LIVESTOCK CO.	A57-00173	/30.0	-	/
					JOYCE LIVESTOCK CO.	A57-00174	/30.0	-	/
					JOYCE LIVESTOCK CO.	A57-00176	/30.0	57-00176	/

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				JOYCE LIVESTOCK CO.	A57-00180A	/30.0	-	/
				JOYCE LIVESTOCK CO.	A57-10428	/30.0	-	/
				JOYCE LIVESTOCK CO.	A57-02293	/30.0	57-02293	/ 3.0
				JOYCE LIVESTOCK CO.	A57-10488	/30.0	-	/
				NETTLETON , H. E.			57-00172	/
03S	01W	31	NE	NE	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
03S	01W	31	SW	NE	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
03S	01W	31	SE	NE	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
03S	01W	31	NW	SW	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
					JOYCE LIVESTOCK CO.	A57-00001A	/30.0	-	/
					JOYCE LIVESTOCK CO.	A57-00173	/30.0	-	/
					JOYCE LIVESTOCK CO.	A57-00174	/30.0	-	/
					JOYCE LIVESTOCK CO.	A57-00176	/30.0	57-00176	/
					JOYCE LIVESTOCK CO.	A57-00180A	/30.0	-	/
					JOYCE LIVESTOCK CO.	A57-10428	/30.0	-	/
					JOYCE LIVESTOCK CO.	A57-02293	/30.0	57-02293	/24.0
					JOYCE LIVESTOCK CO.	A57-10488	/30.0	-	/
					NETTLETON , H. E.			57-00172	/
04S	02W	11	NW	NE	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
					JOYCE LIVESTOCK CO.	A57-00001A	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-00173	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-00174	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-00176	/15.0	57-00176	/
					JOYCE LIVESTOCK CO.	A57-00180A	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-10428	/15.0	-	/
					JOYCE LIVESTOCK CO.	A57-10487	/	-	/
					JOYCE LIVESTOCK CO.	A57-10488	/15.0	-	/
					NETTLETON , H. E.			57-00172	/
					NETTLETON , HUBERT			57-02291	/ 3.0
04S	02W	11	NE	NW	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
					JOYCE LIVESTOCK CO.	A57-10487	/	-	/
					MURPHY LAND & IRRIGATION CO.			57-00179	/
04S	02W	1	NW	NE	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
					JOYCE LIVESTOCK CO.	A57-00001A	/20.0	-	/
					JOYCE LIVESTOCK CO.	A57-00173	/20.0	-	/
					JOYCE LIVESTOCK CO.	A57-00174	/20.0	-	/
					JOYCE LIVESTOCK CO.	A57-00176	/20.0	57-00176	/
					JOYCE LIVESTOCK CO.	A57-00180A	/20.0	-	/
					JOYCE LIVESTOCK CO.	A57-10428	/20.0	-	/
					JOYCE LIVESTOCK CO.	A57-10488	/20.0	-	/
					NETTLETON , H. E.			57-00172	/
					NETTLETON , HUBERT			57-02293	/ 3.0
04S	02W	1	NE	NW	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
					JOYCE LIVESTOCK CO.	A57-00001A	/ 5.0	-	/
					JOYCE LIVESTOCK CO.	A57-00173	/ 5.0	-	/
					JOYCE LIVESTOCK CO.	A57-00174	/ 5.0	-	/
					JOYCE LIVESTOCK CO.	A57-00176	/ 5.0	57-00176	/
					JOYCE LIVESTOCK CO.	A57-00180A	/ 5.0	-	/
					JOYCE LIVESTOCK CO.	A57-10428	/ 5.0	-	/
					JOYCE LIVESTOCK CO.	A57-10487	/	-	/
					JOYCE LIVESTOCK CO.	A57-10488	/ 5.0	-	/

