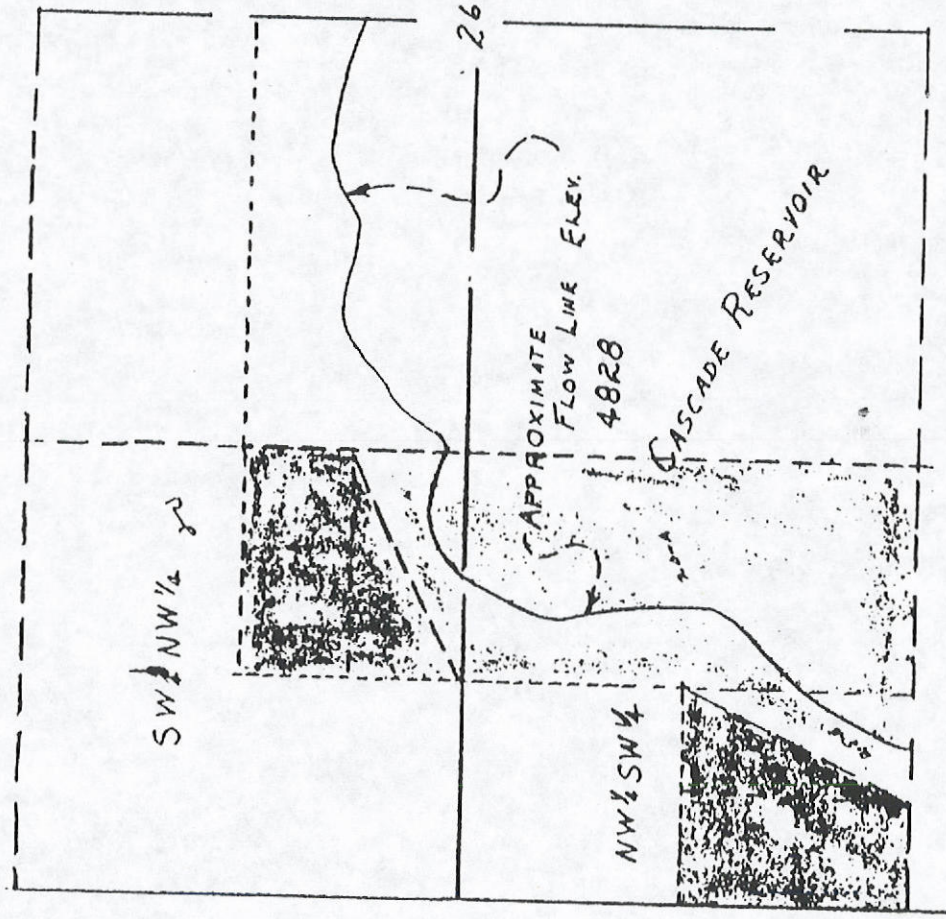




Sec 26 T.16N., R. 3E., B.M

NOTE: FLOW LINE SKETCHED
FROM AERIAL SURVEY

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SCALE 1"=500'

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
BOISE, IDAHO

LAND EXCHANGE

CARL ROBERTS

DRAWN JH

SUBMITTED

DESIGNED JH

RECOMMENDED

CHECKED

APPROVED

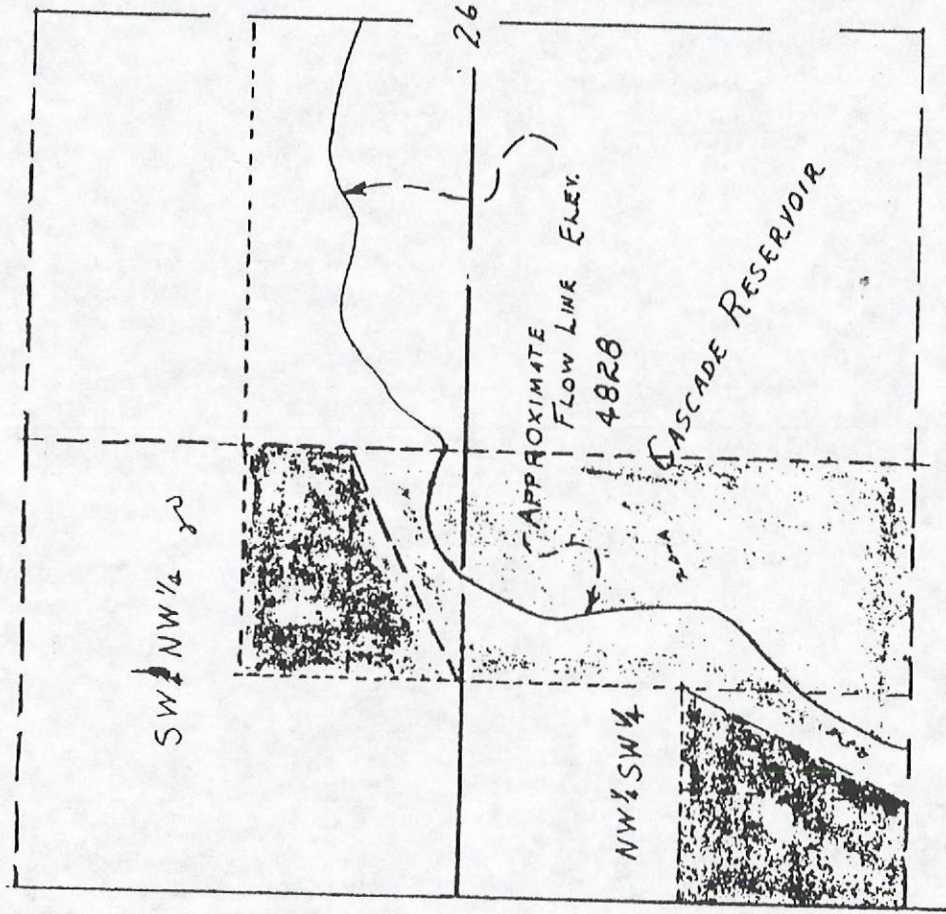
W. J. Applegate

EXHIBIT 'A'

BOISE IDAHO

1-24-69

3-102-20



Sec. 26 T. 16 N., R. 3 E., B. M.

NOTE: FLOW LINE SKETCHED
FROM AERIAL SURVEY

SCALE 1"=500'

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
BOISE, IDAHO

LAND EXCHANGE

CARL ROBERTS

DRAWN JH
CHECKED JH
RECOMMENDED JH

APPROVED *Geo. P. Palmer*
W. Appl

BOISE IDAHO 1-24-69 3-102-20

EXHIBIT 'A'

