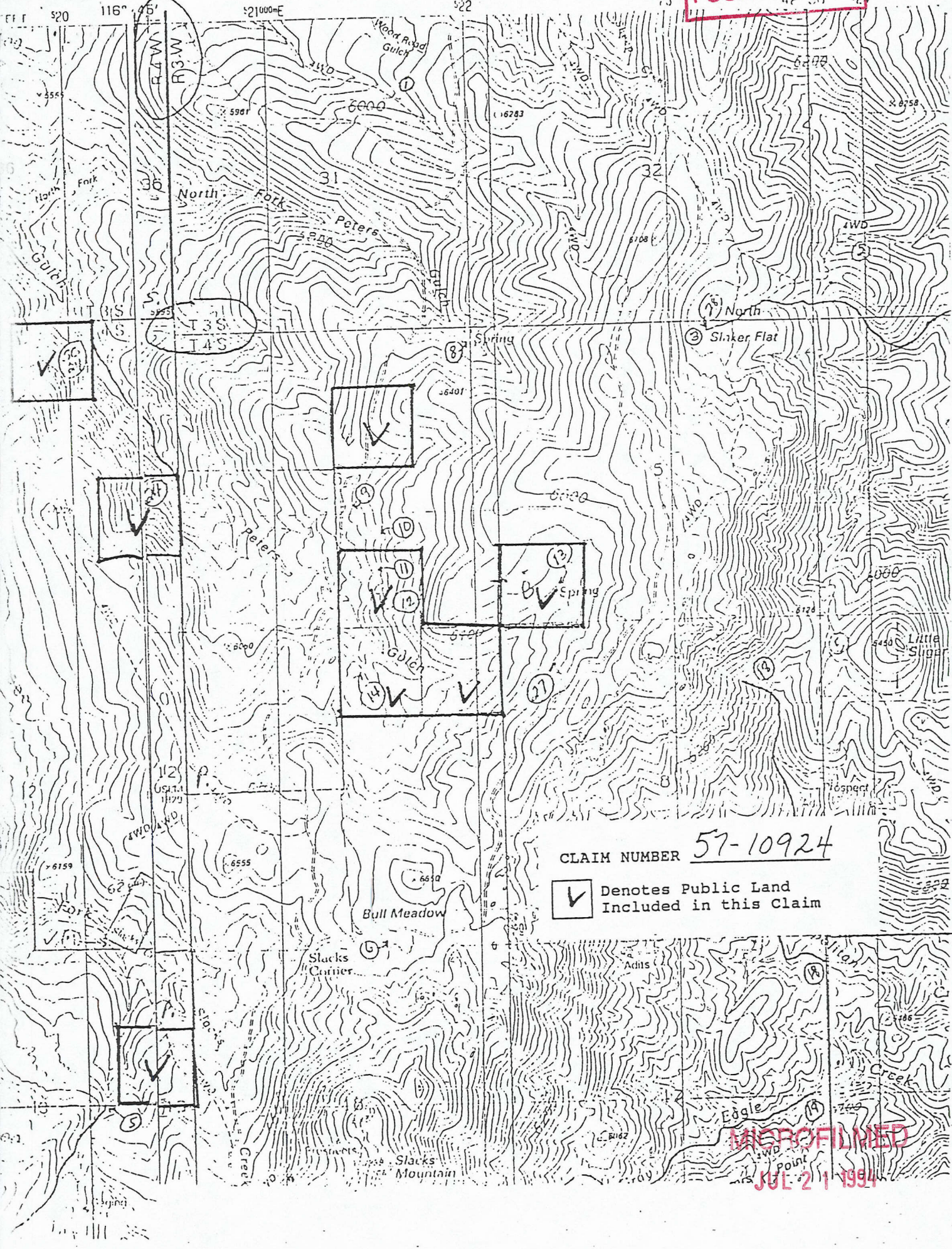




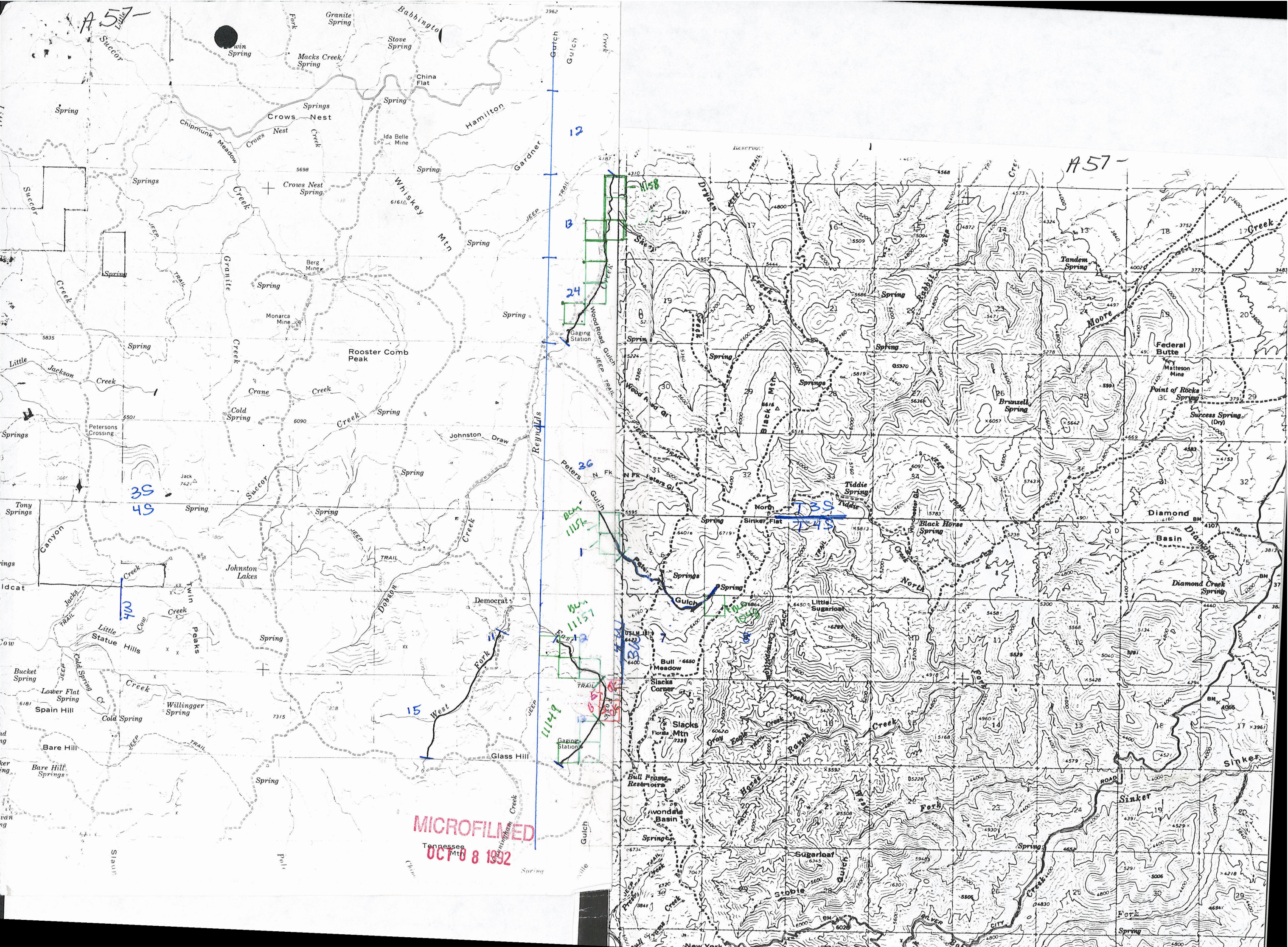
POOR ORIGINAL



CLAIM NUMBER 57-10924

✓ Denotes Public Land Included in this Claim

MICROFILMED
JUL 21 1994



MICROFILMED
OCT 8 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: A57-10924

Date Received: 2/ 3/1992

Receipt No: W014095

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHIPMUNK GRAZING ASSOCIATION INC 208-466-8801
Address: BOX 175
MARSING ID 83639

OR

Name: ELIAS JACA
Address: BOX 175
MARSING ID 83639

2. Date of Priority: JUN 1, 1875

3. Source: PETERS GULCH Trib. to: REYNOLDS CREEK
REYNOLDS CREEK, WEST FORK REYNOLDS CREEK
REYNOLDS CREEK, EAST FORK REYNOLDS CREEK
REYNOLDS CREEK SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
----------	-------	---------	--------	--------	-----	-----	--------

Beginning Point of Instream Flow

03S	04W	24	SE	SW	OWYHEE
04S	03W	5	SW	SW	OWYHEE
04S	04W	13	SE	SW	OWYHEE
04S	04W	15	SW	SE	OWYHEE

Ending Point of Instream Flow

03S	04W	13	NE	NE	OWYHEE
04S	04W	1	NW	NE	OWYHEE
04S	04W	11	SW	NE	OWYHEE
04S	04W	12	NW	SW	OWYHEE

5. Description of diverting works:
INSTREAM STOCKWATER

MICROFILMED
OCT 8 1992

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	04/01	09/30	0.090		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 400 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres	
03S	04W	13	NE		NE		STOCK		
			SE		NE		STOCK		
			NW		SE		STOCK		
			SW		SE		STOCK		
		24	NW		NE		STOCK		
			SW		NE		STOCK		
			NE		SW		STOCK		
			SE		SW		STOCK		
			NW		SE		STOCK		
			SW		SE		STOCK		
			SE		SW		STOCK		
			NW		SE		STOCK		
	03W	5	SW		SW		STOCK		
			NW		SW		STOCK		
		6	SW		SW		STOCK		
			SE		SW		STOCK		
			SW		SE		STOCK		
			NE		NE		STOCK		
			NW		NE		STOCK		
			NW		NW		STOCK		
		04W	1	SE		NE		STOCK	
				NE		SE		STOCK	
			11	NE		SW		STOCK	
				SW		SW		STOCK	
SE				SW		STOCK			
NE				SW		STOCK			
12	NW			SW		STOCK			
	SE			SW		STOCK			
	SW			SE		STOCK			
	NE			NE		STOCK			
	SW		NE		STOCK				
	SE		SW		STOCK				
04W	13	NW		SE		STOCK			
		NE		NE		STOCK			
		SW		NE		STOCK			
		SE		NE		STOCK			
		SE		SW		STOCK			
		NW		SE		STOCK			
	14	SW		SE		STOCK			
		NE		NW		STOCK			
		NW		NW		STOCK			
		SW		NW		STOCK			
		NE		NE		STOCK			
		SW		NE		STOCK			

MICROFILMED
OCT 08 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	04W	15	SE	NE		STOCK	
			NE	SE		STOCK	
			NW	SE		STOCK	
			SW	SE		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:

SOME PORTIONS OF THE LANDS ARE UNDER STATE GRAZING RIGHTS AND BLM THE REMAINDER IS DEEDED GROUND.

SOURCES FOR THIS RIGHT ARE PETERS GULCH TRIBUTARY TO REYNOLDS CREEK, REYNOLDS CREEK, WEST FORK TRIBUTARY TO TO REYNOLDS CREEK, REYNOLDS CREEK, EAST FORK TRIBUTARY TO REYNOLDS CREEK, REYNOLDS CREEK TRIBUTARY TO SNAKE RIVER.

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: _____

MICROFILMED
OCT 08 1992

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 08 1992

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

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

CIVIL CASE NUMBER: 39576
Ident. Number A57-10924
Date Received 2-3-1992
Receipt Number W014095

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

Name of Claimant (s) Chipmunk Grazing Assoc., Inc. OR Phone () 466-8801
Elias Baca 495-2570
Mailing Address Box 175, Marsing ID Zip 83639
2. Date of Priority (Only one (1) per claim) June 1, 1875
3. Source of water supply (a) Peters Gulch W. Fork Reynolds Cr., E. Fork Reynolds Cr., Reynolds
which is tributary to (b) Reynolds Cr. Reynolds Cr. Snake R.
a. Location of existing 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: _____

b. If instream flow, beginning point of claimed instream flow is:
E.F. = 4S, 4W, Sec. 13, S.E.S.W. W.F. = 4S, 4W, Sec. 15, S.W.S.E. R.C. = 3S, 4W, Sec. 24, S.E.S.W.
P.G. Township 4S Range 3W Section 5, _____ 1/4 of SW 1/4 of SW 1/4,
Govt. Lot _____ B.M., County of _____
E.F. = 4S, 4W, Sec. 12, N.W.S.W. W.F. = 4S, 4W, Sec. 11, S.W.N.E. R.C. = 3S, 4W, Sec. 13, N.E.N.E.
Beginning point is: Township 4S Range 4W Section 1, _____ 1/4 of NW 1/4 of
NE 1/4, Govt. Lot _____ B.M., County of _____

Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. _____

MICROFILMED
OCT 08 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 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.

Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

Stockwater purposes from 4-1 to 9-31 amount 0.09 or _____

_____ purposes from _____ to _____ amount _____ or _____

_____ purposes from _____ to _____ amount _____ or _____

_____ purposes from _____ to _____ amount _____ or _____

Total quantity claimed (a) 0.09 (cfs) and/or (b) _____ (acre feet)

Total consumptive use claimed is _____ acre feet per annum.

Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 400 hd range cattle

Description of place of use:

1. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

2. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
	4W	13	S			S										S	S		
	4W	24		S	S						S	~~S~~	~~S~~	S		S			
	3W	5											S						
	3W	6									S	S	S				S		
	3W	7	S	S															
	3W	8						S											
	4W	1				S									S				

Total number of acres irrigated _____

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

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

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

_____ or None ()

Remarks: Some portions of the lands are under state grazing rights & BLM. The remainder is decided ground.

