

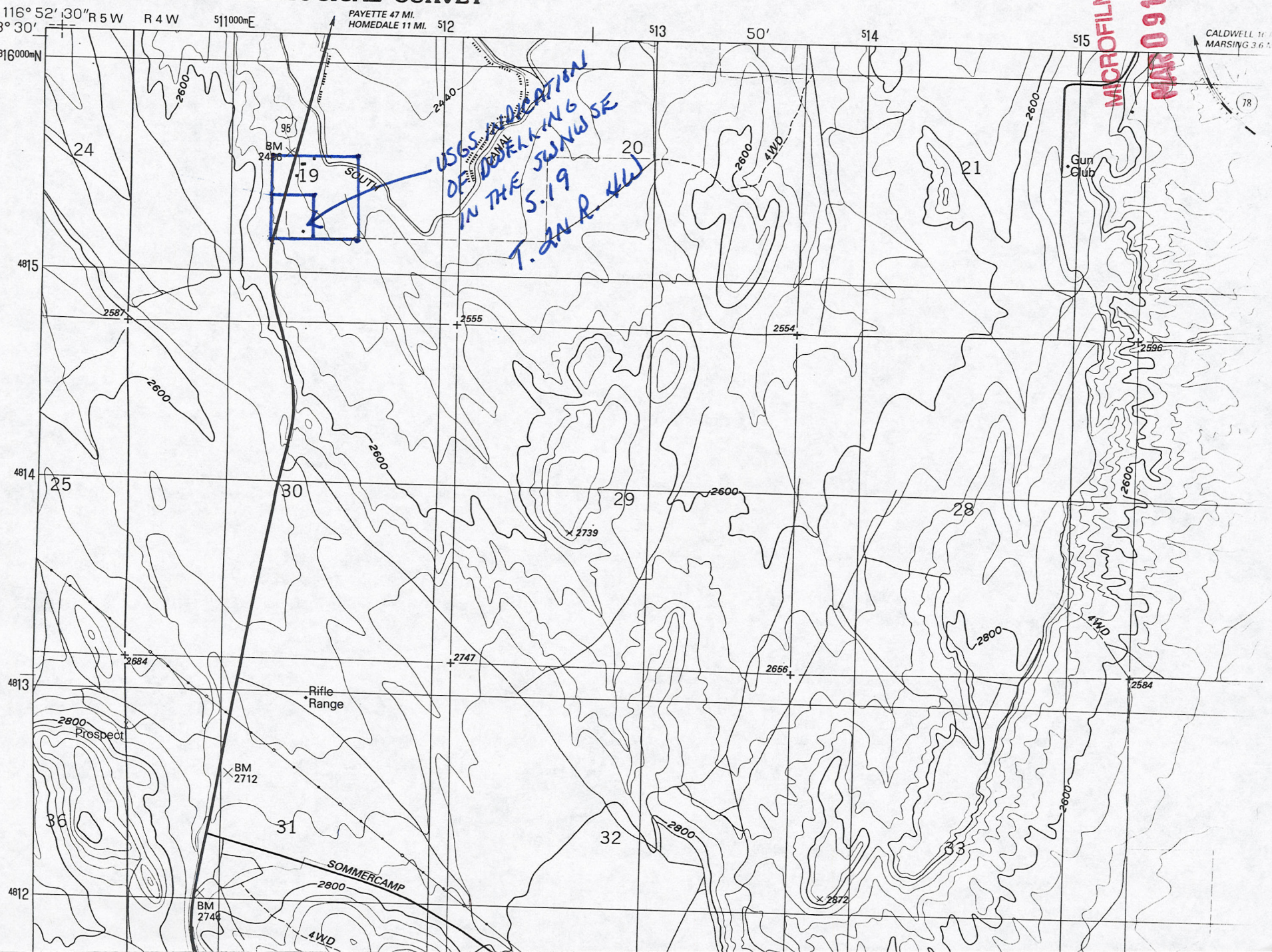
116° 52' 30" R 5 W R 4 W 511000mE
43° 30' $\frac{+}{-}$ PAYETTE 47 MI.
HOMEDALE 11 MI. 512

4816000mN

--	--	--

100

USGS INFORMATION
OF DEER KILLING
IN THE SW NW SE
5.19
T. 24 N. R. 44 W



DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

POOR ORIGINAL

52'30"

511'