IDAHO DEPARTMENT OF WATER RESOURCES

16N, 03E, S26

56



1987 NAPP PHOTO

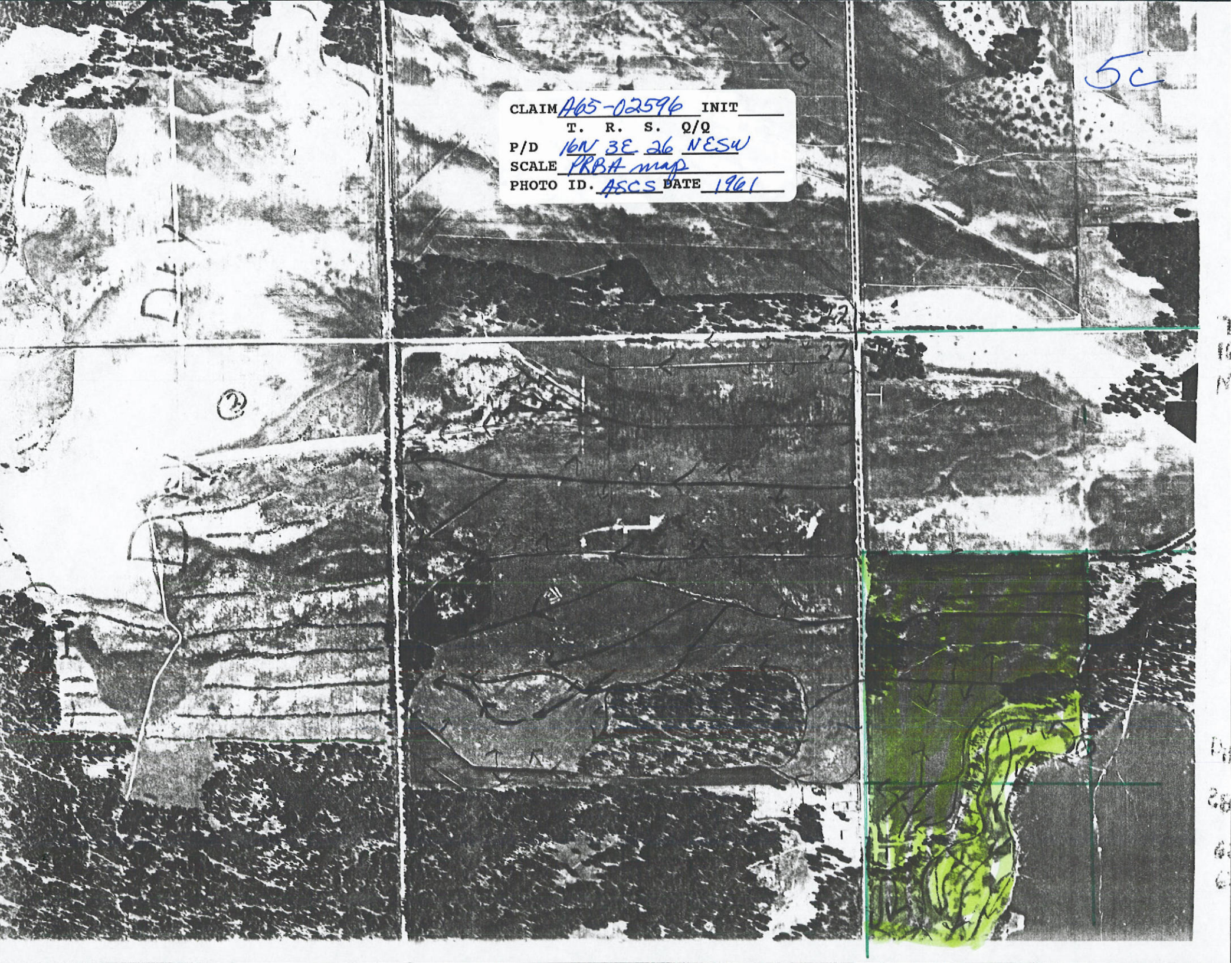
- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

CLAIM(S): 65-02596

OWNER(S): ROBERTS

Prepared by Mel Schulte

DATE: MAY 7, 1999



CLAIM A65-02596 INIT
T. R. S. Q/Q
P/D 16N 3E 26 NESW
SCALE PRBA map
PHOTO ID. ASCS DATE 1961

5d

CLAIM 445-02596 INIT
T. R. S. Q/Q
P/D 16N 3E 26 SENW
SCALE
PHOTO ID. PRBA DATE

65-8567

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State of Idaho License and Certificate of Water Right

Water License No. 25225

Amount \$12,500.00

Water District No.

Priority October 13, 1954

THIS IS TO CERTIFY that

CARL ROBERTS

of Donnelly, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated

October 13, 1954; that Permit No. 25225

was issued under said application; that Certificate of Completion of works, with a carrying capacity of

1.6 second feet, was issued thereunder on April 23,

1957, showing that said works

were completed on the 27th day of

April, 1957; and that on the 3rd

day of June

1957, CARL ROBERTS

of Donnelly

, State of

Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of Gold Fork

Creek

, a tributary of No. Fork Payette River, for the purpose of Irrigation and domestic

use, under Use Permit No. 25225

of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,

and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

10 of Licenses at page 6092, on the 5th day of September, 1957;

The right hereby confirmed dates from

October 13, 1954;

The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 26

Tp. 16 N., R. 3 E., B. M.

County Valley

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.1 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 N.	3 E.	26	SW 1/4 NW 1/4	40	40
				40	15
Total number of acres irrigated				- - - 55	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

5th day of

September

1957.

/s/ Mark R. Kulp

State Reclamation Engineer.

(SEAL)

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: A65-02596
Date Received: 11/04/1988
Receipt No: QX999999
Received By: SA DE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARL ROBERTS 805-527-5649
Address: 6669 CHARING ST.
SIMI VALLEY, CA 93063

2. Date of Priority: OCT 13, 1954

3. Source: GOLD FORK CREEK Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	03E	26	NE	SW			VALLEY
			NE	SW			VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.080		
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
1.100 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	03E	26	SW	NW		IRR	32.0
			NW	SW		IRR	22.0

Section Acres 54.0

A65-02596

Page 1

Date: 02/02/89

MICROFILMED

SEP 18 1992

10. Place of Use: Continued

Total Acres 54.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNOWY RIVER IRRIGATION WATER SYSTEM.

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-02596

DATE RECEIVED:

RECEIPT NO:

RECEIVED BY: _____

RECEIVED

NOV 04 1988

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: CARL ROBERTS

ADDRESS:

DONNELLY, ID

83815

2. DATE OF PRIORITY: OCT 13, 1984

3. SOURCE: COLD FORK CREEK

TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
10N	03E	26	NE	NE	SW		VALLEY
			NE	NE	SW		VALLEY

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	04/15	10/15	1.080		
DOMESTIC	01/01	12/31	0.040		1.20

7. TOTAL QUANTITY APPROPRIATED IS:

1.100 C.F.S. (AND/OR)

1.20 A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
10N	03E	26	SW	NW		IRR	32.0
			NW	SW		IRR	22.0

SECTION ACRES 54.0

65-02596

P. 6.

1

DATE: 09/30/88

49

MICROFILMED

SEP 18 1992

10. PLACE OF USE: CONTINUED

TOTAL ACRES

54.0

11. PLACE OF USE IN COUNTRIES: VALLEY, VALLEY

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT

DECREE DATE: 1/21/1983

STATE OF IDAHO

DECREE PLAINTIFF

VS

A & C CORP., ET AL.
DECREE DEFENDANT

65-02556

PAGE

DATE: 09/30/93

29

MICROFILMED

SEP 18 1992

15. SIGNATURE(S):

I/WE DO HEREBY CERTIFY THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FULL CONTENTS OF THE "NOTICE TO RECEIVE NOTICE IN THE SNAKE RIVER BASIN PUBLICATION." I/WE DO NOT ~~X~~ WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DCKET SHEET.

NUMBER OF ATTACHMENTS: -----

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE CHECKING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): Carl Roberts DATE: 10-31-88

----- DATE: -----

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM ----- OF

TITLE -----

-----, THAT I HAVE SIGNED THE FOREGOING

DOCUMENT IN THE SPACE BELOW AS ----- OF

TITLE -----

AND THAT THE STATEMENTS CONTAINED IN THE

ORGANIZATION -----

FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT -----

TITLE AND ORGANIZATION -----

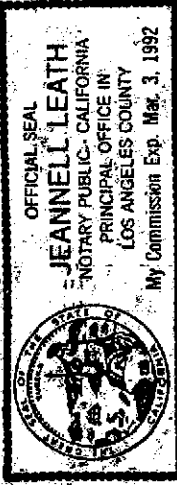
DATE -----

STATE OF ~~XXXXX~~ California)

COUNTY OF Los Angeles)

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 31 DAY

OF October 1988



RESIDING AT -----

5505 E. CALSON ST.
Lakewood, Ca 90713

MY COMMISSION EXPIRES 3-3-92

DATED: 02/20/88

MICROFILMED

SEP 18 1992

Rosemary Urbigkeit, PN-3120

BOR, Reg off

1150 N. Curtis H100

83706

RECEIVED

FEB 21 2001

2001 FEB 20 PM 12:05

Department of Water Resources

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

DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED 22

In Re SRBA

) Subcase No. 65-02596

RECEIVED

Case No. 39576

)
)
) ORDER GRANTING MOTION TO
) DISMISS OBJECTION

MAR 12 2001

WATER RESOURCES
WESTERN REGION

On February 16, 2001, the United States of America filed a Motion to Dismiss Objection
in Subcase Number 65-02596. The motion states:

On June 2, 2000, Carl Roberts filed a Standard Form 5, Amended Claim
(attached hereto as Exhibit 1) that resolved BOR's objection to Subcase Number
65-02596.

Based upon the Motion of the United States, the Standard Form 5, Amended Claim
attached to the United States' Motion, the Amended Director's Report, and the record herein,
and there appearing to be good cause, it is

ORDERED, that upon entry of a partial decree in favor of Carl Roberts with a Place of
Use as described in the Amended Director's Report, the United States Department of the Interior,
Bureau of Reclamations' objection to Subcase 65-02596 shall be deemed dismissed, with
prejudice.