MICROFILMED
OCT 08 1992

Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
4S	4W	13	S		S	S								S		S	S		
4S	4W	12									S	S		S			S		
4S	4W	15				S									S	S	S		
4S	4W	14					S	S	S										
4S	4W	11									S		S	S					

Total number of acres irrigated _____

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

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. _____ or None ()

14. Remarks:

MICROFILMED

OCT 08 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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) _____ Date _____

_____ Date _____

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

of Chipmunk Grazing Assoc., Inc _____, that I have signed the foregoing
Organization Title

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 Elias Jara _____

Title and Organization President _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 3RD day of February 1992

SEAL

Notary Public Rachlyn A. Walker

Residing at Boise, Idaho

My Commission Expires 2-14-1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
OCT 08 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

1997 NOV 26 PM 2:35

DISTRICT COURT-5TH JUDICIAL DISTRICT
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**

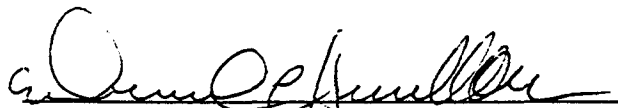
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-10924
_____	)	

On August 22, 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 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 57-10924 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 26, 1997.


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

MICROFILMED

OCT 07 1998

ORDER OF PARTIAL DECREE

Page 1

97-11-0238

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

1997 JUL 29 PM 2:12
SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
Water Right 57-10924
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *[Signature]*

NAME & ADDRESS: CHIPMUNK GRAZING ASSOCIATION INC
ELIAS JACA
PO BOX 175
MARSING ID 83639

SOURCE: PETERS GULCH TRIBUTARY: REYNOLDS CREEK
REYNOLDS CREEK, WEST FORK REYNOLDS CREEK
REYNOLDS CREEK, EAST FORK REYNOLDS CREEK
REYNOLDS CREEK SNAKE RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1875

POINT OF DIVERSION:	T03S R04W S24	SWSESW (INSTREAM BEGINNING POINT)	Within Owyhee County
	T04S R03W S06	SESW (INSTREAM BEGINNING POINT)	
	R04W S13	NENE (INSTREAM BEGINNING POINT)	
	S15	SWSE (INSTREAM BEGINNING POINT)	
	T03S R04W S24	NESESW (INSTREAM ENDING POINT)	
	T04S R03W S06	NWSW (INSTREAM ENDING POINT)	
	R04W S11	SWNE (INSTREAM ENDING POINT)	
	S13	NENE (INSTREAM ENDING POINT)	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	04-01 09-30	0.02 CFS

PLACE OF USE:	STOCKWATER	Within Owyhee County
	T03S R04W S24	SESW
	T04S R03W S06	NWSW
	R04W S11	SWNE
	S13	NENE
	S14	NWNW
	S15	SENE
		SWSW
		NESW
		SWSW
		SWNE
		SNNW
		NESE
		NWSE
		SWSE

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

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

DATED: 7/29/97

MICROFILMED

OCT 07 1998

[Signature]
FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-10924

PAGE 1
JUL-9-1997

RECEIVED

JUL 31 1997

Department of Water Resources
Adjudication Bureau

1997 JUL 29 PM 2:12

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED DL

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 57-10924
	)	
Case No. 39576	)	PRELIMINARY SPECIAL
	)	MASTER'S REPORT

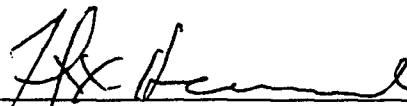
FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990) by Chipmunk Grazing Association or Elias Jaca. 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 57-10924 was filed by United States (BLM). Subsequently, a *Standard Form 5* and/or *Stipulation* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* and/or *Stipulation* was accepted by the court; now therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-10924 be decreed as recommended in the attached *Preliminary Special Master's Report and Recommendation for Partial Decree*.

DATED July 29, 1997.



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

MICROFILMED

PRELIMINARY SPECIAL MASTER'S REPORT

OCT 07 1998

1997 JUL 29 PM 2:12

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)
_____)

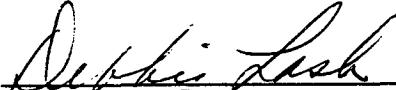
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-10924

On July 29, 1997, Special Master FRITZ X HAEMMERLE
lodged a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY
SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative
Order 1 section 9 (f).

These documents are served only on parties to the subcase.
They are not served on the Presiding Judge. Parties to this subcase
may file a Motion to Alter or Amend with the Special Master, but
must do so before August 12, 1997.

DATED July 29, 1997.


DEBBIE LASH
Deputy Clerk

MICROFILMED

OCT 07 1998

1997 JUL 29 PM 2:12

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED AL

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): 57-10924

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 July 29, 1997, with sufficient first-class postage prepaid to the following:

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

CHIPMUNK GRAZING ASSN
ELIAS JACA, PRESIDENT
PO BOX 175
MARSING, ID 83639

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

MICROFILMED

OCT 07 1997

CERTIFICATE OF MAILING

PAGE 1
07/29/97

Debbie Lash
Debbie Lash
Deputy Clerk

RECEIVED

AUG 27 1997

Department of Water Resources
Adjudication Bureau

1997 AUG 22 PM 13:06

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *EL*

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 57-10924

Case No. 39576

) SPECIAL MASTER'S REPORT
)
)
)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

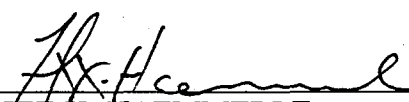
A notice of claim was filed for this water right pursuant to I.C. § 42-1409(1990) by Chipmunk Grazing Association or Elias Jaca. The Director of the State of Idaho Department of Water Resources examined the water system for areas 1, 2, and 3 and investigated and abstracted the notices of claims for those 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 57-10924 was filed by United States (BLM). Subsequently, a *Standard Form 5* and/or *Stipulation* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* and/or *Stipulation* was accepted by the court.

A *Preliminary Special Master's Report and Recommendation* was issued July 29, 1997. No motion to alter or amend was filed and the time for such motion has now expired.

IT IS THEREFORE RECOMMENDED that subcase 57-10924 be decreed as recommended in the attached *Special Master's Recommendation for Partial Decree*.

DATED August 22, 1997.


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

MICROFILMED

OCT 07 1998

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

1997 AUG 22 AM 10:06

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

SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR DIVISION OF RIGHT - SRBA
TWIN FALLS CO., IDAHO
Water Right 57-10924 FILED *[Signature]*

NAME & ADDRESS: CHIPMUNK GRAZING ASSOCIATION INC
ELIAS JACA
PO BOX 175
MARSING ID 83639

SOURCE: PETERS GULCH TRIBUTARY: REYNOLDS CREEK
REYNOLDS CREEK, WEST FORK REYNOLDS CREEK
REYNOLDS CREEK, EAST FORK REYNOLDS CREEK
REYNOLDS CREEK SNAKE RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1875

POINT OF DIVERSION:	T03S R04W S24	SWSESW	(INSTREAM BEGINNING POINT)	Within OWYHEE County
	T04S R03W S06	SESW	(INSTREAM BEGINNING POINT)	
	R04W S13	NENE	(INSTREAM BEGINNING POINT)	
	S15	SWSE	(INSTREAM BEGINNING POINT)	
	T03S R04W S24	NESESW	(INSTREAM ENDING POINT)	
	T04S R03W S06	NWSW	(INSTREAM ENDING POINT)	
	R04W S11	SWNE	(INSTREAM ENDING POINT)	
	S13	NENE	(INSTREAM ENDING POINT)	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	04-01 09-30	0.02 CFS

PLACE OF USE:	STOCKWATER	Within OWYHEE County
	T03S R04W S24	SESW
	T04S R03W S06	NWSW
	R04W S11	SWNE
	S13	NENE
	S14	NWNW
	S15	SENE
		SWSW
		NESW
		SWNE
		SWNW
		NESE
		NWSE
		SWSE

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

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

DATED: 8/22/97

[Signature]
FRITZ X/ HAEMMERLE
Special Master
Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-10924

MICROFILMED

OCT 07 1998

PAGE 1
JUL-9-1997

1997 AUG 22 AM 10:06

DISTRICT COURT - SRBA
TWIN FALLS, 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)
_____)

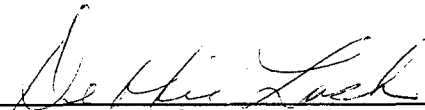
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 57-10924

On August 22, 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 August 22, 1997.


DEBBIE LASH
Deputy Clerk

MICROFILMED
OCT 07 1998

NOTICE OF ISSUANCE

PAGE 1
08/22/97

1997 AUG 22 AM 10:06

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *KL*

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)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 57-10924

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 August 22, 1997, 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
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

CHIPMUNK GRAZING ASSN

Represented by:

MARGARET J. KING
PO BOX 3329
HAILEY, ID 83333
Phone: 208-788-9145

CERTIFICATE OF MAILING

MICROFILMED
OCT 07 1998

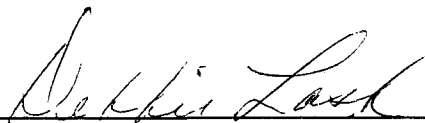
PAGE 1
08/22/97

USDI BLM

Represented by:

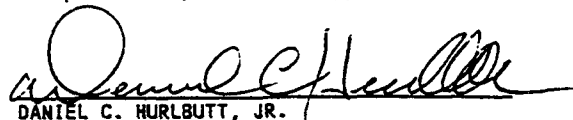
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

CHIPMUNK GRAZING ASSN
ELIAS JACA, PRESIDENT
PO BOX 175
MARSING, ID 83639


DEBBIE LASH
Deputy Clerk

RULE 54(b) CERTIFICATE

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



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

MICROFILMED
OCT 07 1998

RECEIVED

DEC 01 1997

Department of Water Resources

1997 NOV 26 PM 2:35

DISTRICT COURT-S
TWINFALLS COUNTY
FILEDIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
 Case No. 39576)
) Water Right 57-10924

NAME & ADDRESS: CHIPMUNK GRAZING ASSOCIATION INC
 ELIAS JACA
 PO BOX 175
 MARSING ID 83639

SOURCE: PETERS GULCH TRIBUTARY: REYNOLDS CREEK
 REYNOLDS CREEK, WEST FORK REYNOLDS CREEK
 REYNOLDS CREEK, EAST FORK REYNOLDS CREEK
 REYNOLDS CREEK SNAKE RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1875

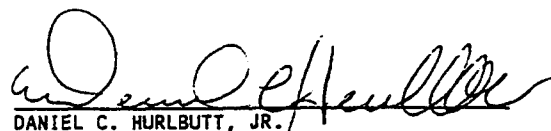
POINT OF DIVERSION:	T03S R04W S24	SWSESW	(INSTREAM BEGINNING POINT)	Within Owyhee County
	T04S R03W S06	SESW	(INSTREAM BEGINNING POINT)	
	R04W S13	NENE	(INSTREAM BEGINNING POINT)	
	S15	SWSE	(INSTREAM BEGINNING POINT)	
	T03S R04W S24	NESESW	(INSTREAM ENDING POINT)	
	T04S R03W S06	NWSW	(INSTREAM ENDING POINT)	
	R04W S11	SWNE	(INSTREAM ENDING POINT)	
	S13	NENE	(INSTREAM ENDING POINT)	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	04-01 09-30	0.02 CFS

PLACE OF USE:	STOCKWATER	Within Owyhee County
	T03S R04W S24	SESW
	T04S R03W S06	NWSW
	R04W S11	SWNE
	S13	NENE
	S14	NWNW
	S15	SENE
		SWSW
		NESW
		SWNE
		SWNW
		NESE
		NWSE
		SESW
		SWSW
		SESW
		SWSE

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

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


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

MICROFILMED
 OCT 07 1998

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
 Water Right 57-10924

PAGE 1
 NOV-20-1997

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	CHIPMUNK GRAZING ASSOCIATION INC BOX 175 MARSING ID 83639 (208) 466-8801	06/01/1875	STOCKWATER	04-01 09-30	0.09 CFS	
TOTAL DIVERSION:					0.09 CFS	
C	ELIAS JACA BOX 175 MARSING ID 83639					

Water Source: PETERS GULCH
REYNOLDS CREEK, WEST FORK
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK

Tributary to: REYNOLDS CREEK
REYNOLDS CREEK
REYNOLDS CREEK
SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T03S R04W S24
T04S R03W S05
R04W S13
S15
Point(s) of Ending Stream Reach: T03S R04W S13
T04S R04W S01
S11
S12

SESW
SWSW
SESW
SWSE
NENE
NWNE
SWNE
NWSW

OWYHEE County
OWYHEE County
OWYHEE County
OWYHEE County
OWYHEE County
OWYHEE County
OWYHEE County
OWYHEE County

MICROFILMED
OCT 07 1998

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE			
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
03S	04W	13	S												
03S	04W	24	S	S	S	S									
04S	03W	5													
04S	03W	6													
04S	03W	7	S	S											
04S	03W	8													
04S	04W	1													
04S	04W	11													
04S	04W	12													
04S	04W	13	S		S	S									
04S	04W	14													
04S	04W	15													

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 400 HEAD RANGE CATTLE

Other Rights: NONE

Remarks: SOME PORTIONS OF THE LANDS ARE UNDER STATE GRASSING RIGHTS AND BLM
THE REMAINDER IS DEEDED GROUND.

on this claim 57-11149
X POU not claimed (all others claimed)
POU not recommended (BLM ground)