1 BARRETT AT 111

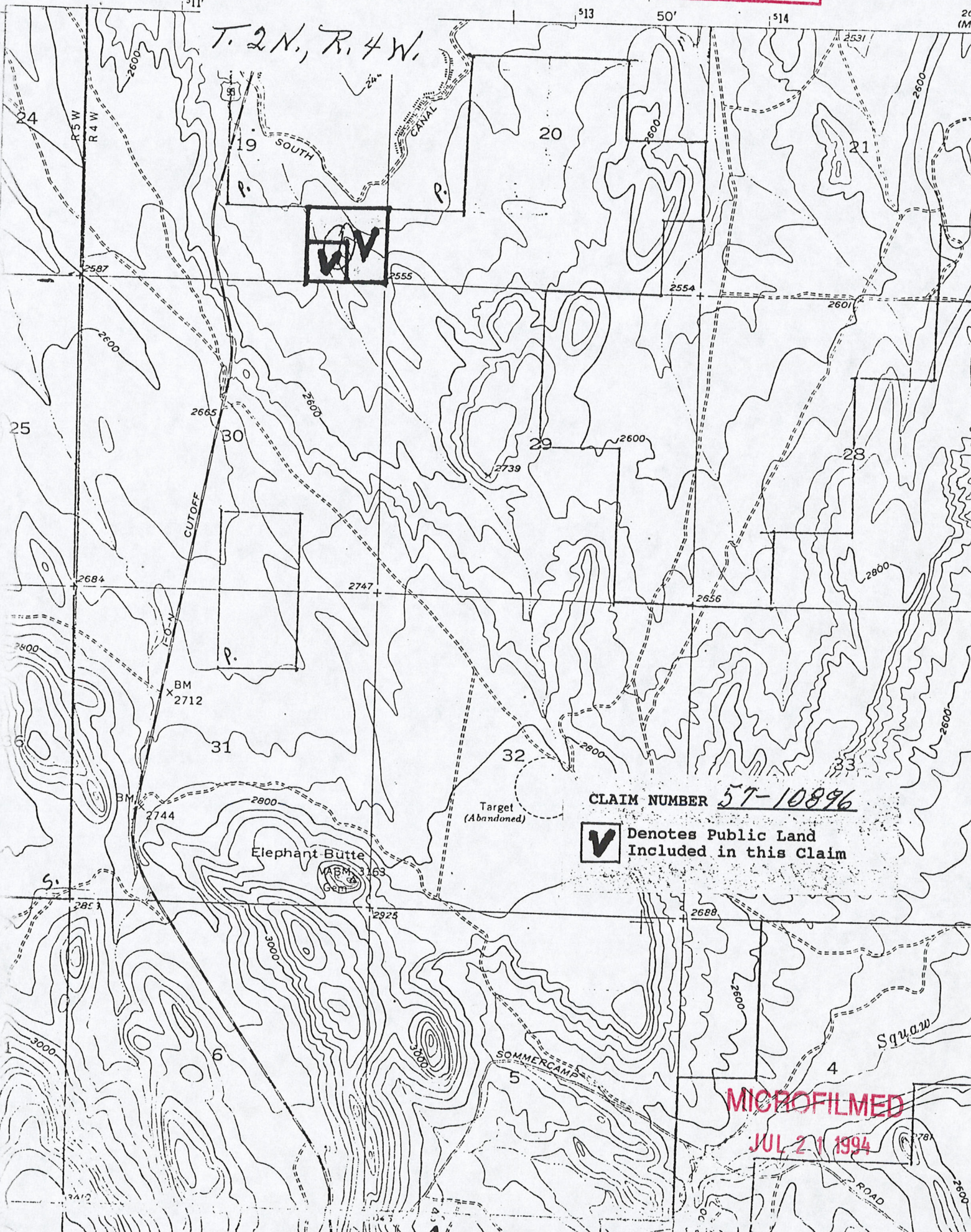
513

50'

514

26
(M)

T. 2 N., R. 4 W.



CLAIM NUMBER 57-10896



Denotes Public Land
Included in this Claim

MICROFILMED

JUL 21 1994

Item #7 - The total quantity claimed was not completed. The use(s) claimed have been added together and this amount added to your claim.

Item #9 - The number of homes was not listed on your claim. It appears to be filed for one domestic home and this information has been added to your claim.

X
Item #10- The place of use appears to be incorrectly described, or not described at all. Based on other information submitted we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, we have enclosed a copy of the subdivision map from which we computed the quarter-quarter legal description. Or, if you have listed a quarter-quarter legal description under Item No. 4, we have listed this same quarter-quarter, section township and range on this item.

Item #12- The ownership of the place of use has not been marked. We have assumed you own the place of use and this information has been added to your claim.

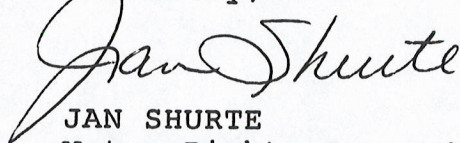
Item #15- Basis of Claim was not completed. No previously recorded water rights were found, therefore, we have marked beneficial use of the water as the basis for filing this claim.

X
Other: RECEIPT NO. W013829 IS FOR THE \$45 SUBMITTED TO COVER THE LATE FEE OF \$50 AND WITH THE ORIGINAL FEE OF \$30 SUBMITTED = \$75 TOTAL FEE (\$25 REG. FEE + \$50 LATE FEE).

THANK - YOU.

If you have any problems or questions concerning these additions and/or changes, please contact JAN SHURTE within 30 days from the date of this letter. If we do not hear from you within this time, we will assume you agree with these changes, and your claim will remain on file as shown on the enclosed data entered copy.