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				NETTLETON , H. E.			57-00172	/
				NETTLETON , HUBERT			57-02293	/ 3.0
04S 02W	1	SE	NW	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
				JOYCE LIVESTOCK CO.	A57-00001A	/25.0	-	/
				JOYCE LIVESTOCK CO.	A57-00173	/25.0	-	/
				JOYCE LIVESTOCK CO.	A57-00174	/25.0	-	/
				JOYCE LIVESTOCK CO.	A57-00176	/25.0	57-00176	/
				JOYCE LIVESTOCK CO.	A57-00180A	/25.0	-	/
				JOYCE LIVESTOCK CO.	A57-10428	/25.0	-	/
				JOYCE LIVESTOCK CO.	A57-10487	/	-	/
				JOYCE LIVESTOCK CO.	A57-10488	/25.0	-	/
				NETTLETON , H. E.			57-00172	/
				NETTLETON , HUBERT			57-02293	/18.0
04S 02W	1	NW	SW	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
				JOYCE LIVESTOCK CO.	A57-00001A	/25.0	-	/
				JOYCE LIVESTOCK CO.	A57-00173	/25.0	-	/
				JOYCE LIVESTOCK CO.	A57-00174	/25.0	-	/
				JOYCE LIVESTOCK CO.	A57-00176	/25.0	57-00176	/
				JOYCE LIVESTOCK CO.	A57-00180A	/25.0	-	/
				JOYCE LIVESTOCK CO.	A57-10428	/25.0	-	/
				JOYCE LIVESTOCK CO.	A57-10487	/	-	/
				JOYCE LIVESTOCK CO.	A57-10488	/25.0	-	/
				NETTLETON , H. E.			57-00172	/
				NETTLETON , HUBERT			57-02291	/10.0
04S 02W	1	NE	SW	JOYCE LIVESTOCK CO.	A57-10486	/	-	/40.0
				JOYCE LIVESTOCK CO.	A57-00001A	/15.0	-	/
				JOYCE LIVESTOCK CO.	A57-00173	/15.0	-	/
				JOYCE LIVESTOCK CO.	A57-00174	/15.0	-	/
				JOYCE LIVESTOCK CO.	A57-00176	/15.0	57-00176	/
				JOYCE LIVESTOCK CO.	A57-00180A	/15.0	-	/
				JOYCE LIVESTOCK CO.	A57-10428	/15.0	-	/
				JOYCE LIVESTOCK CO.	A57-10488	/15.0	-	/
				NETTLETON , H. E.			57-00172	/
				NETTLETON , HUBERT			57-02291	/ 7.0
			TOTAL ACRES		A57-10486			840.00

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

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POU DISCREPANCY? (Y/N)	Y	

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PLACE OF USE REVIEW SHEET CONTINUED CLAIM NUMBER: A57-10486

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

~~TOTAL ACRES:~~

REVIEWED BY: Linda Werner DATE: 5-29-91

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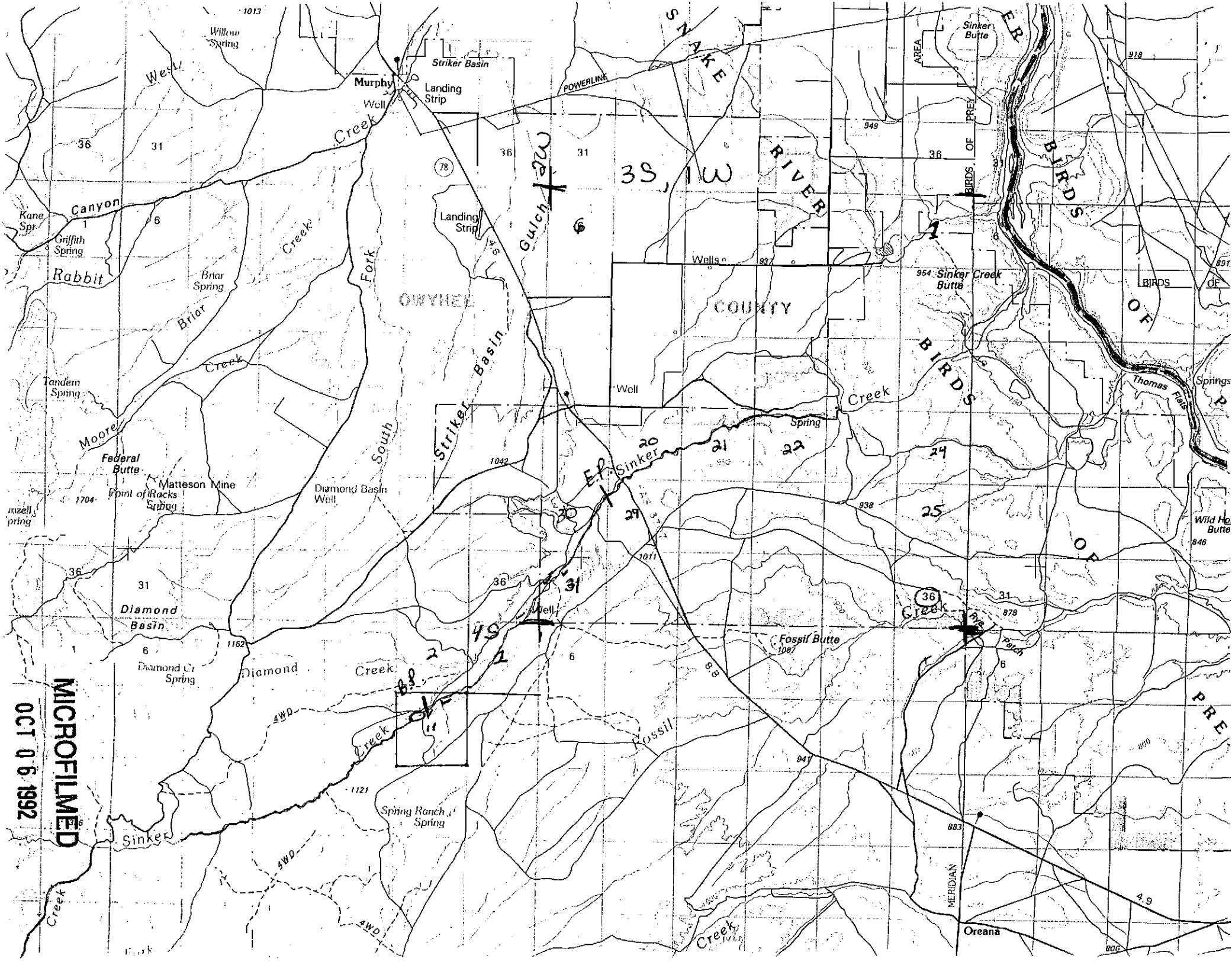