57-11158
57-11157

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 57-10924

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

CHIPMUNK GRAZING ASSOCIATION INC

1 - PO BOX 175

2 -

3 -

City- MARSING

State- ID Zip- 83639

Phone - 208-466-8801

JACA

ELIAS

1 - PO BOX 175

2 -

3 -

City- MARSING

State- ID Zip- 83639

Phone - 208-466-8801

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1875 14 WESTERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
PETERS GULCH REYNOLDS CREEK
REYNOLDS CREEK, WEST FORK REYNOLDS CREEK
REYNOLDS CREEK, EAST FORK REYNOLDS CREEK
REYNOLDS CREEK SNAKE RIVER

Tw	Rng	Sec	Tract	Lot	RFlg	County
03S	04W	24	SW SE SW		B	(73) OWYHEE
04S	03W	5	SW SW		B	(73) OWYHEE
	04W	13	SE NE		B	(73) OWYHEE
		15	SW SE		B	(73) OWYHEE
03S	04W	24	NE SE SW		E	(73) OWYHEE
04S	03W	6	SW NE		E	(73) OWYHEE
	04W	11	SW NE		E	(73) OWYHEE
		13	NE NE		E	(73) OWYHEE

MICROFILMED

OCT 07 1998

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
04 - STOCKWATER		04/01	09/30	0.090	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.090 0.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
03S	04W	24	SE SW			04	STOCKWATER	(73) OWYHEE
04S	03W	5	SW SW			04	STOCKWATER	(73) OWYHEE
04S	03W	6	NW SW			04	STOCKWATER	(73) OWYHEE
04S	03W	6	SW SW			04	STOCKWATER	(73) OWYHEE
04S	03W	6	SE SW			04	STOCKWATER	(73) OWYHEE
04S	03W	6	SW SE			04	STOCKWATER	(73) OWYHEE

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

DATE: 07/07/93
PAGE: 2

Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number:	Field Inspection Flag:
		Presumption Flag:

MICROFILMED
OCT 07 1998

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - 57-10924

Prefix Translation: WATER RIGHT

+ - - - - Place of Use - - - - - +									
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
04S	03W	7	NE NE			04	STOCKWATER	(73)	OWYHEE
04S	03W	7	NW NE			04	STOCKWATER	(73)	OWYHEE
04S	04W	1	NW NE			04	STOCKWATER	(73)	OWYHEE
04S	04W	1	NE SE			04	STOCKWATER	(73)	OWYHEE
04S	04W	11	SW NE			04	STOCKWATER	(73)	OWYHEE
04S	04W	11	NE SW			04	STOCKWATER	(73)	OWYHEE
04S	04W	11	SW SW			04	STOCKWATER	(73)	OWYHEE
04S	04W	11	SE SW			04	STOCKWATER	(73)	OWYHEE
04S	04W	13	NE NE			04	STOCKWATER	(73)	OWYHEE
04S	04W	13	SW NE			04	STOCKWATER	(73)	OWYHEE
04S	04W	13	SE NE			04	STOCKWATER	(73)	OWYHEE
04S	04W	14	NW NW			04	STOCKWATER	(73)	OWYHEE
04S	04W	14	SW NW			04	STOCKWATER	(73)	OWYHEE
04S	04W	15	SE NE			04	STOCKWATER	(73)	OWYHEE
04S	04W	15	NE SE			04	STOCKWATER	(73)	OWYHEE
04S	04W	15	NW SE			04	STOCKWATER	(73)	OWYHEE
04S	04W	15	SW SE			04	STOCKWATER	(73)	OWYHEE

Total Acres:

+ - - Diversion Means - INSTREAM STOCKWATER

+ - - Non-Irrigation Use - STOCKWATER, 400 HEAD RANGE CATTLE

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
 LAND IS STATE GRAZING RIGHTS, BLM ALLOTMENTS AND SOME DEEDED
 GROUND.
 SOURCES FOR THIS RIGHT ARE PETERS GULCH TRIB. TO REYNOLDS
 CREEK, WEST FORK REYNOLDS CREEK TRIB. TO REYNOLDS CREEK, EAST
 FORK REYNOLDS CREEK TRIB. TO REYNOLDS CREEK, AND REYNOLDS CREEK
 TRIB. TO SNAKE RIVER.

+ - - - - - Old Water Right Numbers - - - - - +
 No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
 L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
 - ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
 - USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

+ - - - - Decree Plaintiff - - - - - Decree Defendant - - - - - +

MICROFILMED

+ - Decree Date - +
 00/00/0000

OCT 07 1998

Court Report Filing	- 10/13/1992	Field Inspection Made	- 09/25/1992	Civil Case Number	- 39576
Objection Filed Date	- 02/26/1993	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 06/11/1993	Verified Date	- 10/08/1992	Old Judicial District	-
Claim Received Date	- 02/03/1992	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- W014095	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

OCT 07 1998

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

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

1993 DEC 20 PM 4: 50

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

In Re the General Adjudication
of the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 57-10924 -0002

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
OCT 07 1998

MICROFILMED

OCT 07 1998

2. Person who filed objection:

Name: CHIPMUNK GRAZING ASSOC INC
Address: ELIAS JACA
PO BOX 175
MARSING ID 83639

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

9. ☒ Place of Use: I respond to the objection concerning:
12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12b. ☒ This water right not being recommended.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 9, 12 and 12b., and all allegations of the objection regarding these items IDWR responds as follows: Portions of this water right were claimed by both the United States and the objector thus creating a dispute over the ownership of these portions between the owner of the place of use (the United States) and the holder of a federal grazing permit to these lands (the objector). Generally, in landlord/tenant type disputes over the ownership of a water right based on appropriation, the water right is presumed to be owned by the owner of the place of use unless a mutual intent to the contrary is clearly shown. As to the contested portions of this water right, the objector did not submit evidence to IDWR

sufficient to overcome the presumption. IDWR therefore denies the objection and all allegations of the objection not expressly admitted herein.

In further response, the claimant did not claim the following as places of use: NESE and SESE, Sec.13, T03S, R04W. 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 the court is granted, IDWR can investigate the amended claim and make an appropriate recommendation to the court.

CHANGES TO THE DIRECTOR'S REPORT

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

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

No. of
Pages

The notice of claim is attached to IDWR's response to Objection No. 57-10924-0001

(Over)

MICROFILMED
OCT 07 1998

VERIFICATION (Must be Completed)

MICROFILMED

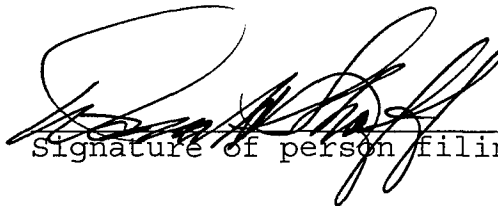
State of IDAHO

OCT 07 1998

County of ADA

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

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



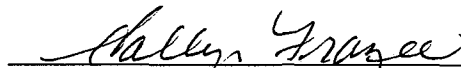
Signature of person filing response

By:



(Attorney signing in representative capacity)

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



Notary Public for Idaho

Residing at: Boise ID

My Commission expires: 11-14-1998

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of December, 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:

See No. 3

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: JOHN T SCHROEDER
Address: 447 W MYRTLE
PO BOX 267
BOISE ID 83701

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

MICROFILMED

OCT 07 1998

June 28, 1993

Chipmunk Grazing Association Inc.

57-10924
RECEIVED

JUL 01 1993

Department of Water Resources
Adjudication Bureau

I contend that this objection is timely filed. To the extent this objection is considered to be untimely filed, I hereby move for an Order authorizing the filing of this objection as being timely filed or move for an Order extending the time to file an objection. I also request additional time to file an affidavit supporting such motion.

Chipmunk Grazing Association by
Ted S. Blackstock BOD2

MICROFILMED
OCT 07 1998

RECEIVED

JUL 01 1993

Department of Water Resources
Adjudication Bureau

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF

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

In Re the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 57-10924
(You must insert the
water right number you
are objecting to)

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

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,

MICROFILMED

Respondents.

OCT 07 1998

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

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: MICROFILMED

1. Person objecting:

Name:

Chipmunk Grazing Inc.

Address:

Box 175
Marsing ID 83639

Briefly describe your interest in this water right:

This water right supplies stockwater for
our permitted livestock on our Federal
Grazing Allotment and has historically
provided water for previous owners and
users.

2. Owner of the water right:

Name:

USDI - Bureau of Land Management

Address:

3380 Americana Terrace

Boise, ID 83706

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.

11. 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

OCT 07 1998

(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.

Boxes 9 and 12 b. These water rights
did not include all water claimed.
Exhibit A describes water not in
recommendation

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 the missing water claims

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. _____

Claims not recommended - 1 page

VERIFICATION (Must be Completed)

State of _____

County of _____

_____, 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 ____ day of _____,
199__.

Notary Public for _____
Residing at: _____
My Commission expires: _____

MICROFILMED
OCT 07 1998

(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 29 day of June, 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:

Chipmunk Grazing Association

Owner's address:

Box 175
Marsing Idaho 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

Chipmunk Grazing by
Ied S Blackstock

Signature of Objector or attorney
mailing on Objector's behalf

WATER RIGHT NUMBER 57-10924

CLAIMS NOT RECOMMENDED

NON-IRRIGATION USES:

Stockwater, 400 range cattle

Source: Peters Gulch
Reynolds Creek, West Fork
Reynolds Creek, East Fork
Reynolds Creek,

Tributary: Reynolds Creek
Reynolds Creek
Reynolds Creek
Snake River

Points of diversion:

T03S R04W S13	NENE	(E)
T04S R04W S01	NWNE	(E)
S12	NWSW	(E)
S13	SESW	(B)

Place of use: Stockwater

T03S R04W S13	NENE	SENE	NESE
	NWSE	SWSE	SESE
S24	NWNE	SWNE	NESW
T04S R04W S12	NESW	NWSW	SESW
	SWSE		
S13	SESW	NWSE	SWSE

MICROFILMED

OCT 07 1998

COPY

RECEIVED

JUN 28 1993

Department of Water Resources
Adjudication Bureau

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

In Re the General Adjudication)
of the Rights to the Use of Water)
from the Snake River Basin)
Water System)

Case No. 57-10924
(Elias Jaca/Chipmunk)

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.)

INSTRUCTIONS

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

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

(Over)

MICROFILMED

OCT 07 1998

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

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person responding to objection:

Name: Elias Jaca/Chipmunk Grazing Association
Address: P.O. Box 175, Marsing, Idaho 83639

Briefly describe your interest in this water right:
Claimant is the owner of the water right.

2. Person who filed objection:

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

Address: 3380 Americana Terrace
Boise, Idaho 83706

3. If this response is filed by an attorney:

Attorney Name: John T. Schroeder, Esq.
W. Alan Schroeder, Esq.
Schroeder & Lezamiz Law Offices

Attorney Address: 447 West Myrtle
P.O. Box 267
Boise, Idaho 83701

Attorney Phone No.: 208-384-1627

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

II. STATEMENT OF THE RESPONSE

Please check each "box" which identifies your response.

1. ☒ Name and Address I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ Source: I respond to the objection concerning the source of water.
3. ☒ Quantity: I respond to the objection concerning:
The B.L.M.'s Objection does not mark any of the following therefore Respondent does not mark a,b or c.
☐ a. the total quantity of water used in cubic feet per second; or
☐ b. the total quantity of water stored in acre-feet per year; or
☐ c. the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☒ Priority Date: I respond to the objection concerning the priority date.
5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the point (s) of diversion.
6. ☐ Instream flow: I respond to the objection concerning the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose (s) of Use: I respond to the objection concerning the purposes (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.

(Over)

MICROFILMED
OCT 07 1998

9. ☒ Place of use: I respond to the objection concerning:
B.L.M.'s objection does not mark a or b, therefore
Respondent does not mark a or b.
- ☐ a. the legal description of the place of use; or
- ☐ b. the number of irrigated areas within each forty
(40) acre subdivision.
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:
- ☒ a. this water right being recommended at all; or
- ☐ b. this water right not being recommended.
13. ☐ Description of Reservation: I respond to the objection
concerning the legal description of the reservation.
14. ☐ Other: I respond to the objection concerning: _____

REASONS SUPPORTING EACH BOX CHECKED

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

B.L.M.'s Objection (1 through 12) is ambiguous and does not provide a sufficient legal and factual basis in order for there to be a detailed response. Respondent denies all allegations of the Objection. At such time as Respondent has further information and facts concerning the basis for the Objection, a detailed response will be filed. In the past, the U.S.A./B.L.M. has been well aware of Respondent's claimed

water right and historical use, all without any prior objection. Respondent incorporates herein its Notice of Claim on file as if it were set forth in full, and Respondent also incorporates all affirmative defenses pursuant to Idaho Rules of Civil Procedure, Rule 8(c): accord and satisfaction; arbitration and award; estoppel; illegality; laches; license; payment; release; res judicata and/or collateral estoppel; statute of limitations; waiver; and B.L.M. has no standing. Respondent reserves the right to amend this Response and to allege other claims, defenses, and arguments as discovery may indicate. Without further factual and legal information, the B.L.M.'s Objection should be summarily denied and Respondent's should be awarded costs and attorney's fees as applicable.

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 Director's Report does not appear to recommend any changes to the claimed water right of Respondent. To the extent the Director may recommend changes, the Respondent requests that any recommendations be in conformance to Respondent's license, adjudicated right, or notice of claim.

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

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

VERIFICATION (Must be completed)

State of Idaho)

MICROFILMED

County of Ada)

OCT 07 1998

Elias Jaca/Chipmunk Grazing Association, being first duly sworn, upon oath, deposes and says:

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

Elias Jaca/Chipmunk Grazing Assc.