Sincerely,



JAN SHURTE
Water Rights Supervisor
Adjudication Section

JS:js

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 RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A57-10896**
Date Received: 10/ 9/1991
Receipt No: W013762
Received By: DE JDU

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

1. Name: WILLIAM H PYATT 208-896-4884
Address: RT 1 BOX 344
MARSING ID 83639

2. Date of Priority: DEC 31, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	04W	19	SW	SE	SE		OWYHEE

5. Description of diverting works:
999' WELL, 12" CASING, SUBMERSIBLE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	19	SE	SE		DOMEST	

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: 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 _____

RECEIVED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE OCT 9 1991
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSDepartment of Water Resources
Western Regional OfficeIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A57-10896
Date Received 10-9-91
Receipt Number W013762NOTICE 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) William H. Pyatt Phone (208) 896-4884
Mailing Address Rt 1 Box 344, Marsing, Id Zip 83639
- Date of Priority (Only one per claim) 12/31/72 Month/Day/Year
- Source of water supply (Check one) (☒ Groundwater or Other () (a) Domestic well
which is tributary to (b) _____
Name or kind of source
- Location of point of diversion is: Township 2N Range 4W
Section 19, SW 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, BM.,
County of Owyhee
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. _____
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For Domestic purposes from JANUARY 1 to DECEMBER 31 amount 0.04 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 0.04 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single owner. Stockwater: type and Number of livestock) Domestic - (1 household)

MICROFILMED

OCT 07 1992

10. Place of use is: Township: 2N Range 4W
Section 19, 1/4 of 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Owyhee
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.
(☒ None or _____)
14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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) William H. Pratt Date 26 September 1991

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, 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 _____ Date _____
Title and Organization _____

State of Idaho/or _____)
County of Owyhee)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 26 day of September 1991

SEAL

Notary Public Paula L. Lank

Residing at Maryland Lank

My Commission Expires 6-3-92

Last Name Pratt Ident No. _____

Copies: White-State, Yellow-Idaho

MICROFILMED

OCT 07 1992

RECEIVED

SEP 15 1997

Department of Water Resources

1997 SEP 12 AM 10:16

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

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

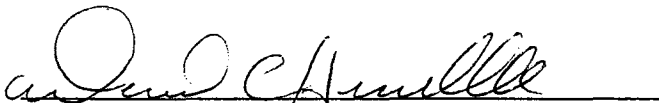
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-10896
_____	)	

On June 23, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-10896 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 12, 1997.



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

MICROFILMED
MAR 09 1998

MEMORANDUM

March 25, 1997

TO: CLAIM FILE NO. 57-10896 - WILLIAM H PYATT

FROM: JAN SHURTE

RE: LOCATION OF POINT OF DIVERSION & PLACE OF USE

As a part of trying to locate the right holder, William H. Pyatt, our office contacted the Owyhee County assessor's office in Murphy to see if they had a new address or new owner of this property. The assessor's office informed us that the SESE, S. 19, T. 2N, R. 4W was public land. The assessor's office then informed us that William Pyatt actually owned property in the NWSE, S. 19, T. 2N, R. 4W.

I then looked at the SF5 form and found that the NWSE was the recommended 1/41/4 from the Dept. of Justice. A parcel number was shown on our review sheet (see copy attached) which also showed the place of use in the NWSE (see attached copy of parcel number guide) and the USGS topographic map (copy attached) indicates a dwelling in the SWNWSE, S. 19, T. 2N, R. 4W. Therefore, my recommendation is to sign off on the SF5 form in agreement with the place of use and point of diversion changing to the NWSE rather than the SESE which is actually public land.

MICROFILMED

MAR 09 1998

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

Use Twp. Rge. Sec. 1/4, 1/4,

Remarks: (Comments pertinent to field examination)

PARCEL NO. RPO2N04W198240

TWP RGE SEC PARCEL # 1/4 SECTION - SEE CHART

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: FEB 12 1992

FIELD EXAMINER:

Ron Howerton

Signature

Ron Howerton

MICROFILMED

MAR 09 1998

*QUARTER SECTION BREAKDOWN KEY

NORTH 

			Govt. lot	Possible long section
	3000	2400	600	0
	3599	2999	1199	599
	3600	4200	1200	1800
	4199	4799	1799	2399
	5400	4800	7800	7200
	5999	5399	8399	7799
Govt. lot	6000	6600	8400	9000
	6599	7199	8999	9999

NWSE 82 1/2

Possible Govt. lot

* THIS KEY IS TO BE USED ONLY FOR "LAND NOT SUBDIVIDED"

These numbers are a guide to locate parcels on maps only. Should a Govt. lot fall in place of or in addition to a quarter quarter section, the designated numbers shall encompass the entire area, whether it is smaller or larger.

As a general rule number all maps starting in the most northeasterly corner, and continue in a counter-clockwise direction throughout each quarter section.

Lately, ...

MICROFILMED

MAR 09 1998

116° 52' 30" R 5 W R 4 W 511000mE

PAYETTE 47 MI.
HOMEDALE 11 MI. 512

515

091998

CALDWELL 100
MARSING 36 A



1. The name and address of the claimant is:

William H. Pyatt
Rt. 1 Box 344
Marsing, ID 83639

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

2. The source of water is: Groundwater

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

3. The quantity of water used in cubic feet per second or the quantity of water stored in acre-feet per year is:

.04 CFS

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

4. The priority date is: 12/31/1972

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

5. The legal description of point(s) of diversion is; if the claim is for an instream flow, then a legal description of the beginning and ending points of the claimed instream flow:

T02N R04W S19 ~~SWNWSE~~ ~~SWSSE~~ * ~~SUNWSE~~

Required Statement: IDWR and the parties stipulate that this is the correct description of the point of diversion.

6. The purpose of use is: Domestic

Required Statement: ~~IDWR and the parties stipulate that this is the correct description of the purpose of use.~~ OK

~~AS RECOMMENDED~~

7. The period of year when the water is to be used is:

01/01 - 12/31

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

* ~~our files indicate this PD/POL~~
see attachments

MICROFILMED
MAR 09 1998

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

T02N R04W S19 ~~NWSE~~ ~~SESE~~ NWSE ✓

All POU's are located in Owyhee County.