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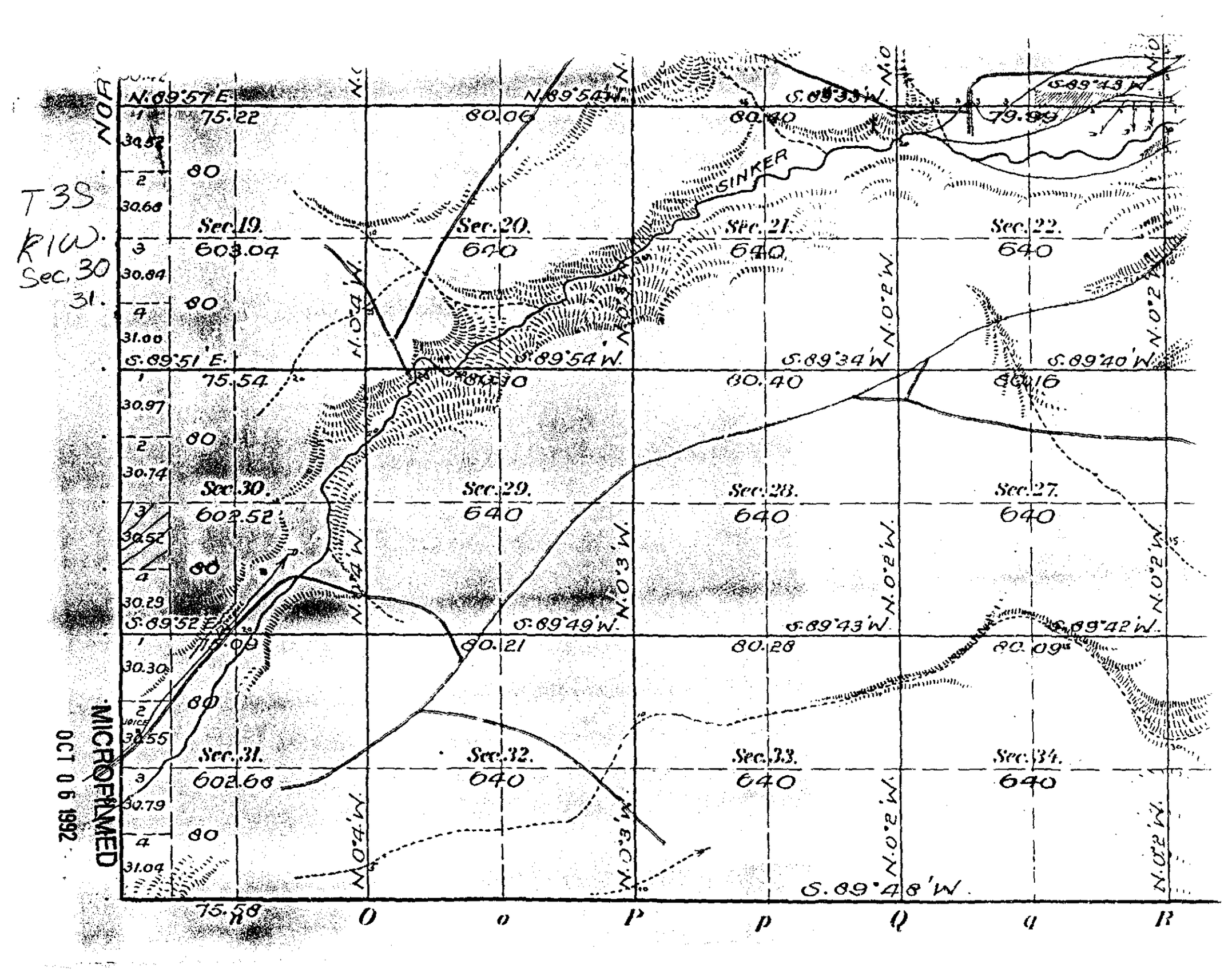

