

Idaho Dept of Water Resources

Claim No(s): 65-02653

65-02971, 65-03118

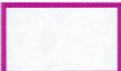
Claimant(s): Carey

T17N, R03E, S 1

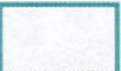
Prepared by: Sue Bock

Date: 06/09/1999



 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 0.25 0.5 0.75 Miles

1987 NAPP Photo

Idaho Dept of Water Resources

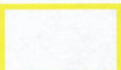
Boulder Meadows

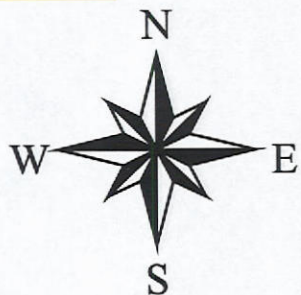
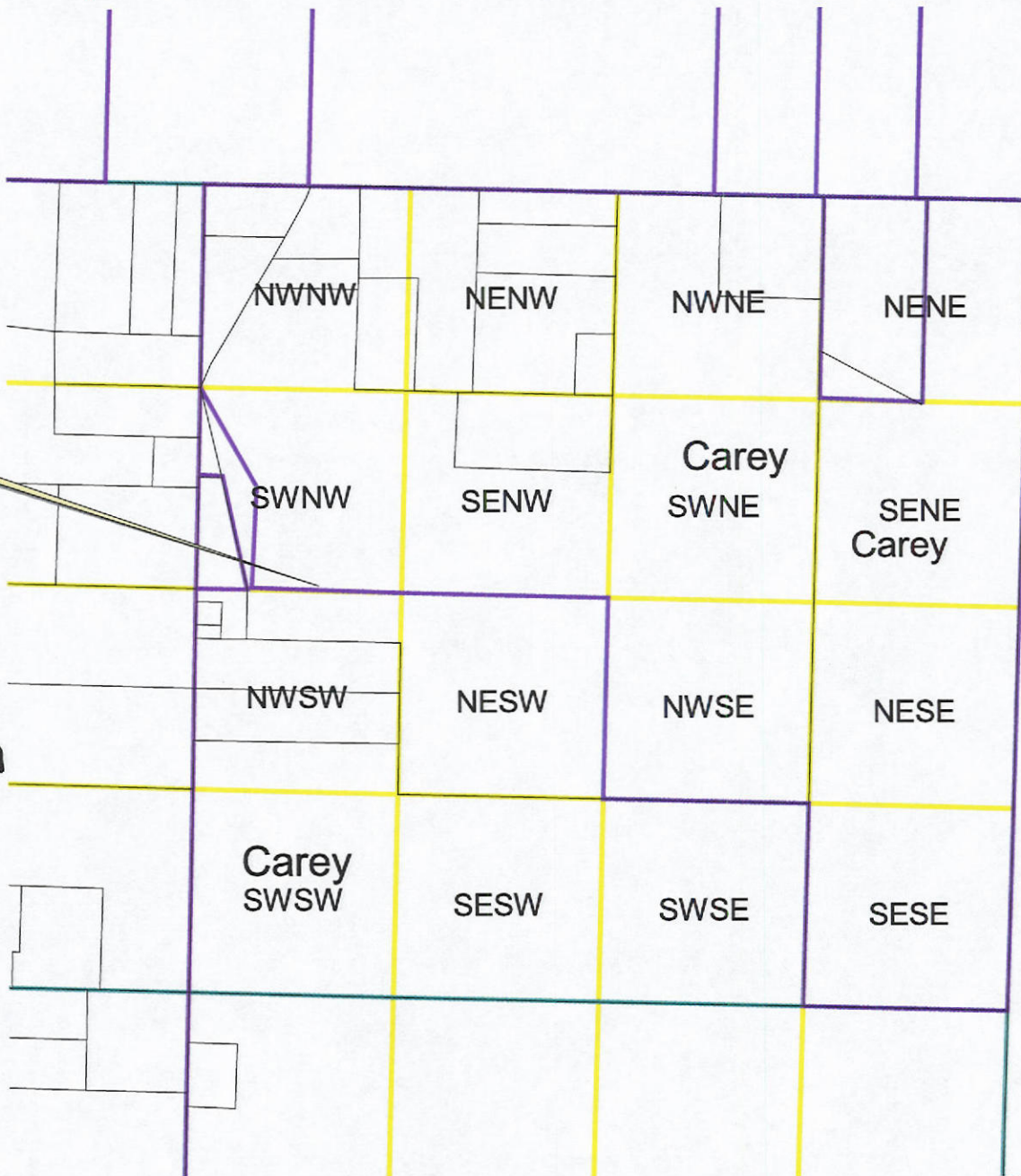
Roseberry Irr
Dist. Boundary
(purple)