Required Statement: IDWR and the parties stipulate that this is the correct description of the place of use.

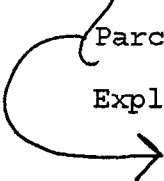
9. The annual volume of consumptive use is: De Minimis ✓

Required Statement: IDWR and the parties stipulate that this is the correct description of the annual volume of consumptive use.

10. Other matters necessary to define this water right:

(Parcel No. RP02N04W198240) ✓

Explanatory Material: Basis of Claim - Beneficial Use



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

**IN Re SRRA
Case No. 39576**

**STANDARD FORM 5
AMENDED MAY 14, 1996**

SUBCASE NO: 57-10896

**STIPULATED ELEMENTS
OF A WATER RIGHT**

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

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

INSTRUCTIONS FOR USE

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

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

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

**MICROFILMED
MAR 09 1998**

1. The name and address of the claimant is:

William H. Pyatt
Rt. 1 Box 344
Marsing, ID 83639

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

2. The source of water is: Groundwater

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

3. The quantity of water used in cubic feet per second or the quantity of water stored in acre-feet per year is:

.04 CFS

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

4. The priority date is: 12/31/1972

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

5. The legal description of point(s) of diversion is; if the claim is for an instream flow, then a legal description of the beginning and ending points of the claimed instream flow:

T02N R04W S19 SWNWSE

Required Statement: IDWR and the parties stipulate that this is the correct description of the point of diversion.

6. The purpose of use is: Domestic

Required Statement: IDWR and the parties stipulate that this is the correct description of the purpose of use.

7. The period of year when the water is to be used is:

01/01 - 12/31

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

T02N R04W S19 NWSE

All POU's are located in Owyhee County.

Required Statement: IDWR and the parties stipulate that this is the correct description of the place of use.

9. The annual volume of consumptive use is: De Minimis

Required Statement: IDWR and the parties stipulate that this is the correct description of the annual volume of consumptive use.

10. Other matters necessary to define this water right:

Parcel No. RP02N04W198240

Explanatory Material: Basis of Claim - Beneficial Use

If IDWR has not concurred by signing below, signing parties certify that they have served a copy of this document on the Idaho Department of Water Resources and have made a good faith attempt to obtain IDWR's concurrence, but have failed.

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

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

Name of Objector:

United States through
Dept. of Justice for BLM
601 Pennsylvania Ave., NW
Washington, DC 20004

Attorneys of Record: R. Lee Leininger/Paul F. Hollenman/William Ferry

Paul F. Hollenman 3/27/97
Attorney's Signature Date

Name of Claimant:

William H. Pyatt
Rt. 1 Box 344
Marsing, ID 83639

William H. Pyatt 3/27/97
Signature Date

IDWR Concurrence:

John F. O'Connell March 27, 1997
Signature Date

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on March 27, 1997, I ~~mailed~~ ^{hand-delivered} the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

Department of Justice - ^{Hand-delivered}
C/O Boise Adjudication Team
380 Park Center Blvd.
Suite 330
Boise, Idaho 83706

Claimant ^{Hand-delivered}
William H. Pyatt
Rt. 1, Box 344
Marsing, ID 83639

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

Idaho Department of Water
Resources - ^{Hand-delivered}
1301 N. Orchard St.
Boise, ID 83706

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

Paula Clinedinst
Signature of person or attorney
mailing the form

A53246P

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

 DATE: OCT-13-1992
 PAGE: A-667
RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

PURPOSE OF USE

PERIOD OF USE
FROM TOMAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: CROOKWEATER

57-10229

 REY L MC GAE
 KEMETZ & MC GAE
 RT 1 BOX 1295
 HOMERIDGE ID 83428

12/31/1972 DOMESTIC

01-01 12-31

.04

CFS

BENEFICIAL USE

STOCKWATER

01-01 12-31

.04

CFS

TOTAL QUANTITY:

.08

CFS

NON-INDICATION-USES:

DOMESTIC, 1 HOUSE; STOCKWATER, 4 HORSES, 30 CATTLE

POINT OF DIVERSION:

TOWN R644 S29

SEASIDE

PLACE OF USE: DOMESTIC

TOWN R644 S29

WATER

PLACE OF USE: STOCKWATER

TOWN R644 S29

WATER

REMARKS: PARCEL NO. RPO000701.

57-10406

 WILLIAM B PVAIT
 RT 1 BOX 344
 HANSHING ID 83630

12/31/1972 DOMESTIC

01-01 12-31

.04

CFS

BENEFICIAL USE

TOTAL QUANTITY:

.04

CFS

NON-INDICATION-USES:

DOMESTIC, 1 HOME

POINT OF DIVERSION:

TOWN R644 S19

SEASIDE

PLACE OF USE: DOMESTIC

TOWN R644 S19

SEASIDE

REMARKS: PARCEL NO. RPO20044198240

 MICROFILMED
 MAR 09 1993

1997 MAY 15 PM 1:17

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

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

CERTIFICATE OF MAILING

Water Right(s): 57-10896

CERTIFICATE OF MAILING

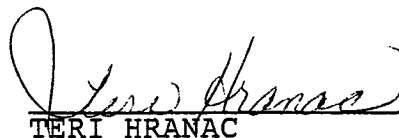
I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 15, 1997, with sufficient first-class postage prepaid to the following:

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

U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449

WILLIAM H. PYATT
ROUTE 1, BOX 344
MARSING, ID 83639


TERI HRANAC

CERTIFICATE OF MAILING

PAGE 1
MICROFILMED
MAR 09 1998

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)
_____)

PRELIMINARY

SPECIAL MASTER'S RECOMMENDATION FOR 15 PM 1:16
PARTIAL DECREE FOR
Water Right 57-10896
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: WILLIAM H PYATT
RT 1 BOX 344
MARSING ID 83639

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1972

POINT OF DIVERSION: T02N R04W S19 SWNWSE Within Owyhee County

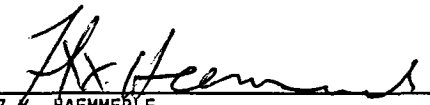
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within Owyhee County
T02N R04W S19 NWSE

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

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

DATED: MAY 1 5 1997


FRITZ K. HAEMMERLE
Special Master
Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-10896

PAGE 1
MICROFILMED
MAR 0 1998

1997 MAY 15 PM 1:16

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

In Re SRBA

) Subcase 57-10896

Case No. 39576

) PRELIMINARY SPECIAL
) MASTER'S REPORT
)

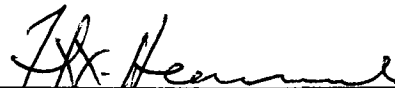
FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409(1990) by William H. Pyatt. 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 57-10896 was filed by United States (BLM). 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 57-10896 be decreed as recommended in the attached *Preliminary Special Master's Report and Recommendation for Partial Decree*.

DATED May 15, 1997.



FRITZ X. HAEMMERLE

Special Master, Reporting Area 2
Snake River Basin Adjudication

MICROFILMED

MAR 09 1998

1997 JUN 23 AM 9:35

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *LL*

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): 57-10896

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 June 23, 1997, with sufficient first-class postage prepaid to the following:

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

U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449

WILLIAM H. PYATT
ROUTE 1, BOX 344
MARSING, ID 83639

Debbie Lash
DEBBIE LASH

CERTIFICATE OF MAILING

MICROFILMED
PAGE 1
06/23/87
MAR 09 1997

1997 JUN 23 AM 9:35

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

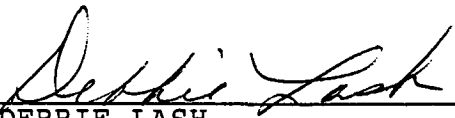
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-10896

On June 23, 1997, Special Master FRITZ X HAEMMERLE
issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above
subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

Pursuant to SRBA Administrative Order 1, Section 14b, any party
to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S
REPORT AND RECOMMENDATION within 21 days following the date of
publication of the filing of the Special Master's report in the Docket
Sheet except parties to the subcase who failed to file a Motion to
Alter or Amend before the Special Master (AO1, Section 9f).
The Notice of Challenge shall appear on the Docket Sheet and shall be
served on parties to the subcase(s) covered by the challenged report
and the SRBA Court Reporter.

DATED June 23, 1997.


DEBBIE LASH
Deputy Clerk

NOTICE OF ISSUANCE

MICROFILMED

MAR 09 1998
06/23/97

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)
_____)

1997 JUN 23 AM 9:35
SPECIAL MASTER'S RECOMMENDATION FOR
DISTRICT COURT - SRBA
PARTIAL DECREE FOR TWIN FALLS CO., IDAHO
Water Right 57-10896
FILED *JS*

NAME & ADDRESS: WILLIAM H PYATT
RT 1 BOX 344
MARSING ID 83639

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1972

POINT OF DIVERSION: T02N R04W S19 SWNWSE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within Owyhee County
T02N R04W S19 NWSE

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

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

DATED: 6/23/97

Fritz X. Haemmerle
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-10896

MICROFILMED
MAR 09 1996
PAGE 1
APR-28-1997

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JUN 24 1997

Department of Water Resources
Adjudication Bureau

1997 JUN 23 AM 9:35

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED SL

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 57-10896

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) by William H. Pyatt. 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 57-10896 was filed by United States (BLM). 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.

A *Preliminary Special Master's Report and Recommendation* for this right was issued. No motion to alter or amend was filed and the time for filing such motions has now expired; therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-10896 be decreed as recommended in the attached *Special Master's Report and Recommendation for Partial Decree*.

DATED 23, 1997.

