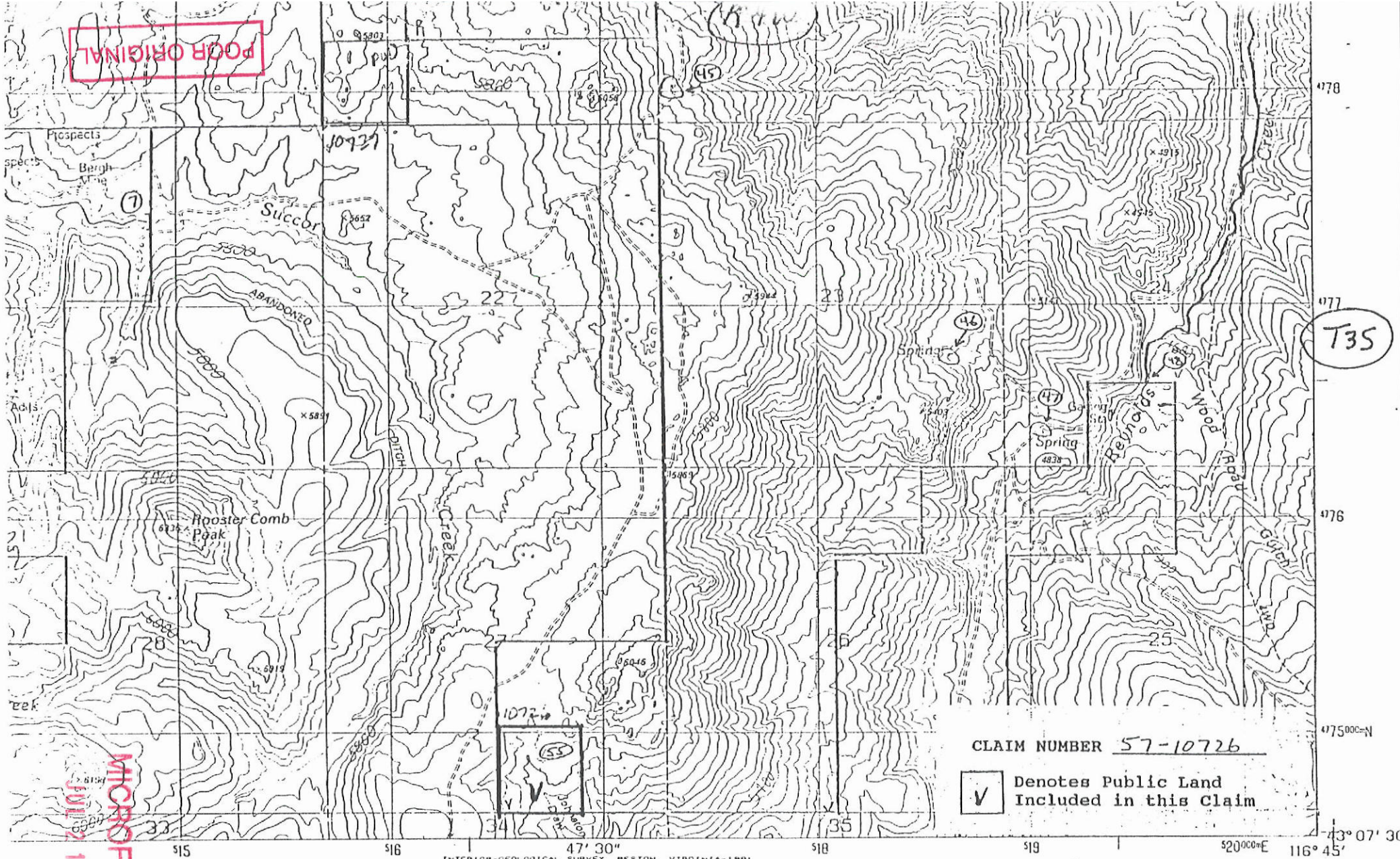


RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: DOBSON CREEK		TRIBUTARY: REYNOLDS CREEK				
57-10726	RICHARD GABICA 403 W LINCOLN NAMPA ID 83651	06/01/1904	STOCKWATER	01-01 12-31	.19 CFS	DECREED
					TOTAL QUANTITY:	.19 CFS
NON-IRRIGATION-USES:						
STOCKWATER, 800 HEAD RANGE CATTLE						
POINT OF DIVERSION:						
	T03S R04W S27	SWSE				
	S34	NWNE	SENE			
	T04S R04W S03	SWNW				
		SENE				
		SENE				
	S04	SENE				
		NESE				
	S09	NWNE				
	S10	SWSE				
		SESE				
	S11	SWSW				
		SESW				
	S12	SWSW	ADD NWSW			
	S14	NENE	SENE			
		SENE				
		NWSE	OMIT			
	S15	NWNE				
	S15	NENE	IN CREEK			
PLACE OF USE: STOCKWATER						
	T03S R04W S27	SWSE	MOVED TO			
	S34	NWNE	SENE			
	T04S R04W S03	(NWNW)	SWNW	SENE	SENE	
		NWSW	SWSW	SENE	SENE	
	S04	SENE	Lot 4 (NWNW)	SENE	SENE	
	S09	NENE	Lot 4 (NWNW)	SENE	SENE	
	S10	NWNW	NWNE	SENE	SENE	
	S11	SWSW	SWSE	SESE	SESE	
	S12	NESW	SESW	SENE	SENE	
	S14	NENE	NWNE	SENE	SENE	
	S15	NENE	NWNE	SENE	SENE	
REMARKS: THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 57-01018, 57-01019, 57-01020, 57-01131 AND 57-01132.						
SOURCES FOR THIS RIGHT ARE SPRINGS TRIB. TO SINKS AND JOHNSON DRAW, DOBSON CREEK TRIB. TO REYNOLDS CREEK, SPRINGS TRIB. TO DOBSON CREEK, UNNAMED STREAMS TRIB. TO DOBSON CREEK, SPRINGS TRIB. TO REYNOLDS CREEK, E. FORK, UNNAMED STREAMS TRIB. TO REYNOLDS						

POOR ORIGINAL

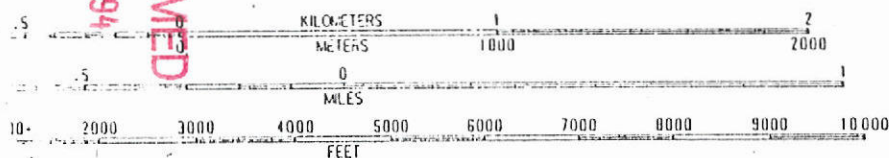


CLAIM NUMBER 57-10726



Denotes Public Land Included in this Claim

SCALE 1:24 000



CONTOUR INTERVAL 40 FEET

To convert feet to meters multiply by .3048
To convert meters to feet multiply by 3.2808



QUADRANGLE LOCATION

ROAD LEGEND

Improved Road
Unimproved Road
Trail

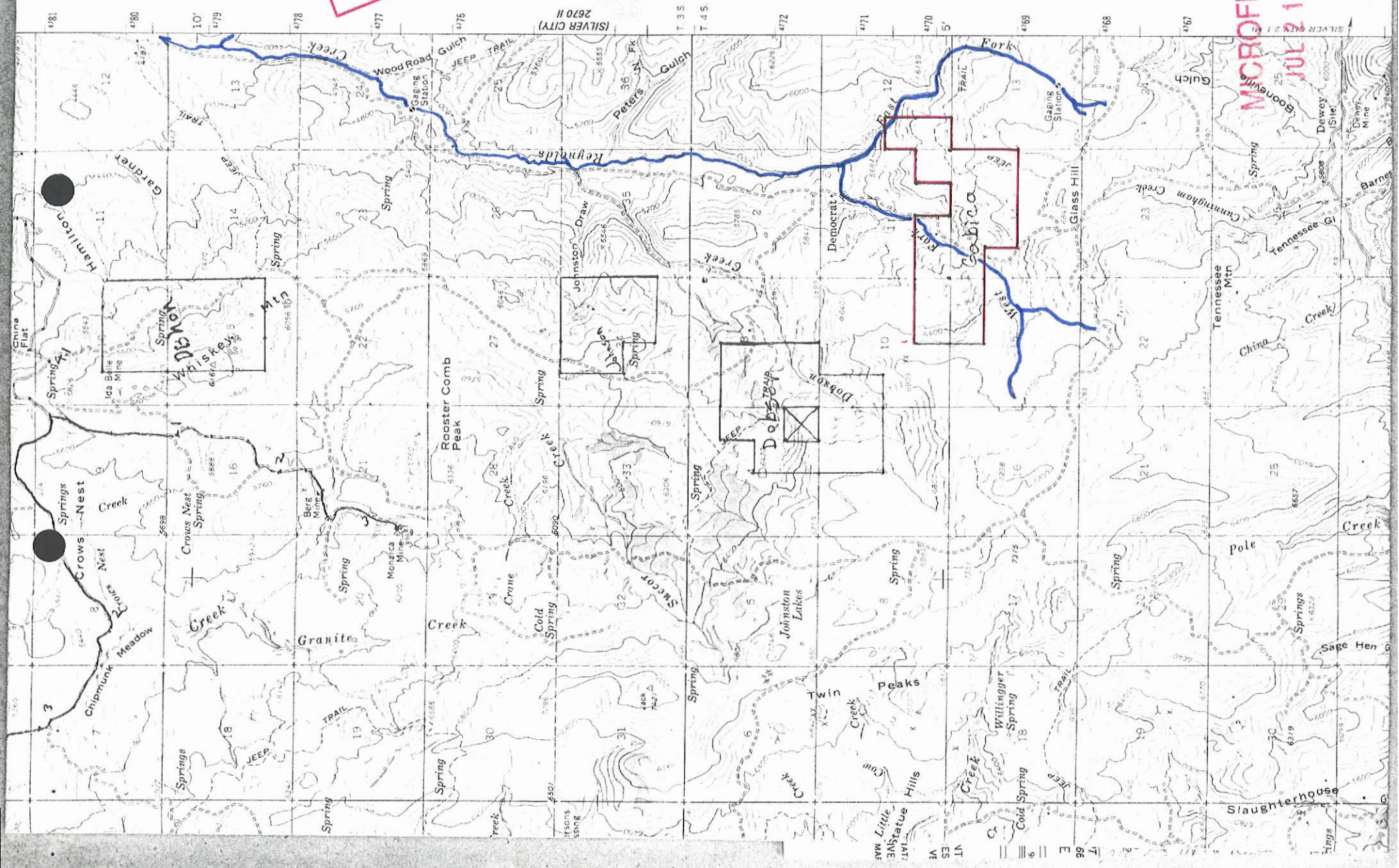
Interstate Route U.S. Route State Route

1	2	3	1 Plate Butte
			2 Soldier Cap
			3 Wilson Peak

CLAIM NUMBER 57-10726

POOR ORIGINAL

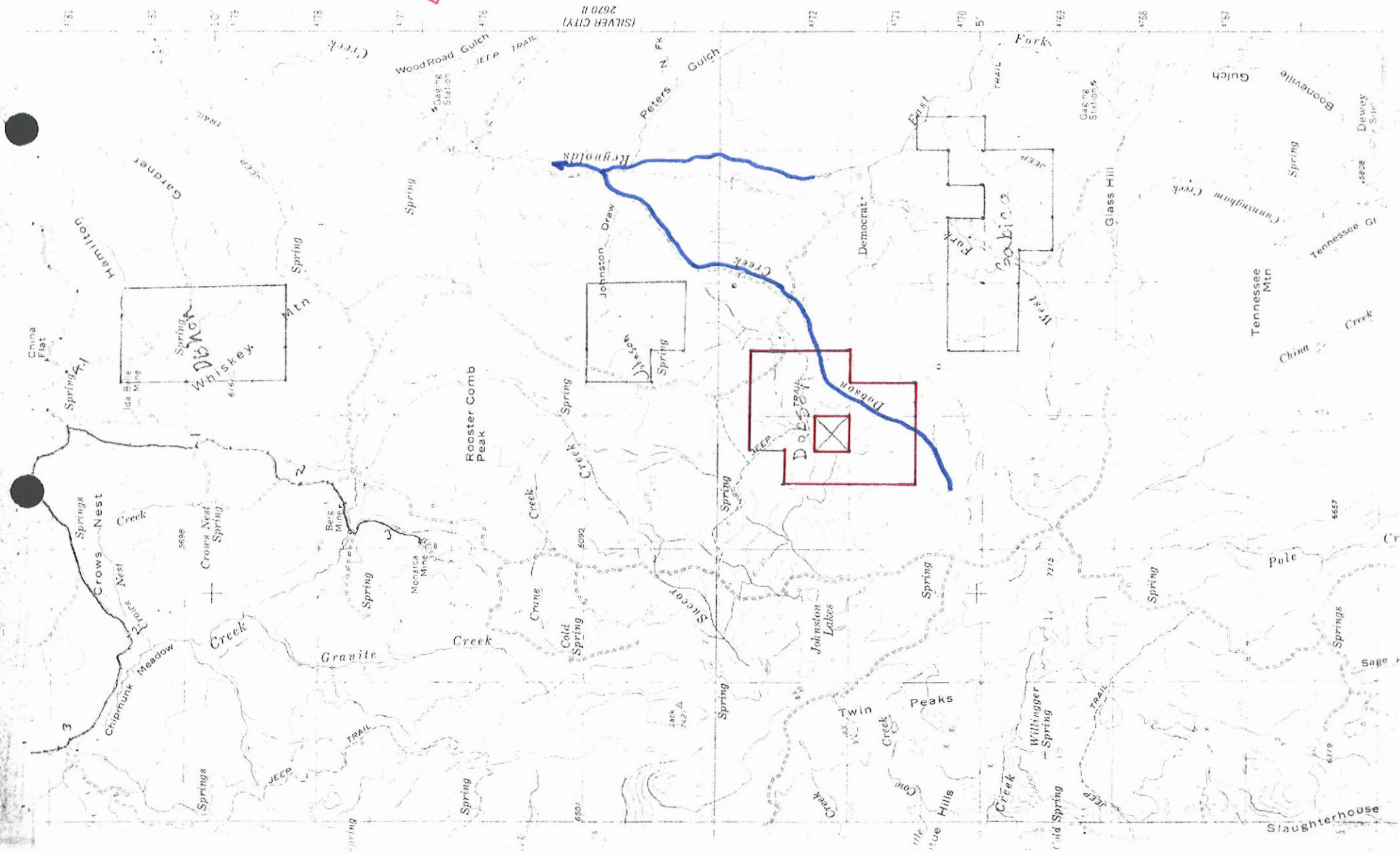
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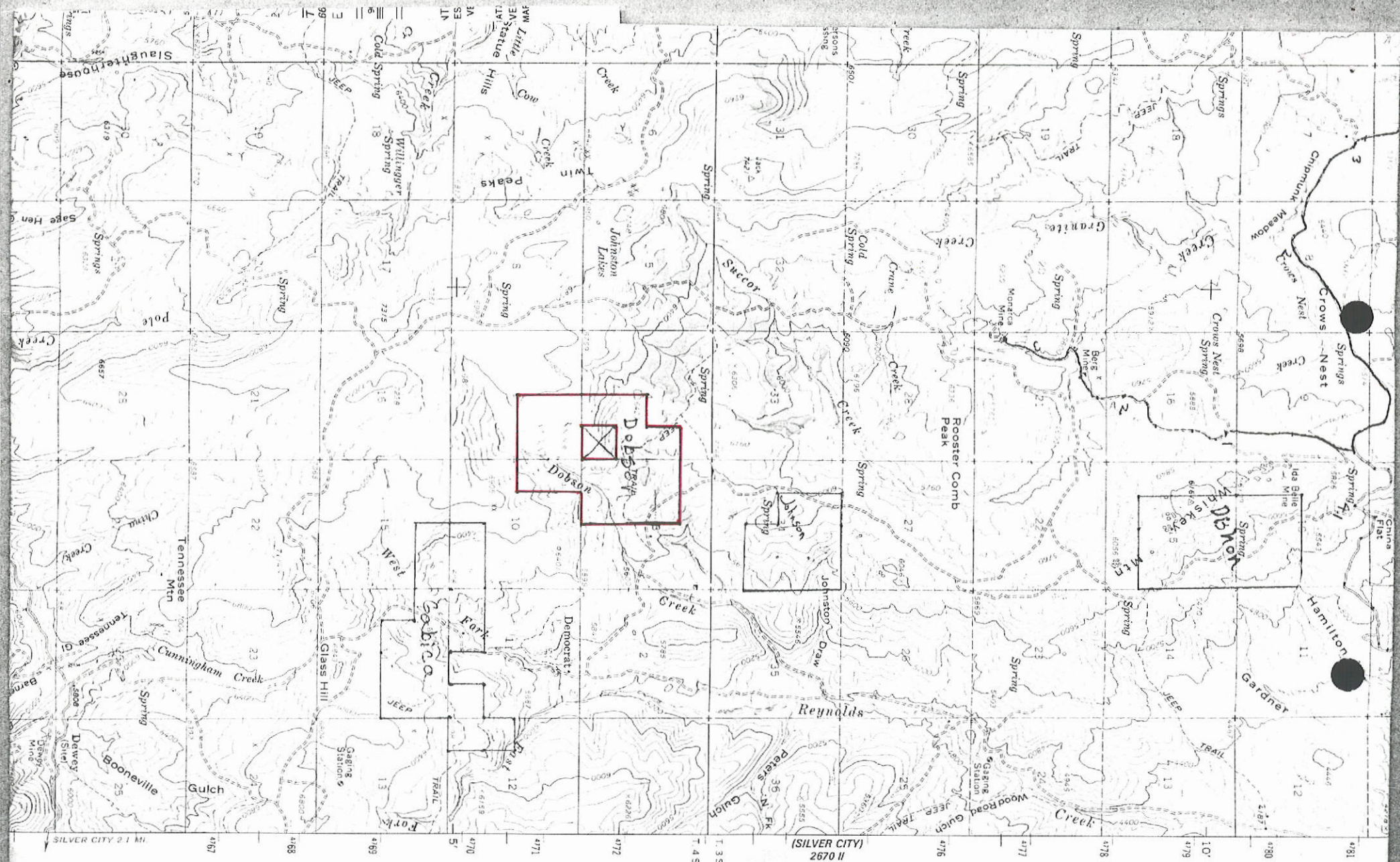


POOR ORIGINAL

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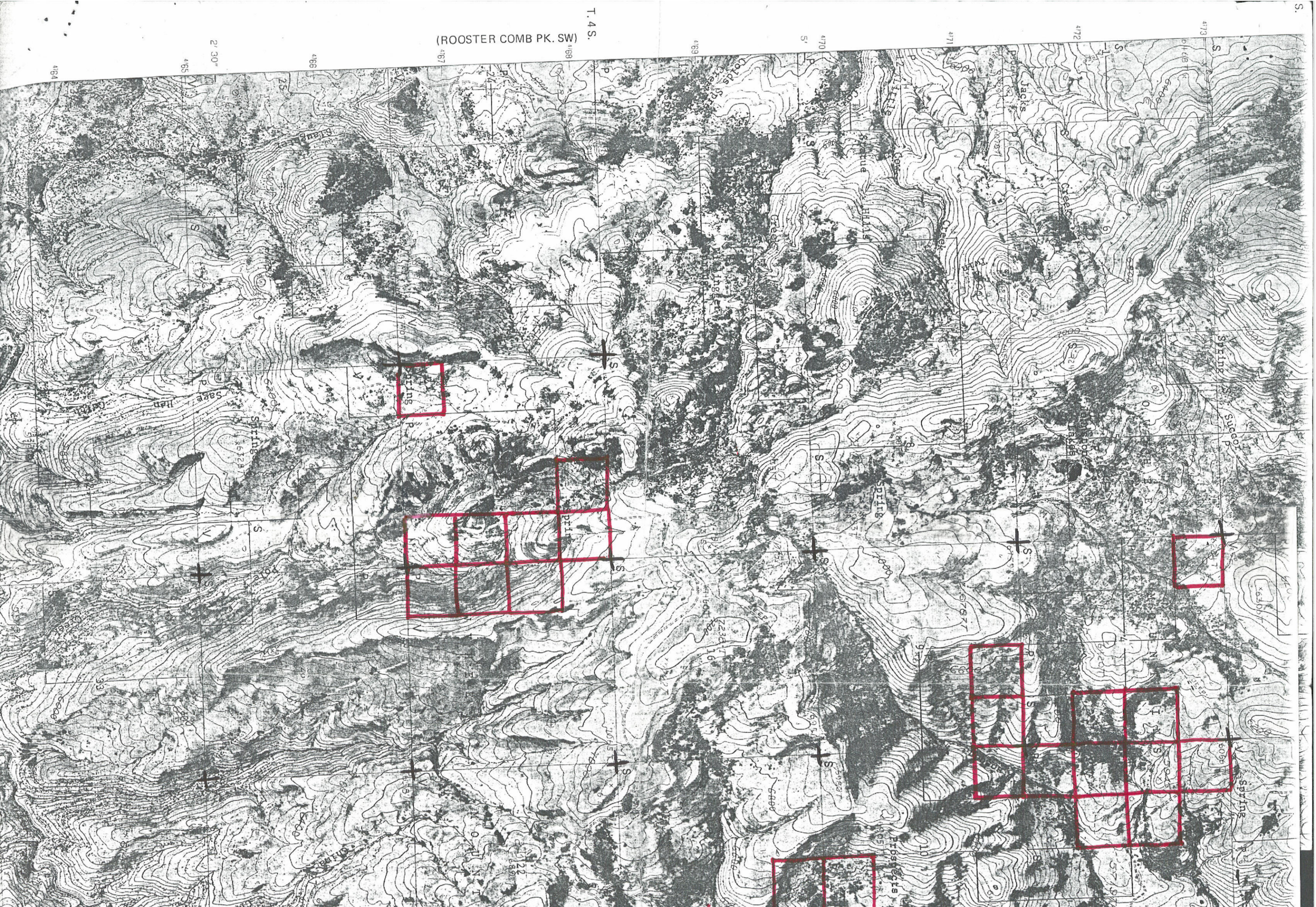