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 0.25 0.5 0.75 Miles



1987 NAPP Photo



0-1-1
H-898-241



Idaho Dept of Water Resources

Claim No(s): 65-02653

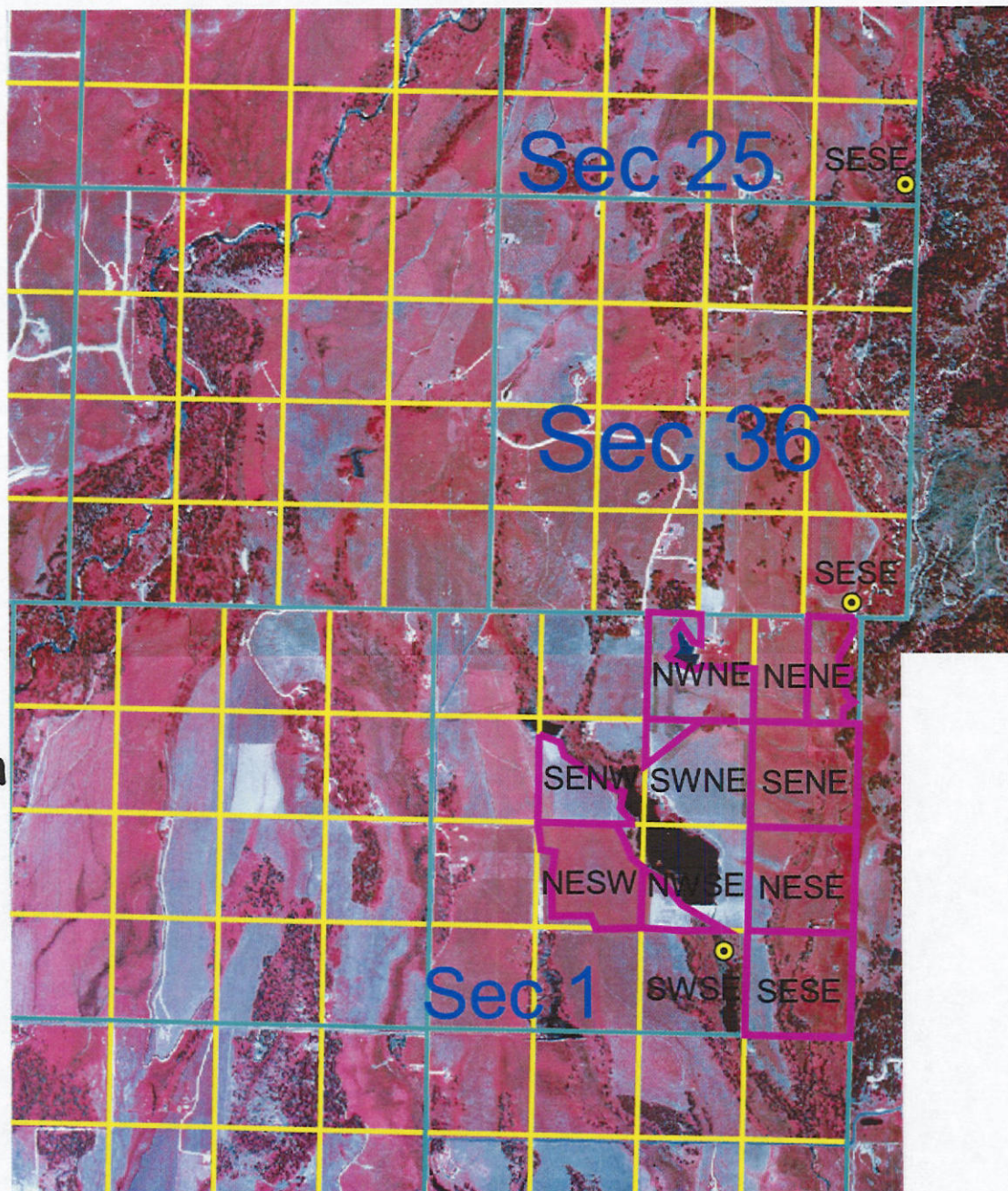
65-02971, 65-03118

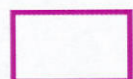
Claimant(s): Carey

T17N, R03E, S 1

Prepared by: Sue Bock

Date: 06/09/1999

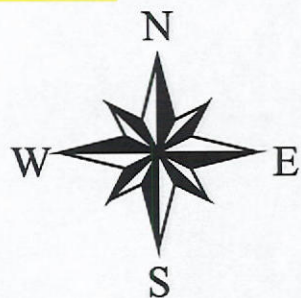


 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 0.25 0.5 0.75 Miles



1987 NAPP Photo

Idaho Dept of Water Resouces

Claim No(s): 65-02653

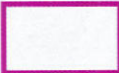
65-02971, 65-03118

Claimant(s): Carey

T17N, R03E, S 1

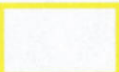
Prepared by: Sue Bock

Date: 06/09/1999

 Place of Use

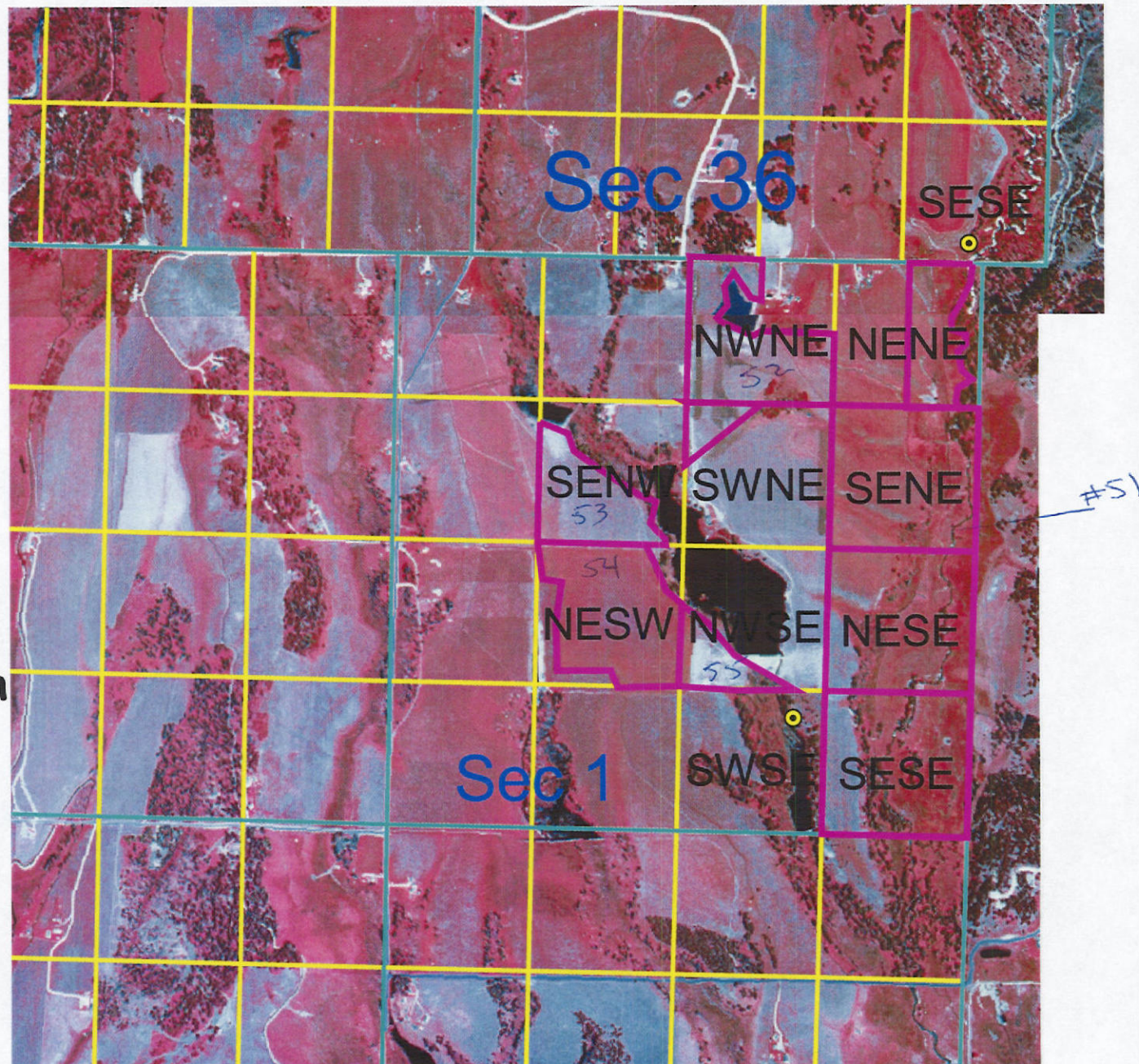
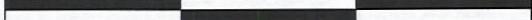
 Point of Diversion

 Section lines

 1/4 1/4 lines



0 0.25 0.5 0.75 Miles



1987 NAPP Photo

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: A65-02653
Date Received: 11/23/1988
Receipt No: X999999
Received By: DE JEL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: D. JOHN CAREY 408-867-9262
Address: 15320 PEACH HILL RD.
SARATOGA, CA 95070

2. Date of Priority: AUG 28, 1959

3. Source: WASTE WATER Trib. to: BOULDER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	03E	36		SE	SE		VALLEY

5. Description of diverting works:
DITCH TO FLOOD IRRIGATE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.100		

7. Total Quantity Appropriated is:
1.100 C.F.S. (and/or) 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
17N	03E	1	SE	NE		IRR	27.0
			NE	SE		IRR	21.0
			SE	SE		IRR	22.0
			SE	SE		IRR	22.0

Section Acres 92.0

A65-02653

Page

1

Date: 12/09/88

MICROFILMED

SEP 21 1992

10. Place of Use: Continued

Total Acres 92.0

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:

A65-02971,03118,06960,06956,06957,02963,12007.