DATED this 20 Day of February, 2001.



Thomas R. Cushman, Special Master
Snake River Basin Adjudication

Submitted by:
David W. Gehlert
Attorney for the United States

CERTIFICATE OF SERVICE

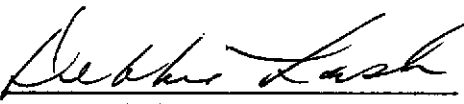
I hereby certify that on Feb. 20, 2001, I served a true and correct copy of the foregoing **ORDER GRANTING MOTION TO DISMISS OBJECTION** by placing the document in the United States Mail in Twin Falls, Idaho, postage paid, and addressed as follows:

Carl Roberts
6669 Charing Street
Simi Valley, CA 93063-3924

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

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

U.S. Department of Justice
Environment & Nat'l Resources
550 West Fort Street, MSC 033
Boise, ID 83724


Deputy Clerk

RECEIVED

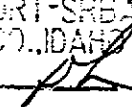
DEC 12 2000

Department of Water Resources

RECEIVED

DEC 21 2000

WATER RESOURCES
WESTERN REGION 1 PM 4:20

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

In Re SRBA

) Subcase 65-02596

Case No. 39576

) ORDER GRANTING MOTION TO
) AMEND CLAIM and SETTING
) DEADLINES

A hearing was held December 6, 2000, on the claimants *Motion to File Amended Notice of Claim*. At the hearing Special Master Thomas R. Cushman granted the *Motion*.

Based on the record herein, IT IS ORDERED that:

IDWR shall file an amended director's report by December 29, 2000.

Objections to the amended director's report shall be filed by January 29, 2001.

Response to objections shall be filed by February 15, 2001.

DATED December 11, 2000.



THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO AMEND CLAIM AND SETTING DEADLINES was mailed on December 11, 2000, with sufficient first-class postage prepaid as follows:

Director of IDWR
Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Carl Roberts
6669 Charing St
Smith Valley, CA 93063


Deputy Clerk

RECEIVED

DEC 12 2000

Department of Water Resources

RECEIVED

DEC 22 2000

WATER RESOURCES
WESTERN REGION

2000 DEC 11 PM 4:20

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

In Re SRBA

) Subcase 65-02596

Case No. 39576

)
) ORDER GRANTING MOTION TO
) AMEND CLAIM and SETTING
) DEADLINES

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DATED December 11, 2000.



THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO AMEND CLAIM AND SETTING DEADLINES was mailed on December 11, 2000, with sufficient first-class postage prepaid as follows:

Director of IDWR
Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Carl Roberts
6669 Charing St
Smith Valley, CA 93063


Deputy Clerk

AMENDED DIRECTOR'S REPORT

Subcase No. 65-02596

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources

Karl J. Dreher, Director

David R. Tuthill, Jr., Adjudication Bureau Chief

December 21, 2000

AMENDED DIRECTOR'S REPORT

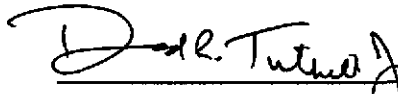
DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the *Motion to File Amended Notice of Claim* dated June 1, 2000 and the *Order Granting Motion to Amend Claim and Setting Deadlines* issued by Special Master Cushman on December 11, 2000, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase (see attached print-out).

Respectfully submitted this 21st day of December, 2000.



DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

CERTIFICATE OF SERVICE

I certify that on 12-21, 2000, I served the original and/or copies of this form, including all attachments, to the following persons by delivering the original and/or copies, 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

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☒ Facsimile

2. Copies to:

U.S.D.I. Bureau of Reclamation
U.S. Dept. of Justice
550 West Fort Street, MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Carl Roberts
6669 Charing St.
Simi Valley, CA 93063

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Valley County Courthouse
219 Main
Cascade, ID 83611

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Becky Hawley
Signature of person delivering form

12/19/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-2596

NAME AND ADDRESS: CARL ROBERTS
6669 CHARING ST
SIMI VALLEY, CA 93063

SOURCE: GOLD FORK RIVER

TRIBUTARY: NORTH FORK PAYETTE RIVER

QUANTITY: 1.1 CFS
1.2 AFY

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

PRIORITY DATE: 10/13/1954

POINT OF DIVERSION: T16N R03E S26 SENW Within VALLEY County
T16N R03E S26 NESW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-15 10-15	1.08 CFS
DOMESTIC	1-01 12-31	0.04 CFS
		1.20 AFY

PLACE OF USE:

<u>IRRIGATION Within VALLEY County</u>			
T16N R03E S26	S26	36.5	17.5
<u>DOMESTIC Within VALLEY County</u>			
T16N R03E S26	N26		
N26			

54 ACRES TOTAL

THE PLACE OF USE IN T16N, R03E, S26, N26 IS MADE UP OF
10 AC. IN THE N26, 5 AC. IN THE W26 AND 2.5 AC. IN
THE E26 LYING WEST OF A DIAGONAL LINE EXTENDED FROM
THE NE CORNER TO THE SW CORNER.

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

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT NO. 65-02609 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE
THE POINT OF DIVERSION DESCRIBED AS IN THE SENW, SEC. 26
IS USED WHEN CASCADE RESERVOIR IS FULL OF WATER. WHEN THE
RESERVOIR IS AT LOWER LEVELS THE POD MIGHT BE MOVED INTO THE
NESW, SEC. 26, T16N, R03E

12/19/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-2596

NAME AND ADDRESS: CARL ROBERTS
6669 CHARING ST
SIMI VALLEY, CA 93063

SOURCE: GOLD FORK RIVER TRIBUTARY: NORTH FORK PAYETTE RIVER

QUANTITY: 1.1 CFS
1.2 AFY

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

PRIORITY DATE: 10/13/1954

POINT OF DIVERSION: T16N R03E S26 SENW Within VALLEY County
T16N R03E S26 NESW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-15 10-15	1.08 CFS
DOMESTIC	1-01 12-31	0.04 CFS
		1.20 AFY

PLACE OF USE:

<u>IRRIGATION Within VALLEY County</u>				
T16N R03E S26	SWNW	36.5	T16N R03E S26	NWSW 17.5
<u>DOMESTIC Within VALLEY County</u>				
T16N R03E S26				
NWSW				

54 ACRES TOTAL

THE PLACE OF USE IN T16N, R03E, S26, NWSW IS MADE UP OF
10 AC. IN THE NWNWSW; 5 AC. IN THE W2SWNWSW AND 2.5 AC. IN
THE E2SWNWSW LYING WEST OF A DIAGONAL LINE EXTENDED FROM
THE NE CORNER TO THE SW CORNER.

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

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT NO. 65-02609 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE

THE POINT OF DIVERSION DESCRIBED AS IN THE SENW, SEC. 26
IS USED WHEN CASCADE RESERVOIR IS FULL OF WATER. WHEN THE
RESERVOIR IS AT LOWER LEVELS THE POD MIGHT BE MOVED INTO THE
NESW, SEC. 26, T16N, R03E

MEMORANDUM

TO: Becky Harvey

FROM: Mel Schulte *MS*,

DATE: December 19, 2000

Re: SF5's and Amended Directors Report

Attached are new recommendations to include with SF5's for 65-2487, 65-2489 & 65-3212. Enclosed with each report are two layout maps. When you mail the SF5 to Ron Nahas please send him a copy of a layout for each right. Please do the same when you send the SF5's to the BOR. I told the parties I would send them each a new layout for their records.

Also, attached is the Amended Directors Report for 65-2596. I do not have a copy in the file of the court's order requesting we prepare the new report. Please send me a copy.

If you need any thing else I can provide let me know.

MTS

Schulte, Mel

From: Harvey, Becky
Sent: Monday, December 11, 2000 11:14 AM
To: Schulte, Mel
Cc: Spencer, Nick
Subject: 65-02596 (Roberts)

Mel ~

The court will be issuing an order today requesting that the dept prepare an Amended Director's Report on the amended claim. I will prepare the cover pages, etc. - if you could prepared the amended recommendation - with a footer that states "Amended Director's Report".

Thank you.

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank you.