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ge 12 West of the Boise Meridian, Idaho.

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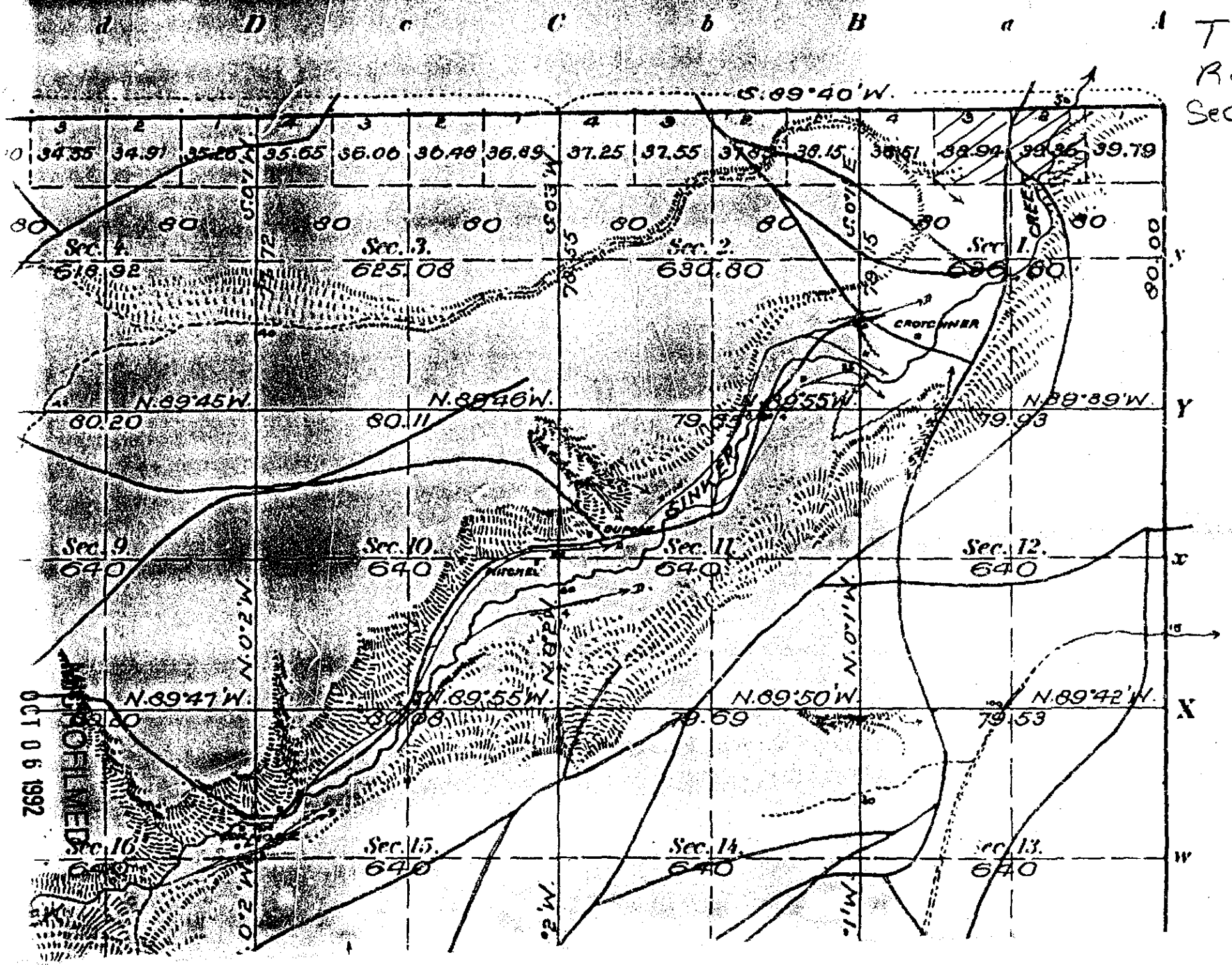