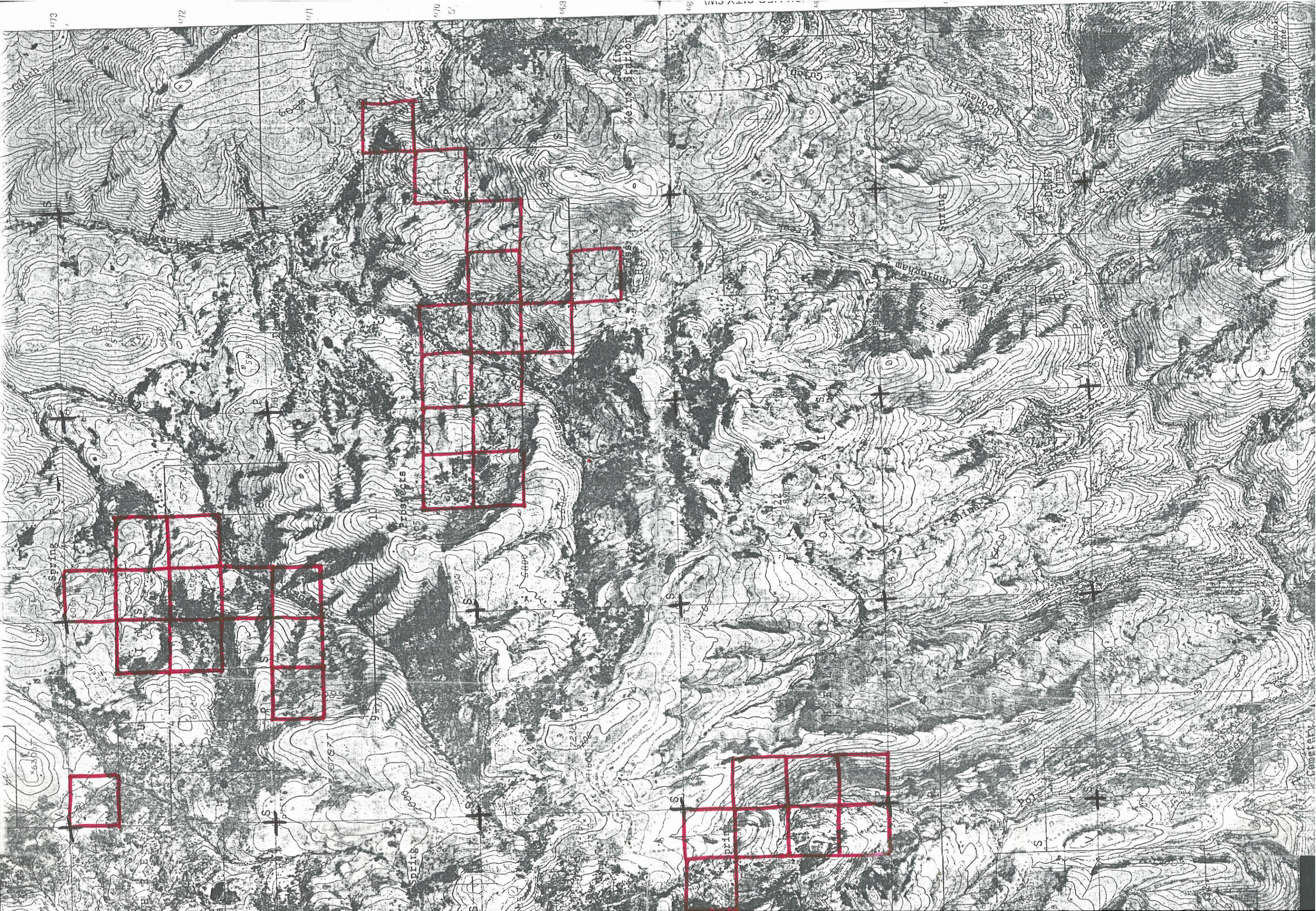
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JUL 21 1994

POOR ORIGINAL

1111





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: A57-10726
Date Received: 11/ 3/1988
Receipt No: W002136
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELIAS JACA 208-466-8801
Address: 817 BLAINE AVE
NAMPA ID 83651

OR

Name: INEZ JACA 208-466-8801
Address: 817 BLAINE AVE
NAMPA ID 83651

2. Date of Priority: JUN 1, 1904

3. Source:	SPRINGS	Trib. to:	SINKS
	POLE CREEK		GORDON CREEK
	SPRINGS		UNNAMED STREAMS
	SPRINGS		JOHNSTON DRAW
	DOBSON CREEK		REYNOLDS CREEK
	SPRINGS		DOBSON CREEK
	UNNAMED STREAMS		DOBSON CREEK
	SPRINGS		REYNOLDS CREEK, E & W FORK
	UNNAMED STREAMS		REYNOLDS CREEK, E & W FORK
	REYNOLDS CREEK, EAST FORK		REYNOLDS CREEK
	REYNOLDS CREEK, WEST FORK		REYNOLDS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	04W	27	SW	SE			OWYHEE
04S	04W	3	SW	NW			OWYHEE
			SE	NW			OWYHEE
			NE	SW			OWYHEE
			NW	SW			OWYHEE
		4	SE	NE			OWYHEE
			NE	SE			OWYHEE
		9	NW	NE			OWYHEE
		10	SW	SE			OWYHEE
			SE	SE			OWYHEE
		11	SW	SW			OWYHEE

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OCT 07 1992

4. Point of Diversion: Continued

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	04W	11		SE	SW		OWYHEE
		12		SW	SW		OWYHEE
		14		NE	NE		OWYHEE
				SE	NW		OWYHEE
				NW	SE		OWYHEE
		15		NW	NE		OWYHEE
		20		NE	NE		OWYHEE
				NW	NE		OWYHEE
				SE	NE		OWYHEE
				SW	SW		OWYHEE
				NE	SE		OWYHEE
				SE	SE		OWYHEE

5. Description of diverting works:

STOCK TANKS, INSTREAM WATERING, PIPELINES TO TANKS, ETC.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.190		

7. Total Quantity Appropriated is:

0.190 C.F.S. (and/or) A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/800 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03S	04W	27	SW	SE		STOCK	
		34	NW	NE		STOCK	
04S	04W	3	NW	NW		STOCK	
			SW	NW		STOCK	
			SW	NW		STOCK	
			SE	NW		STOCK	
			SE	NW		STOCK	
			NE	SW		STOCK	
			NW	SW		STOCK	
			SW	SW		STOCK	
		4	SE	NE		STOCK	
			NW	NW		STOCK	
			NE	SE		STOCK	
		9	NE	NE		STOCK	
			NW	NE		STOCK	
		10	NW	NW		STOCK	

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OCT 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04S	04W	10	SW		SE		STOCK	
			SE		SE		STOCK	
		11	SW		SW		STOCK	
			SE		SW		STOCK	
			SE		SW		STOCK	
		12	NE		SW		STOCK	
			SW		SW		STOCK	
		14	NE		NE		STOCK	
			NW		NE		STOCK	
			NW		NW		STOCK	
			SE		NW		STOCK	
		20	NE		NE		STOCK	
			NW		NE		STOCK	
			SE		NE		STOCK	
			SW		SW		STOCK	
			NE		SE		STOCK	
			SE		SE		STOCK	
		21	SW		NW		STOCK	
			NW		SW		STOCK	
			SW		SW		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:
WATER RIGHTS FOR A COMMON USE AREA, 57-01018, 57-01132, 57-01019,
57-01020, 57-01131, 55-04095.
*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 8/17/92.

15. Basis of Claim: BENEFICIAL USE

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: _____

MICROFILMED
OCT 07 1992

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
OCT 07 1992

Roxanne
Western A.J

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5142
WATER RIGHT NO. 57-10726

This is to certify that: **ELIAS JACA**
INEZ JACA
817 BLAINE AVE
NAMPA ID 83651

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	* 0.19 CFS	* 10.8 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SPRINGS	SINKS
SPRINGS	JOHNSTON DRAW
DOBSON CREEK	REYNOLDS CREEK
SPRINGS	DOBSON CREEK
UNNAMED STREAMS	DOBSON CREEK
SPRINGS	REYNOLDS CREEK, EAST FORK
UNNAMED STREAMS	REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK, EAST FORK	REYNOLDS CREEK
REYNOLDS CREEK, WEST FORK	REYNOLDS CREEK
SPRINGS	REYNOLDS CREEK, WEST FORK
UNNAMED STREAMS	REYNOLDS CREEK, WEST FORK

Priority: 06/01/1904

LOCATION OF POINT(S) OF DIVERSION:

SENESEW , Sec. 3, Township 04S, Range 04W
SWNWSW , Sec. 3, Township 04S, Range 04W
SESENE , Sec. 4, Township 04S, Range 04W
SWNESE , Sec. 4, Township 04S, Range 04W
SWNWNE , Sec. 34, Township 03S, Range 04W
Lot 2 (SESENE), Sec. 34, Township 03S, Range 04W
NWSWNW , Sec. 3, Township 04S, Range 04W
SESENEW , Sec. 3, Township 04S, Range 04W
SENEWNE , Sec. 9, Township 04S, Range 04W
SWSWSW , Sec. 11, Township 04S, Range 04W
NWSSEW , Sec. 11, Township 04S, Range 04W

TRANSFER NO. 5142
WATER RIGHT NO. 57-10726

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 12, Township 04S, Range 04W
 SESWSW , Sec. 12, Township 04S, Range 04W
 SESWNE , Sec. 14, Township 04S, Range 04W
 NWSENW , Sec. 14, Township 04S, Range 04W
 NENE , Sec. 15, Township 04S, Range 04W
 SENWNE , Sec. 15, Township 04S, Range 04W
 OWYHEE County

PLACE OF USE: STOCKWATERTWN RGE SEC

03S 04W 34	NWNE	SENE	
04S 04W 3	SWNW	SENW	NESW
	NWSW	SWSW	
4	SENE	NESE	
9	NENE	NWNE	SENE
10	NWNW		
11	SWSW	SESW	
12	NWSW	SWSW	
14	SWNE	NWNW	SENW
15	NENE	NWNE	

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water diverted under this water right will be regulated by the watermaster of State Water District No. 57R.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- * 4. The total instantaneous diversion of water from all points of diversion under Transfer 5142 shall not exceed 0.19 cfs, nor a total combined annual volume of 10.8 af.
5. Two points of diversion are located within SWNWNE, S34, T03S, R04W.

Dated this 17 th day of

April, 1998

J. Glen Saxton
 Chief, Water Allocation Bureau

MEMORANDUM

TO: File 57-10726

FROM: Pam Skaggs²⁸/State Office

SUBJECT: Transfer 5142

DATE: April 13, 1998

Transfer 5142 changes the points of diversion and place of use under Right 57-10726. The application states that no changes to historic use will occur, only corrections to the right as recorded. The change will also remove the right from several quarter quarters of land owned by BLM and assist in the removal of their objection to final SRBA recommendation.

Region staff did not contact the watermaster of Water District 57-R for comment. I will pursue collecting the required information and hold processing of the approval until the matter is resolved. Standard diversion volume was identified for 800 range cattle as identified under the SRBA recommendation.

Recommended conditions include watermaster control, multiple points of diversion/measuring devices and standard transfer conditions.

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. 57-10726 -0001

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

RESPONSE TO OBJECTION

Petitioner,)

vs.)

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

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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. |☒| 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:
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.
7. |☒| Purposes 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:

10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
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:
- 12a. ☒ This water right being recommended at all.

REASONS SUPPORTING EACH BOX CHECKED

There is an error in the description of the name and address, the point of diversion and place of use of this right in the director's report. The recommendation should be corrected as shown in the attachment entitled "Recommended Water Rights Acquired Under State Law."

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 admits that the claims listed in the objection are recommended in the director's report. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

See attached List of Recommended Water Rights Acquired under State Law.

- ☒ 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:

(Over)

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JUL 21 1994

No. of
Pages

Notice of Claim No. A57-10726
Recommended Water Right Acquired under State Law

5
2

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

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

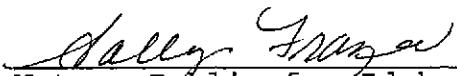
That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director 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 29th day of June,
1993.


Notary Public for Idaho
Residing at: Boise
My Commission expires: 11-14-1998

(Over)

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JUL 21 1994

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:

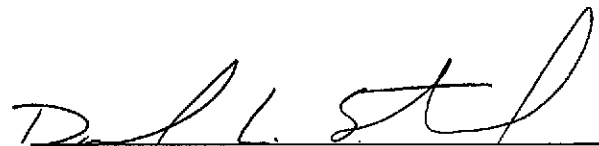
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

Name: RICHARD GABICA
Address: 403 W LINCOLN
Nampa ID 83651

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

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

 DATE: MAY-20-1993
 PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: DOBSON CREEK		TRIBUTARY: REYNOLDS CREEK				
57-10726	~~RICHARD GABICA~~ ELIAS OR INEZ JACA 403 W LINCOLN BLVD NAMPA ID 83651	06/01/1904	STOCKWATER	01-01 12-31	.19	CFS DECREEED
					TOTAL QUANTITY:	.19 CFS
NON-IRRIGATION-USES:						
STOCKWATER, 800 HEAD RANGE CATTLE						
POINT OF DIVERSION:						
	T03S R04W S27	SWSE				
	S34	NWNE				
	T04S R04W S03	SWNW				
		SENE				
		NESW				
		NWSW				
	S04	SENE				
		NESE				
	S09	NWNE				
	S10	SWSE				
		SESE				
	S11	SWSW				
		SESW				
	S12	SWSW				
	S14	NENE				
		SENE				
		NWSE				
	S15	NWNE				
	~~S15~~	~~NENE~~				
PLACE OF USE: STOCKWATER						
	T03S R04W S27	SWSE				
	S34	NWNE				
	T04S R04W S03	Lot 4 (NWNW)	SWNW	SENE	NESW	
		NWSW				
	S04	SENE	Lot 4 (NWNW)	NESE		
	S09	NENE	NWNE			
	S10	NWNW	SWSE	SESE		
	S11	SWSW	SESW			
	S12	NESW	SWSW			
	S14	NENE	NWNE	NWNW	SENE	
	~~S15~~	~~NENE~~	~~NWNE~~			
REMARKS: THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 57-01018, 57-01019, 57-01020, 57-01131 AND 57-01132.						
SOURCES FOR THIS RIGHT ARE SPRINGS TRIB. TO SINKS AND JOHNSON						
DRAW, DOBSON CREEK TRIB. TO REYNOLDS CREEK, SPRINGS TRIB. TO						
DOBSON CREEK, UNNAMED STREAMS TRIB. TO DOBSON CREEK, SPRINGS TRIB						
TO REYNOLDS CREEK, E. FORK, UNNAMED STREAMS TRIB. TO REYNOLDS						

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 JUL 21 1994

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

PAGE: A-2

57-10726 CONTINUED

CREEK, E. FORK, REYNOLDS CREEK, E. FORK TRIB. TO REYNOLDS CREEK,
REYNOLDS CREEK, W. FORK TRIB. TO REYNOLDS CREEK, SPRINGS TRIB. TO
REYNOLDS CREEK, W. FORK, AND UNNAMED STREAMS TRIB. TO REYNOLDS
CREEK, W. FORK.

MICROFILMED

21 JUL 1994

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: A57-10726
Ident. Number 39576
Date Received 11-3-88
Receipt Number W002136/W002137

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Please type or print clearly

- Name of Claimant (s) Richard Gabica Phone (208) 466-6642
Mailing Address 403 W Lincoln Nampa, ID Zip 83651
- Date of Priority (Only one (1) per claim) 6/11/1904
- Source of water supply (a) See attached sheets for Source &
which is tributary to (b) Tributary
- Location of point of diversion is: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, B.M.,
County of _____
Additional points of diversion if any: _____
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Stock tanks,
in stream watering, pipelines to tanks
& etc.
- Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive)
For Stockwater purposes from 1/1 to 12/31 amount .19 (cfs)
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed .19 (cfs)
MICROFILMED
JUL 21 1994
OCT 07 1992
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) 5/800 range

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
			See attached sheet for place of use															

11. In which county (ies) are lands listed above as place of use located? Oneida

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: Water rights for a common use area
A-57-01018, A57-01132, A57-01019, A57-1020, A57-01131
55-04095

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☐

If applicable provide IDWR Water Right Number See above

Court 3rd Case Number See above Decree Date See above

Plaintiff vs Defendant Netleton v Higginson

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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Richard Lalicca Date Nov 3-1988

Date Nov 3-1988

For Organizations: I do solemnly swear or affirm that I am

of Idaho Title Idaho
Organization Idaho, that I have signed the foregoing

document in the space below as Idaho of Idaho
Title Idaho Organization Idaho

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Idaho

Title and Organization Idaho Date Idaho

State of Idaho/or Idaho) SS.

County of Canyon)

Subscribed and sworn (or affirmed) before me this 3 day of November 19 88

SEAL

Notary Public John K. Meyer

Residing at 15476 Homestead Rd
Bozeman, Idaho

My Commission Expires Sept 21, 1994

Last Name Lalicca Ident No. A5701132 Copies White-State, Yellow-Claimant

MICROFILMED
OCT 07 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 the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 57-10726 -0002
57-10726 -0003

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

RESPONSE TO OBJECTION

Petitioner,

vs.

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

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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)

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2. Person who filed objection:

Name: ELIAS OR INEZ JACA
Address: 817 BLAINE AVE
NAMPA ID 83651

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. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
9. ☒ Place of Use: I respond to the objection concerning:
- 9a. ☒ The legal description of the place of use.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 1 and all allegations of the objection regarding this item IDWR responds as follows: Based on proper notice of change in ownership received by IDWR, IDWR is informed and believes that the Jacas are the true owners of the water right and therefore admits this allegation.

In response to Statement of the Objection item 5 and all allegations of the objection regarding this item IDWR responds as follows: The additional point of diversion described in this objection was not claimed by the claimant. The claimant improperly seeks to use the objection process to amend the notice of claim. IDWR believes that a claimant must obtain leave of the

court to amend a claim after the director's report is filed, just as a party must obtain leave of the court to file a late claim after the director's report is filed. Once leave of court has been granted, IDWR can investigate the amended claim and make an appropriate recommendation. In this instance, however, the additional point of diversion has been confirmed. The additional point of diversion was previously decreed in IDWR v. Adams (Reynolds Creek Basin Adjudication) (Owyhee Co. 3rd. Dist. ID. 1988).