RECEIVED

OCT 27 2000

WATER RESOURCES
WESTERN REGION

RECEIVED

JUN - 1 2000

Department of Water Resources

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

In Re SRBA

Subcase A65-02596

(Insert water right number)

Case 39576

STANDARD FORM 4

MOTION TO FILE:

☐ LATE NOTICE OF CLAIM

☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

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.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it 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 is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is Carl Roberts

My address is 6669 Charing Street
Simi Valley, CA 93063-3924

My phone number is: Work None Home 805-527-5649

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

I 911610

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you must attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☒ I must amend my Notice of Claim to the use of water in the SRBA because:
Title to land was exchanged at place of use.

- ☒ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

A copy of Contract No. 14-06-100-5737 consisting of
a Warranty Deed and a Quitclaim Deed is provided.

I have attached:

- ☒ An amended Notice of Claim (available from IDWR).

- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Valley Ada

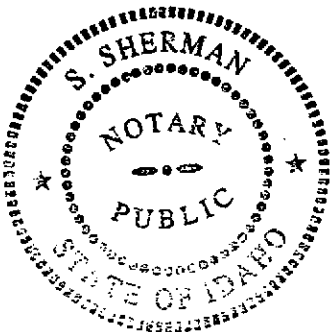
Carl Roberts, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Carl Roberts
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on 1 June, 2000
(Insert Date)



S. Sherman
Notary Public for Idaho
Residing at: Boise
My Commission expires: 11-14-2000

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 June 1, 2000, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

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

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing the form

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: A65-02596

Date Received: 11/ 4/1988

Receipt No: X999999

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CARL ROBERTS 805-527-5649
Address: 6669 CHARING ST
SIMI VALLEY CA 93063

2. Date of Priority: OCT 13, 1954

3. Source: GOLD FORK CREEK Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	03E	26	NE	SW			VALLEY
			NE	SW			VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.080		
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:

1.100 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	03E	26	SW	NW		IRR	36.5
			NW	SW		IRR	17.5

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	54.0
					Total Acres	54.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

T16N R03E S26 NWNWSW - 10 AC; W1/2SWNWSW - 5 AC; AND A PORTIO
OF E1/2SWNWSW LYING WEST OF A DIAGONAL LINE EXTENDED FROM THE NE
CORNER TO THE SW CORNER - 2.5 AC.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

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

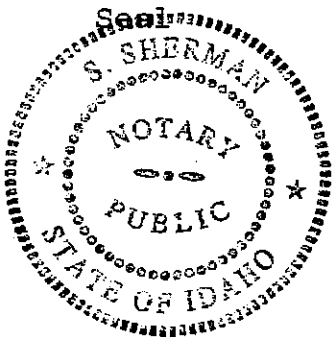
Signature of Claimant(s): Carl Roberts Date: 05-24-00

Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of May 20 00

S. Sherman
Notary Public



Residing at 11-14-2004
My Commission Expires Boise, ID

WARRANTY DEED

THIS INDENTURE, made this 15 day of July, 1967,
between CARL ROBERTS AND HELENE L. ROBERTS, husband and wife, Grantors,
and THE UNITED STATES OF AMERICA, and its assigns, Grantee.

WITNESSETH: That the said Grantors, for and in consideration
of the conveyance to them of certain lands by the United States of
America, in pursuance to the Act of June 17, 1902 (32 Stat. 388) and
Acts amendatory thereof or supplementary thereto, particularly the Act
of July 17, 1959 (73 Stat. 218), have granted, bargained, and sold and
by these presents do grant, bargain, sell, convey, and confirm unto
the United States of America, and its assigns forever, all the follow-
ing described property, situated in the County of Valley, State of
Idaho, to wit:

That portion of the south half of the southeast
quarter of the southwest quarter of the northwest quarter
(S½SE¼SW¼NW¼) lying south of a diagonal line extended
from the northeast corner thereof to the southwest corner
thereof, containing 2.5 acres, more or less; and

The east half of the northwest quarter of the south-
west quarter (E½NW¼SW¼), containing 20.0 acres, more or
less; and

That portion of the east half of the southwest quarter of
the northwest quarter of the southwest quarter (E½SW¼NW¼SW¼)
lying east of a diagonal line extending from the northeast
corner thereof to the southwest corner thereof, containing
2.5 acres, more or less, all of section twenty-six (26),
township sixteen (16) north, range three (3) east, Boise
meridian, totally containing 25.0 acres, more or less, subject
to the following reservations:

(1) The right of the Grantors, their heirs and assigns,
to use one stock-watering lane 50 feet in width in location
approved by the authorizing officer of the Bureau of
Reclamation across this property for a period of fifty (50)
years. If this right is exercised, the (Grantors) and their
(heirs and assigns) will fence such lanes and provide adequate
post stiles for shoreline foot traffic in accordance with
specifications approved by the authorizing officer of the
Bureau of Reclamation.

(2) The reservation of presently used rights-of-way for
canals, ditches, flumes, pipelines, railroads, highways, roads,
telephone, telegraph, and power transmission lines, created
in favor of the public or public utilities and to such other
reservations that are not objectionable to the United States.

SUBMITTED AND FILED
Neal Boydston, Assessor
By E. Phillips, Deputy
Valley County, Idaho

(3) The reservation to the Grantors, their heirs and assigns the permanent right to operate and maintain a pump, farm ditches, and related irrigation facilities located in those portions of the southwest quarter of the northwest quarter (SW1/4NW1/4) and the northwest quarter of the southwest quarter (NW1/4SW1/4), being conveyed to the United States by this deed, all lying in section twenty-six (26), township sixteen (16) north, range three (3) east, Boise meridian, Idaho.

The Grantors, their heirs and/or assigns, may replace or remove their pump, pipeline, and related personal property at any time, and reserving to the Grantors, their heirs, and assigns, title to the pump, pipeline, and related personal property maintained by the Grantors, their heirs, and assigns, on said real property together with any and all replacements of or additions to said pump, pipeline, and related personal property.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and all estate, right, title, and interest in and to the said interests in property, as well in law as in equity, of the said Grantors.

TO HAVE AND TO HOLD all and singular the above mentioned and described premises, together with the appurtenances, unto THE UNITED STATES OF AMERICA, and its assigns forever. And the said Grantors, and their heirs, the said premises in the quiet and peaceful possession of THE UNITED STATES OF AMERICA, and its assigns, against the said Grantors, and their heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the Grantors above named have hereunto set their hands and seals the day and year first above written.

/s/ Carl Roberts (SEAL)
Carl Roberts

/s/ Helene L. Roberts (SEAL)
Helene L. Roberts

STATE OF CALIFORNIA)
 : ss
County of Ventura)

On this 15th day of July , 1967, before me, a Notary

Public, personally appeared CARL ROBERTS AND HELENE L. ROBERTS,
husband and wife, known to me to be the persons whose names are
subscribed to the within instrument and acknowledged to me that
they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year first above written.

(SEAL)

/s/ Gordon R. Lindsen
Notary Public in and for the
State of California
Residing at: 4380 Alamo St., Santa Susana,
My commission expires: 6/11/71 Calif.

State of Idaho }
County of Valley } SS.

I hereby certify that this instrument
was filed for record at the request of
Valley Land Title Company

at 45 minutes past 3

o'clock P.M. This 28

day of July 1967

in my office and duly recorded in

Book 39 of Deeds

at page 412

Fred A. Howe, Ex-Officio Recorder

By B.C. Patterson Deputy

Fees \$ 2.40

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNITED STATES OF AMERICA, for and in consideration of the conveyance to it of certain lands and in consideration of the sum of four hundred five dollars (\$405.00) by CARL ROBERTS and HELEN L. ROBERTS, husband and wife, does, in pursuance of the provisions of the Act of June 17, 1902 (32 Stat. 386) and acts amendatory thereof or supplementary thereto, known as the Federal Reclamation Laws, hereby remise, release, and forever QUITCLAIM unto the said Grantees, their successors and assigns, all its right, title, and interest in and to the following described real property, situated in the County of Valley, State of Idaho, to-wit:

The north half of the southeast quarter of the southwest quarter of the northwest quarter ($\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$), containing 5.0 acres, more or less; and

That portion of the south half of the southeast quarter of the southwest quarter of the northwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) lying north of a diagonal line extended from the northeast corner thereof to the southwest corner thereof, containing 2.5 acres, more or less; and

The west half of the southwest quarter of the northwest quarter of the southwest quarter ($\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$), containing 5.0 acres, more or less; and

That portion of the east half of the southwest quarter of the northwest quarter of the southwest quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) lying west of a diagonal line extended from the northeast corner thereof to the southwest corner thereof, containing 2.5 acres, more or less, all of section twenty-six (26), township sixteen (16) north, range three (3) east, Boise meridian, totally containing 15.0 acres, more or less, subject to the following reservations:

(1) The reservation of the covenant or burden running with the above described land of the subordination of all claims for damages against the United States sustained by such land or structures thereon by reason of the operation and maintenance of the Cascade Dam and Reservoir is presently constructed.