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

MICROFILMED
MAR 09 1998

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. 57-10896 -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)

MICROFILMED

JUL 21 1994

2. Person who filed objection:

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

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL

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

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. |X| Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. |X| Source: I respond to the objection concerning the source of water.
3. |X| Quantity: I respond to the objection concerning:
4. |X| Priority Date: I respond to the objection concerning the priority date.
5. |X| Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
7. |X| Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. |X| Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. |X| Place of Use: I respond to the objection concerning:

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

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 2, 3, 4, 5, 7, 8, 9, 10, 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. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

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

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

Notice of Claim No. A57-10896

No. of
Pages

2

(Over)

VERIFICATION (Must be Completed)

State of IDAHO

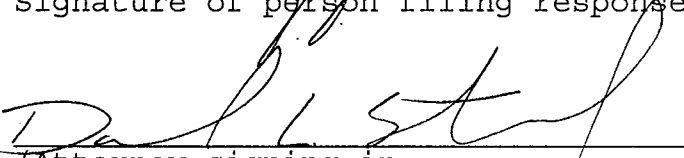
County of ADA

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

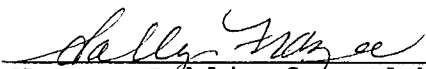
That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director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


Signature of person filing response

By:


(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 29th 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: WILLIAM H PYATT
Address: RT 1 BOX 344
MARSING ID 83639

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

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



Signature of Respondent or attorney
mailing on Respondent's behalf

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

RECEIVED
OCT 9 1991
Department of Water Resources
Western Regional Office

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

CIVIL CASE NUMBER: 39576

Identification No. A57-108916Date Received 10-9-91Receipt Number W013762

**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) William H. Pyatt Phone (208) 896-4884Mailing Address Rt 1 Box 344, MARSING, ID Zip 836392. Date of Priority (Only one per claim) 12/31/72 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) Domestic well
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 2N Range 4WSection 19, SW 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, BM.,County of Owyhee

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. _____

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

For Domestic purposes from JANUARY 1 to DECEMBER 31 amount 0.04 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single owner; Stockwater: type and Number of livestock) Domestic - (1 house)

JUL 21 1994

OCT 7 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from any office of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal and state water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 2N Range 4W
Section 19, 1/4 of 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Owyhee
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.
(☒) None or _____
14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____
If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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) [Signature] Date 26 September 1991

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title
of _____, 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 _____ Date _____
Title and Organization _____

State of Idaho/or _____)
County of Owyhee) ss.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 26 day of September 1991

SEAL

Notary Public [Signature]
Residing at Manning, Idaho
My Commission Expires 6-3-92

Last Name Pyatt Ident No. _____

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OCT 07 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the newsletter is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

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. 57-10896
(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.

(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: 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 William H. Pyatt
Address: Rt 1, Box 344
Marsing, ID 83639

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.

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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. Map of claim on public land~~

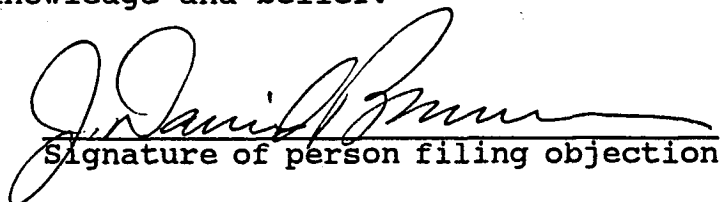
VERIFICATION (Must be Completed)

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,
199 3.


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~~^{filed} the original and ~~copies~~^{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:

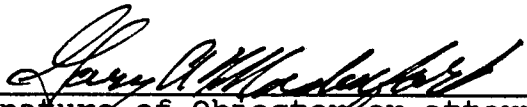
Owner name: William H. Pyatt
Owner's address: Rt. 1, Box 344
Marsing, ID 83639

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

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	WILLIAM H PYATT RT 1 BOX 344 MARSING ID 83639 (208) 896-4884	12/31/1972	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T02N R04W S19

SWSESE

OWYHEE County

Place of use Legal Description for: DOMESTIC

		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
02N	04W 19	:		:		:		:		:		:		:		:	D

POU County: OWYHEE

Non-Irrigation Uses: DOMESTIC, 1 HOME

Other Rights: NONE

Remarks: PARCEL NO. RP02N04W198240

Dates: Exam Made Date: 02/12/1992

Verified Date: 02/12/1992

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 00/00/00

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ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-10896

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	N	02/13/92 IN-OFFICE	6	N			
PT. OF DIV.							
SOURCE							
PL. OF USE							
DIV. AMOUNT CFS/AF							
CONSUMPTIVE USE			NA				
NATURE OF USE			6				
PERIOD OF USE							
BASIS OF CLAIM							
REMARKS			5	Y			

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES ____ NO ____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: SAME AS CLAIM OR ASSESSORS OFFICE

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

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CLAIM NO. A57-10896

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: _____
4. ☒ No Change - **POINT OF DIVERSION**
☐ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4
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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10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4,

Remarks: (Comments pertinent to field examination)

PARCEL NO. RPO2N04W198240

ATTACHMENTS:

Attached to
This Form.

Attachments are
in Permit File.