If leave of court is granted the description of the point of diversion should be corrected as shown in the attached List of Recommended Water Rights Acquired under State Law.

In response to Statement of the Objection item 9 and all allegations of the objection regarding this item IDWR responds as follows: The additional place of use described in the objection was claimed and was decreed in IDWR v. Adams (Reynolds Creek Drainage Basin Adjudication), (Owyhee Co. 3rd Dist. ID. 1988). IDWR therefore admits this allegation. The corrected place of use is shown in the attached List of Recommended Water Rights Acquired under State Law.

CHANGES TO THE DIRECTOR'S REPORT

See attached List of Recommended Water Rights Acquired under State Law.

☒ 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. 57-10726-0001
Recommended Water Rights Acquired under State Law

2

(Over)

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JUL 21 1994

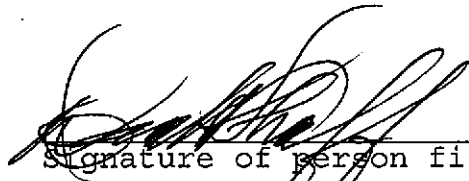
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

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

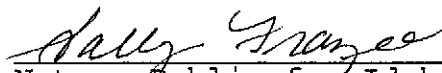
That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director 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 27th day of June,
1993.


Notary Public for Idaho
Residing at: Boise
My Commission expires: 11-14-1998

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: RICHARD GABICA
Address: 403 W LINCOLN
NAMPA ID 83651

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: ELIAS OR INEZ JACA
Address: 817 BLAINE AVE
NAMPA ID 83651

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

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

DATE: MAY-20-1993

PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: DOBSON CREEK		TRIBUTARY: REYNOLDS CREEK				
57-10726	~~RICHARD GABICA~~ ~~ELIAS OR INEZ JACA~~ ~~403 W LINCOLN~~ ~~817 BLAINE AVE~~ NAMPA ID 83651	06/01/1904	STOCKWATER	01-01 12-31	.19	CFS DECREED
					TOTAL QUANTITY:	.19 CFS

NON-IRRIGATION-USES:

STOCKWATER, 800 HEAD RANGE CATTLE

POINT OF DIVERSION:

T03S R04W S27

~~SWSE~~

S34

~~NWNE~~ ✓ *SENE*

T04S R04W S03

~~SWNW~~ ✓~~SENE~~ ✓~~NESW~~ ✓~~NWSW~~ ✓

S04

~~SENE~~ ✓~~NESE~~ ✓

S09

~~NWNE~~ ✓~~S10~~~~SWSE~~~~SESE~~

S11

~~SWSW~~ ✓~~SESW~~ ✓

S12

~~SWSW~~ ✓ *ADD NWSW*

S14

~~NENE~~ ✓ *SWNE*~~SENE~~ ✓~~NWSE~~ ✓ *OMIT*

S15

~~NWNE~~ ✓~~S15~~~~NENE~~ ✓ *NO CHANGE*

PLACE OF USE: STOCKWATER

~~T03S R04W S27~~~~SWSE~~ *move to*

S34

~~NWNE~~ ✓ *SENE*

T04S R04W S03

Lot 4

~~(NWNW)~~ ✓~~NWSW~~ ✓

S04

~~SENE~~ ✓

Lot 4

~~NWNE~~ ✓

S09

~~NENE~~ ✓

S10

~~NWNW~~ ✓

S11

~~SWSW~~ ✓

S12

~~NESW~~ ✓ *move to NWSW*

S14

~~NENE~~ ✓~~S15~~~~NENE~~ ✓~~SWNW~~~~SENE~~ ✓~~NESW~~ ✓~~SWSW~~ ✓ *SESW*~~(NWNW)~~~~NESE~~ ✓~~NWNE~~ ✓ *SENE*~~SWSE~~~~SESE~~~~SESW~~ ✓~~SWSW~~ ✓~~NWNE~~ ✓~~NWNW~~ ✓ *SENE* *SENE* *SENE*~~NWNE~~ ✓

REMARKS: THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 57-01018, 57-01019, 57-01020, 57-01131 AND 57-01132.

SOURCES FOR THIS RIGHT ARE SPRINGS TRIB. TO SINKS AND JOHNSON
DRAW, DOBSON CREEK TRIB. TO REYNOLDS CREEK, SPRINGS TRIB. TO
DOBSON CREEK, UNNAMED STREAMS TRIB. TO DOBSON CREEK, SPRINGS TRIB
TO REYNOLDS CREEK, E. FORK, UNNAMED STREAMS TRIB. TO REYNOLDSMICROFILMED
JUL 21 1994

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAY-20-1993
PAGE: A-2

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
-----------------	----------------	------------------	----------------	--------------------------	---------------------	-------------------

SOURCE: DOBSON CREEK

TRIBUTARY: REYNOLDS CREEK

57-10726 CONTINUED

CREEK, E. FORK, REYNOLDS CREEK, E. FORK TRIB. TO REYNOLDS CREEK,
REYNOLDS CREEK, W. FORK TRIB. TO REYNOLDS CREEK, SPRINGS TRIB. TO
REYNOLDS CREEK, W. FORK, AND UNNAMED STREAMS TRIB. TO REYNOLDS
CREEK, W. FORK.

Richard Gabica listed only for reference

0076

Township	Range	Sec	NE 1/4			NW 1/4			SW 1/4			SE 1/4			TOTALS
			NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	
claim number					A 57-01132										
Adj					Point of Diversion										
No.					THS R 4W - Sec 20										
55-04095					NE NE, NW NE, SE NE, SW SW, NE SE, SE SE										
					Place of use										
					T 45 R 4W Sec 20 NE NE, NW NE, SE NE, SW SW, NE SE, SE SE										
					Sec 31 SW NW, NW SW, SW SW										
Adj					Point of Diversion										
H					T 35 R 4W Sec 27, SW SE										
					Place of use										
A 57-01018					T 35 R 4W Sec 34 NW NE										
					27 SW SE										
					Point of Diversion										
A 57-01131					Note: On stream below										
					No R. D. waiting										
					Place of use										
					Sec 3 SW NW, SE NW, SW 1/4										
					Sec 9 NE 1/4										
					Sec 10 NW NW										
					Point of Diversion										
					T 45 R 4W Sec 3 SW NW, SE NW, NE SE										
					Sec 4 SE NE, NE SE										
					Sec 9 NW NE										
					Place of use										
					T 45 R 4W Sec 4 SE NE, NW NW, NE SE										
					Sec 9 NW NE										
					Sec 3 NW NW, 5 1/3 NW 1/4, 1 1/2 SW, 1/2										
					Continued										

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JUL 2 1994

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OCT 07 1992

A 57-01131



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

A57-04033, A57-04044, A57-01017, A57-10726
A57-00246, A57-00267, A57-01021, 01022, 01023, A57-10727

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Richard Salinas

☐ New Owner/Claimant
(Purchaser):

JACA, ELIAS & INCZ

☐ New Mailing Address:

817 Blaine Ave
Nampa ID 83651

☐ New Telephone Number:

() 466-8801

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☐ yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s):

Elias Jaca

Date *Aug. 12, 1992*

Date

☐ Signature of Former
Owner/Claimant(s):

Richard Salinas

Date *8-12-92*

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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JUL 21 1994

OCT 07 1992

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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

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.

Case No. 57-10726
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

MAR 17 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)

OBJECTION - 1

MICROFILMED

JUL 21 1994

~~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:

ELIAS JACA ^{AND} INEZ JACA

Address:

817 BLAINE Ave.

Nampa, Idaho 83651

Briefly describe your interest in this water right:

As husband AND wife, we bought
this property From Richard Gabica
March 1, 1991 AND ARE the
OWNERS of the water right.

2. Owner of the water right:

Name:

Richard Gabica

Address:

403 W. LINCOLN

Nampa, Idaho 83651

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.

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(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: _____

X 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.

As husband and wife, we bought this property
From Richard Gabica March 1, 1991 and are
the owners of the water right.
Attached is the note for the property and 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.

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. _____

Attached is the NOTC for the
property AND it's water rights.

VERIFICATION (Must be Completed)

State of Idaho

County of Owyhee

ELIAS JACA, 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.

Elias Jaca
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 16 day of March,
1993.

Sally Caldwell
Notary Public for ID#410
Residing at: MAA PA
My Commission expires: 11-13-96

(Over)

MICROFILMED

OBJECTION - 5

JUL 21 1994

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of March, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Owner name:

Richard Gabica

Owner's address:

828 Horizon Way

Nampa Idaho 83686

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

Elias Jara

Signature of Objector or attorney
mailing on Objector's behalf

\$--560,834.00--

March 1, 1991

Nampa, Idaho

FOR VALUE RECEIVED, I, we, or either of us, promise to pay to the order of Richard P. Gabica, at Nampa, Idaho, the sum of FIVE HUNDRED SIXTY THOUSAND EIGHT HUNDRED THIRTY - FOUR & NO/100-----
-----DOLLARS (\$560,834.00-----), lawful money of the
United States of America, in the following manner: \$19,754.00,
(plus) (inclusive of) interest, on or before the 1st day of
July, 1991, (allocated: \$15,890.30 to interest: \$3,864.33
to principal;) thereafter, and on the 1st day of July, 1992, and the
1st day of July of each and every year thereafter, the sum of
\$59,263.87, to be applied first to accrued interest, and balance to
principal, and to continue until the principal balance due hereunder,
together with interest shall have been paid in full.

Interest on this obligation shall be at the rate of ---8 1/2--- per
annum, to commence March 1, 1991, payable annually.

If default be made in payment of any part of principal or interest, the whole amount shall become immediately due and collectible, and if collection is made through any attorney, 10% of the amount due shall be added as a collection fee which the maker(s) agree(s) to pay, if paid without suit to collect. In case suit is brought to collect this note, the maker(s) agree(s) to pay a reasonable fee, the same to be fixed and determined by the Court in the course of such suit for collection.

The makers, endorsers and guarantors waive presentation for payment, notice of dishonor and protest.

817 Blaine

Nampa, Idaho 83651

RICHARD L. RIORDAN
ATTORNEY AT LAW
NAMPA, IDAHO

Elias Jara
INEZ Jara
MICROFILMED

JUL 21 1994

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
INDICATES TOTAL		SOURCE: SPRINGS			TRIBUTARY TO: REYNOLDS CREEK, EAST FORK			
57-1019	GABICA, RICHARD GABICA, BENITA 403 W. LINCOLN NAMPA ID 83651 OTHER USES: S/600 RANGE. REMARKS: SOURCES FOR THIS RT. ARE SPRINGS TRIB. REYNOLDS CREEK, EAST FORK & WEST FORK & UNNAMED STREAMS TRIB. REYNOLDS CREEK, EAST FORK & WEST FORK.	06-01-1904	STOCKWATER	01-01 12-31	8.10 AFA .08 CFS	SESW S11 SWSW T04S R04W S11 T04S R04W SWSW S11 SWSW T04S R04W S12 T04S R04W NWSE S14 SENW NWSE T04S R04W S14 T04S R04W (5) NENE S15 NENE NWNE (9) T04S R04W S15 T04S R04W NWNE S15 T04S R04W SWSW S12 T04S R04W SENW S14 T04S R04W	SESW S11 T04S R04W S12 T04S R04W S14 T04S R04W S15 T04S R04W	BENEFICIAL USE
			DOMESTIC	01-01 12-31	1.20 AFA .04 CFS * 9.30*AFA * .08*CFS		SAME AS OTHER USE	
57-1042	SEVEN HIGH RANCH INC. MURPHY ID 83650	07-01-1956	STOCKWATER	01-01 12-31	4.10 AFA .07 CFS	SENE S11 SENE SWNW T04S R04W S11 T04S R04W SWNW S11 NWSE T04S R04W S10 T04S R04W NWSE S10 T04S R04W		BENEFICIAL USE

RIGHT
NUMBER
IND

57-1019

57-1020

57-1042

MICROFILMED
JUL 21 1994

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

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.

Case No. 57-10726
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

MAR 03 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)

OBJECTION - 1

MICROFILMED

JUL 21 1994

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:

Elias Jaca or Inez Jaca

Address:

817 Blaine Ave

Nampa, ID 83651

Briefly describe your interest in this water right:

owner

2. Owner of the water right:

Name:

Elias or Inez Jaca

Address:

817 Blaine Ave

Nampa, ID 83651

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.

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(Over)

JUL 21 1994

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.

5. Decreed point of diversion in NENE, S15,
T4S, R4W was not included.

9. Decreed place of use in N¹/₂NE¹/₄, S15,
T4S, R4W was omitted.

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.

Include above items as shown in
Reynolds Ck. Decree.

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.

Page 66 of Reynolds Ck. Decree

VERIFICATION (Must be Completed)

State of Idaho

County of Ada

Elias Jara, 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.

x Elias Jara
Signature of person filing objection

By:

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 24th day of February
1993.

Kathleen A. Walker
Notary Public for IDWR
Residing at: Bear Eagle, ID
My Commission expires: 2-15-1999

MICROFILMED

(Over)

JUL 21 1994

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of February, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Owner name:

ELIAS or Inez JACA

Owner's address:

817 Blaine Ave

Nampa, Idaho 83651

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

Elias Jaca

Signature of Objector or attorney
mailing on Objector'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 Rights to the Use of Water
from the Snake River Basin
Water System

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.

Case No. 57-10726
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 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.

MICROFILMED

(Over)

OBJECTION - 1

JUL 21 1994

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 Richard Gabica
Address: 403 W. Lincoln
Nampa, ID 83651

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.

MICROFILMED

JUL 21 1994

(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

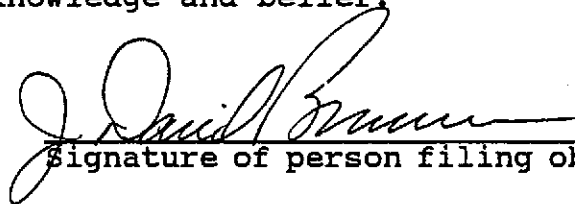
VERIFICATION (Must be Completed)

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.

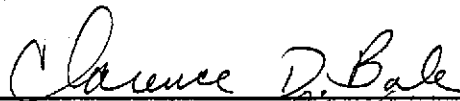


Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

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



Notary Public for Ada County
Residing at: Boise Idaho
My Commission expires: April 26, 1997

MICROFILMED

JUL 21 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 26 day of February, 1993, I ^{mailed} the original and ^{filed} copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Owner name: Richard Gabica
Owner's address: 403 W. Lincoln
Nampa, ID 83651

3. One copy to:

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

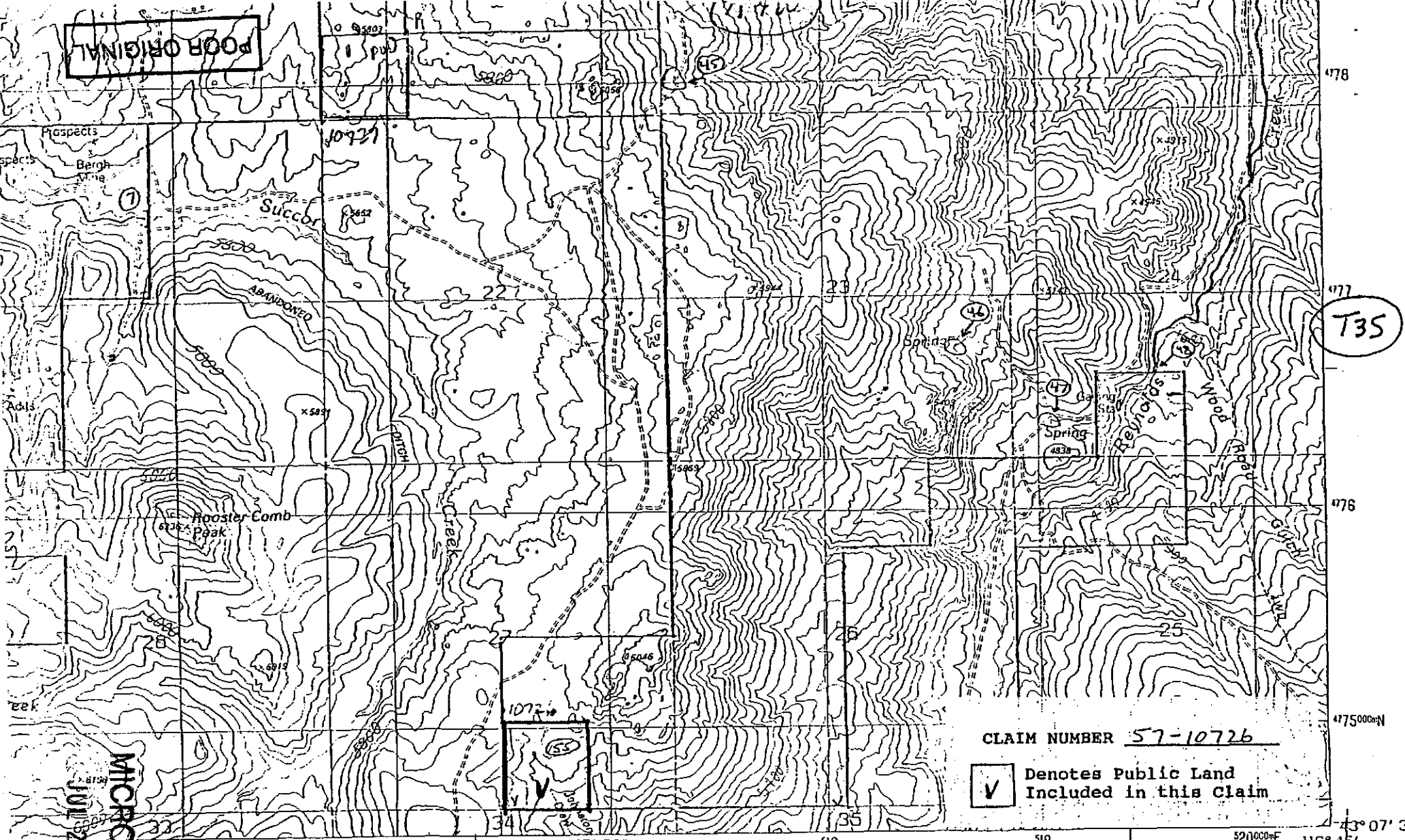
4. One copy to:

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



Signature of Objector or attorney
mailing on Objector's behalf

POOR ORIGINAL



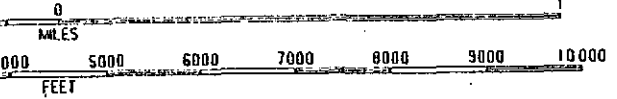
CLAIM NUMBER 57-10726



Denotes Public Land Included in this Claim

MICROFILMED
JUL 2 1 1994

SCALE 1:24 000



CONTOUR INTERVAL 40 FEET

To convert feet to meters multiply by .3048
To convert meters to feet multiply by 3.2808



