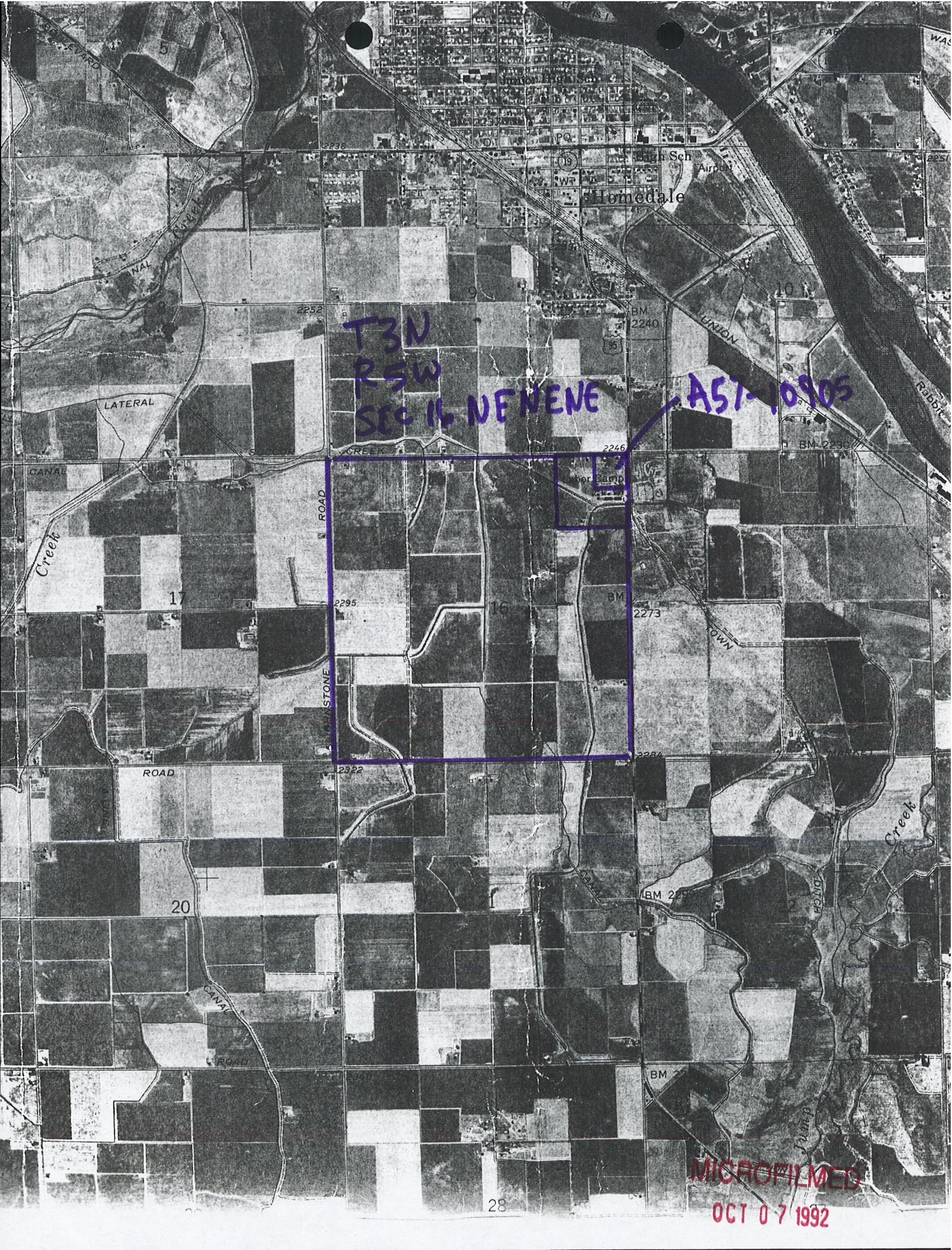




T3N
R5W
SEC 16 NE NENE

A57-10905

MICROFILMED
OCT 07 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 7, 1991

Mr. and Mrs. Clarence Ferguson
Rt. 1, Box 1093A
Homedale, ID 83628

Re: Snake River Basin Adjudication (SRBA)
Owyhee County - Receipt No. C022178

Dear Mr. and Mrs. Ferguson,

We are returning your Notice of Claim to a Water Right filed for your property in Owyhee County. We are also enclosing Receipt #C022178 in the amount of \$25.00, for the filing fees. We have noted a problem with your claim which requires your attention.

A critical item of the water right, the date of priority, was left off your claim in Item #2. This is the date that the water was first placed to beneficial use to the best of your knowledge. We cannot process your claim without a priority date. Please be aware that water uses established after November 19, 1987 are not covered by this adjudication and you may need to file an Application for Permit instead.