Signature of person filing response

By:

John T. Schneider
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 24th day of June,
1998.

Blaine E. Anderson
Notary Public for Idaho
Residing at Boise ID
My Commission expires 12/26/97

INSTRUCTIONS FOR MAILING

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

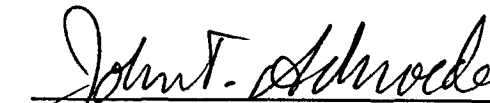
(Over)
CERTIFICATE OF MAILING

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

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One copy to the owner of the water right, and you must fill in the following information:

Name: Elias Jaca/Chipmunk Grazing Association
Address: P.O. Box 175, Marsing, Idaho 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: K. Jack Haugrud, Esq.
Daria J. Zane, Esq.
U.S. Department of Justice
Address: 500 West Fort Street
P.O. Box 33
Boise, Idaho 83734
4. One copy to:
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449
5. One copy to:
United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



JOHN T. SCHROEDER, ESQ.
Signature of Respondent or attorney
mailing on Respondent's behalf

RECEIVED

JUL 01 1993

Department of Water Resources
Adjudication Bureau

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

In Re the General Adjudication
of the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 57-10924
(Insert the Case No.
from the Objection
you are responding to)

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

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.

INSTRUCTIONS

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

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

MICROFILMED
OCT 07 1998

(Over)

RESPONSE TO OBJECTION - 1

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

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person responding to objection:

Name: Chipmunk Grazing Association INC
Address: Box 175 AND BY ELIAS JACA
Marsing Idaho 83639

Briefly describe your interest in this water right:

See Attachment A AND B

2. Person who filed objection:

Name: BLM State Office
Address: 3380 Americana Terrace
Boise Idaho 83706

3. If this response is filed by an attorney:

Attorney Name: _____
Attorney Address: _____
Attorney Phone No.: _____

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

II STATEMENT OF THE RESPONSE

Please check each "box" which identifies your response.

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ Source: I respond to the objection concerning the source of water.
3. ☒ Quantity: I respond to the objection concerning:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☒ Priority Date: I respond to the objection concerning the priority date.
5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I respond to the objection concerning the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I respond to the objection concerning the purpose(s) of use.
8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I respond to the objection concerning:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

(Over)

MICROFILMED
OCT 07 1998

11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.
12. ☒ Water Right Recommendation: I respond to the objection concerning:
- a. ☒ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I respond to the objection concerning the legal description of the reservation.
14. ☐ Other: I respond to the objection concerning:
See Attachment A + B

MICROFILMED
OCT 07 1998

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.

See Attachment A + B

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.

See attachment A + B

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

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

A - 1 page

B - 1 page

VERIFICATION (Must be Completed)

State of _____

County of _____

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

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

Signature of person filing response

By: _____

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this ____ day of _____,
199____.

Notary Public for _____
Residing at: _____
My Commission expires: _____

INSTRUCTIONS FOR MAILING

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

MICROFILMED
OCT 07 1998

(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 30 day of June, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Name: Chipmunk Grazing Association Inc

Address: Box 175
Marsing Idaho 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: BLM State Office

Address: 3380 Americana Terrace
Boise Idaho 83706

MICROFILMED
OCT 07 1998

4. One copy to:

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

5. One copy to:

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

Elias Jara

Signature of Respondent or attorney
mailing on Respondent's behalf

✓
✓
B.L.M.'s Objection (1 through 12) is ambiguous and does not provide a sufficient legal and factual basis in order for there to be a detailed response. Respondent denies all allegations of the Objection. At such time as Respondent has further information and facts concerning the basis for the Objection, a detailed response will be filed. In the past, the U.S.A./B.L.M. has been well aware of Respondent's claimed water right and historical use, all without any prior objection. Respondent incorporates herein its Notice of Claim on file as if it were set forth in full, and Respondent also incorporates all affirmative defenses pursuant to Idaho Rules of Civil Procedure, Rule 8(c): accord and satisfaction; arbitration and award; estoppel; illegality; laches; license; payment; release; res judicata and/or collateral estoppel; statute of limitations; waiver; and B.L.M. has no standing. Respondent reserves the right to amend this Response and to allege other claims, defenses, and arguments as discovery may indicate. Without further factual and legal information, the B.L.M.'s Objection should be summarily denied and Respondent's should be awarded costs and attorney's fees as applicable.

MICROFILMED
OCT 07 1998

Response Exhibit A:

Case No. _____

(Water Right Number)

REASONS SUPPORTING EACH BOX CHECKED:

We are responding to boxes: _____:

The Bureau of Land Management has filed objections, (1) to our water rights on our private lands, (2) where our water right diversions and canals legally intrude on BLM land, and (3) to our stock water rights on the Federal lands. We have been told by the BLM that Objection were filed arbitrarily on the following basis:

- 1 - All priority dates older than 1870.
- 2 - All priority dates more than 7 years prior to land patent.
- 3 - All rights which contain a legal description for point of diversion, irrigation canals, ditches, or place of use located on BLM lands.
- 4 - All stock water rights which are located on BLM lands.

Regarding items 1,2,3 above: BLM Objections have been filed without regard to our ownership of the land, our previously decreed rights, or any other evidence of our beneficial use or priority date, and without regard to our legally granted rights of way for water diversion and conveyance over BLM lands. All rights of way in use prior to 1976 are absolutely granted to the user by the Federal government.

Regarding item 4 above: BLM Objections have also been filed without regard to the investment interest and investment backed expectations in Grazing Permits which we own on the Federal Land. This situation is entirely different than the typical private land livestock grazing lease which is arbitrarily sought and granted. We are clearly allowed by Idaho law to hold permits for stock water on lands which are not owned by us. While we do not own the land we have acquired and own the permit which is a property interest that is routinely bought, sold, traded, inherited and taxed. The BLM cannot arbitrarily change the area of use of our permit, take the permit away, or issue it to someone else. We also own the livestock which provide the beneficial use of our water rights. The livestock use began long before the Federal government issued grazing permits through their adjudication process and began collecting fees for use. The government can not claim stock water as a beneficial use prior to 1934 on BLM administered lands since no permits or grazing fees existed until then. The economic value of our grazing permits, our privately owned ranch property, and our ability to put the land to its highest and best use are directly dependent on continued use of our water rights for our livestock on the federal lands.

We object to the arbitrary and capricious manner in which the BLM filed objections to our water rights without regard to the true facts of each case. We further object to the Federal Government being allowed to file applications after the deadline which we were required to meet and the fact that they have not paid the fees for court costs required of all other applicants.

CHANGES TO THE DIRECTORS REPORT:

We want the directors report to reject the BLM objection and to properly identify this water right as ours, together with the source, quantities, described points of diversion or instream flows, purpose of use, time of use, and place of use as requested in our application.

MICROFILMED

OCT 07 1998

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

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

1993 JUN 11 PM 3:34

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

In Re the General Adjudication)
of the Rights to the Use of Water)
from the Snake River Basin)
Water System)

Case No. 57-10924 -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

OCT 07 1998

2. Person who filed objection:

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

MICROFILMED
OCT 07 1998

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 points(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

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

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:

(Over)

MICROFILMED
OCT 07 1998

No. of
Pages

Notice of Claim No. A57-10924

4

MICROFILMED
OCT 07 1998

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

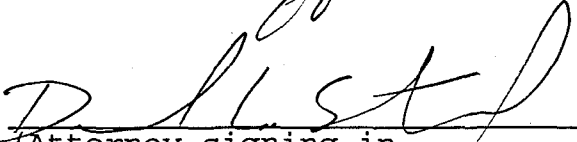
Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

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.



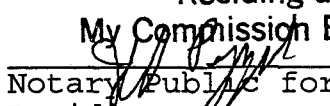
Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this ____ day of _____,
1993.

Jeff Peppersack, Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994


Notary Public for Idaho
Residing at: _____
My Commission expires: _____

MICROFILMED
OCT 07 1998

(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of June, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows: **MICROFILMED**

1. Original to:

OCT 07 1998

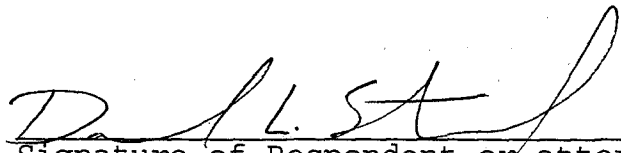
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

Name: ELIAS JACA
Address: CHIPMUNK GRAZING ASSOC
PO BOX 175
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
PO BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

A57-10924
2-3-1992
W014095

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Chipmunk Grazing Assoc., Inc. OR Phone () 466-8801
Mailing Address Elias Jaca
Box 175, Marsing ID Zip 83639
2. Date of Priority (Only one (1) per claim) June 1, 1875
3. Source of water supply (a) Peters Gulch W. Fork Reynolds Cr., E. Fork Reynolds Cr., Reynolds Snake
which is tributary to (b) Reynolds Cr. Reynolds Cr.
4. a. Location of existing 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: _____
- b. If instream flow, beginning point of claimed instream flow is:
E.F. = 4S, 4W, Sec. 13, SE SW W.F. = 4S, 4W, Sec. 15, SW SE R.C. = 3S, 4W, Sec. 24, SE SE
P.G. Township 4S Range 3W Section 5 1/4 of SW 1/4 of SW 1/4
Govt. Lot _____ B.M., County of _____
ending point is: Township 4S Range 4W Section 1 1/4 of NW 1/4 of NE
NE 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.

MICROFILMED
OCT 8 7 1998

MICROFILMED
OCT 8 8 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from 4-1 to 7-31 amount 0.09 or 0.09

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.09 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 400 hd range cattle

10. Description of place of use:
a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
3S	4W	13	S			S									S	S			
3S	4W	24		S	S						S	S	S	S	S				
4S	3W	5											S						
4S	3W	6									S	S	S				S		
4S	3W	7	S	S															
4S	3W	8					S												
4S	4W	1				S								S					

Total number of acres irrigated _____

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 X 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. _____ or None ()

14. Remarks: Some portions of the lands are under state grazing rights & BLM. The remainder is deeded ground.

MICROFILMED
OCT 07 1998

MICROFILMED
OCT 08 1992

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
4S	4W	13	S		S	S								S		S	S		
4S	4W	12									S	S		S			S		
4S	4W	15				S									S	S	S		
4S	4W	14					S	S	S										
4S	4W	11									S		S	S					

Total number of acres irrigated _____

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

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. _____ or None ()

14. Remarks:

MICROFILMED
OCT 07 1998

MICROFILMED
OCT 08 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President Title _____

of Chipmunk Grazing Assoc., Inc Organization _____, that I have signed the foregoing

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 Elias Jara _____

Title and Organization President _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 3RD day of February 1992

SEAL

Notary Public Kathlyn A. Walker

Residing at Boise, Idaho

My Commission Expires 2-14-1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

OCT 07 1998

MICROFILMED

OCT 08 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

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. 57-10924
(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

OCT 07 1998

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

MICROFILMED

OCT 07 1998

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 Elias Jaca
Chipmunk Grazing Assoc
Address: P.O. Box 175
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.

MICROFILMED
OCT 07 1998

(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. MICROFILMED
14. ☐ Other: I object to: OCT 07 1998
- _____
- _____
- _____
- _____

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

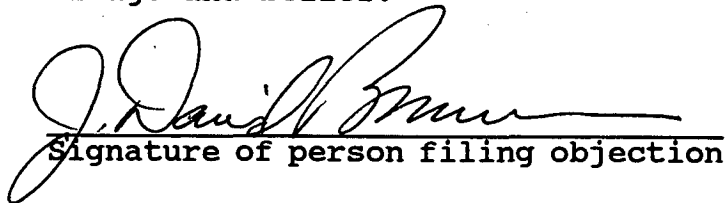
VERIFICATION (Must be Completed)

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 Feb,
1993.