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2963 & 65-3117 SHALL
PROVIDE NO MORE THAN .02 CFS/ACRE.

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 _____

SPECIAL POWER OF ATTORNEY

STATE OF CALIFORNIA)
County of SANTA CLARA) ss

DSC
D. JOHN

KNOW ALL MEN BY these presents, that I, ~~JOHN D.~~ CAREY, of 15320 Peach Hill Road, City of Saratoga, County of SANTA CLARA, State of California, do hereby make, constitute and appoint STEVEN J. MILLEMANN, of the Law Offices of Steven J. Millemann, P. O. Box 1318, City of McCall, County of Valley, State of Idaho, as my true and lawful attorney in fact, for me, and in my name, place and stead. The Power granted to the above-named person is LIMITED to the following:

1. For the purpose of preparing, executing and filing all documents required by the Idaho Department of Water Resources to establish water rights on my Idaho property.
2. The rights, powers and authority of said attorney in fact shall not be terminated until revoked by me.

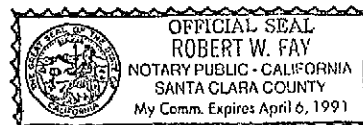
DATED this 22 day of November, 1988.

D. John
JOHN D. CAREY
D. JOHN
DSC

STATE OF CALIFORNIA)
County of SANTA CLARA) ss.

SUBSCRIBED AND SWORN to before me this 22 day of November, 1988.

Robert W. Fay
Notary Public for California
Residing at:
Commission Expires:



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

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

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-02653
DATE RECEIVED: 11/18/88 *ESH*
RECEIPT NO: *exempt*
RECEIVED BY: _____

RECEIVED

NOV 29 1988

No ✓

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: C. RAY POTTER
ADDRESS: ROUTE 1, BOX 89
MC CALL, ID

*D. John Carr
15320 Peach Hill Rd
Saratoga 95070*

*(408)
867-9262*

NAME: INA C. POTTER
ADDRESS: ROUTE 1, BOX 89
MC CALL, ID

83838

2. DATE OF PRIORITY: AUG 28, 1959

3. SOURCE: WASTE WATER

TRIB. TO: BOULDER CREEK

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
18N	03E	36	SE	SE	SE		VALLEY

5. DESCRIPTION OF DIVERTING WORKS:

ditch to flood irrigate

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	04/15	10/15	1.100		

7. TOTAL QUANTITY APPROPRIATED IS:

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

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

None

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
17N	03E	1	SE	NE		IRR	27.0
			NE	SE		IRR	21.0
			SE	SE		IRR	22.0
			SE	SE		IRR	22.0
SECTION ACRES							92.0
TOTAL ACRES							92.0

11. PLACE OF USE IN COUNTIES: VALLEY, VALLEY

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

13. OTHER WATER RIGHTS USED: *A65-02971; A65-03118; A65-06960;
* A65-06956; A65-06957; A65-02963; A65-12007*

14. REMARKS:

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2963 & 65-3117 SHALL
PROVIDE NO MORE THAN .02 CFS/ACRE.

15. BASIS OF CLAIM: DECREE

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: 1

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): D. John Leary, Jr. DATE: 11/22/88
Sharon M. Leary DATE: _____
Attorney - 2 - Fact

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____, TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
_____, TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Valley) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 22nd DAY
OF November 19 88

William E. Doney
NOTARY PUBLIC

SEAL

RESIDING AT McCall, Id

MY COMMISSION EXPIRES 1-28-92

65-02653

PAGE

3

DATE: 09/30/88

51

MICROFILMED

SEP 21 1992

10/4/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME <u>Carey, D. John</u>		CLAIM IDENT. NO. <u>02941</u> <u>65-03118</u>
DATE RECEIVED <u>11-23-88</u>	CK # <u>Exempt</u>	AMOUNT \$ <u>02553</u>
		YES NO
1. Is the name and address complete with zip code?		☒ ☐
2. Is a priority date entered?		☐ ☐
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.		☐ ☐
3. (a) Is a source entered?		☐ ☐
(b) Is a tributary to entered? (if required) N/A		☐ ☐
4. Is the legal description of the p.d. sufficient?		☐ ☐
5. Is there a description of the diverting works?		☐ ☐
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.		☐ ☐
Is the period of use included?		☐ ☐
Is a quantity claimed for each use?		☐ ☐
7. Is a total quantity claimed entered?		☐ ☐
8. If required is a consumptive use entered? N/A		☐ ☐
Is the consumptive use correct? N/A		☐ ☐
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4.		☐ ☐
10. Is (are) the place(s) of use entered?		☐ ☐
1. Is (are) the county(ies) entered?		☐ ☐
2. Is the ownership of p.u. checked?		☐ ☐
3. Are other water rights listed or "none" checked?		☐ ☐
4. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A		☐ ☐
5. Is the basis of the claim checked?		☐ ☐
6. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)		☐ ☐
as the claim been signed, sealed, and dated by a notary?		☐ ☐
as this claim filed on time, or was an extension granted?		☐ ☐
Is the fee enclosed correct?		☐ ☐
If this claim is based on an existing water right, has the identification number been entered? N/A		☐ ☐
Should this claim be receipted and data entered?		☐ ☐