PHOTOS (optional) ☐
MAP ☒
SYSTEM DIAGRAM ☐

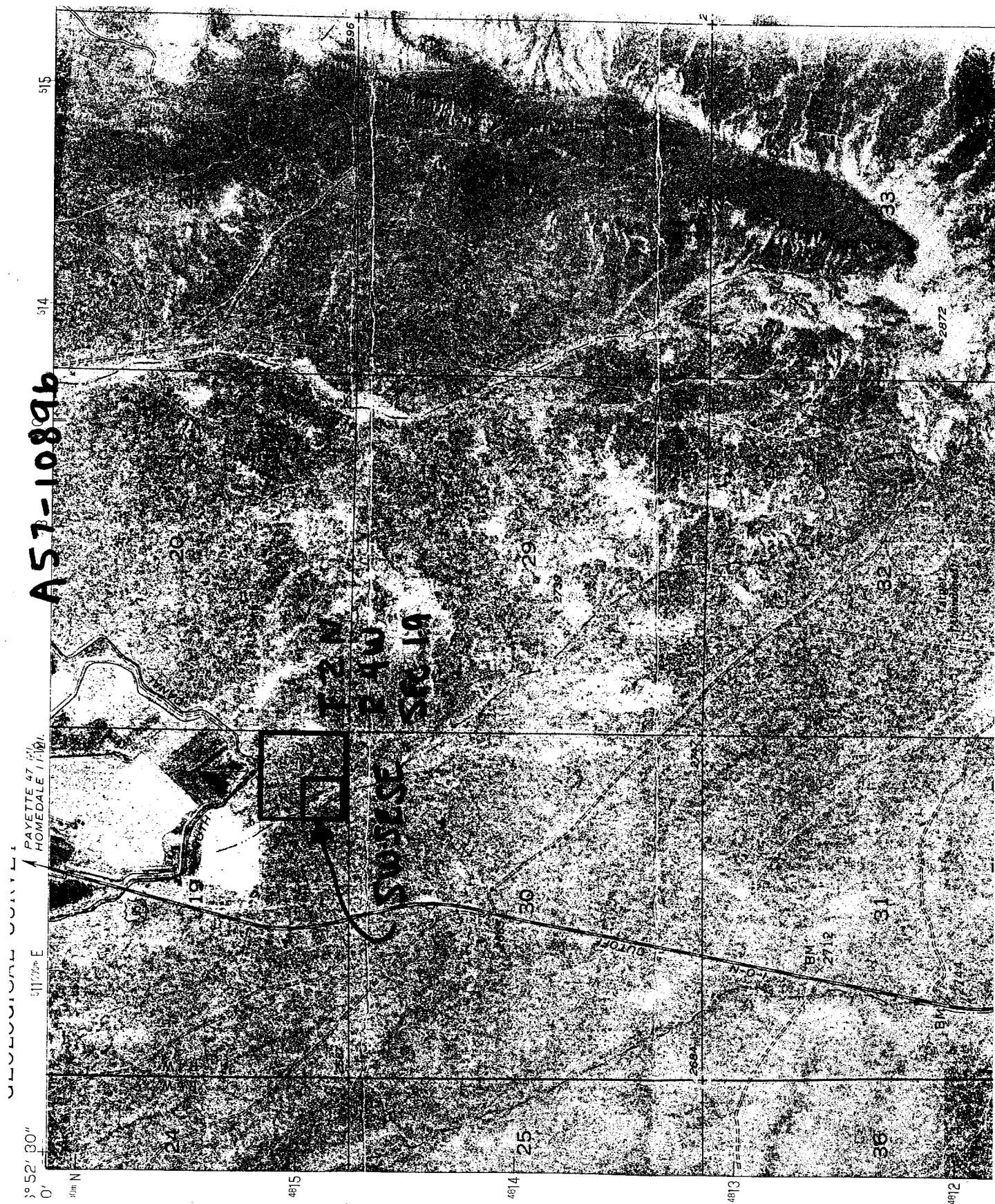
☐
☐
☐

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

DATE EXAM CONDUCTED: FEB 12 1992

FIELD EXAMINER: Ron Howerton

Signature Ron Howerton



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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 29, 1991

[WILLIAM H. PYATT]
[Rt. 1, Box 344]
[MARSING, ID 83639]

Dear Claimant(s):

We have received your Notice(s) of Claim to a Water Right filed in the Snake River Basin Adjudication.

In the initial review of this claim(s) we found it necessary to either complete or change an item or items on your claim form(s). A copy of the computer generated copy with these changes and Receipt No. W013829 are enclosed. Only the item(s) shown below with a checkmark have been either changed or added to your claim(s).

_____ Item #2 - Only a portion of your priority date was listed. This item requires a month, day and year. We have added in the required information based on the Department's rules for dates of priority.

_____ Item #4 - The point of diversion appears to be incorrectly described or not described at all. Based on other information provided which included your legal description, we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, enclosed is a copy of the subdivision map from which we computed the quarter-quarter legal description.

X _____ Item #5 - No description of diverting works was listed. Because the source was described as a groundwater source, we have completed this item with *well, pump and pipeline. If your groundwater source is not a well, please notify us.
*PER PHONE CONVERSATION
WE ADDED 999'
DEEP, 12" CASING
& SUBMERSIBLE PUMP.

_____ Item #6 - The period of use is not listed for the use(s) claimed. The Department has recommended periods of use for certain uses. The recommended period of use has been added to your claim.

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Item #7 - The total quantity claimed was not completed.
The use(s) claimed have been added together and
this amount added to your claim.

Item #9 - The number of homes was not listed on your claim.
It appears to be filed for one domestic home and
this information has been added to your claim.

X
Item #10- The place of use appears to be incorrectly
described, or not described at all. Based on
other information submitted we have added in the
quarter-quarter, section, township and range.
If you had listed the Lot, Block and Subdivision
name, we have enclosed a copy of the subdivision
map from which we computed the quarter-quarter
legal description. Or, if you have listed a
quarter-quarter legal description under Item No.
4, we have listed this same quarter-quarter,
section township and range on this item.

Item #12- The ownership of the place of use has not been
marked. We have assumed you own the place of use
and this information has been added to your
claim.