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PURPOSES REVIEW SHEET

CLAIM NUMBER: A57-10486

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-10486	STOCKWATER	FROM 01-01 TO 12-31	.400 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED		.400 CFS

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-07025	IRRIGATION	FROM 04-01 TO 10-31	6.400 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED		6.400 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	N
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	N
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(___) N(___)

RECOMMEND TO WR STANDARDS OR OTHER? Y(X) N(___) Explain in remarks, below.

REMARKS:

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DIVERSION AMOUNT REVIEW SHEET

CLAIM NUMBER: A57-10486

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(___) N(___)

AJ TOTAL CLAIMED DIVERSION RATE:	0.400	CFS
WR ROOT RIGHT TOTAL DIVERSION RATE:	6.400	CFS

N/A

*** 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?

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

B. * FLOW MEASUREMENT

MEASUREMENT METHOD None, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE (IRR.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-00001A	SINKER CREEK	JOYCE LIVESTOCK CO.	3.000	0.003		
A57-00174	SINKER CREEK	JOYCE LIVESTOCK CO.	0.700			
A57-00176	SINKER CREEK	JOYCE LIVESTOCK CO.	2.370	0.002		
A57-00180A	SINKER CREEK	JOYCE LIVESTOCK CO.	1.000	0.001		
A57-10428	SINKER CREEK	JOYCE LIVESTOCK CO.	13.200	0.013		
A57-10488	GROUNDWATER	JOYCE LIVESTOCK CO.	5.200	0.005		
A57-02293	GROUNDWATER	JOYCE LIVESTOCK CO.	2.830	0.003	708.00	0.86

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A57-10486	STOCKWATER	JOYCE LIVESTOCK CO.	FROM 01-01 TO 12-31	.400 CFS	
A57-10487	STOCKWATER	JOYCE LIVESTOCK CO.	FROM 01-01 TO 12-31	.260 CFS	
A57-10477	DOMESTIC	JOYCE LIVESTOCK CO.	FROM 01-01 TO 12-31	.040 CFS	

* Previous flow measurements have resulted in 150 cfs in creek.

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE 1b. CALCULATIONS

ACRES _____ x 0.02 CFS/ACRE = N/A CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(___) N(___)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(__) N(__) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(X)

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

N/A

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM	REC. PERIOD TO	REC. DIV RATE CFS DATABASE	REC. DIV RATE CFS EXAMINER	REC. DIV VOL. AF/A DATABASE	REC. DIV VOL. AF/A EXAMINER	REC. CONS. USE DATABASE	REC. CONS. USE EXAMINER
Stockwater	1-1	12.31		0.44 40		—		—
TOTAL FOR THIS RIGHT				0.44 40		—		—

REVIEWED BY: Linda Werner DATE: 5-29-91 - 11/8/91

Changed the flow to that which he had claimed

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BASIS OF CLAIM REVIEW SHEET

CLAIM NUMBER: A57-10486

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-10486

TOTAL DIVERSION RATE OF WR SPLITS — DATABASE _____ EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-10486	0.400	-		-	
	TOTAL CFS	0.400				

DIVERSION RATE REVIEW

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

REMARKS:

AUTHENTICATION:

SIGNATURE: Linda Wenger DATE: 5-29-91

NAME OF FIELD EXAMINER: _____ TITLE: _____

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OCT 06 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 7, 1992

JOYCE LIVESTOCK CO
C/O PAUL NETTLETON
MURPHY ID 83650

RE: Amended Claim #A57-10486

Dear Paul:

We spoke some time ago concerning the need to amend this claim to reflect diverted stockwater in addition to instream stockwater for year-round use. In the meantime, I got busy and never forwarded the amended version to you to sign.

Enclosed is the amended claim form. A notarized signature is required. Please return to me as soon as possible, as we have received what we believe to be our final deadline for the Director's Report. The tentative printing is scheduled for July 15. Claimants should receive copies of their recommended claims shortly thereafter.

Thanks again for your help, and I'm sorry for the imposed rush. If you are not able to return this claim to me by July 13, please call and let me know.