Claim checked by: JH

Comments: Name & address change, descrip. of diverting works,
non-irrig. uses, ownership, other rights.

MICROFILMED

SEP 21 1992

WESTERN REGION

OWNER (S): Casey

CLAIM NUMBERS: 65-02653 65-02971 65-03118

AGENT: Sue Bock

DATE 6/9/99

				NE				NW				SW				SE			
RIGHT NO	TSP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE

POLYGON CREATED ON 332

POLYGON # () () () () UPDATED BY sue

ATTRIBUTES OF B65-POU.SHP (51) (52) (53) (34) (55)

ATTRIBUTES OF B65-POD.SHP (52) (53) (32) () ()

 B65-DBPOU.DBF UPDATED BY sue

 B65-DBPOD.DBF UPDATED BY sue

NOTES:

POU 125 65-02653 52, 51
 65-02971 53, 54, 55
 65-03118 52, 51

Idaho Dept of Water Resources

Claim No(s): 65-02653

65-02971, 65-03118

Claimant(s): Carey

T17N, R03E, S 1

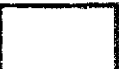
Prepared by: Sue Bock

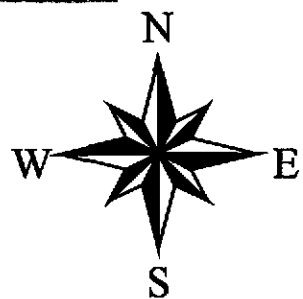
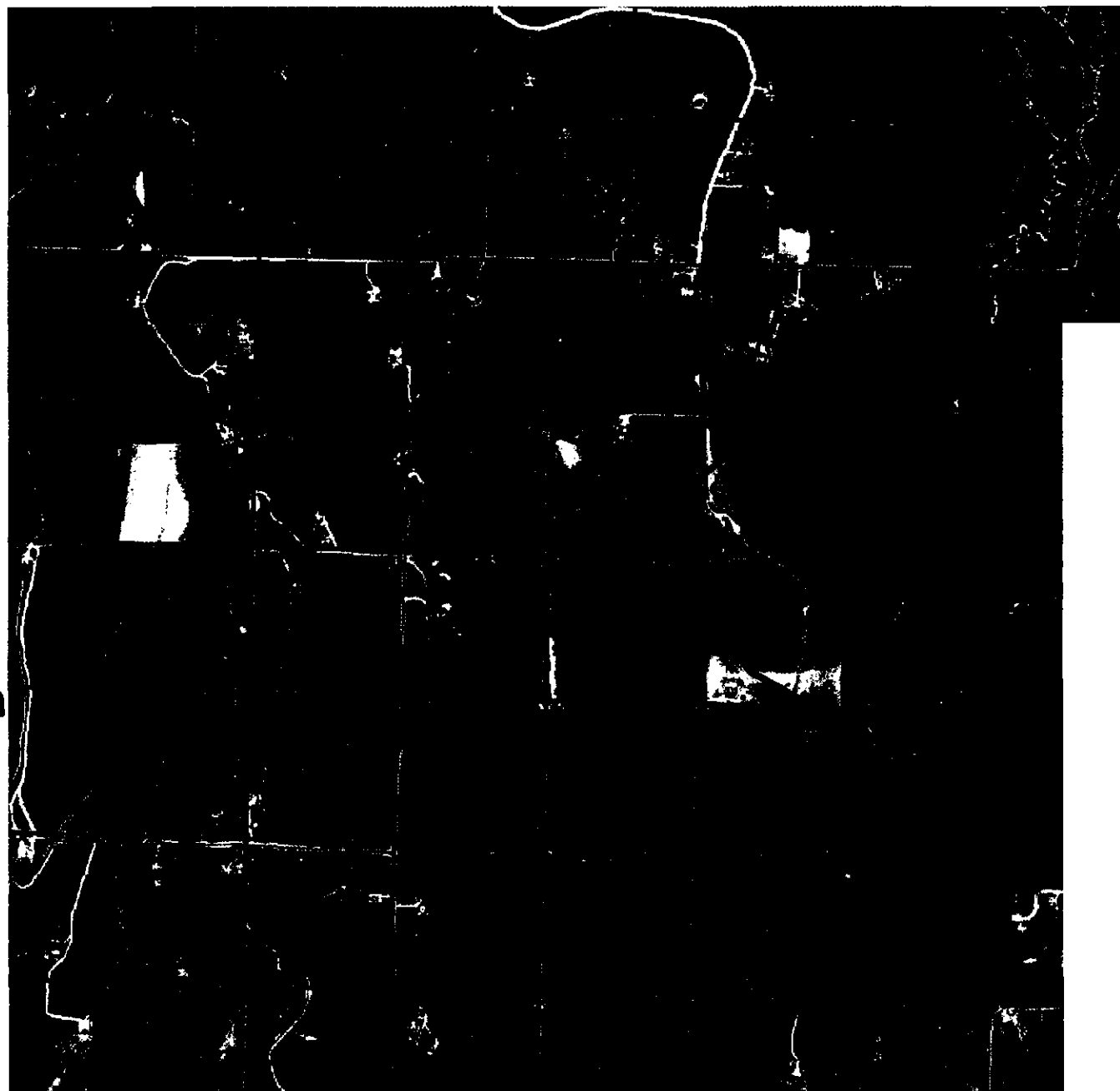
Date: 06/09/1999