(2) The reservation of a right-of-way for ditches or canals constructed or to be constructed by the authority of the United States, this reservation being of the same character and scope as that created with respect to certain public lands by the Act of August 30, 1890 (26 Stat. 377, 39-), as it has been and may hereafter be amended.

Correct as to engineering
Date

(3) The reservation of presently used rights-of-way for canals, ditches, flumes, pipelines, railroads, highways, roads, telephone, telegraph, and power transmission lines, created in favor of the public or public utilities.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said Grantees, their successors and assigns forever.

IN WITNESS WHEREOF, the United States of America has executed this document this 6th day of October, 1967.

THE UNITED STATES OF AMERICA

By /s/ Norman H. Moore
Acting Regional Director, Region 1
Bureau of Reclamation
P. O. Box 8008, Boise, Idaho

STATE OF IDAHO)

) ss.

County of Ada)

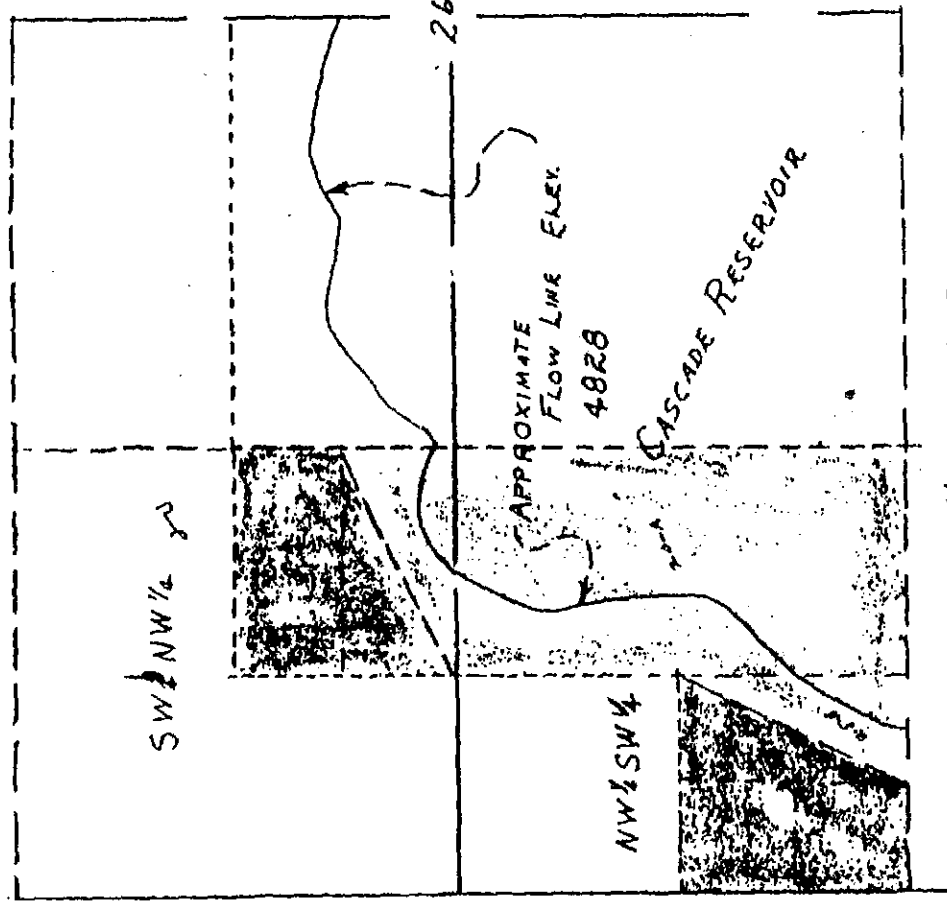
On this 6th day of October, 1967, personally appeared

before me Norman H. Moore, to me known to be the official of the United States of America that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said United States, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

/s/ Richard R. Fuller
Notary Public in and for the
State of Idaho
Residing at: Boise
My commission expires: Jan. 15, 1970

(SEAL)



SF 0.26 T.16 N., R. 3 E., B. M

NOTE: FLOW LINE SKETCHED
FROM AERIAL SURVEY

SCALE 1"=500'

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
BOISE, IDAHO

LAND EXCHANGE

CARL ROBERTS

DRAWN JH SUBMITTED

MAILED JH RECOMMENDED

CHECKED

APPROVED *[Signature]*
D.W. Apple

BOISE IDAHO 1-24-69 13-02-20

EXHIBIT A

RECEIVED

APR 14 2000

Department of Water Resources

RECEIVED

APR 25 2000

WATER RESOURCES
WESTERN REGION

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)

A. Subcase: 65-02596
(insert water right number)

STANDARD FORM 1
OBJECTION

6-2

*Motion to amend claim
filed with court*

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting thru the Department of Interior
Bureau of Reclamation

Address: 1150 N. Curtis Rd
Boise, ID 83706-1234

Daytime Phone: (208) 334-1464 (Irene Collins)

Name & Address of Attorney, if any:
Paul F. Holleman
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, ID 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Carl Roberts

Address: 6669 Charing St
Simi Valley CA 93063

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:

2. ☐ **Source**
Should be:

3. ☐ **Quantity**
Should be:

4. ☐ **Priority Date**
Should be:

5. ☐ **Point(s) of Diversion**
Should be:

6. ☐ **Instream Flow Description**
Should be:

7. ☐ **Purpose(s) of Use**
Should be:

8. ☐ **Period of Year**
Should be:

9. ☒ **Place of Use**

Should be: T16N R03E S26 NWNWSW 10 ac; W½SWNWSW, 5 ac; & a portion of E½SWNWSW lying west of a diagonal line extended from the NE corner to the SW corner; 2½ acres.

I object because:

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

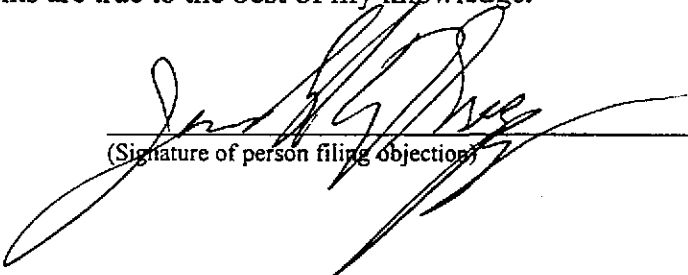
The U.S. of A. exchanged land with the claimant. See attached Warranty Deed of 15 Jul 1967 & Quitclaim Deed of 6 Oct 1967 and map.

F. VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

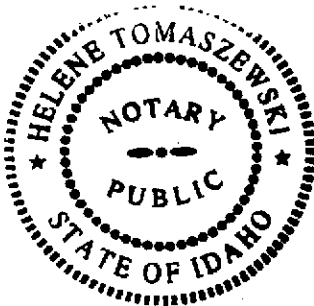
TERROLD D. GREGG, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and
(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its
contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 13, 2000



Notary Public for Idaho
Residing at: Meredon
My Commission Expires: 01-16-2002
Helene Tomaszewski

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April¹³, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

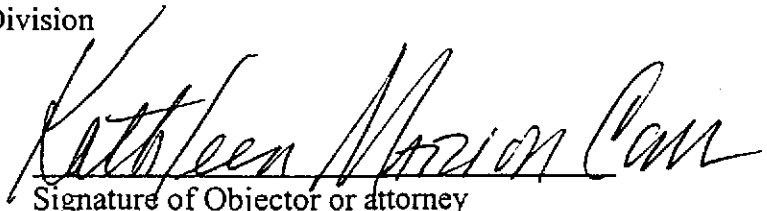
Name: Carl Roberts
Address: 6669 Charing St
Simi Valley, CA 93063

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

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


Signature of Objector or attorney
mailing on Objector's behalf

WARRANTY DEED

THIS INDENTURE, made this 15 day of July, 1967,
between CARL ROBERTS AND HELENE L. ROBERTS, husband and wife, Grantors,
and THE UNITED STATES OF AMERICA, and its assigns, Grantee,