QUADRANGLE LOCATION

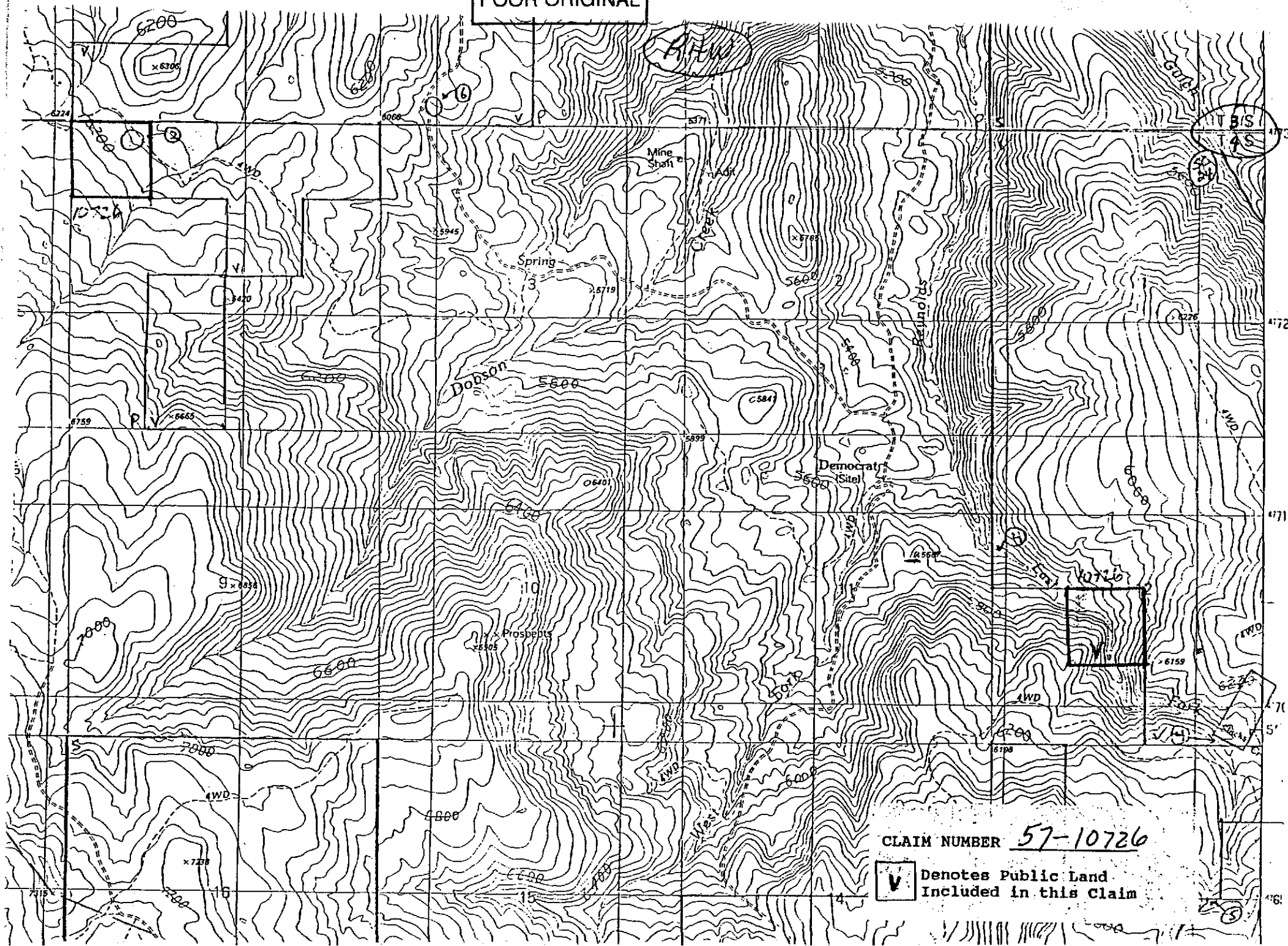
ROAD LEGEND

Improved Road
Unimproved Road
Trail

⬡ Interstate Route ⬢ U.S. Route ○ State Route

1	2	3	1 Flute Butte
			2 Soldier Cap
			3 Wilson Peak

POOR ORIGINAL



CLAIM NUMBER 57-10726



Denotes Public Land
Included in this Claim

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: 5701582098
BLM NUMBER: 5701582098
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
UNNAMED STREAM	SUCCOR CREEK

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE 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	04W	04				04	OWYHEE
03S	04W	33		NW	SE	00	OWYHEE

PLACE OF USE

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
04S	04W	04	NE	NW	00	OWYHEE	YES-	0.0

CLAIM NUMBER: 57-10726

CONFLICTING USDI CLAIMS FOUND IN THE DIRECTORS REPORT

57-11157
57-10951
57-10951A
57-11048

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JUL 21 1994

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: 5701582100
BLM NUMBER: 5701582100
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE

TRIBUTARY TO

SPRING

REYNOLDS CREEK, EAST FORK

DESCRIPTION OF DIVERSION WORKS

SPRING

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM TO	
STOCKWATER	0.200	0.00	0101	1231
WILDLIFE	0.020	0.00	0101	1231
TOTAL:		0.230 CFS	0.00 AF	

NON-IRRIGATION USES

S/ 816 RANGE CATTLE W/ VAR AMOUNTS

				POINT OF DIVERSION				
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY	
04S	04W	24		NW	NE	00	OWYHEE	

PLACE OF USE

MICROFILMED IRRIGATED

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
04S	04W	24	NW	NE	00	OWYHEE	YES	0.0
04S	04W	24	NW	NE	00	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

BLM NUMBER: 5701582098

PAGE:

04S	04W	04	NE	NW	00	OWYHEE	YES	0.
03S	04W	33	SW	SE	00	OWYHEE	YES	0.

TOTAL ACRES IRRIGATED: 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: 5701582216
BLM NUMBER: 5701582216
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
-----	-----
WATERHOLE	SINKS

DESCRIPTION OF DIVERSION WORKS

LAKE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER STORAGE	0.000	1.40	0101	1231
WILDLIFE STORAGE	0.000	0.04	0101	1231
STOCKWATER FROM STORAGE	0.000	1.40	0101	1231
WILDLIFE FROM STORAGE	0.000	0.04	0101	1231

TOTAL: 0.000 CFS 1.80 AF

NON-IRRIGATION USES

S/ 84 RANGE CATTLE W/ VAR AMOUNTS

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	---	---	---	---	---
03S	04W	27		SW	SE	00	OWYHEE

PLACE OF USE

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
---	---	---	---	---	---	---	---	---
03S	04W	27	SW	SE	00	OWYHEE	YES	0.0

BLM NUMBER: 5701582100

PAGE:

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

WATER FEDERALLY RESERVED, SEE REMARKS

REMARKS

1926 RESERVED - EXECUTIVE ORDER DATED APR 17

PWR NO. 107

MICROFILMED

JUL 21 1994

BLM NUMBER: 5701582216

PAGE: 2

03S	04W	27	SW	SE	00	OWYHEE	YES	0.0
03S	04W	27	SW	SE	00	OWYHEE	YES	0.0
03S	04W	27	SW	SE	00	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

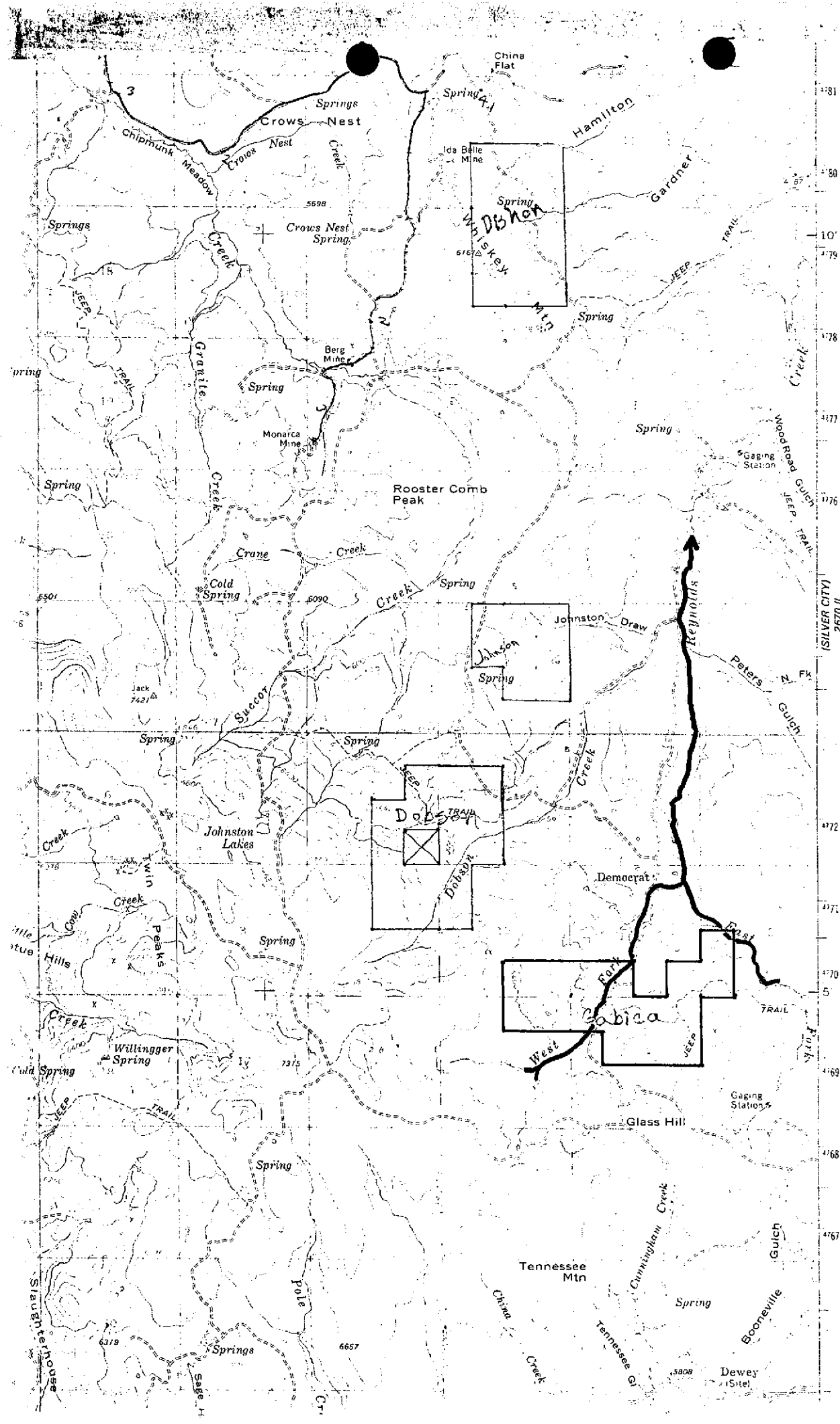
WATER FEDERALLY RESERVED, SEE REMARKS

REMARKS

1926 RESERVED - EXECUTIVE ORDER DATED APR 17 PWR NO. 107

MICROFILMED

JUL 21 1994



POOR ORIGINAL

MICROFILMED
JUL 21 1994

INTER-DEPARTMENT MEMO — 1

FROM

KAY WALKER *KW*

DATE OCTOBER 14, 1992

TO

FILE

A57-10726

SUBJECT

ATTACHED INFORMATION FROM REYNOLDS CREEK DECREE

THE ATTACHED INFORMATION HAS BEEN INCLUDED TO PROVIDE INFORMATION REGARDING THE REYNOLDS CREEK DECREE AND THE CLAIMS THAT WERE FILED IN THAT DECREE. SINCE THESE FILES HAD NOT PREVIOUSLY BEEN MICRO-FILMED, THESE RECORDS ARE INCLUDED TO PROVIDE THE LINK BETWEEN REYNOLDS CREEK DECREE AND THE SRBA.

MICROFILMED

JUL 21 1994

SIGNATURE

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE GENERAL	)	
DETERMINATION OF THE RIGHTS TO	)	
THE USE OF THE SURFACE AND	)	
GROUNDWATERS OF REYNOLDS CREEK	)	
DRAINAGE COMMONLY KNOWN AS	)	MEMORANDUM
REYNOLDS CREEK DRAINAGE BASIN.	)	OF HEARING
	)	

On April 21, 1981, the Preliminary (Subject to Revision) Proposed Finding of Water Rights in the Reynolds Creek Drainage Basin ("Preliminary Report" herein) was presented to the claimants and water users of the Reynolds Creek Drainage Basin at a public information meeting in the Owyhee County Courthouse. This Preliminary Report was prepared as part of the Reynolds Creek Adjudication proceedings in District Court in Owyhee County (Civil No. 3456). All claimants were provided the opportunity to file protests with the Department of Water Resources based upon the Preliminary Report. Following hearings on those protests, the final Proposed Finding of Water Rights would be filed with the court.

A protest against this report was received on April 27, 1981, from Richard Gabica and Benita Gabica. On December 20, 1983, a hearing in conformance with the Department of Water Resources Adopted Rules of Practice and Procedure was held in the Towers Office Building, Third Floor Conference Room at Boise, Idaho. Mr. Gabica was present and represented himself. Also present were: Thomas G. Nelson, Attorney at Law, representing Alvin and Thomas Benson; Philip A. Peterson, Attorney at Law,

representing: 1) Nicholas and Delores Ihli, 2) Sam and Rosalyn Pitman, 3) Richard and Connie Brandau, 4) Henry and Betty Brandau, 5) Cereda Ranches, Incorporated, 6) Clinton and Dorothy Cotner, and 7) Gertrude McMahan and Estate of Clifford McMahan; Tom Benson; George Earll; Elias Jaca; and Keith E. Anderson.

The issues identified in the written protest and considered at the hearing were as follows:

1. Whether the determination of consumptive use of water for irrigation purposes at Finding of Fact No. 8 and Conclusion of Law No. 3 in the Preliminary Report is correct for the protestants' water rights?

2. Whether the existing rate of diversion for irrigation purposes described in Finding of Fact No. 9 and Conclusion of Law No. 4 in the Preliminary Report is correct for the protestants' water rights?

3. Whether the irrigation season described in Finding of Fact No. 10 and Conclusion of Law No. 5 in the Preliminary Report is correct for the protestants' water rights?

4. Whether the conditions cited in the Finding of Fact No. 17 and Conclusion of Law No. 5 of the Preliminary Report for the diversion of high water or flood water before or after the irrigation season should apply to the protestants?

5. Whether the requirement for lockable headgates and measuring devices for all diversions described in Finding of Fact No. 13 and Conclusion of Law No. 7 of the Preliminary Report should apply to the protestants' water rights?

MICROFILMED

6. Whether the protestants' water rights (57-0246, 57-0267, 57-1023, 57-1021, 57-1022, 57-1024, 57-1017, 57-1018, 57-1019, and 57-1020) were properly described in the Preliminary Report?

The protestants reviewed the protests to the Preliminary Report and called Mr. Keith E. Anderson, a consulting engineer and geologist, as an expert witness to describe the characteristics of the Reynolds Creek Drainage Basin, the agricultural practices, and other data relative to the protestants' water rights. The witness submitted a 12-item exhibit to which there were no objections. The items of Gabica Exhibit No. 1 were:

Item 1 - A photocopy of an aerial photograph with lines representing the approximate boundary of the Gabica Ranch in Section 7, Township 3 South, Range 3 West and Section 12, Township 3 South, Range 4 West.

Item 2 - A photocopy of a contour map having 10-foot and 50-foot contour intervals with lines representing the apparent boundary lines of the Gabica Ranch as described in Item 1 above.

Item 3 - Copies of transactions from an Abstract of Title for what is apparently the Gabica Ranch referencing the water right(s) appurtenant to the property.

Item 4 - Copy of the affidavit of Howard Lawlis.

Item 5 - Tabulation of measurements of diversions to the Gabica upper ditch, 1962-1966, represented to have been made by the U.S. Department of Agriculture.

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Item 6 - Tabulation of measurements of diversions to the Gabica bridge ditch, 1962-1964, represented to have been made by the U.S. Department of Agriculture.

Item 7 - Tabulation of measurements of diversions to the Gabica lower ditch 1962-1964, represented to have been made by the U.S. Department of Agriculture.

Item 8 - Tables from the U.S. Department of Agriculture Summary Report of the monthly average flows of Reynolds Creek at the Tollgate gauge for water years 1967-1982.

Item 9 - Tables from the U.S. Department of Agriculture Summary Report of the monthly average flows of Reynolds Creek at the Outlet gauge for water years 1964-1982.

Item 10 - Tables from the U.S. Department of Agriculture Summary Report of daily average flows of Reynolds Creek at the Tollgate gauge for water years 1967-1982.

Item 11 - Tables from the U.S. Department of Agriculture Summary Report of daily average flows of Reynolds Creek at the Outlet gauge for water years 1964-1982.

Item 12 - Hydrograph of the daily average flows at the Tollgate and Outlet gauges prepared by witness's firm, Anderson & Kelly, from Items 10 and 11.

The protestant presented uncontradicted testimony the water for his land had been diverted historically in most years earlier than April 1 in amounts greater than .02 cfs per acre when flood-water was available. These amounts were necessary to attempt to saturate the crop root zone in fields with irregular topography,

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he said, and maintain the soil moisture available to the plants as long as possible after the floodwater flows ceased. The protestant testified he has no return flows available to satisfy part of his water rights, and any excess diversion he makes returns immediately to Reynolds Creek or to his neighbors' ditches.

Based on the information presented at the hearing, the official files and records of the Department of Water Resources and his understanding of the law, the hearing officer makes the following Findings of Fact, Conclusions of Law, Analysis and Statement of Department Actions.

FINDINGS OF FACT

1. There is not enough water in Reynolds Creek throughout the irrigation season to supply all existing water rights.

2. There are periods of time during some irrigation seasons when the flow in Reynolds Creek exceeds the total of the existing water rights.

3. According to the testimony, water from Reynolds Creek has been diverted and applied to a beneficial use for irrigation purposes on the protestants' land before April 1 and after November 1 in some years.

4. The total consumptive irrigation requirement for alfalfa hay at the Northwest Watershed Research Center Station in Upper Reynolds is calculated at 2.64 acre feet per annum (AFA), at the 80th percentile peak use, using data and methods from "Consumptive Irrigation Requirements for Crops in Idaho" by R. G.

Allen and C. E. Brockway, Research Technical Completion Report, August, 1982. For administrative purposes, 2.64 AFA is rounded to 2.7 AFA. The 80th percentile peak use is the percentage of time 2.7 AFA of irrigation water or less will be required to grow alfalfa throughout the irrigation season.

5. The protestants, according to the testimony, have at times diverted water for irrigation in excess of .02 cfs per acre, but some of the diverted water returned immediately to Reynolds Creek.

6. The soils, topography and, in most cases, irrigation methods of the irrigated lands in the Upper Reynolds area are similar.

7. Water users, other than the protestants, in Upper Reynolds claimed no more water than .02 cfs per acre of irrigated land, unless a different amount was decreed in the action titled R. J. Gifford, et al. vs. Joseph Babbington, et al., Case No. 366, Owyhee County (decree filed September 20, 1911), hereinafter referred to as Gifford.

8. Lorenzo Uberuaga, a predecessor to the protestants, was named a defendant in Gifford and certain water rights were awarded to him.

9. Uberuaga, in the second cause of action of his cross complaint in Gifford, claimed the use of 202 miners inches (4.04 cfs) from Reynolds Creek with a priority date of 1870 for the irrigation of the land he owned. The cross complaint did not state the number of irrigated acres.

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10. Uberuaga was decreed the same duty of water (three-fourths of an inch per acre for bottom lands, and seven-eighths of an inch per acre for up-lands) as the other parties on Reynolds Creek in Gifford. The water rights decreed to Uberuaga were:

[T]he right to divert from and the use of waters of Reynolds Creek in irrigating Lots numbered 1 and 2 respectively in Sec. 7 and E.1/2 of the SE1/4 of Sec. 12 and SE1/4 of the NE1/4 of Sec. 12, all in the Twp. 3S., R. 4W., in the following amounts from the following dates:

57 inches (1.14 cfs) for 69 1/2 acres, of which 45 acres is bottom land: 33 inches (.66 cfs) from June 1st, 1864, and 24 inches (.48 cfs) from June 1st, 1879. [Note: There was an error in the description of the land in the decree. Section 7 is in Township 3 South, Range 3 West.]

These water rights were assigned the following numbers in the Reynolds Creek Adjudication: the 1864 right - 57-0246; the 1879 right - 57-0267.

11. The principles of res judicata and collateral estoppel rest on the theory that when a matter has been litigated to a final conclusion between the parties in an adversary proceeding, the matter should not be relitigated. Shea vs. Boder, 102 Idaho 699, 638 P. 2d 894 (1981).

12. Section 42-202 Idaho Code, (1977), states in part:

[N]or, in the event of the filing of an application claiming both normal flow and flood water and winter-flow water, shall the total amount of water claimed exceed the equivalent of a continuous flow during the irrigation season of more than one cubic foot per second for each fifty (50) acres of land to be irrigated, ...

[N]o one shall be authorized to divert for irrigation purposes more than one cubic foot of water per second of the normal flow for each fifty (50)

acres of land to be so irrigated, or more than five (5) acre feet of stored water per annum for each acre of land to be so irrigated, unless it can be shown to the satisfaction of the department of water resources that a greater amount is necessary. (Emphasis added)

13. Section 42-220, Idaho Code (1977), states in part:

[P]rovided that when water is used for irrigation no such license or decree of the court allotting such water shall be issued confirming the right to the use of more than one second foot of water for each fifty (50) acres of land so irrigated, unless it can be shown to the satisfaction of the department of water resources in granting such license, and to the court in making such decree, that a greater amount is necessary, and neither such license nor any one claiming a right under such decree, shall at any time be entitled to the use of more water than can be beneficially applied on the lands for the benefit of which such right may have been confirmed, and the right to the use of such water confirmed by such license shall always be held subject to the local or community customs, rules and regulations which may be adopted from time to time by a majority of the users from a common source of supply, canal, or lateral from which such water may be taken, when such rules or regulations have for their object the economical use of such water.