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 0.25 0.5 0.75 Miles



1987 NAPP Photo

MILLEMANN, PITTENGER, McMAHAN & PEMBERTON, LLP
ATTORNEYS AT LAW
706 NORTH FIRST
POST OFFICE BOX 1066
MCCALL, IDAHO 83638

RECEIVED

MAY 17 2001

STEVEN J. MILLEMANN
GREGORY C. PITTENGER
BRIAN L. McMAHAN
AMY N. PEMBERTON

Idaho Department of Water Resources
TELEPHONE (208) 634-7641
FACSIMILE (208) 634-4516
E-MAIL mpm@micron.net

May 16, 2001

Idaho Department of Water Resources
Attn: Sally Sherman
1301 N. Orchard St.
P.O. Box 83720
Boise, ID 83720-0098

Re: SRBA/D. John Carey and Teresa Carey

Dear Ms. Sherman:

In your May 9th letter to me you requested the names of any other water right holders we represent, including their water right numbers. In response to that request, please be advised that we also represent D. John Carey and Teresa Carey. The following list is probably not entirely complete, but the water right numbers we know of for D. John Carey and Teresa Carey are as follows:

65-06957 ^{PD}	65-06960 ^{PD}	65-10371 ^{PD}	65-03118 ^{obj in the canal}
65-02967E ^{PD}	65-02971 ^{obj}	65-02513 ^{PD}	65-06956 ^{obj}
65-02653 ^{obj}	65-02941 ^{obj}	65-02934C ^{obj}	65-02943K ^{obj}
65-10372 ^{PD}			

Additionally, although Mr. and Mrs. Carey may not be listed as the owners of the following water rights, they do have a substantial interest in Boulder Irrigation Company Water Right Nos. 65-02916 and 65-02308. Likewise, they also have a substantial interest in Water Right Nos. 65-02963 and 65-12007, both of which may be listed in the name of Boulder Meadows Irrigation, Inc. Accordingly, please send any correspondence regarding those rights to us also.

The above list does not include water rights that are not subject to the SRBA. Thank you for your attention to these matters. If you have any questions, please give me a call.

Sincerely,

BRIAN L. McMAHAN

BLM/plp
cc: Client



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 9, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Millemann, Pittenger & Mc Mahan LLP
P.O. Box 1066
Mc Call, ID 83638

RE: Snake River Basin Adjudication (SRBA)
**Water Rights #65-3151, 65-3153, 65-2155, 65-2158, 65-2191, 65-2267,
65-2502, 65-3895, 65-10294, 65-2247, 65-2668, 65-8702 & 65-6306
Your Client Don Weilmunster**

Gentlemen:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water right holders you represent including their water right numbers, and return this letter by May 25, 2001.** Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your client's name and water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

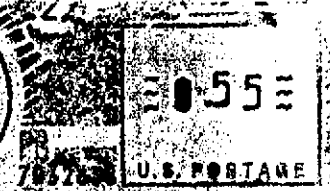
Millemann Pittenger & Mc Mahan
May 9, 2001
Page 2 of 2

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
 Boise ID 83720-0098



ADDRESS SERVICE
REQUESTED

RECEIVED

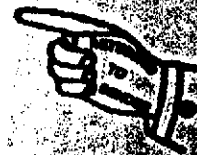
MAY - 7 2001

Department of Water Resources

65-3151
- 3153
- 2155
- 2158
- 2191
- 2267
- 2502
- 3895
- 10294

- 2247
- 24668
- 8702
- 6306

Weilminster



NO MAIL
RECEPTACLE

MILLEMANN PITTENGER & MCMAHAN
~~706 N 1ST ST~~
MC CALL ID 83638

P.O. Box 1066



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

July 7, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Brian L. McMahan
Millemann, Pittenger, McMahan & Pemberton, LLP
P.O. Box 1066
McCall, ID 83638

Re: Snake River Basin Adjudication (SRBA)
Your Three Letters of May 16, 2001
Your Firm's Address Enhancement, Water Right Claimants
Don Weilmunster, M Resorts, Ltd. and D. John and Teresa Carey

Dear Mr. McMahan:

Thank you for responding to my May 9th letter regarding your returned mail. I have added your Post Office box to our records.