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

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~~^{revised} the original and ~~copies~~^{filed} of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

MICROFILMED

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

OCT 07 1998

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

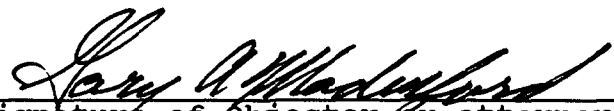
Owner name: Elias Jaca
Chipmunk Grazing Assoc
Owner's address: P.O. Box 175
Marsing, ID 83659

3. One copy to:

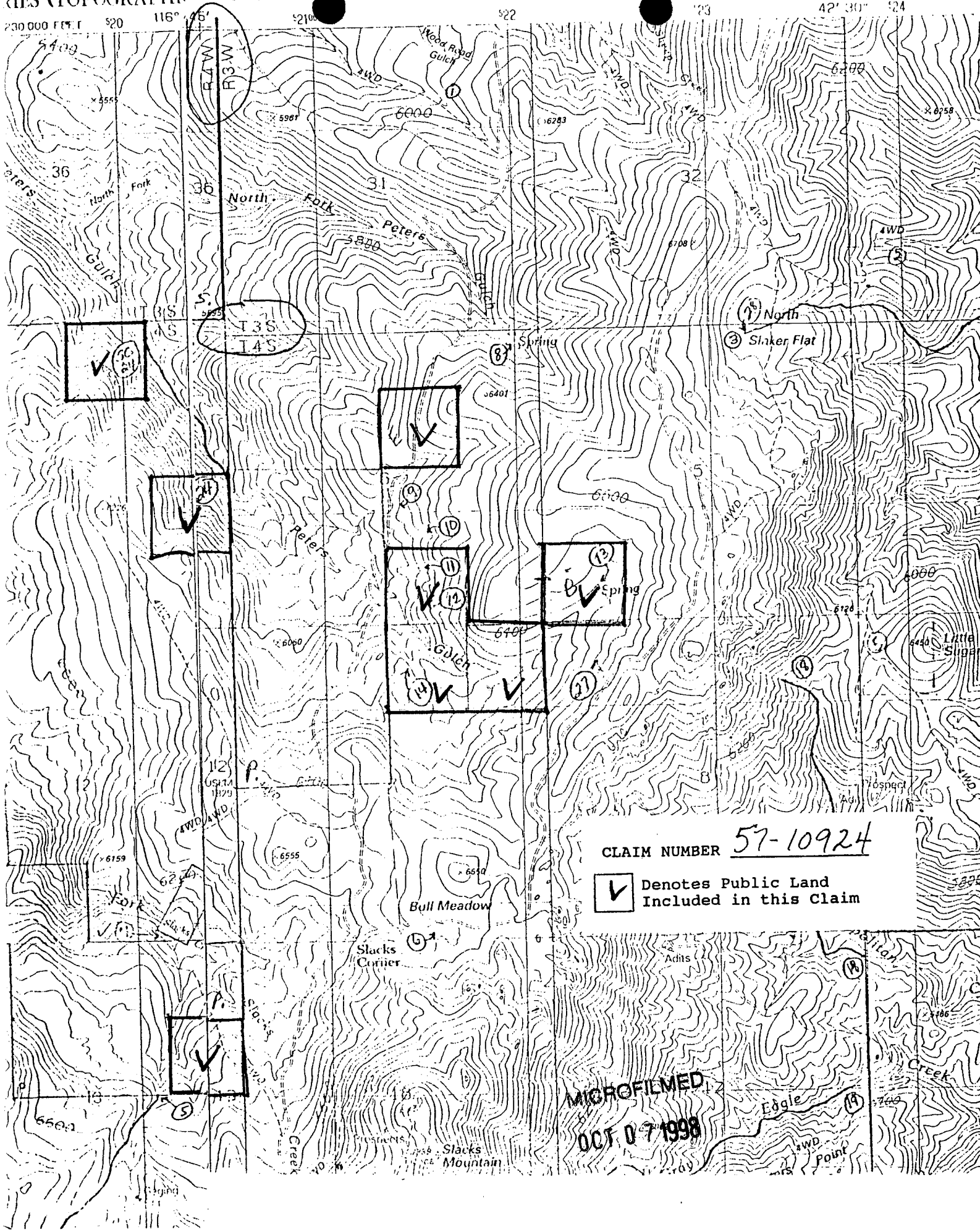
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

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



CLAIM NUMBER 57-10924

☒ Denotes Public Land
Included in this Claim

MICROFILMED
OCT 07 1998

CLAIM NUMBER: 57-10924

CONFLICTING CLAIMS FOUND IN THE DIRECTORS REPORT

57-11156
57-11077
57-11079
57-11077A
57-11076
57-11078
57-11078A
57-11080
57-11080A
57-11081
57-11081A
57-11082
57-11082A
57-11083

MICROFILMED
OCT 07 1998

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: 5701582088
BLM NUMBER: 5701582088
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
PETERS GULCH	REYNOLDS CREEK

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER	0.140	0.00	0101	1231
WILDLIFE	0.020	0.00	0101	1231
TOTAL:		0.160 CFS	0.00 AF	

NON-IRRIGATION USES

S/ 568 RANGE CATTLE W/ VAR AMOUNTS

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
04S	03W	05		SW	SW	00	OWYHEE
04S	03W	06		SW	SE	00	OWYHEE

PLACE OF USE							IRRIGATED
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED ACRES
04S	03W	05	SW	SW	00	OWYHEE	YES 0.0

OCT 07 1993

BLM NUMBER: 5701582088

PAGE: 2

04S	03W	07	NE	NE	00	OWYHEE	YES	0.0
04S	03W	07	NW	NE	00	OWYHEE	YES	0.0
04S	03W	06	SW	SE	00	OWYHEE	YES	0.0
04S	03W	05	SW	SW	00	OWYHEE	YES	0.0
04S	03W	07	NE	NE	00	OWYHEE	YES	0.0
04S	03W	07	NW	NE	00	OWYHEE	YES	0.0
04S	03W	06	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

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

MICROFILMED

OCT 07 1998

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: 5701582085
BLM NUMBER: 5701582085
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE	TRIBUTARY TO
SLACKS CREEK	REYNOLDS CREEK

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
WILDLIFE	0.020	0.00	0101	1231
STOCKWATER	0.160	0.00	0101	1231
TOTAL:	0.180 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	03W	19		NW	NW	00	OWYHEE
04S	03W	18		NW	NW	00	OWYHEE

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	ACRES
04S	03W	19	NW	NW	00	OWYHEE	YES	0.0

MICROFILMED
OCT 07 1998

04S	03W	18	SW	SW	00	OWYHEE	YES	0.0
04S	03W	18	NW	SW	00	OWYHEE	YES	0.0
04S	03W	18	SW	NW	00	OWYHEE	YES	0.0
04S	03W	18	NW	NW	00	OWYHEE	YES	0.0
04S	03W	19	NW	NW	00	OWYHEE	YES	0.0
04S	03W	18	SW	SW	00	OWYHEE	YES	0.0
04S	03W	18	NW	SW	00	OWYHEE	YES	0.0
04S	03W	18	SW	NW	00	OWYHEE	YES	0.0
04S	03W	18	NW	NW	00	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

MICROFILMED

OCT 07 1998

SUBCASE	CLAIMANT	OBJECTOR
57-10924	Chipmunk/Jaca	BLM/Chipmunk

Worked out with Andrew 03/21/97:

- confirm PODs as represented in draft SF-5
- all BWI #12 remarks utilized.

MICROFILMED
OCT 07 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	)	SUBCASE NO: <u>57-10924</u>
	)	(Insert Water Right Number)
	)	
Case No. 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS
	)	OF A WATER RIGHT

THIS FORM MAY ONLY BE USED IF ALL PARTIES HAVE STIPULATED TO ALL
ELEMENTS OF A WATER RIGHT AND MAY BE SUBMITTED AT ANY TIME
FOLLOWING THE CLOSE OF THE STATUTORY RESPONSE PERIOD.

INSTRUCTIONS

This form has been adopted by the court in *SRBA
Administrative Order 1, Rules of Procedure* (amended Sept. 30,
1996), Section 4, which may be consulted for further information.

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
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; 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.

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.

MICROFILMED

OCT 07 1998

Elements where there has been no objections should be listed exactly as they appear in the Director's Report. The statement as to these uncontested elements 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 each element of the water right (attach additional pages if necessary).

ELEMENTS

1. Name and address of the claimant:

Chipmunk Grazing Association, Inc.
Elias Jaca
Box 175
Marsing, Idaho 83639

Required statement:

As recommended in the Director's Report.

2. Source of water:

Peters Gulch tributary to Reynolds Creek
Reynolds Creek, East Fork tributary to Reynolds Creek
Reynolds Creek, West Fork tributary to Reynolds Creek
Reynolds Creek tributary to Snake River

Required statement:

As recommended in the Director's Report.

3. Quantity of water used:

Stockwater: 0.02 c.f.s.

Total: 0.02 c.f.s.

The quantity of water under this right for stockwater shall not exceed 13,000 gallons per day.

Required statement:

Quantity in c.f.s. is changed from 0.09 c.f.s. to 0.02 c.f.s. and the "13,000 gpd" statement is added pursuant to the Special Master's Second Amended Recommendation for Basin-Wide Issue #12 dated August 12, 1996.

MICROFILMED

4. Priority date:

06/01/1875

OCT 07 1998

Required statement:

As recommended in the Director's Report.

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

T04S R03W S06 SESW (Beginning Point)

T03S R04W S24 SWSESW (Beginning Point)

T04S R04W S13 NENE (Beginning Point)

T04S R04W S15 SWSE (Beginning Point)

T04S R03W S06 NWSW (Ending Point)

T03S R04W S24 NESESW (Ending Point)

T04S R04W S11 SWNE (Ending Point)

T04S R04W S13 NENE (Ending Point)

Required statement:

The United States and the claimant stipulate that this is the correct description of the point of diversion.

6. **Purpose of use:**

Stockwater

Required statement:

As recommended in the Director's Report. Pursuant to the Special Master's Second Amended Recommendation for Basin-Wide Issue #12 dated August 12, 1996, stock numbers are not described in the purpose of use.

7. **Period of year** when the water is to be used:

04-01 through 09-30

Required statement:

As recommended in the Director's Report.

8. Legal description of the **place of use** or of the reservation:

T03S R04W S24 SESW

T04S R03W S06 NWSW

T04S R03W S06 SWSW

T04S R03W S06 SESW

MICROFILMED

OCT 07 1998

T04S R04W S11 SWNE
T04S R04W S11 NESW
T04S R04W S11 SWSW
T04S R04W S11 SESW

T04S R04W S13 NENE
T04S R04W S13 SWNE

T04S R04W S14 NWNW
T04S R04W S14 NWNW

T04S R04W S15 SENE
T04S R04W S15 NESE
T04S R04W S15 NWSE
T04S R04W S15 SWSE

Required statement:

The United States and the claimant stipulate that this is the correct description of the place of use.

9. Annual volume of consumptive use:

De minimis stockwater use.

Required statement:

This element was not reported by IDWR in the director's report. Pursuant to Idaho Code 42-1401A(2) 1996, this water right need not contain a determination of the annual volume of consumptive use.

10. Other necessary matters:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

These matters are necessary because:

These matters do not fall within the 9 elements listed above because:

Review By IDWR

To speed up the entry of a decree, the parties are encouraged to talk to the Idaho Department of Water Resources (IDWR) about their proposed settlement and have IDWR indicate its concurrence by signing the Standard Form 5.

Where all parties have signed, a Standard Form 5 may be filed with the court without the concurrence of IDWR. However, the parties must certify that they have served IDWR with a copy of Standard Form 5 and that they have made a good faith attempt to

MICROFILMED

resolve the matter with IDWR.

Within 14 days of filing a Standard Form 5 not containing an IDWR concurrence, IDWR shall file a statement of its position with the court.

MICROFILMED

OCT 07 1998

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

Signatures and Addresses of Parties and their Attorney of Record (attach additional page if necessary): I have read this form, know its contents, and believe that the statements are true to the best of my knowledge.

Name: United States of America, acting through the
Department of Interior,
Bureau of Land Management,
Idaho State Office
Address: 1387 South Vinnell Way
City/State/Zip: Boise, Idaho 83709-1657
Attorney of Record: R. Lee Leininger, (202) 305-0242
P. Fritz Holleman, and (202) 305-0494
William M. Ferry (208) 334-1911
Phone: As Above.

_____ Party's Signature	_____ Date	_____ Attorney's Signature	_____ Date
----------------------------	---------------	-------------------------------	---------------

Name: Chipmunk Grazing Association, Inc.
Elias Jaca
Address: Box 175
City/State/Zip: Marsing, Idaho 83639
Attorney of Record: Richard L. Harris
Phone: (208) 459-1588

_____ Party's Signature	_____ Date	_____ Attorney's Signature	_____ Date
----------------------------	---------------	-------------------------------	---------------

_____ Party's Signature	_____ Date
----------------------------	---------------

IDWR Concurrence: _____
Signature Date

MICROFILMED

OCT 07 1998

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. FAX filings will not be accepted by the SRBA Clerk of the Court. You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on _____, 199____, 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

2. Copy to:

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

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

Richard L. Harris
P.O. Box 1438
1023 Arthur Street
Caldwell, Idaho 83605-1438

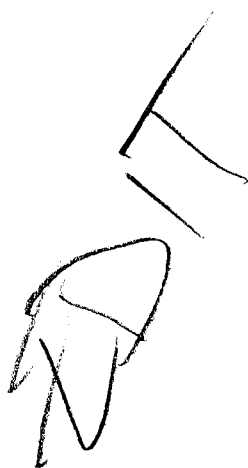
Signature of person or attorney mailing the form

MICROFILMED
OCT 07 1998

SUBCASE	CLAIMANT	OBJECTOR
57-10924	Chipmunk/Jaca	BLM/Chipmunk

To IDWR.

This is a claim to a stream.



MICROFILMED
OCT 07 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	)	SUBCASE NO: <u>57-10924</u>
	)	(Insert Water Right Number)
	)	
Case No. 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS
	)	OF A WATER RIGHT

THIS FORM MAY ONLY BE USED IF ALL PARTIES HAVE STIPULATED TO ALL ELEMENTS OF A WATER RIGHT AND MAY BE SUBMITTED AT ANY TIME FOLLOWING THE CLOSE OF THE STATUTORY RESPONSE PERIOD.

INSTRUCTIONS

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

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 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; 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.

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.

MICROFILMED

OCT 07 1998

Elements where there has been no objections should be listed exactly as they appear in the Director's Report. The statement as to these uncontested elements 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 each element of the water right (attach additional pages if necessary).

ELEMENTS

1. Name and address of the claimant:

Chipmunk Grazing Association, Inc.
Elias Jaca
Box 175
Marsing, Idaho 83639

Required statement:

As recommended in the Director's Report.

2. Source of water:

Peters Gulch tributary to Reynolds Creek
Reynolds Creek, East Fork tributary to Reynolds Creek
Reynolds Creek, West Fork tributary to Reynolds Creek
Reynolds Creek tributary to Snake River

Required statement:

As recommended in the Director's Report.

3. Quantity of water used:

Stockwater: 0.02 c.f.s. ✓

Total: 0.02 c.f.s. ✓

The quantity of water under this right for stockwater shall not exceed 13,000 gallons per day.