Sincerely,

Cindy Hodges
Sr. Water Resource Agent

Enclosure

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OCT 06 1992

AFFIDAVIT FOR CLAIM NO. A57-10486

TO WHOM IT MAY CONCERN:

THIS IS SUBMITTED WITH INTENT TO PROVE A PRIORITY DATE OF 1865 FOR THE IN-STREAM USE OF SINKER CREEK AND ALL ITS TRIBUTARIES AT ALL POINTS SOUTH AND WEST OF THE TYSON RANCH FOR STOCK WATER USE.

MY GREAT-GRANDFATHER, MATT JOYCE, SR. , HOMESTEADED ON SINKER CREEK IN 1865 RAISING CATTLE AND HORSES OF VARIOUS NUMBERS OVER THE YEARS AND AT DIFFERENT TIMES OF THE YEAR. THIS RANCH, ITS LIVESTOCK, LAND AND WATER RIGHTS HAVE PASSED THROUGH FOUR GENERATIONS OF OWNERSHIP.

I ENCLOSE AS FURTHER DOCUMENTATION AN ARTICLE FROM THE IDAHO PRESS-TRIBUNE'S FARM AND HOME MAGAZINE, MANY OTHER NEWSPAPER ACCOUNTS ARE AVAILABLE PLUS NUMEROUS ACCOUNTS FROM BOOKS WRITTEN ABOUT OWYHEE COUNTY. MATT JOYCE IS GENERALLY CONSIDERED TO BE ONE OF THE FIRST STOCK GROWERS IN IDAHO.

/S/ Joyce Livestock Co.
by: Paul Nettleton
PAUL NETTLETON
GENERAL PARTNER OF JOYCE LIVESTOCK CO.

STATE OF IDAHO, COUNTY OF OWYHEE ,ss.
On this 28 day of AUGUST , in the year of 1991 ,before me, the undersigned, a Notary Public personally appeared
PAUL NETTLETON
known or identified to me, to be one of the partners in the in the partnership of JOYCE LIVESTOCK COMPANY and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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

Notary Public
Residing at Murphy, ID
Comm. Expires 6/9/93

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OCT 06 1992

Paul Nettleton
Joyce Livestock Co.
Murphy, ID 83650

MAILING DATE: May 30, 1991
RESPONSE DATE: June 6, 1991

RE: NOTICE OF CLAIM NO[S]: A57-04099, A57-10485, A57-10486, A57-10487 and A57-10488

Dear Mr. Nettleton:

We are currently in the process of preparing the above referenced Notice(s) 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. Also, if you filed other claims with yet a different prefix for the claim number, such as A02, A51 or A55, please be advised that these claims will be reviewed at a later date. The above claims require the information or changes listed: Proof of Priority

These claims were filed based on beneficial use of water dating back to the late 1800's. On October 12, 1990, the Department sent you a letter requesting that you submit evidence supporting the priority date you have listed on the claims. 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 this claim, 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 disallowal due to lack of evidence supporting any priority date.**

Thank you for your cooperation. If you have any questions be sure and contact me.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure

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OCT 06 1992

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

October 12, 1990

RE: Claim No(s): A57-01099, A57-10485, A57-10486 + A57-10487

A57-10486
JOYCE LIVESTOCK CO.
C/O PAUL NETTLETON

MURPHY ID 83650

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

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA	)	**Subcase Nos: See Exhibit A attached**
	)	
Case No. 39576	)	**ORDER GRANTING MOTION TO WITHDRAW**
	)	

On March 18, 1996, Richard A. Simms and Margaret J. King of the firm of Simms & Stein, filed a *Motion for Leave to Withdraw* as counsel for Joyce Livestock in the above referenced subcases stating that they have been discharged.

IT IS ORDERED that the *Motion for Leave to Withdraw* is **granted** and Richard A. Simms, Margaret J. King and the firm of Simm & Stein are withdrawn as counsel of record for Joyce Livestock in the above referenced subcases.

IT IS FURTHER ORDERED that within 20 days from the date of mailing this Order, Joyce Livestock shall file a written notice with this court that specifically advises the court how it intends to be represented in the subcases listed on the attached Exhibit A.

Joyce Livestock is reminded that a Status Conference is currently set in subcase 57-11124 at 10:30 a.m. and Joyce Livestock should make arrangments to participate in this Status Conference.

DATED March 19, 1996.

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WATER RESOURCES
WESTERN REGION

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

Subcase Numbers:

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57 00180A
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