In one of your three May 16, 2001 letters to me, you mentioned that John and Teresa Carey, pro se, have a substantial interest in Boulder Irrigation Company and Boulder Meadows Irrigation Company. I have enclosed a copy of the water rights for these two companies as they were recommended to the SRBA Court. The objection period for these rights ended April 14, 2000.

You requested that your firm receive any correspondence regarding these water rights. You may check our web site (www.idwr.state.id.us) to investigate water rights and claims, and the Court's website (www.srba.state.id.us) to learn the status of water rights and claims reported to the Court.

Please contact me if I can be of further service.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures:

Copy of Recommended Water Rights #65-12007, 65-2308, 65-2963 and
partial decree #65-2916

COPY

RECEIVED

NOV 24 2000

Department of Water Resources

RECEIVED

DEC 12 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 65-02653

(Insert water right number from the Objection Form)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: D. John Carey
Address: c/o Millemann, Pittenger & McMahan, LLP; Attn: Brian L. McMahan
or Steven J. Millemann P.O. Box 1066, McCall, ID 83638
Daytime Phone: (208) 634-7641

Name & Address of Attorney, if any:

Brian L. McMahan or Steven J. Millemann
Millemann, Pittenger & McMahan, LLP
P.O. Box 1066, McCall, ID 83638

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH YOU ARE RESPONDING

Name: United States of America acting through the Dept. of Interior, Bureau of Reclamation
Address: 1150 N. Curtis Road
Boise, ID 83706-1234

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

- ☒ General Provisions Basin 65 irrigation and other Part I Separate Stream Administration
1. ☐ Name and Address
 2. ☐ Source
 3. ☐ Quantity
 4. ☐ Priority Date
 5. ☐ Point(s) of Diversion
 6. ☐ Instream Flow Description
 7. ☐ Purpose(s) of Use
 8. ☐ Period of Year
 9. ☐ Place of Use
 10. ☐ Recommendation
- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **VERIFICATION (Must be Completed)**

State of Idaho)
) ss.
County of Valley)

Steven J. Millemann, duly sworn, upon oath, deposes and says:
(Name of person filing response)

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

(Signature of person filing response)

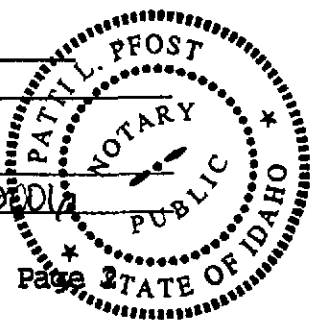
(Attorney signing in representative capacity) Steven J. Millemann

SUBSCRIBED AND SWORN to before me on 11-21-90

NOTARY PUBLIC FOR IDAHO

Residing at: McCall, Idaho

My Commission Expires: 2/22/2001



INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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.

F. CERTIFICATE OF MAILING

I certify that on 11-22, 2000, I mailed the original and copies of this response, 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: D. John Carey
Address: c/o Millemann, Pittenger & McMahan, LLP, Box 1066, McCall, ID 83638

3. One copy to the party who filed the objection at the following address:

Name: United States of America acting through the Dept. of Interior, Bureau of Reclamation
Address: 1150 N. Curtis Road, Boise, ID 83706-1234

4. 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 & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Your signature or signature of attorney
mailing on your behalf - Steven J. Millemann

CONFIRMATION

MILLEMANN, PITTENGER & McMAHAN, LLP
ATTORNEYS AT LAW
708 NORTH FIRST
POST OFFICE BOX 1066
MCCALL, IDAHO 83638

RECEIVED
OCT 29 1999
WATER RESOURCES
WESTERN REGION

STEVEN J. MILLEMANN
GREGORY C. PITTENGER
BRIAN L. McMAHAN
AMY N. PEMBERTON

TELEPHONE (208) 634-7641
FACSIMILE (208) 634-4516
E-MAIL mpm@cyberhighway.net

October 27, 1999

VIA FACSIMILE (208) 334-2348 and REGULAR MAIL

State of Idaho Department of Water Resources
Western Region
Attn: Sue Bock
2735 Airport Way
Boise, ID 83705

Re: D. John Carey Water Rights/SRBA

Dear Sue:

This letter will follow the numerous telephone conversations and fax communications we have had over the past several days regarding John Carey's water rights. First of all, we want to thank you for your prompt responses to our requests for additional information from the IDWR files. Your responses have been most helpful in allowing us to conduct a review of the IDWR preliminary recommendations regarding Mr. Carey's water rights.