14. The irrigation requirements of the protestants are no greater than those of the other parties in Upper Reynolds.

15. Gifford did not describe the period of use, point of diversion or maximum volume for any of the water rights decreed in it.

16. Water is normally found to be beneficially used for irrigation of crops during the period of each year when the chance of freeze injury to plants is fifty (50) percent or less.

17. To regulate and administer the water rights in Idaho, the period when water is normally found to be beneficially used

for irrigation of crops must be the same where meteorological conditions are nearly the same.

18. Water can normally be put to beneficial use for irrigation in Upper Reynolds and Lower Reynolds for 246 days, from March 15 to November 15 each year, dates inclusive. In addition, there appear to be periods before March 15 and after November 15 in some years in which water diverted for irrigation purposes could be applied to beneficial use. [Reference: Stevlingson, David J., and Dale O. Everson, Spring and Fall Freezing Temperatures in Idaho, University of Idaho Agricultural Experiment Station, Bulletin 494.]

19. Diversions of high water or floodwaters for irrigation purposes within the basin have been practiced in an effort to hold or store water underground within the basin, which may later contribute to the flow of the streams, and may have the effect of augmenting or supplementing this flow during the latter portion of the irrigation season. While the amount of such high water available varies from year to year, an effort has been made to divert all of such water, whenever and in whatever amount it is available, and to apply it on the irrigated lands. The practice has been to distribute and use this water in an informal manner.

20. Upon examination by the Hearing Officer, Anderson testified that reservoir sites probably exist in the Reynolds Creek Drainage Basin, but such sites may not be economical for constructing a reservoir. The witness testified that recommending floodwater rights may impact future storage rights.

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21. Regulation of the diversion and use of water from Reynolds Creek and its tributaries may require that each user install and maintain lockable headgates and measuring devices where the use of the water is irrigation. Water users with uses other than irrigation may be required to install and maintain controlling works and measuring devices.

22. The diversion rate for domestic use on Right Number 57-1020 appeared in the Preliminary Report as .02 cfs instead of .04 cfs due to a clerical error.

23. The place of use and number of acres for the protestant's water rights used for irrigation were obtained from aerial photographs produced in 1961, 1963, 1975 and 1977. No appreciable difference could be found on any of the aerial photographs for the place of use and number of irrigated acres.

Conclusions of Law

1. The test of any water right is the amount of water that has been actually diverted and applied to a beneficial use. Hidden Springs Trout Ranch, Inc. v. Hagerman Water Users, Inc., 101 Idaho 677, 619 P.2d 1130 (1980). Newport Water Co. v. Kellogg, 31 Idaho 547, 174 P. 602 (1918); Joyce v. Rubin, 23 Idaho 296, 130 P. 793 (1913);

2. Without an adequate supply of water in Reynolds Creek to satisfy all water users in the basin, a proper description of the water rights is necessary to distribute the water properly on the basis of "first in time, first in right."

3. The normal irrigation season of the protestants and all

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water users in the Reynolds Creek Basin is from March 15 through November 15.

4. The consumptive use of water to grow alfalfa in Upper Reynolds has been determined to be 2.7 acre feet per annum.

5. The protestants have beneficially applied no more than .02 cfs per acre to their irrigated land except where a reasonable delivery loss in a conveyance system affords a greater amount.

6. The protestants and other water users with irrigation rights described in the Proposed Findings are required to install and maintain lockable headgates and measuring devices at their points of diversion for use by a watermaster. Where the use is not irrigation the protestants and the other water users whose rights will be described in the Proposed Finding will be required to install and maintain controlling works and measuring devices when regulation of these water rights by the watermaster is necessary (Idaho Code § 42-701 (1977)).

7. A watermaster is authorized to allow diversion of water for agricultural uses before March 15 and after November 15 provided: a) the waters so diverted are applied to a beneficial use, and b) the quantified rights that are applied to a beneficial use at the time of the diversion of "high water" or "floodwater" are first satisfied.

8. The protestants have no water rights for irrigating their lands that precede September 20, 1911, other than those awarded to Lorenzo Uberuaga and identified as 57-0246 and

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57-0267.

9. The number of irrigated acres and place of use for the protestants' water rights described as 57-0246, 57-0267, 57-1021, 57-1022, and 57-1023 in the Preliminary Report are reasonably accurate.

10. The period of use should be from March 15 to November 15 for the protestants' water rights 57-0246, 57-0267, 57-1021, 57-1022, and 57-1023.

11. The diversion rate for the domestic use on Right Number 57-1020 should be changed to .04 cfs in the Preliminary Report.

Analysis

The issue of using "floodwater" or "high water" covers most of the issues brought by the protestants and, therefore, will be addressed more fully.

Researchers^{1,2} have found the practice in the Reynolds Creek Basin of diverting water at full or near full ditch capacities during spring runoff periods common to similar mountain valleys in the West. This spring runoff is commonly referred to as floodwater or high water. The claimed purpose of these large, early season diversions has been to try to saturate as quickly as possible the root zone of the crops when the water is available. The high water diminishes and ceases normally within 10 days to three weeks in the Reynolds Creek Drainage Basin.

Although the practice is acknowledged, statutory and case law have rarely given the large diversions the status of a water right. Even when parties have been awarded such water rights,

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the diversion rate recognized by decree has rarely been in excess of .02 cfs per acre if the rate is quantified at all.

The protestants are prohibited from increasing their allocation of water from Reynolds Creek that were described in Gifford. The hydrograph submitted as Item 12 in Gabica Exhibit No. 1 shows any water rights subsequent to those awarded in Gifford can be exercised only during a period of most years when floodwater flows are available.

The same data shows that in some years water in excess of the existing quantified water rights is available for possible future appropriation during periods of floodwater flows. To deny future water right applications in the Reynolds Creek Basin for the benefit of protecting the floodwater practices of the existing users would be inequitable and contrary to law.

The Reynolds Creek Drainage Basin presently has almost non-existent new storage facilities in which to preserve water for use later in the irrigation season when the flow in surface water sources diminishes. There is, however according to the testimony, some potential for development of water storage projects within the basin, but general interest in such development will probably only occur as the economic feasibility thereof increases.

The users of those future water rights may well be some of the existing water right holders in the basin. A case in point is the protestants' pending application (57-7106) to divert water for storage purposes upstream from the present major diversions

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JUL 21 1994

in the basin. The possible future development plans of the protestants and their Upper Reynolds neighbors would be thwarted by a scheme that would deny the future storage and use of the flood-water flows in the basin.

The Preliminary Report provided for the use of the flood-water under two conditions. This method will protect the practice of the existing users and will provide for the optimum development and use of the water resource in the public interest.

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Statement of Department Action

The Department has heard evidence on and resolved the issues presented in this hearing. This evidence will be used to prepare the Proposed Finding of water rights that will be submitted to the court pursuant to Idaho Code § 42-1410 (Supp. 1984). No rulings on the protest are made from this hearing. However, the following changes to the Preliminary Report will be incorporated into the Proposed Findings:

1) The consumptive use of water for irrigation purposes (consumptive irrigation requirement) in Upper Reynolds will be changed to 2.7 acre-feet in the Proposed Finding.

2) The period of use for all water rights including the protestants' water rights 57-0246, 57-0267, 57-1021, 57-1022 and 57-1023 used for irrigation in Reynolds Creek Drainage Basin will be from March 15 to November 15 in the Proposed Finding.

3) The diversion rate for domestic use on water right 57-1020 will be recommended as .04 cfs in the Proposed Finding.

4) Otherwise the protestants water rights will be recommended in the Proposed Finding as the same appeared in the Preliminary Report.

DATED this 27TH day of June, 1985.


Norman C. Young
Hearing Officer

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JUL 21 1994

¹Johnson, Clifton W. and Jeffrey P. Smith. (1979) Reducing Stream Sediment Loads by Irrigation Diversions. Transaction of the ASAE (Vol. 22, No. 3, pp 573-576).

²Johnson, Clifton W. (1964) Streamflow Depletion and Return Flow from Irrigation, Reynolds Creek Experimental Watershed in Southwest Idaho. ASAE Paper No. 64-207, ASAE, St. Joseph, MI 49084, 21 p.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF THE GENERAL)
DETERMINATION OF THE RIGHTS TO)
THE USE OF THE SURFACE AND)
GROUNDWATERS OF REYNOLDS CREEK)
DRAINAGE COMMONLY KNOWN AS)
REYNOLDS CREEK DRAINAGE BASIN)
_____)

CERTIFICATE OF MAILING

I HEREBY CERTIFY that this the 28th day of June, 1985, a true and correct copy of the MEMORANDUM OF HEARING was mailed, postage prepaid, addressed to the following:

Richard Gabica
Benita Gabica
403 W. Lincoln
Nampa, ID 83651

George Earll
Cereda Ranches, Inc.
Star Route, Box 58
Melba, ID 83641

Thomas G. Nelson
Box 1906
Twin Falls, ID 83301

Elias Jaca
Murphy, ID 83650

Keith E. Anderson
6700 Emerald
Boise, ID 83704

Alvin Benson
Thomas Benson
Star Route
Melba, ID 83641

Philip A. Peterson
P. O. Box 247
Nampa, ID 83651


DONALD V. SHAFF
Adjudication Unit Leader

MICROFILMED

JUL 21 1984

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

57-1018	
I.D. No.	Map No.
\$ 20	#14447
Fee Paid	Receipt No.

Notice is hereby given that Richard Gabica and Benita Gabica
(Name of Claimant)

403 W. Lincoln Nampa, Idaho 83651 Telephone No. (208) 466-6642
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) June 1, 1904

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Springs, and ponds on unnamed streams tributary to Reynolds Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 0.06 cfs Use Domestic & stock Period of Use From Jan. 1 To Dec. 31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 0.06 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 27, Twp. 3 S, Rge. 4 W, B.M., Owyhee County
Additional Points: NW $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 34, T.3S., R.4W

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Improved springs and pond with earth dike

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3S	4W	27															X		
3S	4W	34		X															

Total no. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock watering and domestic use

NOTE: Include here the type and number of stock watered: Up to 450 head cattle (Johnson Field)

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

7/10/79
(Date)

Individual Richard Gabica
(Signature of Claimant)

Organization Benita Gabica
(Signature of Spouse)

State of Idaho

County of Ada

Organization _____

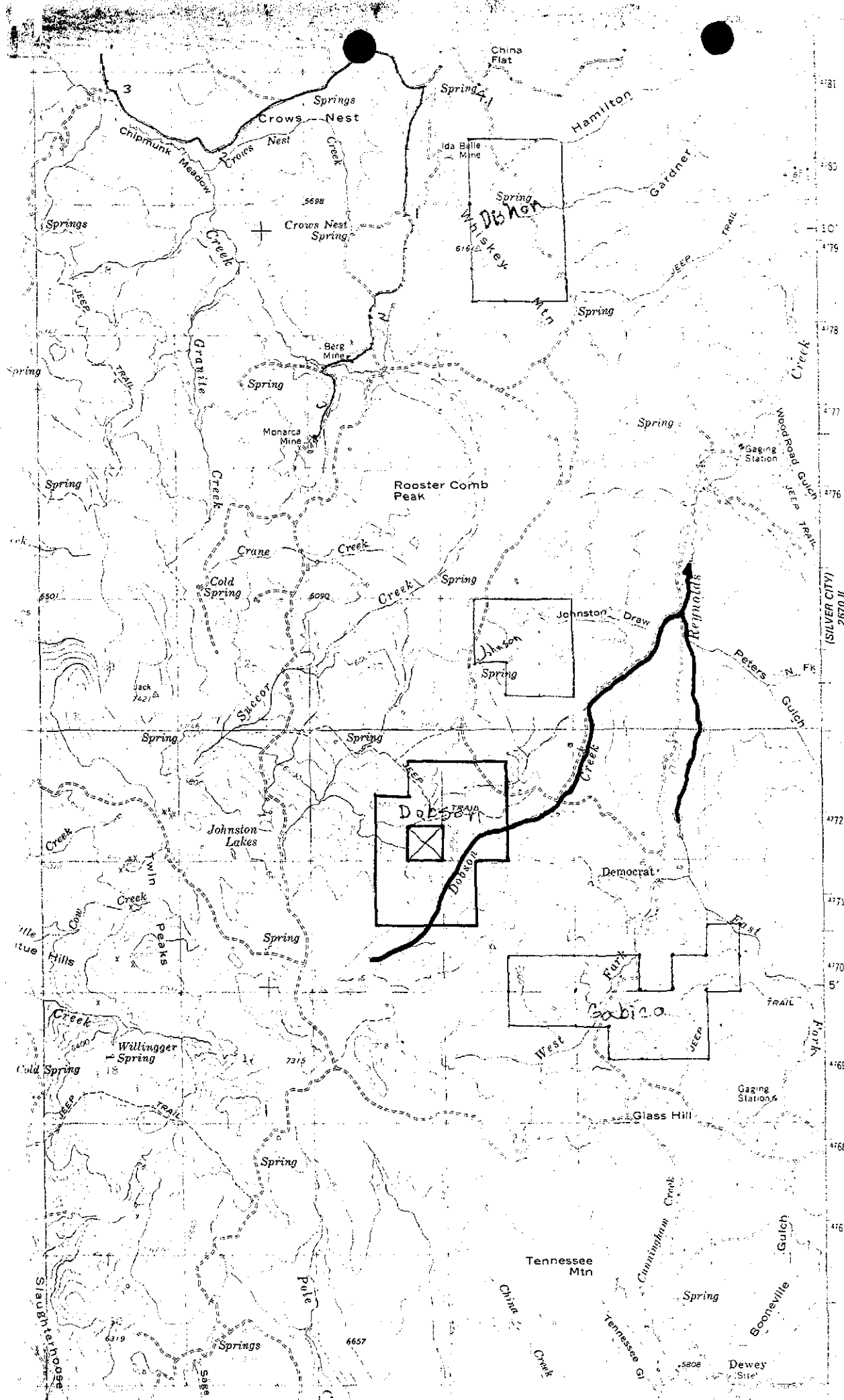
Seal _____

(Signature of Authorized Agent) KEYPUNCHED 7/21/79 KW

On this 10th day of July, in the year 1979 before me
a notary public, personally appeared Richard Gabica and Benita Gabica
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires December 12, 1981

Notary Public residing at Boise, Idaho



POOR ORIGINAL

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JUL 21 1994

JUL 21 1994

INTER-DEPARTMENT MEMO — 1

FROM

• Ron Howerton

DATE

1-30-89

TO

CLAIMS COMBINED / NO'S . NOT USED FILE

SUBJECT

57-01018, 57-01019, 57-01020, 57-01131,
57-01132 AND (55-04095) COMBINED INTO
A57-10726 . all are same priority.

MICROFILMED
OCT 07 1992

Ron H

SIGNATURE

CONVERSATION MEMORANDUM

DATE 11/3/88

FILE _____

NAME OF PARTY Richard Gabica~~EMPLOYED~~
consultant: John K. Noyes

RE: _____

There are three grazing units on this ranch, where the same cattle use the common area.

1- Dobson Field, Johnston Draw
East & West fork of Reynolds creek.
Gole creek.

2. Succor creek drainage

3- Home base area.

note: On right A57-01132 use information on attached sheet for B.D & P.U. & sources. In Decree the point of diversion was not listed for in-stream watering only the place of use. Some change from the decree rights, where the applicant said there was a need.

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OCT 07 1992

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

57-1019	I.D. No.	Map No.
\$ 20	Fee Paid	#14447
		Receipt No.

Notice is hereby given that Richard Gabica and Benita Gabica

(Name of Claimant)

403 W. Lincoln Nampa, Idaho 83651 Telephone No. (208) 466-6642

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) June 1, 1904

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Springs, and ponds on

unnamed streams R

tributary to

Reynolds Creek, West Fork & RC, East Fork

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity 0.08 cfs Use Domestic & stock Period of Use From Jan. 1 To Dec. 31

(CFS, GPD, AF)

(Domestic, irrigation, stock, etc.)

(Mo., Day)

(Mo., Day)

(Both dates inclusive)

Quantity 0.08 Use STOCK Period of Use From 1/1 To 12/31

(CFS, GPD, AF)

(Domestic, irrigation, stock, etc.)

(Mo., Day)

(Mo., Day)

(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____

(CFS, GPD, AF)

(Domestic, irrigation, stock, etc.)

(Mo., Day)

(Mo., Day)

(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____

(CFS, GPD, AF)

(Domestic, irrigation, stock, etc.)

(Mo., Day)

(Mo., Day)

(Both dates inclusive)

(4) 0.08 cfs TOTAL QUANTITY CLAIMED.

(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE 1/4 SW 1/4
Sec. 11, Twp. 4 S, Rge. 4 W, B.M., Owyhee County

Additional Points: SW 1/4 Sec. 11, SW 1/4 Sec. 12, SE 1/4 NW 1/4 & NW 1/4 SE 1/4 Sec. 14, NE 1/4 NE 1/4 & NW 1/4 NE 1/4 Sec. 15,
all in T. 4 S., R. 4 W.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

Improved springs and small ponds (up to 200 x 200 ft) with earth dikes;
stock watering along creek channel also.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4S	4W	11											X	X					
4S	4W	12											X						
4S	4W	14								X						X			
4S	4W	15	X	X															

Total no. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock watering
and domestic use

NOTE: Include here the type and number of stock watered: Up to 600 head cattle (Gabica field)

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks This claim also is for stock watering directly from West and East Forks
of Reynolds Creek.

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

x 7/10/79
(Date)

Individual

Richard Gabica
(Signature of Claimant)

Benita Gabica
(Signature of Spouse)

Organization

State of Idaho

Organization

County of Ada

Seal

KEYPUNCHED

(Signature of Authorized Agent)

On this 10th day of July, in the year 1979 before me
a notary public, personally appeared Richard Gabica and Benita Gabica

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires December 12, 1981

Notary Public residing at Boise, Idaho

Remarks: Source for this right are springs this. D Reynolds Creek, East Fork & West Fork. D unnamed streams this. D Reynolds Creek, East Fork & West Fork.

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
PEYNOLDS CREEK
DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

59-1019 I.D. No.	Map No. 14447
\$ <u>50</u> Fee Paid	Receipt No.

Notice is hereby given that Richard Gabica and Benita Gabica
(Name of Claimant)

403 W. Lincoln Nampa, Idaho 83651 Telephone No. (208) 466-6642
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) June 1, 1904
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Springs, and ponds on unnamed streams tributary to Reynolds Creek
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|--|--|---|
| Quantity <u>0.08 cfs</u>
(CFS, GPD, AF) | Use <u>Domestic & stock</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>Jan. 1</u> To <u>Dec. 31</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 0.08 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11, Twp. 4 S, Rge. 4 W, B.M., Owyhee County
Additional Points: SW $\frac{1}{4}$ Sec. 11, SW $\frac{1}{4}$ Sec. 12, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$ & NW $\frac{1}{4}$ Sec. 15, all in T. 4S. R. 4W.
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Improved springs and small ponds (up to 200 x 200 ft) with earth dikes: stock watering along creek channel also.
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4S	4W	11											X	X					
4S	4W	12											X						
4S	4W	14								X						X			
4S	4W	15	X	X															

Total no. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock watering and domestic use

NOTE: Include here the type and number of stock watered: Up to 600 head cattle (Gabica field)

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks This claim also is for stock watering directly from West and East Forks of Reynolds Creek.
- (9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that statements included herein are true and accurate to the best of (his, her, their) knowledge.

7/10/79
(Date)

State of Idaho Organization _____
County of Ada ss. Seal _____

Individual Richard Gabica
(Signature of Claimant)
Benita Gabica
(Signature of Spouse)

Organization KEYPUNCHED
(Signature of Authorized Agent)

On this 10th day of July, in the year 1979 before me
a notary public, personally appeared Richard Gabica and Benita Gabica
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires December 12, 1981

Notary Public residing at Boise, Idaho

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK
DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

57-1020	I.D. No.	Map No.
\$ 20-	Fee Paid	#14447
		Receipt No.