WITNESSETH: That the said Grantors, for and in consideration
of the conveyance to them of certain lands by the United States of
America, in pursuance to the Act of June 17, 1902 (32-Stat. 388) and
Acts amendatory thereof or supplementary thereto, particularly the Act
of July 17, 1959 (73 Stat. 218), have granted, bargained, and sold and
by these presents do grant, bargain, sell, convey, and confirm unto
the United States of America, and its assigns forever, all the follow-
ing described property, situated in the County of Valley, State of
Idaho, to wit:

That portion of the south half of the southeast
quarter of the southwest quarter of the northwest quarter
(S½SE¼SW¼NW¼) lying south of a diagonal line extended
from the northeast corner thereof to the southwest corner
thereof, containing 2.5 acres, more or less; and

The east half of the northwest quarter of the south-
west quarter (E½NW¼SW¼), containing 20.0 acres, more or
less; and

That portion of the east half of the southwest quarter of
the northwest quarter of the southwest quarter (E½SW¼NW¼SW¼)
lying east of a diagonal line extending from the northeast
corner thereof to the southwest corner thereof, containing
2.5 acres, more or less, all of section twenty-six (26),
township sixteen (16) north, range three (3) east, Boise
meridian, totally containing 25.0 acres, more or less, subject
to the following reservations:

(1) The right of the Grantors, their heirs and assigns,
to use one stock-watering lane 50 feet in width in location
approved by the authorizing officer of the Bureau of
Reclamation across this property for a period of fifty (50)
years. If this right is exercised, the (Grantors) and their
(heirs and assigns) will fence such lanes and provide adequate
post stiles for shoreline foot traffic in accordance with
specifications approved by the authorizing officer of the
Bureau of Reclamation.

(2) The reservation of presently used rights-of-way for
canals, ditches, flumes, pipelines, railroads, highways, roads,
telephone, telegraph, and power transmission lines, created
in favor of the public or public utilities and to such other
reservations that are not objectionable to the United States.

SUBMITTED AND PLATED
Heal Roydstun, Assessor
By B. Phillips, Deputy
Valley County, Idaho

(3) The reservation to the Grantors, their heirs and assigns the permanent right to operate and maintain a pump, farm ditches, and related irrigation facilities located in those portions of the southwest quarter of the northwest quarter (SW1/4NW1/4) and the northwest quarter of the southwest quarter (NW1/4SW1/4), being conveyed to the United States by this deed, all lying in section twenty-six (26), township sixteen (16) north, range three (3) east, Boise meridian, Idaho.

The Grantors, their heirs and/or assigns, may replace or remove their pump, pipeline, and related personal property at any time, and reserving to the Grantors, their heirs, and assigns, title to the pump, pipeline, and related personal property maintained by the Grantors, their heirs, and assigns, on said real property together with any and all replacements of or additions to said pump, pipeline, and related personal property.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, the reversions and reversions, remainder and remainders, rents, issues, and profits thereof, and all estate, right, title, and interest in and to the said interests in property, as well in law as in equity, of the said Grantors.

TO HAVE AND TO HOLD all and singular the above mentioned and described premises, together with the appurtenances, unto THE UNITED STATES OF AMERICA, and its assigns forever. And the said Grantors, and their heirs, the said premises in the quiet and peaceful possession of THE UNITED STATES OF AMERICA, and its assigns, against the said Grantors, and their heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the Grantors above named have hereunto set their hands and seals the day and year first above written.

/s/ Carl Roberts (SEAL)
Carl Roberts

/s/ Helene L. Roberts (SEAL)
Helene L. Roberts

STATE OF CALIFORNIA)

County of Ventura) ss

On this 15th day of July , 1967, before me, a Notary

Public, personally appeared CARL ROBERTS AND HELENE L. ROBERTS, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)

/s/ Gordon R. Lindeen
Notary Public in and for the
State of California
Residing at: 4380 Alamo St., Santa Susana,
My commission expires: 6/11/71 Calif.

State of Idaho }
County of Valley } SS.

I hereby certify that this instrument
was filed for record at the request of
Valley Land Title Company

at 45 minutes past 3

o'clock P.M. This 28

day of July 1967

in my office and duly recorded in

Book 39 of Deeds

at page 412

Fred A. Howe, Ex-Officio Recorder

By B.C. Patterson Deputy

Fees \$ 2.40

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That THE UNITED STATES OF AMERICA, for and in consideration of the conveyance to it of certain lands and in consideration of the sum of four hundred five dollars (\$405.00) by CARL ROBERTS and HELENE L. ROBERTS, husband and wife, does, in pursuance of the provisions of the Act of June 17, 1902 (32 Stat. 388) and acts amendatory thereof or supplementary thereto, known as the Federal Reclamation Laws, hereby remise, release, and forever QUITCLAIM unto the said Grantees, their successors and assigns, all its right, title, and interest in and to the following described real property, situated in the County of Valley, State of Idaho, to-wit:

The north half of the southeast quarter of the southwest quarter of the northwest quarter ($N\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}$), containing 5.0 acres, more or less; and

That portion of the south half of the southeast quarter of the southwest quarter of the northwest quarter ($S\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}NW\frac{1}{4}$) lying north of a diagonal line extended from the northeast corner thereof to the southwest corner thereof, containing 2.5 acres, more or less; and

The west half of the southwest quarter of the northwest quarter of the southwest quarter ($W\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$), containing 5.0 acres, more or less; and

That portion of the east half of the southwest quarter of the northwest quarter of the southwest quarter ($E\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$) lying west of a diagonal line extended from the northeast corner thereof to the southwest corner thereof, containing 2.5 acres, more or less, all of section twenty-six (26), township sixteen (16) north, range three (3) east, Boise meridian, totally containing 15.0 acres, more or less, subject to the following reservations:

- (1) The reservation of the covenant or burden running with the above described land of the subordination of all claims for damages against the United States sustained by such land or structures thereon by reason of the operation and maintenance of the Cascade Dam and Reservoir as presently constructed.
- (2) The reservation of a right-of-way for ditches or canals constructed or to be constructed by the authority of the United States, this reservation being of the same character and scope as that created with respect to certain public lands by the Act of August 30, 1890 (26 Stat. 371, 391), as it has been and may hereafter be amended.

Correct as to engineering
date

(3) The reservation of presently used rights-of-way for canals, ditches, flumes, pipelines, railroads, highways, roads, telephone, telegraph, and power transmission lines, created in favor of the public or public utilities.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said Grantees, their successors and assigns forever.

IN WITNESS WHEREOF, the United States of America has executed this document this 6th day of October, 1967.

THE UNITED STATES OF AMERICA

By /s/ Norman H. Moore

Acting Regional Director, Region I

Bureau of Reclamation

P. O. Box 8008, Boise, Idaho

STATE OF IDAHO)

) ss.

County of Ada)

On this 6th day of October, 1967, personally appeared

before me Norman H. Moore, to me known to be the official of the United States of America that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said United States, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