Required statement:

Quantity in c.f.s. is changed from 0.09 c.f.s. to 0.02 c.f.s. and the "13,000 gpd" statement is added pursuant to the Special Master's Second Amended Recommendation for Basin-Wide Issue #12 dated August 12, 1996.

4. Priority date:

06/01/1875

Required statement:

MICROFILMED

OCT 07 1998

As recommended in the Director's Report.

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

T04S R03W S06 SESW (Beginning Point) ✓

T03S R04W S24 SWSESW (Beginning Point) ✓

T04S R04W S13 NENE (Beginning Point) ✓

T04S R04W S15 SWSE (Beginning Point) ✓

T04S R03W S06 NWSW (Ending Point) ✓

T03S R04W S24 NESESW (Ending Point) ✓

T04S R04W S11 SWNE (Ending Point) ✓

T04S R04W S13 NENE (Ending Point) ✓

Required statement:

The United States and the claimant stipulate that this is the correct description of the point of diversion. The parties agree to the deletion of the following points of diversion:

T04S R03W S05 SWSW (Beginning Point)

T04S R04W S13 SENE (Beginning Point)

T04S R03W S06 SWNE (Ending Point)

6. **Purpose of use:**

Stockwater

Required statement:

As recommended in the Director's Report. Pursuant to the Special Master's Second Amended Recommendation for Basin-Wide Issue #12 dated August 12, 1996, stock numbers are not described in the purpose of use.

7. **Period of year** when the water is to be used:

04-01 through 09-30

Required statement:

As recommended in the Director's Report.

MICROFILMED

OCT 07 1998

8. Legal description of the **place of use** or of the reservation:

T03S R04W S24 SESW

T04S R03W S06 NWSW

T04S R03W S06 SWSW

T04S R03W S06 SESW

T04S R04W S11 SWNE

T04S R04W S11 NESW

T04S R04W S11 SWSW

T04S R04W S11 SESW

T04S R04W S13 NENE

T04S R04W S13 SWNE

T04S R04W S14 NWNW

T04S R04W S14 NWNW

T04S R04W S15 SENE

T04S R04W S15 NESE

T04S R04W S15 NWSE

T04S R04W S15 SWSE

Required statement:

The United States and the claimant stipulate that this is the correct description of the place of use. This element is as recommended in the Director's Report, except the parties agree to the deletion of the following places of use:

T04S R03W S05 SWSW

T04S R03W S06 SWSE

T04S R03W S07 NENE

T04S R03W S07 NWNE

T04S R04W S01 NWNE

T04S R04W S01 NESE

T04S R04W S13 SENE

9. **Annual volume of consumptive use:**

De minimis stockwater use.

Required statement:

This element was not reported by IDWR in the director's report. Pursuant to Idaho Code 42-1401A(2) 1996, this water right need not contain a determination of the annual volume of consumptive use.

MICROFILMED

OCT 07 1998

10. Other necessary matters:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

These matters are necessary because:

These matters do not fall within the 9 elements listed above because:

Review By IDWR

To speed up the entry of a decree, the parties are encouraged to talk to the Idaho Department of Water Resources (IDWR) about their proposed settlement and have IDWR indicate its concurrence by signing the Standard Form 5.

Where all parties have signed, a Standard Form 5 may be filed with the court without the concurrence of IDWR. However, the parties must certify that they have served IDWR with a copy of Standard Form 5 and that they have made a good faith attempt to resolve the matter with IDWR.

Within 14 days of filing a Standard Form 5 not containing an IDWR concurrence, IDWR shall file a statement of its position with the court.

MICROFILMED
OCT 07 1998

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

Signatures and Addresses of Parties and their Attorney of Record (attach additional page if necessary): I have read this form, know its contents, and believe that the statements are true to the best of my knowledge.

Name: United States of America, acting through the
Department of Interior,
Bureau of Land Management,
Idaho State Office
Address: 1387 South Vinnell Way
City/State/Zip: Boise, Idaho 83709-1657
Attorney of Record: R. Lee Leininger, (202) 305-0242
P. Fritz Holleman, and (202) 305-0494
William M. Ferry (208) 334-1911
Phone: As Above.

_____ Party's Signature	_____ Date	_____ Attorney's Signature	_____ Date
----------------------------	---------------	-------------------------------	---------------

Name: Chipmunk Grazing Association, Inc.
Elias Jaca
Address: Box 175
City/State/Zip: Marsing, Idaho 83639
Attorney of Record: Richard L. Harris
Phone: (208) 459-1588

_____ Party's Signature	_____ Date	_____ Attorney's Signature	_____ Date
----------------------------	---------------	-------------------------------	---------------

_____ Party's Signature	_____ Date
----------------------------	---------------

IDWR Concurrence:	_____ Signature	_____ Date
-------------------	--------------------	---------------

MICROFILMED
OCT 07 1998

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. FAX filings will not be accepted by the SRBA Clerk of the Court. You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on _____, 199____, 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

2. Copy to:

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

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

Richard L. Harris
P.O. Box 1438
1023 Arthur Street
Caldwell, Idaho 83605-1438

Signature of person or attorney mailing the form

MICROFILMED
OCT 07 1998

A57-10924

RECEIVED

AUG 10 1994

WATER RESOURCES
WESTERN REGION

SIMMS & STEIN, P.A.
102 Aspen Lakes Drive
P.O. Box 280
Hailey, ID 83333
(208) 788-9145

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

)
)
)
)
)
)

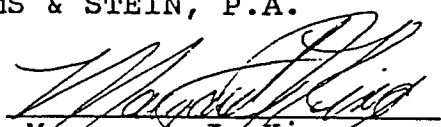
NOTICE OF APPEARANCE

COMES NOW the firm of Simms & Stein, P.A., and hereby
enters an appearance for CHIPMUNK GRAZING ASSOCIATION, subcase
numbers attached.

All further pleadings, notices, and correspondence of any
kind filed hereafter in this matter should be sent to Simms &
Stein, P.A., P.O. Box 280, Hailey, Idaho 83333.

DATED this 26 day of May, 1994.

SIMMS & STEIN, P.A.

By: 
Margaret J. King

MICROFILMED

OCT 07 1998

CHIPMUNK GRAZING ASSOCIATION

SUBCASE NUMBERS:

57 10373

57 10375

57 10660

57 10850

57 10851

57 10914

57 10916

57 10917

57 10918

57 10919A

57 10919B

57 10920

57 10921

57 10924

57 10944

57 10946

57 01046✓

57 01047✓

57 10923

57 10945

57 10947

57 11148✓

57 11149✓

57 11156✓

57 11157✓

57 11158✓

57 11170✓

57 11176✓

57 11179✓

57 11181✓

57 11183✓

do not change

57-01046 - 11156
- 11157

57-01047 11158

57-11148 11170

- 11149 11176
11179

- 11181

- 11182

MICROFILMED

OCT 07 1998

CERTIFICATE OF MAILING

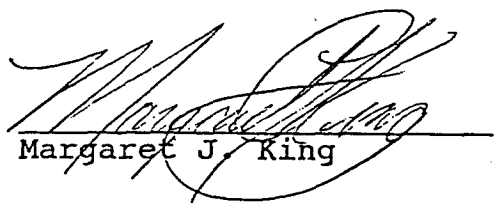
The undersigned certifies that on the 26 day of May, 1994, a true and correct copy of the above and foregoing Notice of Appearance was served on the following persons by depositing true and correct copies thereof in the United States Mail, first class postage prepaid, or personally delivering the same, addressed as follows:

Clerk of the SRBA Court (original)
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

Chief, Natural Resources Division (1)
Office of Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

The United States Department of Justice (1)
Environment and Natural Resources Division
550 West Fort Street, Box 33
Boise, ID 83734

Bruce Malmberg (1)
P.O. Box 175
Marsing, ID 83639


Margaret J. King

MICROFILMED

OCT 07 1998

RECEIVED

AUG 10 1994

WATER RESOURCES
WESTERN REGION

SIMMS & STEIN, P.A.
102 Aspen Lakes Drive
P.O. Box 280
Hailey, ID 83333
(208) 788-9145

*G. G. Seifert told me
NOT to change 57-0104?
as 8-9-94*

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 SUBSTITUTION
) OF COUNSEL
)

TO THE CLERK OF THE ABOVE ENTITLED COURT.

Pursuant to Rule 11 (b)(1) of the Idaho Rules of Civil Procedure, you are hereby notified that the firm of SIMMS & STEIN, P.A., is substituted as the firm of record in place of SCHROEDER & LEZAMIZ LAW OFFICES. This substitution is for the following parties: JOYCE LIVESTOCK and CHIPMUNK GRAZING ASSOCIATION, in the attached subcases.

The firm of Simms & Stein, P.A., will file timely notices

MICROFILMED

OCT 07 1998

NOTICE OF SUBSTITUTION OF COUNSEL -1

of appearance in the applicable subcases.

DATED this 26 day of May, 1994.

SIMMS & STEIN, P.A.

SCHROEDER & LEZAMIZ LAW OFFICES

By: /S/
Margaret J. King

By: /S/
John T. Schroeder

CHIPMUNK GRAZING ASSOCIATION

SUBCASE NUMBERS:

57 10917

57 10921

57 10923

57 10924

57 10944

57 10945

57 01047

57 10660

JOYCE LIVESTOCK:

57 10586

57 10587

57 10598

57 10770

MICROFILMED
OCT 07 1998

CERTIFICATE OF MAILING

The undersigned certifies that on the 26 day of May, 1994, a true and correct copy of the above and foregoing Notice of Substitution of Counsel was served on the following persons by depositing true and correct copies thereof in the United States Mail, first class postage prepaid, or personally delivering the same, addressed as follows:

Clerk of the SRBA Court (FAX)
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

Chief, Natural Resources Division (1)
Office of Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

The United States Department of Justice (1)
Environment and Natural Resources Division
550 West Fort Street, Box 33
Boise, ID 83734

Bruce Malmberg (1)
P.O. Box 175
Marsing, ID 83639



Margaret J. King

MICROFILMED

OCT 07 1998

ADJUDICATION MEMORANDUM

CLAIM NO.: A5710924

SUBJECT: Chipmunk Spraying Assoc.

EMPLOYEE: Lewie Day

DATE: 11-10-93

Map for this claim is filed in
drawer #19 of the wooden map
cabinet.

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 the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 57-10924 -0002

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: CHIPMUNK GRAZING ASSOC INC
Address: ELIAS JACA
PO BOX 175
MARSING ID 83639

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

9. |☒| Place of Use: I respond to the objection concerning:
12. |☒| Water Right Recommendation: I respond to the objection concerning:
- 12b. |☒| This water right not being recommended.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 9, 12 and 12b., and all allegations of the objection regarding these items IDWR responds as follows: Portions of this water right were claimed by both the United States and the objector thus creating a dispute over the ownership of these portions between the owner of the place of use (the United States) and the holder of a federal grazing permit to these lands (the objector). Generally, in landlord/tenant type disputes over the ownership of a water right based on appropriation, the water right is presumed to be owned by the owner of the place of use unless a mutual intent to the contrary is clearly shown. As to the contested portions of this water right, the objector did not submit evidence to IDWR

sufficient to overcome the presumption. IDWR therefore denies the objection and all allegations of the objection not expressly admitted herein.

In further response, the claimant did not claim the following as places of use: NESE and SESE, Sec.13, T03S, R04W. 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 the court is granted, IDWR can investigate the amended claim and make an appropriate recommendation to the court.

CHANGES TO THE DIRECTOR'S REPORT

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

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

No. of
Pages

The notice of claim is attached to IDWR's response to Objection No. 57-10924-0001

(Over)

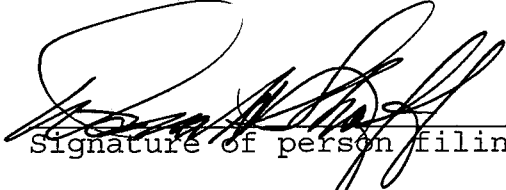
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

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

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



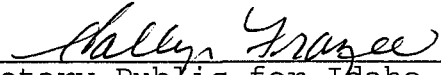
Signature of person filing response

By:



(Attorney signing in
representative capacity)

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



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

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of December, 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:

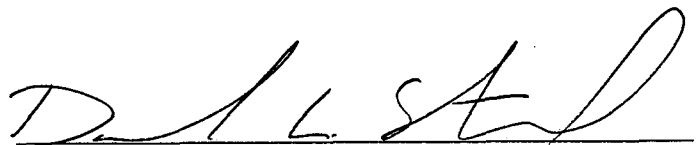
See No. 3

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: JOHN T SCHROEDER
Address: 447 W MYRTLE
PO BOX 267
BOISE ID 83701

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

JOHN T. SCHROEDER, ESQ.
SCHROEDER & LEZAMIZ LAW OFFICES
447 WEST MYRTLE
P.O. BOX 267
BOISE, IDAHO 83701
TELEPHONE: 384-1627

Attorney for Chipmunk Grazing Assn, Inc.

RECEIVED

OCT 01 1993

Department of Water Resources
Adjudication Bureau

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

In Re the General Adjudication of)
Rights to the Use of Water from the)
Snake River Basin Water System)

Case No. 39576

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

NOTICE OF APPEARANCE FOR
CHIPMUNK GRAZING ASSN, INC.

Petitioner,)

Sub Case: 57-10917

vs.)

57-10921

57-10923

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

57-10924

57-10944

57-10945

57-10947

57-10660

Respondents.)