Please return the completed document to this office to my attention. If you will make these corrections before November 27, 1991, you will not be assessed a late filing fee. Do not hesitate to contact this office if you have any questions or desire assistance in completing the form.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:state:tf
Enclosures
Claim Form
Receipt No. C022178

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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: A57-10905
Date Received: 11/18/1991
Receipt No: C022178
Received By: RME

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CLARENCE M FERGUSON 208-337-4305
Address: RT 1 BOX 1093A
HOMEDALE ID 83628
OR
Name: WANDA H FERGUSON 208-337-4305
Address: RT 1 BOX 1093A
HOMEDALE ID 83628
2. Date of Priority: MAY 5, 1936
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	05W	16	NE	NE	NE		OWYHEE
5. Description of diverting works:
WELL
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
03N	05W	16	NE NE		DOMEST	

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A57-10905
Date Received 10/30/91
Receipt Number 0022178

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 Department of Water Resources

Filing Fee \$25

RECEIVED
OCT 30 1991

Please type or print clearly

1. Name of Claimant (s) CLARENCE M OR WANDA H. FERGUSON Phone (208) 337-4305

Mailing Address Box #1 Box 1093A Homedale ID 83628 Zip 83628

2. Date of Priority (Only one per claim) 5-5-1936 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____

which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 3N Range 5W

Section 16, NE 1/4 of NE 1/4 of NE 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. well

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

For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount 04 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) _____

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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 all offices 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 reserved 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.

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0414 / 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 docket sheet 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 SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 57-10905

1996-05-03 AM 10:51
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: CLARENCE M FERGUSON
WANDA H FERGUSON
RT 1 BOX 1093A
HOMEDALE ID 83628

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 05/05/1936

POINT OF DIVERSION: T03N R05W S16 NENENE Within OWYHEE County

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

PLACE OF USE: DOMESTIC Within OWYHEE County
T03N R05W S16 NENE

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: 1996-05-03

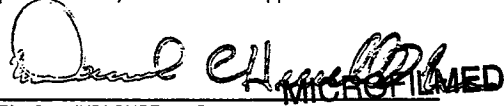


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

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

DATED: 1996-05-03


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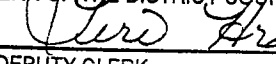
DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

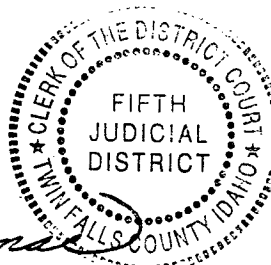
JUN 06 1997

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-10905

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a
full, true and correct copy of the
original on file in the above entitled
action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By 
DEPUTY CLERK



AJ5809NP
No. R57-10905

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/20/96
PAGE: 70

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CLARENCE M FERGUSON	05/05/1936	DOMESTIC	01-01 12-31	0.04 CFS	
C	WANDA H FERGUSON RT 1 BOX 1093A HOMEDALE ID 83628 (208) 337-4305					
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T03N R05W S16

NENENE

OWYHEE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
03N	05W	16	:	D															

POU County: OWYHEE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP03N05W16000

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag: N
Presumption Flag:

Comments: Date: 10/14/1996 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

10/18/96 DSHAFF

MICROFILMED
JUN 06 1997

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	CLARENCE M FERGUSON	05/05/1936	DOMESTIC	01-01 12-31	0.04 CFS	
C	WANDA H FERGUSON					
	RT 1 BOX 1093A					
	HOMEDALE ID 83628					
	(208) 337-4305					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T03N R05W S16

NENENE

OWYHEE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
03N	05W	16	:	D																:

POU County: OWYHEE

Non-Irrigation Uses: DOMESTIC, 1 HOME

Other Rights: NONE

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

A02-00064 A02-00065 A57-04104 A57-10664 A57-10854 R57-04104 R57-10664 R57-10854

Remarks: PARCEL NO. RP03N05W16000

Dates: Exam Made Date: 02/11/1992 Verified Date: 02/12/1992

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

Audit: 00/00/00

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OCT 07 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-10905

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	IN-OFFICE Rbh FEB 12 1992	6	N			
PT. OF DIV.							DATA ENTRY COMPLETED BY _____ DATE _____
SOURCE							
PL. OF USE							FINAL RECOMMENDATION BY _____ DATE _____
DIV. AMOUNT CFS/AF							
CONSUMPTIVE USE			NA				
NATURE OF USE			6				
PERIOD OF USE			1				
BASIS OF CLAIM			1				
REMARKS			5	Y			

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

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

VERIFICATION CODES

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

COMMENTS: SAME AS CLAIM OR ASSESSOR'S OFFICE

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CLAIM NO. A57-10905

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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10.4 ☒ 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. RPO3ND5W16000 PER OWYHEE CTY ASSESSOR'S 2/11/92

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

OWN 2/12/92



Creek

ROAD

20

28

OCT 07 1992

2 - There is no record of
the wells being drilled, only
that it was done when the
place was homestead.

Also I do not know what you
want as a ident. No. ?

If you need more then we
have here please call me
208-337-4305

Thank You
Wanda Ferguson

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OCT 07 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 7, 1991

Mr. and Mrs. Clarence Ferguson
Rt. 1, Box 1093A
Homedale, ID 83628

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Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:sf:state:tf
Enclosures
Claim Form
Receipt No. C022178

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OCT 07 1992