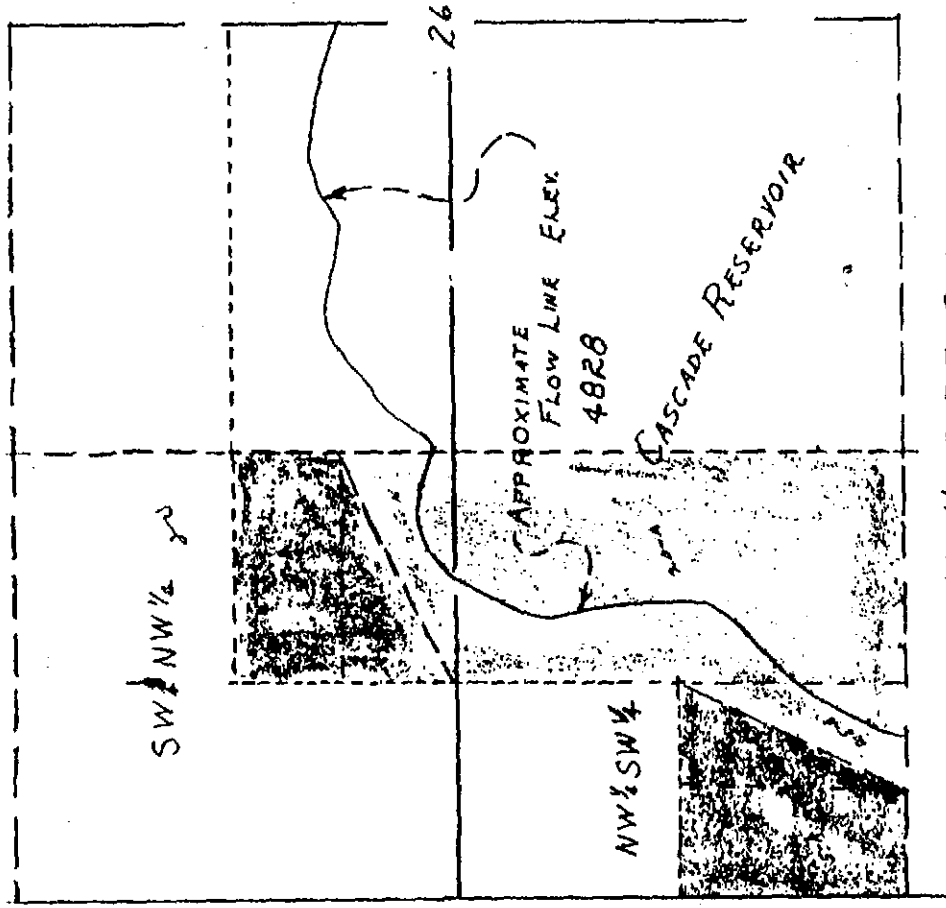
/s/ Richard R. Fuller

Notary Public in and for the State of Idaho

Residing at: Boise

My commission expires: Jan. 15, 1970

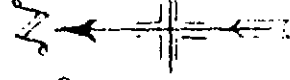
(SEAL)



Sec. 26 T. 16 N., R. 3 E., B. M.

SCALE 1"=500'

NOTE: FLOW LINE SKETCHED
FROM AERIAL SURVEY



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
BOISE, IDAHO

LAND EXCHANGE

CARL ROBERTS

DRAWN JH SUBMITTED
DRAINED JH RECOMMENDED
CHECKED APPROVED

Geo. P. Palmer
W. J. Applegate

BOISE IDAHO 1-24-69 3-102-20

EXHIBIT 'A'

AJ0749NP
No. R65-02596

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

DATE: 09/03/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CARL ROBERTS 6669 CHARING ST SIMI VALLEY CA 93063 (805) 527-5649	10/13/1954	IRRIGATION DOMESTIC	04-15 10-15 01-01 12-31	1.080 CFS 0.040 CFS	1.20 AFA
TOTAL DIVERSION:					1.100 CFS	1.20 AFA

Water Source: GOLD FORK RIVER

Tributary to: CASCADE RESERVOIR

Stage: DECREED

Point(s) of Diversion: T16N R03E S26 SENW NESW VALLEY County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE					
T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
16N	03E	26	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	54.0
TOTAL ACRES																			54.0	

Place of use Legal Description for: DOMESTIC

			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		
16N	03E	26	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	D

POU County: VALLEY

Non-Irrigation Uses: ONE HOME

Conditions of Approval:

- N10 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N12 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP RIGHT NO. 65-02609 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
THE POINT OF DIVERSION DESCRIBED AS IN THE SENW, SEC. 26 IS USED WHEN CASCADE RESERVOIR IS FULL OF WATER. WHEN THE RESERVOIR IS AT LOWER LEVELS THE POD MIGHT BE MOVED INTO THE NESW, SEC. 26, T16N, R03E.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R65-02596

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

DATE: 09/03/99
PAGE: 2

=====

Audit: 09/03/99 SBOCK

September 29, 1999

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 29, 1999

Water right number: 65-02596

CARL ROBERTS
6669 CHARING ST
SIMI VALLEY CA 93063

Daytime Telephone Number: }
Evening Telephone Number: } 805-527-5649

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation; no changes need to be made.

DATE: 10-13-99 SIGNATURE: Carl Roberts
Please print your name: Carl Roberts

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:27:03
05/07/99
16

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-02596

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CARL ROBERTS	10/13/1954	IRRIGATION DOMESTIC	04-15 10-15 01-01 12-31	1.08 CFS 0.04 CFS	1.20 AFA
TOTAL DIVERSION:					1.10 CFS	1.20 AFA

Water Source: GOLD FORK CREEK

Tributary to:

P.R.N.F. Cas. Res.

Stage: DECREED

Point(s) of Diversion:

T16N R03E S26

NESW

NESW

VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
16N	03E	26	:																	:	54.0
																				TOTAL ACRES	54.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: VALLEY

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

WR5809NP
No. 65-02596

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/07/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CARL ROBERTS DONNELLY ID 83615	10/13/1954	IRRIGATION DOMESTIC	04/15 10/15 01/01 12/31	1.080 CFS 0.040 CFS	1.20 AFA
TOTAL DIVERSION:					1.100 CFS	1.20 AFA

Water Source: GOLD FORK CREEK

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T16N R03E S26

NESW

VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM				
-----																					-----				
16N 03E 26 :								32								22								:	54.0
																				TOTAL ACRES	54.0				

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: VALLEY

Dates:	App. Received:	Priority Date:	10/13/1954
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:26:52
05/07/99

PAGE: 15
QUICKLOOK INFORMATION

15
CLAIM NUMBER: A65-02596

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			MS In office 5-7-99	N		MS 5-7-99	MS 5-7-99	
POINT OF DIV	Y			Y				
SOURCE				N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE	-			NA				
PURPOSES OF USE				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS				Y				

BARCODE UPDATED
WHOM/DATE

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
☒ ~~MAP~~ GIS map	DATE OF PHOTO 5-7-99 IDWR ID NO. _____	Y(☒) N() 5b
☒ ASCS AERIAL PHOTO	DATE OF PHOTO 1961 PRBA map	Y(☒) N() 5c
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER GIS table	DATE 5-7-96	Y(☒) N() 5a
☒ OTHER PRBA map	DATE _____	Y(☒) N() 5d
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
(*) LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☒ WATER RIGHT LICENSE	DATE LICENSE SIGNED 9-5-57	1	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☒ OTHER PRBA claim	DATE 8-26-71	1	_____
☒ OTHER PO4 review report	DATE 5-7-99	1	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:26:52
05/07/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-02596

LAST: ROBERTS
ADDRESS: 6669 CHARING ST
CITY: SIMI VALLEY
PHONE NUMBER: 805-527-5649

FIRST: CARL
STATE: CA ZIP: 93063

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

In Office Exam

A. AJ CLAIM: # A65-02596 PRIORITY DATE: 10-13-1954 STAGE: D

B. WR RECORD: # 65-02596 PRIORITY DATE: 10-13-1954 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y(☐) N(☐)

LICENSE ISSUED N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES:

Recommended as decreed in the PRBA

=====

RECOMMENDED PRIORITY DATE:

10-13-1954

REVIEWED BY

McSchultz

DATE

5-7-99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-02596	16N	03E	26		NE	SW			VALLEY		
A65-02596	16N	03E	26		NE	SW			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GOLD FORK CREEK

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-02596	16N	03E	26		NE	SW			VALLEY		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: GOLD FORK CREEK

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N(☒)

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N(☒)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: *The POB decreed in the PRBA is incorrect when Cascade Reservoir is full. To reflect the most accurate legal it will be changed to the SENW, 526 and a remark added to the recommended right.*

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
16N	03E	26		NE	SW			VALLEY		
16N	03E	26		NE	SW			VALLEY		
				SE	NW					

SOURCE: GOLD FORK CREEK

TRIB:

Payette River, North Fork

REVIEWED BY:

McSchultz

DATE:

5-7-99

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A65-02596

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16N	03E	26	SW	NW		ROBERTS, CARL	A65-02596 / 32.0	65-02596 / 32.0	23.0		
			SW	NW		ROBERTS, CARL	A65-05115 /	65-05115 /			
			SW	NW		ROBERTS, CARL	65-05115 /	- /			32
16N	03E	26	NW	SW		ROBERTS, CARL	A65-02596 / 22.0	65-02596 / 22.0	12.0		
			NW	SW		ROBERTS, CARL	A65-05114 /	65-05114 /			
			NW	SW		ROBERTS, CARL	65-05114 /	- /			22
ADDITIONAL POU FOUND											