TO: State of Idaho, Office of Attorney General; U.S. Department
of Justice:

YOU WILL PLEASE TAKE NOTICE THAT John T. Schroeder, Esq., of
the law firm of Schroeder & Lezamiz Law Offices, Boise, Idaho,
enters an appearance for Chipmunk Grazing Assn, Inc., with regard
to the Motion to File Late Objection to the Director's Report and
any further proceedings on said Objection should the Motion be

NOTICE OF APPEARANCE FOR CHIPMUNK GRAZING
WITH REGARD TO MOTION TO FILE LATE OBJECTION - Page 1

MICROFILMED

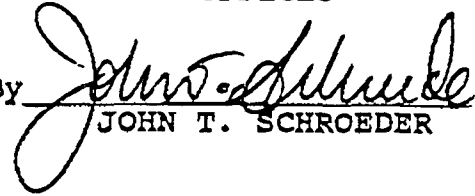
JUL 21 1994

allowed. All further pleadings and correspondence should be delivered to said Attorney at the above address.

Dated this 20th day of September, 1993.

SCHROEDER & LEZAMIZ LAW
OFFICES

By


JOHN T. SCHROEDER

CERTIFICATE OF DELIVERY

I HEREBY CERTIFY That a true and correct copy of the foregoing Notice of Appearance was hand delivered to the following persons and individuals:

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

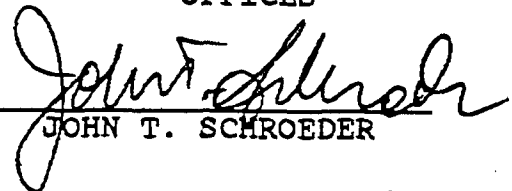
The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, Box 33
Boise, Idaho 83734

Mr. Alan Johnstone
Route 1, Box 1251
Homedale, Idaho 83638

Dated this 20th day of September, 1993.

SCHROEDER & LEZAMIZ LAW
OFFICES

By


JOHN T. SCHROEDER

NOTICE OF APPEARANCE FOR CHIPMUNK GRAZING
WITH REGARD TO MOTION TO FILE LATE OBJECTION - Page 2

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 the Rights to the Use of Water)
from the Snake River Basin)
Water System)
_____)

Case No. 57-10924 -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 MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706-2544

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL

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

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

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

10. ☒ 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

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

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:

(Over)

MICROFILMED

JUL 21 1994

No. of
Pages

Notice of Claim No. A57-10924

4

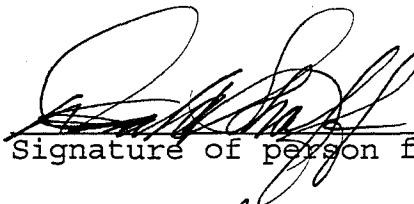
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

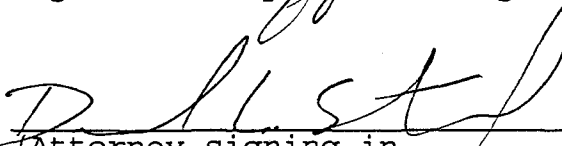
Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

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 ____ day of _____, 1993.

Jeff Peppersack, Notary Public
Residing at Boise, Idaho

My Commission Expires Nov. 8, 1994

Notary Public for Idaho

Residing at: _____

My Commission expires: _____

(Over)

MICROFILMED

JUL 21 1994

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of June, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

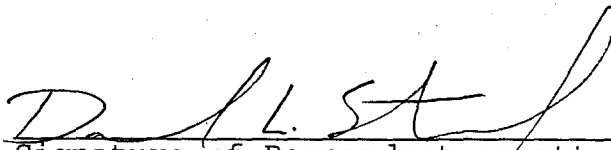
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

Name: ELIAS JACA
Address: CHIPMUNK GRAZING ASSOC
PO BOX 175
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
PO BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

A57-10924

2-3-1992

W014095

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

- Name of Claimant (s) Chipmunk Grazing Assoc., Inc. OR Phone () 466-8801
Elias Jaca
Mailing Address Box 175, Marsing ID Zip 83639
- Date of Priority (Only one (1) per claim) June 1, 1875
- Source of water supply (a) Peters Gulch W. Fork Reynolds Cr., E. Fork Reynolds Cr., Reynolds Cr.
which is tributary to (b) Reynolds Cr. Reynolds Cr. Snake
- a. Location of existing 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: _____
- b. If instream flow, beginning point of claimed instream flow is:
E.F. = 4S, 4W, Sec. 13, SE SW W.F. = 4S, 4W, Sec. 15, SW SE R.C. = 3S, 4W, Sec. 24, SE SE
P.G. = 4S Township 4S Range 3W Section 5, _____ 1/4 of SW 1/4 of SW 1/4,
Govt. Lot _____ B.M., County of _____
E.F. = 4S, 4W, Sec. 13, NW SW W.F. = 4S, 4W, Sec. 11, SW NE R.C. = 3S, 4W, Sec. 13, NE NE
ending point is: Township 4S Range 4W Section 1, _____ 1/4 of NW 1/4 of
NE 1/4, Govt. Lot _____ B.M., County of _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.

~~MICROFILMED~~

OCT 08 1992

MICROFILMED

JUL 21 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stockwater purposes from 4-1 to 8-31 amount 0.09 or 0.09

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.09 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 400 hd range cattle

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
3S	4W	13	S			S										S	S		
3S	4W	24		S	S						S	S	S		S				
4S	3W	5											S						
4S	3W	6									S	S	S				S		
4S	3W	7	S	S															
4S	3W	8					S												
4S	4W	1				S								S					

Total number of acres irrigated _____

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 X 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.

or None ()

14. Remarks: Some portions of the lands are under state grazing rights & BLM. The remainder is deeded ground.

MICROFILMED
MICROFILMED
JUL 21 1994

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For malware relay based purposes from it relation to law this amount prohibits for

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 100,000,000 acre feet per annum. If 100,000,000 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic)

in the corresponding place of use below. See instructions for standard symbols.

[illegible]

Total number of acres irrigated

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

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.

or None ()

14. Remarks:

~~CONFIDENTIAL~~

MICROFILMED OCT 08 1992

~~JUL 21 1994~~

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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) _____ Date _____

_____ Date _____

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

of Chipmunk Grazing Assoc., Inc Organization, that I have signed the foregoing

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 Elias Jara

Title and Organization President Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 3RD day of February 1992

SEAL

Notary Public Kathlyn A. Walker

Residing at Boise, Idaho

My Commission Expires 2-14-1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

MICROFILMED OCT 08 1992

JUL 21 1994

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

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. 57-10924
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 25 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)

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:
Elias Jaca
Name: claimant Chipmunk Grazing Assoc
Address: P.O. Box 175
Marsing, ID 83639
3. If this objection is filed by an attorney:
K. Jack Haugrud
Attorney Name: Daria J. Zane
U. S. Department of Justice
Attorney Address: 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

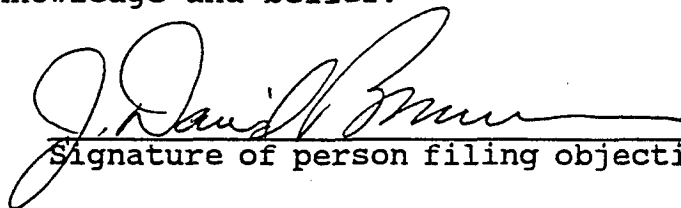
VERIFICATION (Must be Completed)

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:

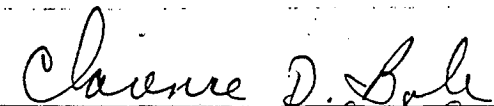
That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 23 day of FEB,
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~~^{sent} the original and ~~copies~~^{copy} 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:

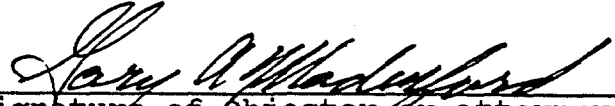
Owner name: Elias Jaca
Chipmunk Grazing Assoc
Owner's address: P.O. Box 175
Marsing, ID 83659

3. One copy to:

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

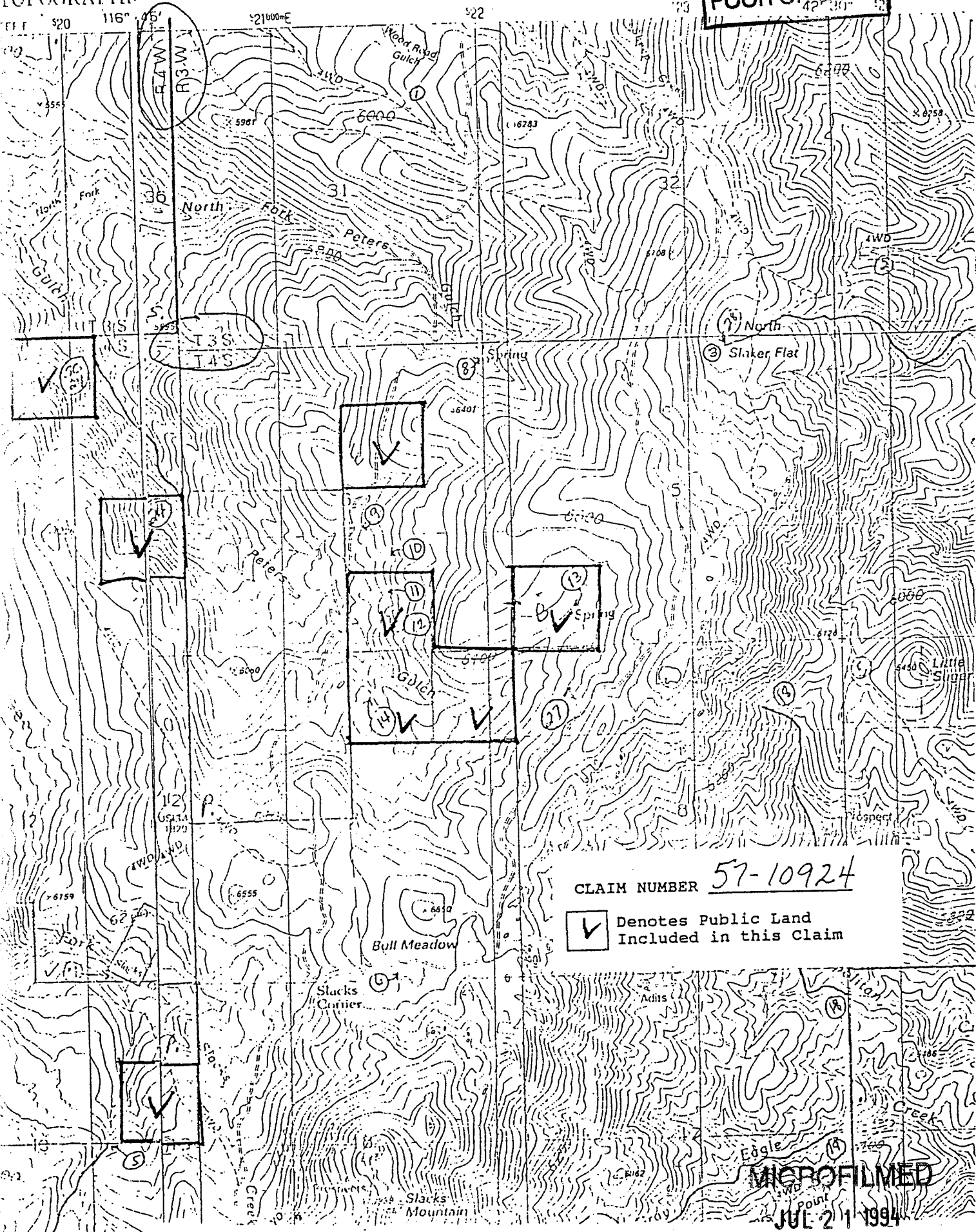
4. One copy to:

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: 57-10924

CONFLICTING CLAIMS FOUND IN THE DIRECTORS REPORT

57-11156
57-11077
57-11079
57-11077A
57-11076
57-11078
57-11078A
57-11080
57-11080A
57-11081
57-11081A
57-11082
57-11082A
57-11083

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: 5701582088
BLM NUMBER: 5701582088
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE

TRIBUTARY TO

PETERS GULCH

REYNOLDS CREEK

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
POCKWATER	0.140	0.00	0101	1231
ELDLIFE	0.020	0.00	0101	1231
TOTAL:	0.160 CFS	0.00 AF		

NON-IRRIGATION USES

S/ 568 RANGE CATTLE W/ VAR AMOUNTS

TWP	RNG	SEC	TRACT1	POINT OF DIVERSION TRACT2	TRACT3	LOT	COUNTY
04S	03W	05		SW	SW	00	OWYHEE
04S	03W	06		SW	SE	00	OWYHEE

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY
04S	03W	05	SW	SW	00	OWYHEE

IRRIGATED
OWNED ACRES

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

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: 5701582085
BLM NUMBER: 5701582085
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 57

SOURCE

TRIBUTARY TO

SLACKS CREEK

REYNOLDS CREEK

DESCRIPTION OF DIVERSION WORKS

INSTREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
WILDLIFE	0.020	0.00	0101	1231
STOCKWATER	0.160	0.00	0101	1231
TOTAL:	0.180 CFS	0.00 AF		

NON-IRRIGATION USES

S/ 816 RANGE CATTLE W/ VAR AMOUNTS

TWP	RNG	SEC	TRACT1	POINT OF DIVERSION TRACT2	TRACT3	LOT	COUNTY
04S	03W	19		NW	NW	00	OWYHEE
04S	03W	18		NW	NW	00	OWYHEE

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	ACRES
04S	03W	19	NW	NW	00	OWYHEE	YES	0.0

MICROFILMED

JUL 21 1994

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

DATE: 10/08/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHIPMUNK GRAZING ASSOCIATION INC	06/01/1875	STOCKWATER	04-01 09-30	0.09 CFS	
C	ELIAS JACA PO BOX 175 MARSING ID 83639 (208) 466-8801					
					TOTAL DIVERSION:	0.09 CFS

Water Source: PETERS GULCH
REYNOLDS CREEK, WEST FORK
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK

Tributary to: REYNOLDS CREEK
REYNOLDS CREEK
REYNOLDS CREEK
SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T03S R04W S24
T04S R03W S05
R04W S13
S15

SWSESW
SWSW
SENE
SWSE

OWYHEE County
OWYHEE County
OWYHEE County
OWYHEE County

Point(s) of Ending Stream Reach: T03S R04W S24
T04S R03W S06
R04W S11
S13

NESESW
SWNE
SWNE
NENE

OWYHEE County
OWYHEE County
OWYHEE County
OWYHEE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE																	
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:
03S	04W	24	:									:							:						:							:	
04S	03W	5	:									:							:						:							:	
04S	03W	6	:									:							:						:							:	
04S	03W	7	:			S		S				:							:						:							:	
04S	04W	1	:				S					:							:						:							:	
04S	04W	11	:					S				:							:		S			S	:							:	
04S	04W	13	:			S			S			:							:						:							:	
04S	04W	14	:									:		S		S			:						:							:	
04S	04W	15	:									:							:						:		S		S		S	:	

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 400 HEAD RANGE CATTLE

Other Rights: NONE

Conditions of Approval:

- L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks: LAND IS STATE GRAZING RIGHTS, BLM ALLOTMENTS AND SOME DEEDED
GROUND.
SOURCES FOR THIS RIGHT ARE PETERS GULCH TRIB. TO REYNOLDS

MICROFILMED
JUL 21 1994

Remarks: CREEK, WEST FORK REYNOLDS CREEK TRIB. TO REYNOLDS CREEK, EAST
FORK REYNOLDS CREEK TRIB. TO REYNOLDS CREEK, AND REYNOLDS CREEK
TRIB. TO SNAKE RIVER.