Item #15- Basis of Claim was not completed. No previously
recorded water rights were found, therefore, we
have marked beneficial use of the water as the
basis for filing this claim.

X
Other: RECEIPT NO. 4013829 IS FOR THE \$45 SUBMITTED
TO COVER THE LATE FEE OF \$50 AND WITH THE ORIGINAL
FEE OF \$30 SUBMITTED = \$75 TOTAL FEE (\$25 REG. FEE + \$50 LATE FEE).
THANK - YOU.

If you have any problems or questions concerning these additions
and/or changes, please contact JAN SHURTE within 30 days
from the date of this letter. If we do not hear from you within this
time, we will assume you agree with these changes, and your claim
will remain on file as shown on the enclosed data entered copy.

Sincerely,



JAN SHURTE
Water Rights Supervisor
Adjudication Section

JS:js

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State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 15, 1991

William H. Pyatt
Rt 1 Box 344
Marsing, ID 83639

Dear Claimant(s):

We have received your Notice of Claim to a Water Right filed for property located in Owyhee County. Enclosed is Receipt No. W013762 for the \$30 filing fee also submitted.

This claim was filed as a result of the 2nd Round Commencement sent to you as a property owner in Owyhee County. The 1st Round Commencement Notice was sent to you on October 14, 1988, to file a water right claim for your Owyhee County property by March 1, 1989 for domestic or stockwater uses, or January 19, 1989 for all other uses. The 2nd Round Commencement Notices recently sent were to notify property owners who appear to have some irrigated land in Owyhee County and no claim has been filed in their name, that they **MAY** now need to file. This irrigated land may be covered by an irrigation district filing, however, a notice was still sent to insure that all property owner's who may use another source of water for irrigation have been officially notified to file. This also occurred if property was located within a city boundary. Even though all cities that have their own water system have filed, this notice was to notify those property owners who use their own well for various purposes that they **MAY** need to file also.

Idaho Code Section 42-1409(b) mandates that late fees are to be charged if a claimant was notified in the 1st Round Commencement Notice, did not file, then was again notified in the 2nd Round Commencement Notice and has now filed. The only exceptions to this late fee are claimants who were **NOT** notified in the 1st Round Notice or those filing a claim for instream stockwatering or for fire protection, which are uses for which a claim is not required. Our records show that you **DID** receive a notice in both the 1st Round and 2nd Round Commencement Notice mailings, therefore, **a \$50 late fee is now due, in addition to the filing fee already submitted, in order to file this claim.** Note: A \$25 filing fee is the normal fee required for domestic claims, rather than the \$30 fee submitted, therefore, the \$5 additional amount paid will be deducted from your late fee leaving a total late fee due of \$45.

Please note that if you are filing a claim for domestic or stockwater purposes, there are special provisions that allow you to defer this filing as explained in the enclosed brochure. If you do decide to defer filing this claim, please complete the enclosed

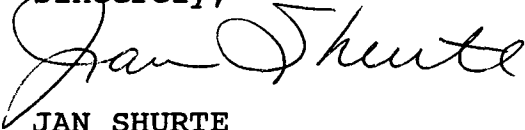
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withdrawal of claim form and return it to this office. A refund of the filing fee paid will be made.

Please submit either the \$50 late fee or the signed withdrawal of claim within 10 days from the date of this letter. If we do not hear from you within this 10 day period, either in writing or by telephone, we will assume you do not wish to file and this claim will be returned to you and your original filing fee refunded.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jan Shurte".

JAN SHURTE
Water Rights Supervisor
Adjudication Section

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ADJUDICATION CLAIM REVIEW CHECKLIST

4-3-91

CLAIMANT'S NAME

DYATT, William H.

CLAIM IDENT. NO.

A57-

DATE RECEIVED

10-9-91

RECEIPT #

W013762

AMOUNT \$

30 See comments

Required

- | | YES | NO | Required Info? |
|---|---|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | N/A ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☐ | ☒ | See comments |
| 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 | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | N/A ☒ | ☐ | |
| Is the consumptive use correct? | N/A ☒ | ☐ | |
| 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 ☒ | ☐ | See comments |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☐ | ☒ | See comments |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated?
(See Item No.'s 16 & 17 for checking other water rights) | ☐ | ☒ | |
| 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 ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☐ | ☐ | |
| 16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed?
(Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim) | N/A ☒ | ☐ | * |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim?
(If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed. | N/A ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed?
(If yes, describe payment status in "Comments" below.) | N/A ☒ | ☐ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate?
Organizations must complete the organization block. | ☒ | ☐ | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | |
| 21. Was this claim filed on time, or was an extension granted? | ☐ | ☒ | See comments |
| 22. Is the fee enclosed correct? | ☐ | ☒ | * |

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7 1942

except for late fee - see comments

23. Should this claim be data entered?

YES

NO ☒

Claim reviewed by: JP

Date 10-14-91

Claim data entered by: LD

Date 10-29-91

Claim is being returned to claimant:

☒ (Yes) ☐ (No)

Claimant is being notified of modifications:

☒ (Yes) ☐ (No)

Comments:

Claim needed a late fee - \$30 submitted
\$45 late fee requested & received on 10-28-91.
Place of use put in for based on pt. of diversion
& desc. of diverting works per phone conv. w/ Lou
Harris when claimant phoned in about the
late fee. Sent in late fee - \$45 + \$30 = \$75 ~~due~~
total
paid.