TOTAL ACRES	A65-02596	54.00	54.00	35.00
-------------	-----------	-------	-------	-------

POU COUNTY: VALLEY

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(✓)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-02596	DOMESTIC	ROBERTS, CARL	FROM 01-01 TO 12-31	0.040 CFS	
A65-05115	STOCKWATER	ROBERTS, CARL	FROM 01-01 TO 12-31	0.050 CFS	2.70 AF/A
65-05115	STOCKWATER	ROBERTS, CARL	FROM 01-01 TO 12-31	0.050 CFS	2.70 AF/A
A65-05114	DOMESTIC	ROBERTS, CARL	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
65-05114	DOMESTIC	ROBERTS, CARL	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(✓)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

5a

WESTERN REGION

OWNER (S): Roberts

CLAIM NUMBERS: A65-02596

AGENT: MEL SCHULTE

DATE 5-7-96

RIGHT NO			NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
	164	3E	26						32			22						54
																		54

POLYGON CREATED ON 330

POLYGON # () () () () UPDATED BY MTS

ATTRIBUTES OF B65-POU.SHP (740) (741) () () ()

ATTRIBUTES OF B65-POD.SHP (~~740~~) (674) (675) () ()

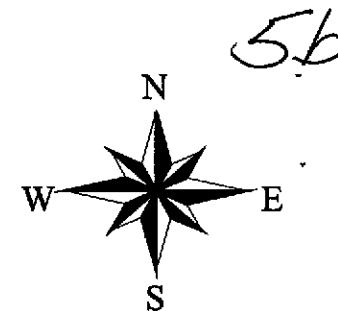
8-5-99 B65-DBPOU.DBF UPDATED BY MTS

8-5-99 B65-DBPOD.DBF UPDATED BY MTS

NOTES:

IDAHO DEPARTMENT OF WATER RESOURCES

16N, 03E, S26



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▭ PLACE OF USE
- ▭ 1/4 1/4 LINES
- ▭ SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS



CLAIM(S): 65-02596

OWNER(S): ROBERTS

Prepared by Mel Schulte

DATE: MAY 7, 1999



CLAIM A65-02596 INIT
T. R. S. Q/Q
P/D 16N 3E 26 NESW
SCALE PRBA map
PHOTO ID. ASCS DATE 1961

DE

5C

②

10
28
6
6

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

^{GIS}
(~~W~~) NAPP, IDWR NO. _____; (~~W~~) ASCS PHOTO; ~~W~~ OTHER PRBA map

NOTES:

Recommended as decreed in the PRBA.

RECOMMENDATIONS:

TOTAL ACRES: 54 N/A()

REVIEWED BY: Mel Schulte

DATE: 5-7-96

A. AJ CLAIMED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02596	IRRIGATION	FROM 04-15 TO 10-15	1.080 CFS	
A65-02596	DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
	TOTAL DIVERSION RATE/VOLUME		1.100 CFS	1.20 AF/A

B. WR RECORDED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-02596	IRRIGATION	FROM 04-15 TO 10-15	1.080 CFS	
65-02596	DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
	TOTAL DIVERSION RATE/VOLUME		1.100 CFS	1.20 AF/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

NOTES:

Recommended as decreed in the PRBA.

AJ CLAIM TOTAL DIVERSION RATE: 1.100 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.100 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 54 x 0.02 CFS/ACRE = 1.08 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 1.20 AF/A = Done.

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES: Recommended as decreed in the PRBA

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION DOMESTIC	04-15	10-15	DATABASE 1.080	EXAMINER	DATABASE	EXAMINER	DATABASE 0.0	EXAMINER
	01-01	12-31	0.040		1.20		0.0	
TOTAL FOR THIS RIGHT			1.100		1.20		0.0	

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: Mel Schulte

DATE: 5-7-99

FLAG: _____

STANDARD CONDITIONS (CODE):

N10 & N12.

STANDARD REMARKS (CODE):

EXP- F05 + P&Q comment

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

NA

ROOT WATER RIGHT NUMBER: 65-02596

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.100

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-02596	1.100	-		65-02596	1.100
TOTAL CFS		1.100				1.100

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
Y
FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: Mike Schulte DATE: 5-7-96
NAME OF FIELD EXAMINER: _____ TITLE: _____

State of Idaho License and Certificate of Water Right

Water License No. 25225

Water District No.

Amount \$100.00

Priority National Rank 1954

THIS IS TO CERTIFY THAT

of County, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated 1954, that Permit No. 25225 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 16.5 second feet, was issued thereunder on April 23, 1957, showing that said works were completed on the 5th day of April, 1957; and that on the 5th day of April, 1957, the State of Idaho, Reclamation Engineer, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Cold Fork Creek, a tributary of No. Fork Payette River, for the purpose of irrigation, and domestic use, under Use Permit No. 25225, of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 10 of Licenses at page 6092, on the 5th day of September, 1957.

The right hereby confirmed dates from September 13, 1954.

The Point of Diversion is located

In the 16th and 16th Sec. 26 T. 16 N. R. 35 E. M. County, Idaho.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.1 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 N.	3 E.	26	Total number of acres irrigated	100	15
					55

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 5th day of September, 1957.

/s/ Mark R. Kulp

State Reclamation Engineer.

(SEAL)

Rec'd 756240
IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

NOTICE OF CLAIM
TO A
WATER RIGHT

IDENT. NO.

MAP NO.

65-2596

Notice is hereby given that Carl Roberts

(Name of Claimant)

Donnelly, Idaho 83615

(Mailing Address)

claims a right to the diversion and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) October 13, 1954

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Gold Fork

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

Use Domestic 1.2 16271 Period of Use From 1/1 To 12/31
(Domestic, irrigation, stock, etc.) (Mo. Day) (Mo. Day)

Use Irrigation 1.08 16271 Period of Use From 4/15 To 10/15
(Domestic, irrigation, stock, etc.) (Mo. Day) (Mo. Day)

Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo. Day) (Mo. Day)

(4) Quantity of water claimed: 1.1 Cubic Feet Per Second, or 163.2 Acre Feet Per Annum, and/or Gal. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source. N2 W4 S2 W4. Sec. 26 Twp. 16N Rge. 3E B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, wall, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible.

Pump, pipeline and ditch

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

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	
<u>16N</u>	<u>3E</u>	<u>26</u>							<u>40</u>			<u>15</u>							<u>55</u>
								<u>32</u>				<u>22</u>							<u>54</u>

Total No. of acres 55.54

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

(7) Effluent, sewage waste, or return water from this use is discharged into Cascade Reservoir

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

(9) Remarks Cold Fork Creek is now in Cascade Reservoir
16N, 3E, Map E Parcel 10

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

☒ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

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

Individual

August 26, 1971
(Date)

Carl Roberts
(Signature of Claimant)

State of Idaho

Organization
Seal

Organization

KEYPUNCHED

(Signature of Authorized Agent)

County of Ada

On this 26 day of August, in the year 1971, before me,

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

Notary Public residing Boise, Idaho

My commission expires

May 26, 1974

2KN

11/14/77

8/19/78

OPTION: IRRIGATION USES ONLY

ADJUDICATION CLAIM NUMBER: A65-02596

PAGE: 1

A. ROOT WATER RIGHT NUMBERS: A65-02596

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
16N	03E	26	SW	NW		ROBERTS, CARL	A65-02596 /01/32.0	65-02596 /01/32.0	23.0
16N	03E	26	NW	SW		ROBERTS, CARL	A65-02596 /01/22.0	65-02596 /01/22.0	12.0
TOTAL ACRES						A65-02596	54.00	54.00	35.00

POU COUNTY: VALLEY

A. ROOT WATER RIGHT NUMBERS: A65-02609

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
16N	03E	27	NE	NE		ROBERTS, CARL	A65-02609 /01/39.0	65-02609 /01/39.0	37.0
16N	03E	27	NW	NE		ROBERTS, CARL	A65-02609 /01/39.0	65-02609 /01/39.0	40.0
16N	03E	27	SW	NE		ROBERTS, CARL	A65-02609 /01/35.0	65-02609 /01/35.0	30.0
16N	03E	27	SE	NE		ROBERTS, CARL	A65-02609 /01/36.0	65-02609 /01/36.0	24.0
TOTAL ACRES						A65-02609	149.00	149.00	131.00

POU COUNTY: VALLEY

CONVERSATION MEMORANDUM

DATE 6/30/93

FILE AG-2596

NAME OF PARTY Carl Roberts

EMPLOYEE Cindy Hodges

2609

5114

5115

5116

RE: Mr Roberts Summers in Donnelly.

FOR field exam purposes, he may be reached

at : PO Bx 701

Donnelly 83615-0701

(No phone at this time)

MICROFILMED

AUG 03 1994