Dates: Exam Made Date: 09/25/1992 Verified Date: 10/08/1992

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

Comments: Date: 07/16/1992 User-ID: WHITE Subject: DATA ENTRY
ADDED CONDITION CODE B01, PER LKH.

Date: 09/25/1992 User-ID: HOWERTON Subject: BLM RIGHTS
57-11149 COVERS T4S, R4W, SEC. 13, SESW, NWSE & SWSE.
57-11156 COVERS T4S, R4W, SEC. 01, NENE & SENE.
57-11157 COVERS T4S, R4W, SEC. 12, NESW, NWSW, SESW & SWSE.

Date: 10/08/1992 User-ID: HOWERTON Subject: BLM RIGHTS
57-01048 COVERS T4S, R3W, SEC 8, NWNW.
57-11158 COVERS T3S, R4W, SEC 13, NENE, SENE, NWSE, NESE, SWSE &
SEC 24, NWE, SWNE, NESW, NWSE.

Audit: 10/08/92 HOWERTON

MICROFILMED
JUL 21 1994

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	ELIAS JACA	06/01/1875	STOCKWATER	04-01 09-30	0.09 CFS	
C	CHIPMUNK GRAZING ASSOCIATION INC PO BOX 175 MARSING ID 83639 (208) 466-8801					
TOTAL DIVERSION:					0.09 CFS	

Water Source: PETERS GULCH
REYNOLDS CREEK, WEST FORK
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK

Tributary to: REYNOLDS CREEK
REYNOLDS CREEK
REYNOLDS CREEK
SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach:	T03S R04W S13	SWNE	OWYHEE County
	S24	SESW	OWYHEE County
	T04S R03W S05	SWSW	OWYHEE County
	R04W S15	SWSE	OWYHEE County
Point(s) of Ending Stream Reach:	T04S R03W S06	SWNE	OWYHEE County
	R04W S11	SWNE	OWYHEE County
	S13	NENE	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	:
03S	04W	13	:	S			S	:					:					:	S	S	S	S	:
03S	04W	24	:		S	S		:					:	S			S	:		S			:
04S	03W	5	:					:					:			S		:					:
04S	03W	6	:					:					:		S	S	S	:			S		:
04S	03W	7	:	S		S		:					:					:					:
04S	03W	8	:					:		S			:					:					:
04S	04W	1	:		S			:					:					:	S				:
04S	04W	11	:			S		:					:	S		S	S	:					:
04S	04W	13	:	S		S	S	:					:					:					:
04S	04W	14	:					:		S	S		:					:					:
04S	04W	15	:				S	:					:					:	S	S	S		:

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 400 HEAD RANGE CATTLE

Other Rights: NONE

Remarks: LAND IS STATE GRAZING RIGHTS, BLM ALLOTMENTS AND SOME DEEDED
GROUND.
SOURCES FOR THIS RIGHT ARE PETERS GULCH TRIB. TO REYNOLDS
CREEK, WEST FORK REYNOLDS CREEK TRIB. TO REYNOLDS CREEK, EAST
FORK REYNOLDS CREEK TRIB. TO REYNOLDS CREEK, AND REYNOLDS CREEK
TRIB. TO SNAKE RIVER.

MICROFILMED
OCT 6 8 1992

=====

Dates: Exam Made Date: 09/25/1992 Verified Date: 09/25/1992

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

Comments: Date: 07/16/1992 User-ID: WHITE Subject: DATA ENTRY
ADDED CONDITION CODE B01, PER LKH.

Date: 09/25/1992 User-ID: HOWERTON Subject: BLM RIGHTS
57-11149 COVERS T4S, R4W, SEC. 13, SESW, NWSE & SWSE.
57-11156 COVERS T4S, R4W, SEC. 01, NENE & SENE.
57-11157 COVERS T4S, R4W, SEC. 12, NESW, NWSW, SESW & SWSE.

Audit: 09/25/92 HOWERTON

MICROFILMED
OCT 08 1992

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELIAS JACA	06/01/1875	STOCKWATER	04-01 09-30	0.09 CFS	
C	CHIPMUNK GRAZING ASSOCIATION INC PO BOX 175 MARSING ID 83639 (208) 466-8801					
TOTAL DIVERSION:					0.09 CFS	

Water Source: PETERS GULCH
REYNOLDS CREEK, WEST FORK
REYNOLDS CREEK, EAST FORK
REYNOLDS CREEK

Tributary to: REYNOLDS CREEK
REYNOLDS CREEK
REYNOLDS CREEK
SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T03S R04W S24 SESW OWYHEE County
T04S R03W S05 SWSW OWYHEE County
R04W S13 ~~SESW~~ OWYHEE County
S15 SWSE OWYHEE County
Point(s) of Ending Stream Reach: T03S R04W S13 ~~NENE~~ SWNE OWYHEE County
T04S R04W S01 ~~NWNE~~ 3W SEC 6 NWSW OWYHEE County
S11 SWNE OWYHEE County
S12 ~~NWSW~~ S13 NENE 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	13	:	S			S								S	S	S	S	
03S	04W	24	:		S	S						S			S		S		
04S	03W	5	:											S					
04S	03W	6	:										S	S	S			S	
04S	03W	7	:	S	S														
04S	03W	8	:							S									
04S	04W	1	:	(S)	S		(S)									S			
04S	04W	11	:			S						S	(S)	S	(S)		(S)	(S)	
04S	04W	12	:										(S)						
04S	04W	13	:	S		S	S										(S)	(S)	
04S	04W	14	:							S	S								
04S	04W	15	:				S									S	S	S	

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 400 HEAD RANGE CATTLE

Other Rights: NONE

Conditions of Approval:

- B01 - THIS RIGHT IS RECOMMENDED CONDITIONALLY PENDING THE FILING OF
- CLAIMS BY THE BUREAU OF LAND MANAGEMENT OF THE U.S. DEPARTMENT
 - OF INTERIOR. IN THE EVENT THE CLAIM IS INCLUDED IN THE
 - DIRECTOR'S REPORT IN THE NAME OF THE UNITED STATES, THE ABOVE
 - NAMED CLAIMANT WILL BE NOTIFIED PRIOR TO THE DIRECTOR'S REPORT.

MICROFILMED
OCT 08 1992

11157 BLM
REYNOLDS CR
11149 BLM

Remarks: LAND IS STATE GRAZING RIGHTS, BLM ALLOTMENTS AND SOME DEEDED
GROUND.
SOURCES FOR THIS RIGHT ARE PETERS GULCH TRIB. TO REYNOLDS
CREEK, WEST FORK REYNOLDS CREEK TRIB. TO REYNOLDS CREEK, EAST
FORK REYNOLDS CREEK TRIB. TO REYNOLDS CREEK, AND REYNOLDS CREEK
TRIB. TO SNAKE RIVER.

Dates: Exam Made Date: Verified Date:

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

Comments: Date: 07/16/1992 User-ID: WHITE Subject: DATA ENTRY
ADDED CONDITION CODE B01, PER LKH.

Audit: 02/25/92 WALKER 07/16/92 WHITE

MICROFILMED
OCT 08 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-10924

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	kw 2-21-92	6	N	N	kw 2-24-92	
PT. OF DIV.	N	[Large handwritten 'S' spanning rows 2-9]	1,5	N			DATA ENTRY COMPLETED BY kw DATE 2-24-96
SOURCE	N		1,5	N			
PL. OF USE	N		1,5	Y			FINAL RECOMMENDATION
DIV. AMOUNT CFS/AF	N		6	N			BY _____ DATE _____
CONSUMPTIVE USE	N		6	N			
NATURE OF USE	N		6	N			
PERIOD OF USE	N		6	N			
BASIS OF CLAIM	Y		6	N			
REMARKS	N	6	N				

N/A

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

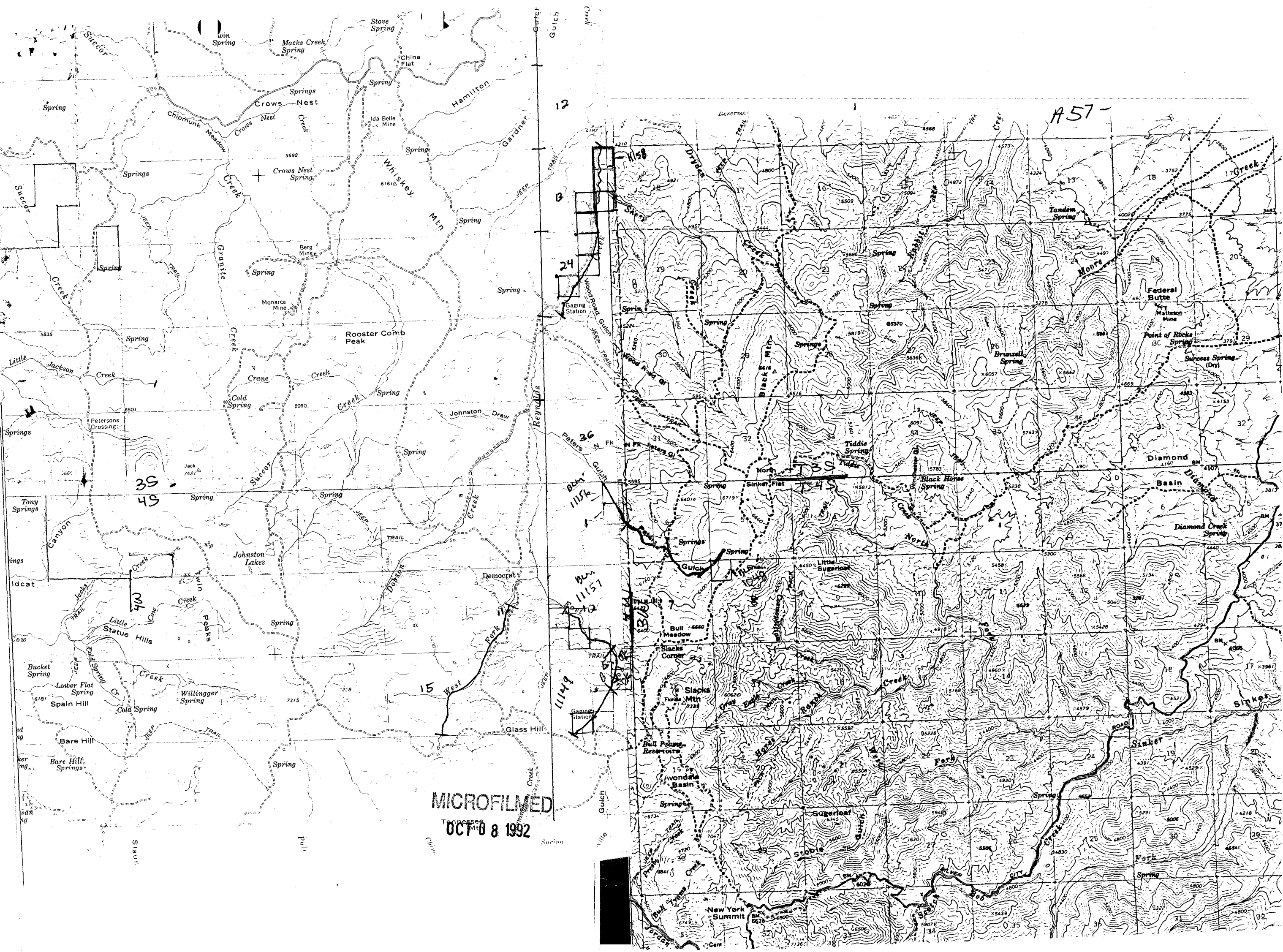
**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: 6-instream stockwater - in-office verification. kw

VERIFICATION CODES

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

OCT 08 1992



MICROFILMED

OCT 8 1992