Notice is hereby given that Richard Gabica and Benita Gabica
(Name of Claimant)

403 W. Lincoln Nampa, Idaho 83651 Telephone No. (208) 466-6642
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) June 1, 1904

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Springs, ~~and ponds~~
on unnamed streams tributary to Dobson Reynolds Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 0.08 cfs Use Domestic & stock Period of Use From Jan. 1 To Dec. 31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity 104 Use DOMESTIC Period of Use From 1-1 To 12-31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity 93 AFA Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 0.08 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE 1/4 NW 1/4
Sec. 3, Twp. 4 S, Rge. 4 W, B.M., Owyhee County

Additional Points: NE 1/4 SW 1/4 & NW 1/4 SW 1/4 & SW 1/4 NW 1/4 Sec. 3, NE 1/4 NW 1/4 & NW 1/4 NW 1/4 Sec. 4, NW 1/4 NE 1/4 Sec. 9 all
in T. 4S. R. 4W.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Improved springs and small pond with earth dike;
stock watering along creek channel also.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4S	4W	3							X	X	X	X							
4S	4W	4				X									X				
4S	4W	9		X															

Total no. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock watering
and domestic use

NOTE: Include here the type and number of stock watered: Up to 600 head cattle (Dobson field)

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks This claim also is for stock watering directly from Dobson Creek

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

7/10/79
(Date)

State of Idaho Organization _____
County of Ada Seal _____

Individual Richard Gabica
(Signature of Claimant)
Benita Gabica
(Signature of Spouse)

Organization _____
Seal _____
(Signature of Authorized Agent)

On this 10th day of July, in the year 1979 before me
a notary public, personally appeared _____

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires December 12, 1981 Notary Public residing at Boise, Idaho

Remarks: Source for this right are springs trib. Reynolds Creek
unnamed streams trib. Reynolds Creek
Dobson

KEYPUNCHED
3/01/85

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF REYNOLDS CREEK
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

57-1020
I.D. No.
\$ 2.00
Fee Paid

Map No.
14447
Receipt No.

Notice is hereby given that Richard Gabica and Benita Gabica
(Name of Claimant)
403 W. Lincoln Nampa, Idaho 83651 Telephone No. (208) 466-6642
(Mailing Address) (Zip Code)

- claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:
- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) June 1, 1904
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Springs, and ponds on unnamed streams tributary to Reynolds Creek
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|--|--|---|
| Quantity <u>0.08 cfs</u>
(CFS, GPD, AF) | Use <u>Domestic & stock</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>Jan. 1</u> To <u>Dec. 31</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) 0.08 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, Twp. 4 S, Rge. 4 W, B.M., Owyhee County Idaho
Additional Points: NE $\frac{1}{4}$ SW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$ & SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, NE $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 4, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9 all in 1.4S. R. 4W
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Improved springs and small pond with earth dike;
stock watering along creek channel also.
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4S	4W	3							X	X	X	X							
4S	4W	4					X	X											
4S	4W	9		X															

- Total no. of acres _____
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock watering and domestic use
- NOTE: Include here the type and number of stock watered: Up to 600 head cattle (Dobson field)
- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks This claim also is for stock watering directly from Dobson Creek.
- (9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

7/10/79
(Date)

State of Idaho Organization _____
County of Ada ss. Seal _____
On this 10th day of July, in the year 1979 before me
a notary public, personally appeared _____
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires December 12, 1981 Notary Public residing at Boise, Idaho

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

<u>57-1131</u> I.D. No.	Map No.
\$ Fee Paid	Receipt No.

Notice is hereby given that Richard Gabica and Benita Gabica
(Name of Claimant)

403 W. Lincoln Nampa, ID 83651 Telephone No. 446-6642
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) June 1, 1904 6/01/1904

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Dobson Creek
tributary to Reynolds Creek

8-1 AFA (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity .08 Use Stockwater Period of Use From 1/1 To 12/31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

8-1 AFA (4) .08 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source None In-stream
Sec. _____, Twp. _____, Rge. _____, B.M., Owyhee 73 County
Additional Points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	4W	3											S	S					
		10					S												
		9	S			S													

Total no. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: S/600 Range

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks (In-stream stockwatering)
Claimed as a part of 57-1020. No signature necessary. DVS 2/27/85

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Date)

(Signature of Claimant)

Organization

(Signature of Spouse)

State of _____

Organization

County of _____

ss.

Seal

(Signature of Authorized Agent)

On this _____ day of _____, in the year _____ before me
a notary public, personally appeared _____

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires _____

Notary Public residing at _____

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK
DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

57-1121	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that Richard Gabica and Benita Gabica
(Name of Claimant)

403 W. Lincoln Nampa, ID 83651 Telephone No. 446-6642
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right)
June 1, 1904

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Dobson Creek
tributary to Reynolds Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity .08 Use Stockwater Period of Use From 1/1 To 12/31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) .08 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF) In-stream

(5) A) Point of Diversion: Give location of point where water is diverted from its source 1/4 1/4
Sec. , Twp. , Rge. , B.M., Owyhee County

Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4S	4W	3											S	S					
		10					S												
		9	S			S													

Total no. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 600 Range

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks In-stream stockwatering
Claimed as a part of 57-1020. No signature necessary. DVS 2/27/85

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

(Date)

(Signature of Spouse)

Organization

State of Organization

County of Seal

(Signature of Authorized Agent)

On this day of , in the year before me

a notary public, personally appeared
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires Notary Public residing at

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEEIN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK
DRAINAGE BASIN.NOTICE OF CLAIM
TO A
WATER RIGHT

<u>57-1132</u>	
I.D. No.	Map No.
S	
Fee Paid	Receipt No.

Notice is hereby given that Richard Gabica and Benita Gabica
(Name of Claimant)403 W. Lincoln Nampa, ID 83651
(Mailing Address) (Zip Code)Telephone No. 466-6642

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) June 1, 1904 6/01/1904(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Reynolds Creek, East Fork and Reynolds Creek, West Fork tributary to Reynolds Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

B^L AFA Quantity .08 Use Stockwater S Period of Use From 1/1 To 12/31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)B^L AFA(4).08 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

In-Stream

(5) A) Point of Diversion: Give location of point where water is diverted from its source None $\frac{1}{4}$ $\frac{1}{4}$
Sec. _____, Twp. _____, Rge. _____, B.M., Owyhee 73 County

Additional Points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. _____

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	4W	11																	
		12																	
		14																	

Total no. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: S/600 Range

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks (In-stream stockwater. Sources for this rt. are Reynolds Creek, East Fork & Reynolds Creek, West Fork, both trib. Reynolds Creek.)
Claimed as a part of 57-1019. No signature necessary. DVS 2/27/85(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

(Date)

State of _____

Organization _____

County of _____

ss.

Seal

(Signature of Authorized Agent)

On this _____ day of _____, in the year _____, before me
a notary public, personally appeared _____

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires _____

Notary Public residing at _____

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK
DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

<u>57-1132</u>	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that Richard Gabica and Benita Gabica
(Name of Claimant)

403 W. Lincoln Nampa, ID 83651 Telephone No. 466-6642
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) June 1, 1904
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Reynolds Creek, East Fork and Reynolds Creek, West Fork tributary to Reynolds Creek
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|---------------------------------------|--|--|
| Quantity <u>.08</u>
(CFS, GPD, AF) | Use <u>Stockwater</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>1/1</u> To <u>12/31</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) .08 TOTAL QUANTITY CLAIMED. In-Stream
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source 1/4 1/4
Sec. _____, Twp. _____, Rge. _____, B.M., Owyhee County
Additional Points: _____
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. _____

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	4W	11												S					
		12									S								
		14					S												

Total no. of acres _____

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: 600 Range

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks In-stream stockwater
Claimed as a part of 57-1019. No signature necessary. DVS 2/27/85
- (9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

(Date)

(Signature of Spouse)

Organization

State of _____

Organization

County of _____

Seal

(Signature of Authorized Agent)

On this _____ day of _____, in the year _____ before me
a notary public, personally appeared _____

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires _____

Notary Public residing at _____

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD GABICA 403 W LINCOLN NAMPA ID 83651 (208) 466-6642	06/01/1904	STOCKWATER	01-01 12-31	0.19 CFS	
TOTAL DIVERSION:					0.19 CFS	

Water Source: SPRINGS
SPRINGS
DOBSON CREEK
SPRINGS
UNNAMED STREAMS
SPRINGS
UNNAMED STREAMS
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK, WEST FORK
SPRINGS
UNNAMED STREAMS

Tributary to: SINKS
JOHNSTON DRAW
REYNOLDS CREEK
DOBSON CREEK
DOBSON CREEK
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK
REYNOLDS CREEK
REYNOLDS CREEK, WEST FORK
REYNOLDS CREEK, WEST FORK

Stage: DECREED

Point(s) of Diversion:	T03S R04W S27	SWSE	OWYHEE County
	S34	NWNE	OWYHEE County
	T04S R04W S03	SWNW	OWYHEE County
	S03		OWYHEE County
	S04	SENE	OWYHEE County
	S09	NWNE	OWYHEE County
	S10	SWSE	OWYHEE County
	S11	SWSW	OWYHEE County
	S12	SWSW	OWYHEE County
	S14	NENE	OWYHEE County
	S15	NWNE	OWYHEE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
03S	04W	27	:																
03S	04W	34	:		S														
04S	04W	3	:																
04S	04W	4	:				S		04-S	S	S		S	S	S				
04S	04W	9	:	S	S				04-S								S		
04S	04W	10	:							S								S	S
04S	04W	11	:											S	S				
04S	04W	12	:										S						
04S	04W	14	:	S					S		S								

POU County: OWYHEE

Non-Irrigation Use: STOCKWATER, 800 HEAD RANGE CATTLE

Other Rights: NONE

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OCT 7 1999

Remarks: THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 57-01018, 57-01019, 57-01020, 57-01131 AND 57-01132.
SOURCES FOR THIS RIGHT ARE SPRINGS TRIB. TO SINKS AND JOHNSON DRAW, DOBSON CREEK TRIB. TO REYNOLDS CREEK, SPRINGS TRIB. TO DOBSON CREEK, UNNAMED STREAMS TRIB. TO DOBSON CREEK, SPRINGS TRIB TO REYNOLDS CREEK, E. FORK, UNNAMED STREAMS TRIB. TO REYNOLDS CREEK, E. FORK, REYNOLDS CREEK, E. FORK TRIB. TO REYNOLDS CREEK, REYNOLDS CREEK, W. FORK TRIB. TO REYNOLDS CREEK, SPRINGS TRIB. TO REYNOLDS CREEK, W. FORK, AND UNNAMED STREAMS TRIB. TO REYNOLDS CREEK, W. FORK.

Dates: Exam Made Date: 10/29/1990 Verified Date: 02/25/1992

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

Comments: Date: 09/19/1991 User-ID: GIBSON Subject: COMBINATION OF CLAIMS
THIS CLAIM IS MADE FROM WATER RIGHTS 57-01018, 57-01019, 57-1020, 57-01131, AND 57-01132. WATER RIGHT 55-04095 WAS INCLUDED IN THE ORIGINAL CLAIM, THIS IS IN BASIN 55 AND HAS BEEN DELETED FROM THIS CLAIM. IT WILL NEED TO BE INCLUDED WHEN BASIN "55" IS DECREED.

Audit: 00/00/00

MICROFILMED
OCT 07 1992

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

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

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

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

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

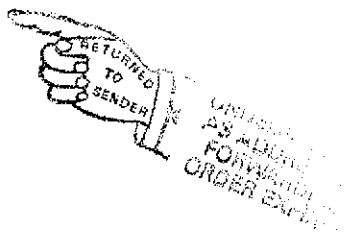
A&B IRRIGATION DISTRICT, 11TH & E STREETS, RUPERT
DISTRICT COURT CLERK, BLAINE COUNTY COURTHOUSE,
202-2 AVE. S, HAILEY
DISTRICT COURT CLERK, BUTTE COUNTY COURTHOUSE,
248 W GRAND, ARCO
HAGERMAN POST OFFICE, 444 NORTH STATE, HAGERMAN
DISTRICT COURT CLERK, JEROME COUNTY COURTHOUSE,
300 N LINCOLN, JEROME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

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

OFFICES OF IDWR AND SRBA DISTRICT COURT

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

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



RECEIVED
JAN 02 1996

Department of Water Resources

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

RECEIVED
JAN 04 1996
WATER RESOURCES
WESTERN REGION

57-10726
RICHARD GABICA
403 W LINCOLN
NAMPA

ID 83651

OWNERSHIP ERROR
OWNER VACA RECEIVED NOTICE WITH OTHER RIGHTS.
DO NOT SEND THIS ONE.

[Signature] 1/03/96

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

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

In Re SRBA) Case No. 39576
)
) NOTICE OF FILING AMENDED DIRECTOR'S
) FOR REPORTING AREAS 1, 2, AND 3
) (BASINS 34, 57 AND 36)

RECEIVED
JAN 11 1996
CLERK OF DISTRICT COURT

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

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

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

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

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

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

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET

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

1. ☒ No Change NAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____
(if the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☒ No Change - SOURCE
☐ Source is different than that claimed:
Source found: Changed per USGS QUAD
4. ☐ No Change - POINT OF DIVERSION
☒ Point of diversion is different than the claim DELETED Basin "55"
New P/D: Twp. _____, Rge. _____, Sec. _____, 1/4 SEE REMARKS 4
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete desc., complete items missing, IF KNOWN.
☐ Additional comments in remarks.
HP of pump _____ Pump Ser. # _____ Pumping water level _____
Well depth _____ Motor Ser. # _____ Static water level _____
Casing size _____ Method of irr. _____
6. ☒ No Change - WATER USES
☐ Different uses, (list uses found).
Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☒ No Change - TOTAL VOLUME
☐ Incomplete on claim, the total is, -- -- _____ cfs _____ af
☐ Change found, the new total is, -- -- -- _____ cfs _____ af
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____

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OCT 07 1992

10. ☐ No Change - PLACE OF USE: (If changed, list below.)

Use	Twp.	Rge.	Sec.	1/4,	1/4,
<u>SEE REMARKS</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Remarks: (Comments pertinent to field examination)

WATER Right 55-04095 was included in original claim. POB
& POB for this claim is deleted.

ATTACHMENTS:

Attached to
This Form.

Attachments are
in Permit File.

PHOTOS (optional) ☐
MAP ☒
SYSTEM DIAGRAM ☐

☐
☐
☐

☐ Changes found during exam or additional information in the permit file, see permit file.

DATE EXAM CONDUCTED: 10-29-1990

FIELD EXAMINER:

GENE GIBSON

Signature

Gene Gibson

August 17, 1991

Elias Jaca
Murphy, ID 83650

Re: Snake River Basin Adjudication (SRBA)
Owyhee County - Claim No(s). 57-01017, 57-10726

Dear Mr. Jaca,

I have enclosed a summary of the two rights you had not received in the mail. As with the others, please review the information and contact this office should you have any questions.

In addition, please complete and return the "Change of Ownership" form for the rights you recently purchased from Richard Gabica. As soon as you return the form, with a copy of the deed or some other evidence that you own the property, I can place the rights in your name.

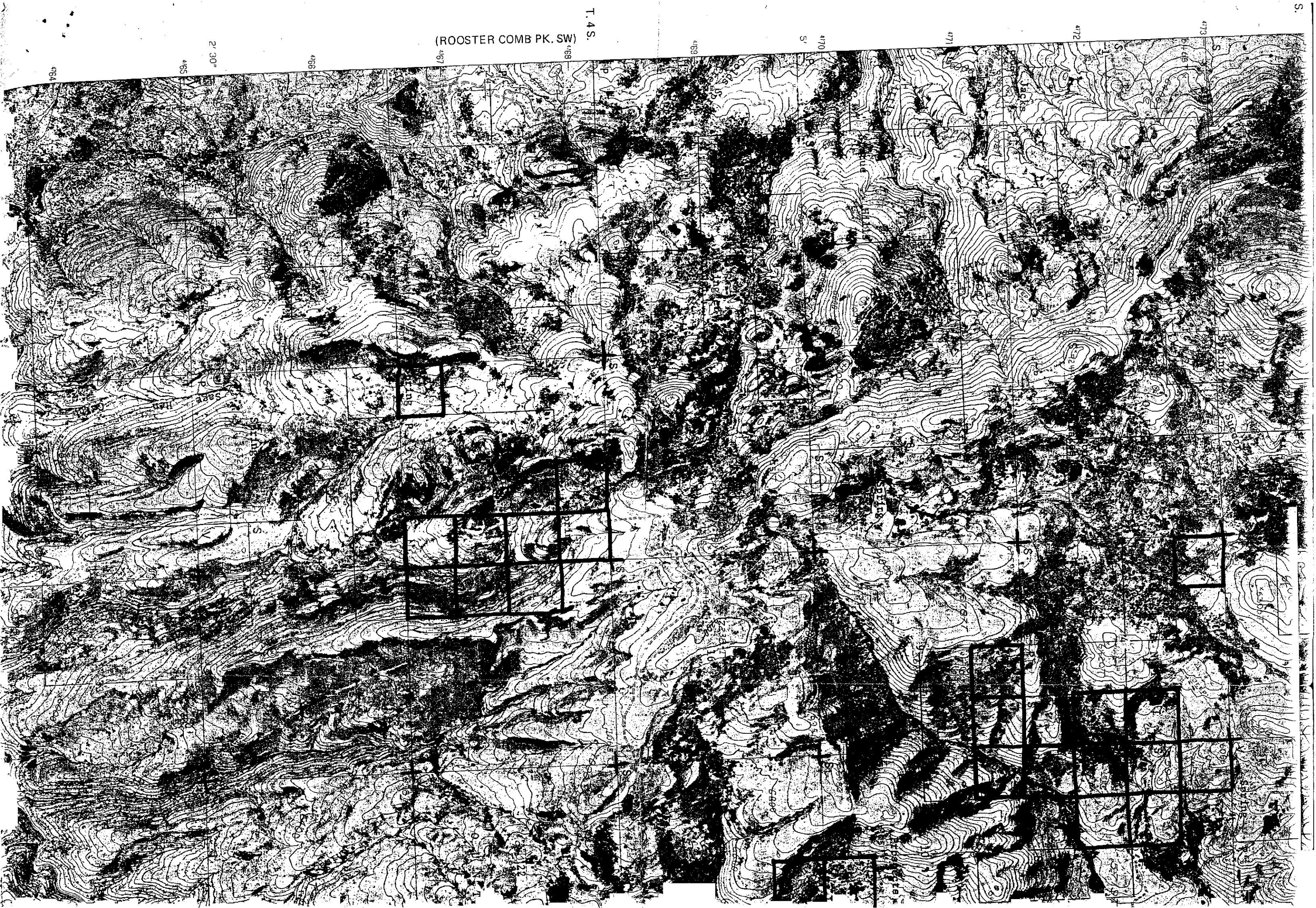
Please return the form as quickly as possible, the recommendations may be final as soon as October 1, 1992. Contact this office if you have any questions.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

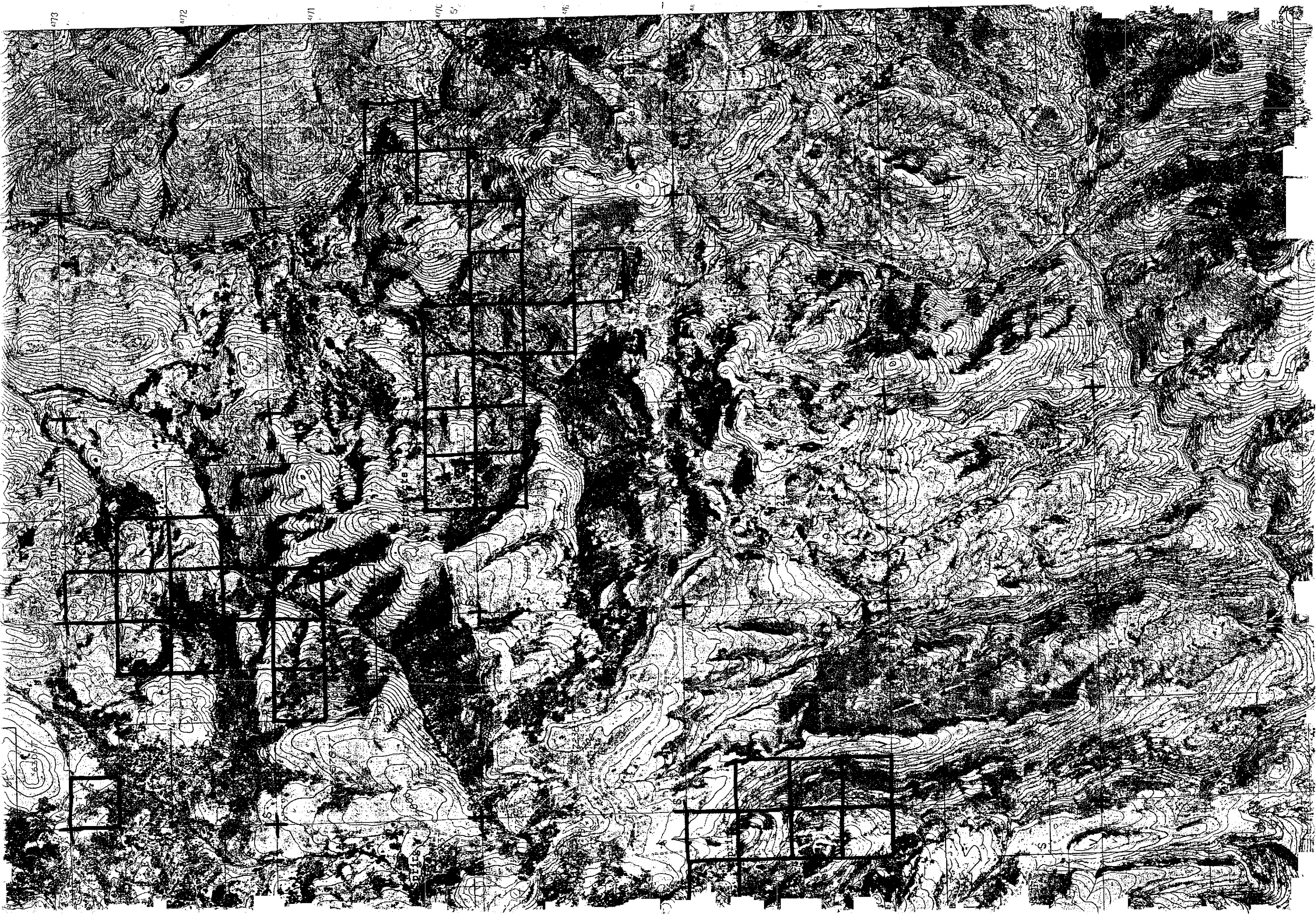
RM:rm
Enclosure
Profile Reports (2)
Change of Ownership form

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OCT 07 1992



T. 4 S.
(ROOSTER COMB PK. SW)

2.30'





N. N. PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

A57-04033 A57-04044 A57-01017, A57-10726
A57-00246, A57-00267 A57-01021, 01022 01023
A57-1072

☐ Name and Address of Former Owner/Claimant(s)(Seller):

Richard Lelican

☐ New Owner/Claimant (Purchaser):

JACA, ELIAS & INCZ

☐ New Mailing Address:

817. Blaine Ave
Nampa ID 83651

☐ New Telephone Number:

() 466-8801

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s)

Elias Jaca

Date *Aug. 12, 1992*

Date

☐ Signature of Former Owner/Claimant(s):

Richard Lelican

Date *8-12-92*

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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OCT 07 1992

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

AJ0749NP
No. 57-10726

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

DATE: 02/08/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELIAS JACA	06/01/1904	STOCKWATER	01-01 12-31	0.19 CFS	
C	INEZ JACA					
TOTAL DIVERSION:					0.19 CFS	

Water Source: SPRINGS
SPRINGS
DOBSON CREEK
SPRINGS
UNNAMED STREAMS
SPRINGS
UNNAMED STREAMS
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK, WEST FORK
SPRINGS
UNNAMED STREAMS

Tributary to: SINKS
JOHNSTON DRAW
REYNOLDS CREEK
DOBSON CREEK
DOBSON CREEK
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK
REYNOLDS CREEK
REYNOLDS CREEK, WEST FORK
REYNOLDS CREEK, WEST FORK

Stage: DECREED

Point(s) of Diversion:	T03S R04W S27	SWSE				OWYHEE County
	S34	NWNE				OWYHEE County
	T04S R04W S03	SWNW	SENW	NESW	NWSW	OWYHEE County
	S04	SENE	NESE			OWYHEE County
	S09	NWNE				OWYHEE County
	S10	SWSE	SESE			OWYHEE County
	S11	SWSW	SESW			OWYHEE County
	S12	SWSW				OWYHEE County
	S14	NENE	SENW	NWSE		OWYHEE County
	S15	NWNE				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
03S	04W 27	:				:				:				:			
03S	04W 34	:		S		:				:				:		S	
04S	04W 3	:				:		04-S	S	:	S	S	S	:			
04S	04W 4	:			S	:		04-S		:				:	S		
04S	04W 9	:	S	S		:				:				:			
04S	04W 10	:				:		S		:				:		S	S
04S	04W 11	:				:				:		S	S	:			
04S	04W 12	:				:				:	S	S		:			
04S	04W 14	:	S	S		:		S	S	:				:			

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 800 HEAD RANGE CATTLE

Other Rights: NONE

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: A57-10726
Date Received: 11/03/1988
Receipt No: W002136
Received By: DE JAV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD GABICA
Address: 403 WEST LINCOLN
NAMPA, ID

208-466-6642

83651

2. Date of Priority: JUN 01, 1904

3. Source: SPRINGS
POLE CREEK
SPRINGS
SPRINGS
DOBSON CREEK
SPRINGS
UNNAMED STREAMS
SPRINGS
UNNAMED STREAMS
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK, WEST FORK

Trib. to: SINKS
GORDON CREEK
UNNAMED STREAMS
JOHNSTON DRAW
REYNOLDS CREEK
DOBSON CREEK
DOBSON CREEK
REYNOLDS CREEK, E & W FORK
REYNOLDS CREEK, E & W FORK
REYNOLDS CREEK
REYNOLDS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03S	04W	27	SW	SE			OWYHEE
04S	04W	3	SW	NW			OWYHEE
			SE	NW			OWYHEE
			NE	SW			OWYHEE
			NW	SW			OWYHEE
		4	SE	NE			OWYHEE
			NE	SE			OWYHEE
		9	NW	NE			OWYHEE
		10	SW	SE			OWYHEE
			SE	SE			OWYHEE
		11	SW	SW			OWYHEE
			SE	SW			OWYHEE
		12	SW	SW			OWYHEE
		14	NE	NE			OWYHEE

A57-10726

Page 1

Date: 02/08/89

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OCT 07 1992

4. Point of Diversion: Continued

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	04W	14	SE	NW			OWYHEE
			NW	SE			OWYHEE
		15	NW	NE			OWYHEE
		20	NE	NE			OWYHEE
			NW	NE			OWYHEE
			SE	NE			OWYHEE
			SW	SW			OWYHEE
			NE	SE			OWYHEE
			SE	SE			OWYHEE

5. Description of diverting works:

STOCK TANKS, INSTREAM WATERING, PIPELINES TO TANKS, ETC.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.190		

7. Total Quantity Appropriated is:

0.190 C.F.S. (and/or) A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/800 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03S	04W	27	SW	SE		STOCK	
		34	NW	NE		STOCK	
04S	04W	3	NW	NW		STOCK	
			SW	NW		STOCK	
			~~SW~~	~~NW~~		STOCK	
			SE	NW		STOCK	
			~~SE~~	~~NW~~		STOCK	
			NE	SW		STOCK	
			NW	SW		STOCK	
			SW	SW		STOCK	
		4	SE	NE		STOCK	
			NW	NW		STOCK	
			NE	SE		STOCK	
		9	NE	NE		STOCK	
			NW	NE		STOCK	
		10	NW	NW		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04S	04W	10	SW		SE		STOCK	
			SE		SE		STOCK	
		11	SW		SW		STOCK	
			SE		SW		STOCK	
			~~SE~~		~~SW~~		STOCK	
		12	NE		SW		STOCK	
			SW		SW		STOCK	
		14	NE		NE		STOCK	
			NW		NE		STOCK	
			NW		NW		STOCK	
			SE		NW		STOCK	
		20	NE		NE		STOCK	
			NW		NE		STOCK	
			SE		NE		STOCK	
			SW		SW		STOCK	
			NE		SE		STOCK	
			SE		SE		STOCK	
		21	SW		NW		STOCK	
			NW		SW		STOCK	
			SW		SW		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:
WATER RIGHTS FOR A COMMON USE AREA, 57-01018, 57-01132, 57-01019,
57-01020, 57-01131, 55-04095.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A57-10726
Ident. Number 39576
Date Received 11-3-88
Receipt Number W002136/W002137

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Please type or print clearly

1. Name of Claimant (s) Richard Gabieu Phone (208) 466-6642

Mailing Address 403 W Lincoln Nampa, Ida Zip 83651

2. Date of Priority (Only one (1) per claim) 6/11/1904

3. Source of water supply (a) See attached sheets for Source &
which is tributary to (b) tributary

4. Location of point of diversion is: Township _____ Range _____

Section 1/4 of 1/4 of 1/4, Govt. Lot _____, B.M.,

County of _____

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Stock Tanks

in stream watering, pipelines to Tanks
& etc.

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

(Both dates are inclusive) (cfs)
For Stockwater purposes from 1/1 to 12/31 amount .19

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .19 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) 5/800/ range

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
			See attached sheet for place of use															

11. In which county (ies) are lands listed above as place of use located? Oneida

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: Water rights for a common use area

A-57-01018, A57-01132, A57-01019, A57-1020, A57-01131
55-04095

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☐

If applicable provide IDWR Water Right Number See above

Court 3rd Case Number See above Decree Date See above

Plaintiff vs Defendant Netleton v Higginson

16. Signature (s)

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

Number of attachments

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Richard Lalicca Date Nov 3-1988

Date

For Organizations: I do solemnly swear or affirm that I am

of Title
that I have signed the foregoing

Organization

document in the space below as of

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization Date

State of Idaho/or Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 3 day of November 19 88

SEAL

Notary Public John K. Meyer

Residing at 15476 Homestead Rd
Oldwell, Idaho

My Commission Expires Sept 21, 1994

Last Name Lalicca Ident No. A5701132 Copies White-State, Yellow-Claimant

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Town- ship	Ran- ge	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$					
claim number			A 57-01132								all stockwater								
Adj.	Point of Diversion										Source								
No.	TH 8	R 4W - Sec 20									Springs - Sink								
55-04 095	NENE; NW NE; SE NE; SW SW; NE SE; SE SE										Sole creek trib Gordon creek.								
Place of use																			
T 45 R 4W Sec 20			NE NE, NW NE, SE NE, SWSW, NESE, SESE																
Sec 21			SW NW, NW SW, SW SW																
Adj.	Point of Diversion										Source								
H	T 35 R 4W Sec 27, SW SE										Springs trib unnamed stream								
Place of use																			
T 35 R 4W Sec 34			NW NE								trib Johnston Draw.								
			27 SW SE																
Point of Diversion											Source								
Note: In stream flow											Dobson creek trib								
No R.D. Watering											Reynolds creek.								
Place of use																			
T 45 R 4W Sec 3			SW NW, SE NW, SW $\frac{1}{4}$																
Sec 9			NE $\frac{1}{4}$																
Sec 10			NW NW																
Point of Diversion											Source								
T 45 R 4W Sec 3			SW NW, SE NW, NE SW, NW SW																
Sec 4			SE NE, NE SE								Springs & unnamed stream trib								
Sec 9			NW NE								Dobson creek								
Place of use																			
T 45 R 4W Sec 4			SE NE, NW NW, NE SE																
Sec 9			NW NE																
Sec 3			NW NW, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW,								continued								

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OCT 07 1992

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME GABICACLAIM IDENT. NO. A57-10726DATE RECEIVED 11-3-88CK # 570/4390AMOUNT \$ 635/2.00

YES

NO

Required
Info?

1. Is the name and address complete with zip code? X YES NO Required Info? *
2. Is a priority date entered? X YES NO Required Info? *
- Is the priority date acceptable in view of mandatory filing dates? X YES NO Required Info? *
3. (a) Is a source entered? X YES NO Required Info? *
- (b) Is a tributary to entered? (if required) N/A YES NO Required Info? *
4. Is the legal description of the p.d. sufficient? X YES NO Required Info? *
5. Is there a description of the diverting works? X YES NO Required Info? *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. X YES NO Required Info? *
- Is the period of use included? X YES NO Required Info? *
- Is a quantity claimed for each use? X YES NO Required Info? *
7. Is a total quantity claimed entered? X YES NO Required Info? *
8. If required is a consumptive use entered? N/A YES NO Required Info? *
- Is the consumptive use correct? N/A YES NO Required Info? *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A YES NO Required Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? X YES NO Required Info? *
11. Is (are) the county(ies) entered? X YES NO Required Info? *
12. Is the ownership of p.u. checked? X YES NO Required Info? *
13. Are other water rights listed or "none" indicated? X YES NO Required Info? *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A YES NO Required Info? *
15. Is the basis of the claim indicated? X YES NO Required Info? *
16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.) X YES NO Required Info? *
17. Is the claim signed by the claimant, and is the signature appropriate? X YES NO Required Info? *
18. Has the claim been signed, sealed, and dated by a notary? X YES NO Required Info? *
19. Was this claim filed on time, or was an extension granted? X YES NO Required Info? *
20. Is the fee enclosed correct? X YES NO Required Info? *
21. If this claim is based on an existing water right, has the identification number been entered? N/A YES NO Required Info? *
22. Should this claim be receipted and data entered? X YES NO Required Info? *

Claim checked by: VERIFIED RDH Date: 1-30-89Claim must be returned to claimant: (Yes) (No)Claimant must be sent a copy of amended claim for approval: (Yes) (No)

Receipt Prepared by: _____

Date: _____

Claim data entered by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Checked by: OCT 07 1992 Date: _____Comments: CLAIM COMBINES A57-01018, 57-01019, 57-01020, 57-01131,

REMARKS

57-01132, 55-04095 INTO # 57-10726 all are 1904 Priority25.00 * SEE JOHNS LAND LISTS FOR P/O AND P/U *

Water Right Number - A57-01018

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

GABICA

RICHARD

1 - 403 W LINCOLN

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone - 208-000-0000

GABICA

BENITA

1 - 403 W LINCOLN

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1904 14 WESTERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
UNNAMED STREAMS JOHNSTON DRAW
SPRINGS JOHNSTON DRAW+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)03S 04W 27 SW SE (73) OWYHEE
34 NW NE (73) OWYHEE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040 1.20
04 - STOCKWATER 01/01 12/31 0.060 6.70+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.060 7.90+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
03S 04W 27 SW SE 04 STOCKWATER (73) OWYHEE
03S 04W 34 NW NE 04 STOCKWATER (73) OWYHEE

+ - - Diversion Means - IMPROVED SPRINGS AND POND WITH EARTH DIKE.

- Non-Irrigation Use - S/450 RANGE.

- Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

OCT 07 1992

MICROFILMED

Water right number - A57-01018

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 03/18/85 05/01/88 CONVERT 12/27/91 MCCARTHY 12/30/91 MCCARTHY

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 57R
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Presumption Flag -	

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OCT 07 1992

Water Right Number - A57-01019

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

GABICA

RICHARD

1 - 403 W LINCOLN

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone - 208-000-0000

GABICA

BENITA

1 - 403 W LINCOLN

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1904 14 WESTERN J - BENEFICIAL USE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
SPRINGS REYNOLDS CREEK, E. FK.
UNNAMED STREAMS REYNOLDS CREEK, E. FK.
SPRINGS REYNOLDS CREEK, W. FK.
UNNAMED STREAMS REYNOLDS CREEK, W. FK.+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
04S 04W 11 SW SW (73) OWYHEE
SE SW (73) OWYHEE
12 SW SW (73) OWYHEE
14 SE NW (73) OWYHEE
NW SE (73) OWYHEE
15 NE NE (73) OWYHEE
NW NE (73) OWYHEE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040 1.20
04 - STOCKWATER 01/01 12/31 0.080 8.10+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.080 9.30+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
04S 04W 11 SW SW 04 STOCKWATER (73) OWYHEE
04S 04W 11 SE SW 04 STOCKWATER (73) OWYHEE
04S 04W 12 SW SW 04 STOCKWATER (73) OWYHEE
04S 04W 14 SE NW 04 STOCKWATER (73) OWYHEE
04S 04W 14 NW SE 04 STOCKWATER (73) OWYHEE
04S 04W 15 NE NE 04 STOCKWATER (73) OWYHEE
04S 04W 15 NW NE 04 STOCKWATER (73) OWYHEEOCT 07 1992
MICROFILMED

Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - IMPROVED SPRINGS, SMALL PONDS, WITH EARTH DIKES.

+ - - Non-Irrigation Use - S/600 RANGE.

+ - - Other Rights for Same Use -

+	Remarks	+
	No Remarks found.	

+-----Old Water Right Numbers-----+

No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +	+ - - - Decree Defendant - - - +	+ - Decree Date - + 00/00/0000
----------------------------------	----------------------------------	-----------------------------------

-----Comments-----
No Comments Found

+ - - Audit Fields - 05/06/85 05/01/88 CONVERT 12/27/91 MCCARTHY 12/30/91 MCCARTHY

+ - - - - v Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 57R
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		

MICROFILMED
OCT 07 1992

Water Right Number - A57-01020

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

GABICA

RICHARD

1 - 403 W LINCOLN

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone - 208-000-0000

GABICA

BENITA

1 - 403 W LINCOLN

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1904 14 WESTERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SPRINGS DOBSON CREEK
UNNAMED STREAMS DOBSON CREEK

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
04S	04W	3	SW NW			(73) OWYHEE		
			SE NW			(73) OWYHEE		
			NE SW			(73) OWYHEE		
			NW SW			(73) OWYHEE		
		4	SE NE			(73) OWYHEE		
			NE SE			(73) OWYHEE		
		9	NW NE			(73) OWYHEE		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
04 - STOCKWATER		01/01	12/31		0.080	8.10
43 - DOMESTIC		01/01	12/31		0.040	1.20

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.080 9.30

Tw	Rng	Sec	Tract	Lot	Acres	Code	Place of Use	Description	County
04S	04W	3	SW NW			04	STOCKWATER	(73) OWYHEE	
04S	04W	3	SE NW			04	STOCKWATER	(73) OWYHEE	
04S	04W	3	NE SW			04	STOCKWATER	(73) OWYHEE	
04S	04W	3	NW SW			04	STOCKWATER	(73) OWYHEE	
04S	04W	4	SE NE			04	STOCKWATER	(73) OWYHEE	
04S	04W	4	NE SE			04	STOCKWATER	(73) OWYHEE	
04S	04W	9	NW NE			04	STOCKWATER	(73) OWYHEE	

+ Diversion Means - IMPROVED SPRINGS, SMALL POND WITH EARTH DIKE.

OCT 07 1992
MICROFILMED

Prefix Translation: ADJUDICATION CLAIM

+ - - Non-Irrigation Use - S/600 RANGE.

+ - - Other Rights for Same Use -

+	Remarks	+
	No Remarks found.	

+ Old Water Right Numbers +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +	+ - - - Decree Defendant - - - +	+ - Decree Date - + 00/00/0000
----------------------------------	----------------------------------	-----------------------------------

[illegible]

+ - - Audit Fields - 03/18/85 05/01/88 CONVERT 12/27/91 MCCARTHY 12/30/91 MCCARTHY

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 57R
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		

MICROFILMED
OCT 07 1992

Water Right Number - A57-01131

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
GABICA

RICHARD

1 - 403 W LINCOLN

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone - 208-000-0000

GABICA

BENITA

1 - 403 W LINCOLN

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1904 14 WESTERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
DOBSON CREEK REYNOLDS CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.080 8.10

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.080 8.10

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
04S 04W 3 SW SW 04 STOCKWATER 73 OWYHEE
04S 04W 3 SE SW 04 STOCKWATER 73 OWYHEE
04S 04W 9 NE NE 04 STOCKWATER 73 OWYHEE
04S 04W 9 SE NE 04 STOCKWATER 73 OWYHEE
04S 04W 10 NW NW 04 STOCKWATER 73 OWYHEE

- Diversion Means -

- Non-Irrigation Use - S/600 RANGE.

- Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

MICROFILMED
OCT 07 1992

Water right number - A57-01131

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
Date: 12/31/1991 User Id: MCCARTHY Subject: Water Uses
in-stream stockwatering

+ - - Audit Fields - 03/18/85 05/01/88 CONVERT 12/31/91 MCCARTHY

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date- 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 57R
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Presumption Flag -	

MICROFILMED
OCT 07 1992

Water Right Number - A57-01132

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
GABICA

BENITA

1 - 403 W LINCOLN

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone - 208-000-0000

GABICA

RICHARD

1 - 403 W LINCOLN

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1904 14 WESTERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
REYNOLDS CREEK, E. FK. REYNOLDS CREEK
REYNOLDS CREEK, W. FK. REYNOLDS CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.080 8.10

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.080 8.10

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

MICROFILMED
OCT 07 1992

RECEIVED

JUN - 6 1999

Department of Water Resources
Adjudication Bureau

1999 JUN 28 AM 10:10

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 57-10726

On April 12, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-10726 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUN 28 1999



BARRY WOOD
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication



1999 JUN 28 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-10726

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 57-10726 was mailed
on June 28, 1999, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

ELIAS JACA
Represented by:
JOHN T. SCHROEDER
PO BOX 267
BOISE, ID 83701-0267
Phone: 208-384-1627

CERTIFICATE OF MAILING

PAGE 1
06/28/99

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

ELIAS JACA
JACA, INEZ
817 BLAINE AVE
NAMPA, ID 83651

ELIAS JACA
INEZ JACA
817 BLAINE AVE
NAMPA, ID 83651

DIANA DELANEY
Chief Deputy Clerk

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

1999 JUN 28 AM 10:10

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-10726

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME AND ADDRESS: ELIAS JACA
INEZ JACA
817 BLAINE AVE
NAMPA, ID 83651

SOURCE:	SPRINGS	TRIBUTARY: SINKS
	SPRINGS	JOHNSTON DRAW
	DOBSON CREEK	REYNOLDS CREEK
	SPRINGS	DOBSON CREEK
	UNNAMED STREAMS	DOBSON CREEK
	SPRINGS	REYNOLDS CREEK, EAST FORK
	UNNAMED STREAMS	REYNOLDS CREEK, EAST FORK
	REYNOLDS CREEK, EAST FORK	REYNOLDS CREEK
	REYNOLDS CREEK, WEST FORK	REYNOLDS CREEK
	SPRINGS	REYNOLDS CREEK, WEST FORK
	UNNAMED STREAMS	REYNOLDS CREEK, WEST FORK
	JOHNSTON DRAW	REYNOLDS CREEK

QUANTITY: 0.19 CFS
10.80 AFY

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

PRIORITY DATE: 06/01/1904

POINT OF DIVERSION:	T03S R04W S34	SWNWE	Within Owyhee County
	LOT 02 (SESENE)		
	T04S R04W S03	NWSWNW	
		SESENE	
		SESENE	
	S04	SWNWSW	
		SESENE	
		SWNESE	
	S09	SENEWE	
	S11	SWSWSW	
		NWSESE	
	S12	NWSW	
		SESWSW	
	S14	SESWNE	
		NWSENE	
	S15	NENE	
		SENEWE	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.19 CFS 10.80 AFY

PLACE OF USE:	Stockwater	Within Owyhee County
	T03S R04W S34 LOT 02 (SENE)	NWNE
	T04S R04W S03	SENE
		SWSW
	S04	NESE
	S09	NENE
	S10	NWNE

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

S11	SWSW	SESW
S12	NWSW	SWSW
S14	SWNE	NWNW
	SENW	
S15	NENE	NWNE

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

RULE 54(b) CERTIFICATE

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



Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

APR 13 1999

Department of Water Resources

1999 APR 12 PM 12:30

DISTRICT COURT-SRBA
TWIN FALLS COUNTY, 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 57-10726

Case No. 39576

) SPECIAL MASTER'S REPORT
)
)
)

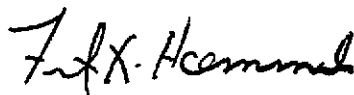
FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The director of the State of Idaho Department of Water Resources examined the water system for areas 1, 2, and 3 and investigated and abstracted the notices of claims for those Reporting Areas. The Director of the Idaho Department of Water Resources then filed a *Director's Report* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 57-10726 was filed. Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court; now therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-10726 be decreed as recommended in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 12, 1999.



FRITZ X. HAEMMERLE

Special Master, Snake River Basin Adjudication

RECEIVED

APR 13 1999

1999 APR 12 PM 12:31

Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

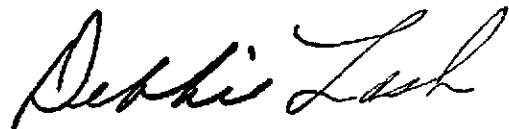
Water Right(s): 57-10726

On April 12, 1999, Special Master FRITZ X HAEMMERLE issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED April 12, 1999.



DEBBIE LASH
Deputy Clerk

RECEIVED

APR 13 1999

Department of Water Resources

1999 APR 12 PM 12:30

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 57-10726

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on April 12, 1999, with sufficient first-class postage prepaid to the following:

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

STATE OF IDAHO

Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

ELIAS JACA

Represented by:
JOHN T. SCHROEDER
PO BOX 267
BOISE, ID 83701-0267
Phone: 208-384-1627

CERTIFICATE OF MAILING

PAGE 1
04/10/99

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

RECEIVED

APR 13 1999

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-10726

Department of Water Resources

NAME AND ADDRESS: ELIAS JACA
INEZ JACA
817 BLAINE AVE
NAMP, ID 83651

SOURCE: SPRINGS
SPRINGS
DOBSON CREEK
SPRINGS
UNNAMED STREAMS
SPRINGS
UNNAMED STREAMS
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK, WEST FORK
SPRINGS
UNNAMED STREAMS
JOHNSTON DRAW

TRIBUTARY: SINKS
JOHNSTON DRAW
REYNOLDS CREEK
DOBSON CREEK
DOBSON CREEK
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK
REYNOLDS CREEK
REYNOLDS CREEK, WEST FORK
REYNOLDS CREEK, WEST FORK
REYNOLDS CREEK

QUANTITY: 0.19 CFS
10.80 AFY

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

PRIORITY DATE: 06/01/1904

POINT OF DIVERSION: T03S R04W S34 SNNWNE Within Owyhee County
LOT 02 (SESENE)
T04S R04W S03 NWSWNW
SESENE
SESENE
SNNWSW
S04 SESENE
SNNWNE
S09 SENWNE
S11 SWSWSW
NWSSEW
S12 NWSW
SESWSW
S14 SESWNE
NWSSEW
S15 NENE
SENNWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.19 CFS 10.80 AFY

PLACE OF USE:	Stockwater	Within Owyhee County
	T03S R04W S34 LOT 02 (SENE)	NWNE
	T04S R04W S03	SENNW
		SWSW
		NESW
	S04	SENE
	S09	SENE
		NWNE
	S10	NWNW

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

to be used for irrigation

S11 SWSW
S12 NWSW
S14 SWNE
SENW
S15 NENE

SESW
SWSW
NWNW
NWNE

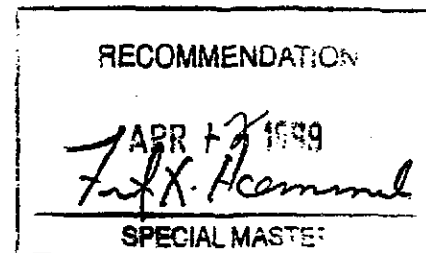
1999 APR 12 PM 12:30
DISTRICT COURT-SRBA
TWO FALLS CO., IDAHO
FILED DL

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

RULE 54(b) CERTIFICATE

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

Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication



DEC 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 No. <u>57-10726</u>
	)	
	)	Standard Form 5
Case No. 39576	)	
	)	STIPULATED ELEMENTS
	)	OF A WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

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

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Elias Jaca
Inez Jaca

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Elias Jaca

12/16/98
Date

Larry A. Brown

12/16/98
Date
Larry A. Brown FWP
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Roxanne Brown

12/16/98
Date

IDWR CONCURRENCE:

Susan Hamlin

12/16/98
Date
Susan Hamlin, Attorney

Right Number: 57-10726

Name and Address: ~~RICHARD GABICH~~
~~403 W LINCOLN~~
~~NAMPA, ID 83651~~

ELIAS JACA
INEZ JACA
817 BLAINE AVE
NAMPA, ID 83651

Fup
RR

Source:	SPRINGS	TRIBUTARY:	SINKS
	SPRINGS		JOHNSTON DRAW
	~~JOHNSTON DRAW~~		REYNOLDS CREEK
	JOHNSTON DRAW		REYNOLDS CREEK
	DOBSON CREEK		DOBSON CREEK
	SPRINGS		DOBSON CREEK
	UNNAMED STREAMS		DOBSON CREEK
	SPRINGS		REYNOLDS CREEK, EAST FORK
	UNNAMED STREAMS		REYNOLDS CREEK, EAST FORK
	REYNOLDS CREEK, EAST FORK		REYNOLDS CREEK
	REYNOLDS CREEK, WEST FORK		REYNOLDS CREEK
	SPRINGS		REYNOLDS CREEK, WEST FORK
	UNNAMED STREAMS		REYNOLDS CREEK, WEST FORK

Quantity: 0.19 CFS
10.8 AFX

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

Priority Date: 06-01-1904

Diversion Point:	T03S R04W	S27	SWSE	Within Owyhee County
		S34	SWNWN	
			LOT 2 (SESENE)	
	T04S R04W	S03	NWSWN	
			SESENW	
			SENEBW	
			SWNWSW	
		S04	SESENE	
			SWNESE	
		S09	SEWNNE	
		S10	SWSE	
			SESE	
		S11	SWSWSW	
			NWSESW	
		S12	SESWSW	
			NWSW	
		S14	NENE	
			SESWNE	
			NWSENW	
			NWSE	

J3
det

S15

SEWNNE
NENEPurpose and
Period of Use:Purpose of Use
STOCKWATERPeriod of Use
01-01 TO 12-31Quantity
0.19 CFS
10.8 AFY

Place of Use:

STOCKWATER

Within OWYHEE County

T03S R04W S27

~~SWSE~~

S34

NWNE

LOT 2 (SENE)

T04S R04W S03

~~LOT 4 (NWNW)~~

SWNW

SENW

NESW

NWSW

SWSW

S04

SENE

~~LOT 4 (NWNW)~~

NESE

S09

NENE

NWNE

~~SENE~~

S10

NWNW

SWSE

~~SESE~~

S11

SWSW

SESW

S12

NESW

NWSW

SWSW

S14

NENE

NWNE

~~SENE~~

NWNW

SENW

S15

NENE

NWNE

Other Provisions Necessary for Definition / Administration of this Water Right:

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

Explanatory Material: Basis of Claim - DECREED

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 57-01018,
57-01019, 57-01020, 57-01131 AND 57-01132.SOURCES FOR THIS RIGHT ARE SPRINGS TRIB. TO SINKS AND
JOHNSON DRAW, DOBSON CREEK TRIB. TO REYNOLDS CREEK, SPRINGS
TRIB. TO DOBSON CREEK, UNNAMED STREAMS TRIB. TO DOBSON CREEK,
SPRINGS TRIB. TO REYNOLDS CREEK, E. FORK, UNNAMED STREAMS TRIB.
TO REYNOLDS CREEK, E. FORK, REYNOLDS CREEK, E. FORK TRIB. TO
REYNOLDS CREEK, REYNOLDS CREEK, W. FORK TRIB. TO REYNOLDS
CREEK, SPRINGS TRIB. TO REYNOLDS CREEK, W. FORK, AND UNNAMED
STREAMS TRIB. TO REYNOLDS CREEK, W. FORK.

CERTIFICATE OF MAILING

I certify that on Dec. 16, 1998, I mailed the original and copies of this form, including all attachments, 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

Hand

2. Copy to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

Hand

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

Hand

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Hand

Elias & Inez Jaca
817 Blaine Avenue
Nampa, Idaho 83651

Hand

Janet [Signature]

Signature of person or attorney mailing the form

RECEIVED

NOV 27 1998

Department of Water Resources
Adjudication Bureau

1998 NOV 25 AM 11:35

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED AK

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 57-10726

Case No. 39576

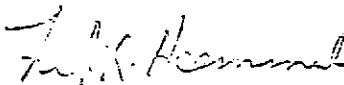
)
)
) ORDER REQUIRING SUBMISSION OF
) STANDARD FORM 5 AND AMENDED
) DIRECTOR'S REPORT
)

A Notice of Completed Administrative Proceedings was filed May 20, 1998, in the above listed subcase.

However, the Court requires that a Standard Form 5 and an attached Amended Director's Report be filed.

Therefore, the deadline for the amended Director's Report and the Standard Form 5 is set for **Monday December 28, 1998.**

DATED November 25, 1998.


FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER REQUIRING SUBMISSION OF STANDARD FORM 5 AND AMENDED DIRECTOR'S REPORT was mailed on November 25, 1998, with sufficient first-class postage to the following:

Director of IDWR
P O Box 83720
Boise, Idaho 83720-0098

Elias Jaca
817 Blaine Ave.
Nampa, Idaho 83651

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

State of Idaho
Natural Resources Division
Box 83720
Boise, Idaho 83720-0010

John T. Schroeder
P O Box 267
Boise, Idaho 83701-0267


Deputy Clerk

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5142
WATER RIGHT NO. 57-10726

This is to certify that: ELIAS JACA
INEZ JACA
817 BLAINE AVE
NAMPA ID 83651

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	* 0.19 CFS	* 10.8 AF

SOURCE

SPRINGS
SPRINGS
DOBSON CREEK
SPRINGS
UNNAMED STREAMS
SPRINGS
UNNAMED STREAMS
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK, WEST FORK
SPRINGS
UNNAMED STREAMS

TRIBUTARY OF

SINKS
JOHNSTON DRAW
REYNOLDS CREEK
DOBSON CREEK
DOBSON CREEK
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK
REYNOLDS CREEK
REYNOLDS CREEK, WEST FORK
REYNOLDS CREEK, WEST FORK

Priority: 06/01/1904

LOCATION OF POINT(S) OF DIVERSION:

SENESE , Sec. 3, Township 04S, Range 04W
SWNWSW , Sec. 3, Township 04S, Range 04W
SESENE , Sec. 4, Township 04S, Range 04W
SWNESE , Sec. 4, Township 04S, Range 04W
SWNWNE , Sec. 34, Township 03S, Range 04W
Lot 2 (SESENE), Sec. 34, Township 03S, Range 04W
NWSWNW , Sec. 3, Township 04S, Range 04W
SESENE , Sec. 3, Township 04S, Range 04W
SENESE , Sec. 9, Township 04S, Range 04W
SWSWSW , Sec. 11, Township 04S, Range 04W
NWSESE , Sec. 11, Township 04S, Range 04W

**TRANSFER NO. 5142
WATER RIGHT NO. 57-10726**

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 12, Township 04S, Range 04W
 SESWSW , Sec. 12, Township 04S, Range 04W
 SESWNE , Sec. 14, Township 04S, Range 04W
 NWSENW , Sec. 14, Township 04S, Range 04W
 NENE , Sec. 15, Township 04S, Range 04W
 SENWNE , Sec. 15, Township 04S, Range 04W
 OWYHEE County

PLACE OF USE: STOCKWATER**TWN RGE SEC**

03S 04W 34	NWNE	SENE	
04S 04W 3	SWNW	SENW	NESW
	NWSW	SWSW	
4	SENE	NESE	
9	NENE	NWNE	SENE
10	NWNW		
11	SWSW	SESW	
12	NWSW	SWSW	
14	SWNE	NWNW	SENW
15	NENE	NWNE	

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water diverted under this water right will be regulated by the watermaster of State Water District No. 57R.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- * 4. The total instantaneous diversion of water from all points of diversion under Transfer 5142 shall not exceed 0.19 cfs, nor a total combined annual volume of 10.8 af.
5. Two points of diversion are located within SWNWNE, S34, T03S, R04W.

Dated this 17th day of

April, 1998

J. Glen Saxton
 Chief, Water Allocation Bureau

AJ5856NP

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

DATE: DEC-16-1998
PAGE: A-21

RIGHTS FROM:	SOURCE: UNNAMED STREAMS	TRIBUTARY: REYNOLDS CREEK, WEST FORK	

RIGHT NUMBER:	57-10726		
NAME & ADDRESS:	ELIAS JACA INEZ JACA 817 BLAINE AVE NANPA ID 83651		
SOURCE:	SPRINGS SPRINGS DOBSON CREEK SPRINGS UNNAMED STREAMS SPRINGS UNNAMED STREAMS REYNOLDS CREEK, EAST FORK REYNOLDS CREEK, WEST FORK SPRINGS UNNAMED STREAMS	TRIBUTARY: SINKS JOHNSTON DRAIN REYNOLDS CREEK DOBSON CREEK DOBSON CREEK REYNOLDS CREEK, EAST FORK REYNOLDS CREEK, EAST FORK REYNOLDS CREEK REYNOLDS CREEK REYNOLDS CREEK, WEST FORK REYNOLDS CREEK, WEST FORK	
QUANTITY:	0.19 CFS		
PRIORITY DATE:	06/01/1904		
POINT OF DIVERSION:	T03S R04W S27 S34 T04S R04W S03 S04 S09 S10 S11 S12 S14 S15	SWSE NWNE SWNW SENW NESW NWSW SEWE NESE NWNE SWSE SESE SWSW SESW SWSW NENE SENW NWSE NWNE	Within Owyhee County
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE STOCKWATER STOCKWATER, 800 HEAD RA	PERIOD OF USE 01-01 12-31	QUANTITY 0.19 CFS
PLACE OF USE:	STOCKWATER	Within Owyhee County	

 RIGHTS FROM: SOURCE: UNNAMED STREAMS TRIBUTARY: REYNOLDS CREEK, WEST FORK

RIGHT NUMBER: 57-10726 (CONT)

PLACE OF USE: (CONT)

T03S R04W S27		SWSE			
S34		NWNE			
T04S R04W S03	Lot 4	(NNNW)	SWNW	SENV	NESW
		NWSW	SWSW		
S04		SENE	Lot 4 (NNNW)	NESE	
S09		NENE	NWNE		
S10		NNNW	SWSE	SESE	
S11		SWSW	SESW		
S12		NESW	SWSW		
S14		NENE	NWNE	NNNW	SENV

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

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 57-01018, 57-01019, 57-01020, 57-01131 AND 57-01132.
 SOURCES FOR THIS RIGHT ARE SPRINGS TRIB. TO SINKS AND JOHNSON DRAW, DOBSON CREEK TRIB. TO REYNOLDS CREEK, SPRINGS TRIB. TO DOBSON CREEK, UNNAMED STREAMS TRIB. TO DOBSON CREEK, SPRINGS TRIB TO REYNOLDS CREEK, E. FORK, UNNAMED STREAMS TRIB. TO REYNOLDS CREEK, E. FORK, REYNOLDS CREEK, E. FORK TRIB. TO REYNOLDS CREEK, REYNOLDS CREEK, W. FORK TRIB. TO REYNOLDS CREEK, SPRINGS TRIB. TO REYNOLDS CREEK, W. FORK, AND UNNAMED STREAMS TRIB. TO REYNOLDS CREEK, W. FORK.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

1999 MAR 11 PM 02:10
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA	)	ORDER SETTING STATUS
	)	CONFERENCE
Case No. 39576	)	
_____	)	SUBCASE NO: 57-10726

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

THURSDAY, MAY 06, 1999 at 01:15 PM

OWYHEE COUNTY COURTHOUSE
HIGHWAY 78
PO BOX 128
MURPHY, ID

IT IS SO ORDERED.

Dated: MARCH 11, 1999

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

CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010

MAIL



CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on MARCH 11, 1999, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

ELIAS JACA

Represented by:
JOHN T. SCHROEDER
PO BOX 267
BOISE, ID 83701-0267
Phone: 208-384-1627

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

ELIAS JACA

JACA, INEZ
817 BLAINE AVE
NAMP, ID 83651

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

ELIAS JACA

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