The second purpose of this letter is to inquire what additional water rights and water claims IDWR may have for Mr. Carey, other than the nine (9) we have recently discussed on the phone. For instance, after we last talked on the phone, it came to our attention that he may have an interest in Water Right Nos. 65-06957, 65-06960, and 65-10371. Are there any others? If so, please so advise us. It may also be that the three above-listed rights are small domestic and stockwater claims that have recently received partial decrees in the SRBA. If so, please mail us copies of those decrees. One way or the other, please let us know the status of these three rights - - as well as any others you find in your search.

The third purpose of this letter is to request that our address and phone number be listed as the contact address and phone number for all of Mr. Carey's water rights and claims in all IDWR files. Our address and phone number are as follows:

Millemann, Pittenger & McMahan, LLP
Attn: Steven J. Millemann, Esq.
P.O. Box 1066
McCall, ID 83638
Phone (208) 634-7641

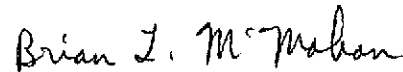
State of Idaho Department of Water Resources
Attn: Sue Bock
October 27, 1999
Page 2

Although we still get mail at P.O. Box 1318, it would be better if you would change the address on all of Mr. Carey's files to show P.O. Box 1066 in McCall.

To the best of my knowledge, the water rights in Mr. Carey's name, and to which this address change request applies, are as follows: 65-02943K, 65-02967E, 65-02934C, 65-02941, 65-10372, 65-06956, 65-03118, 65-02971, and 65-02653. As noted above, this address-change request may also apply to 65-06957, 65-06960, and 65-10371 - - as well as any others you might find.

If you have any questions regarding this request, or if you need some further documentation in order to honor this request, please let us know. We look forward to your response. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Brian L. McMahon".

BRIAN L. McMAHAN

BLM/plp

cc: Client



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

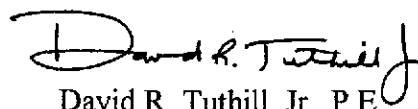
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,


David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

AJ0749NP
No. R65-02653

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

DATE: 06/09/99
PAGE: 1

```
=====
OWNER      NAME & ADDRESS      PRIORITY  WATER USE      USE PERIOD  DIVERSION  DIVERSION
CODE      ADDRESS      DATE      DATE      FROM  TO      RATE      VOLUME
-----
C  D JOHN CAREY      08/28/1959  IRRIGATION  04-15 10-15      1.10 CFS
  15320 PEACH HILL RD
  SARATOGA CA 95070
  (408) 867-9262
                                     TOTAL DIVERSION:      1.10 CFS

Water Source: WASTE WATER      Tributary to: BOULDER CREEK      Stage: DECREED

Point(s) of Diversion:      T18N R03E S36      SESE      VALLEY County

Place of use Legal Description for: IRRIGATION
      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  Lt Ac  Lt Ac  Lt Ac  :  SUM
-----
17N 03E 1   :    10                27   :                :                :    21                22   :  80.0
                                     TOTAL ACRES      80.0
=====
```

POU County: VALLEY

Conditions of Approval:
W38 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- BOULDER MEADOWS IRRIGATION INC.

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

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

Comments: Date: 06/09/1999 User-ID: SBOCK Subject: POU
CLAIMANT CLAIMED 92 ACRES, 22 OF WHICH WERE CLAIMED TWICE IN THE
SESE, AND 10 IN THE NENE WHICH WERE NOT CLAIMED AT ALL. THE ACRES
CLAIMED DID NOT MATCH THE DECREE AND I BELIEVE THIS WAS DUE TO
WATER RESOURCES DATA ENTRY ERROR. I HAVE AMENDED THE ACRES TO
MATCH THE DECREE, THE LANDS ALL FALL WITHIN THE CLAIMANTS LAND
AS SHOWN ON THE 1994 TAX LOT INFO AND ALL THE LANDS INCLUDED
APPEAR TO BE IRRIGATED. MOST OF THE LAND ALSO FALLS WITHIN THE
BOULDER MEADOWS IRR. BOUNDARY.

Date: 06/09/1999 User-ID: SBOCK Subject: POSSIBLE OVERLAP

AJ0749NP
No. R65-02653

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

DATE: 06/09/99
PAGE: 2

=====

Comments: Date: 06/09/1999 User-ID: SBOCK Subject: POSSIBLE OVERLAP
THE CLAIM WAS DECREED WITH THE REMARK THAT WHEN COMBINED WITH
65-03117, SHALL NOT PROVIDE MORE THAN .02 CFS PER ACRE.
65-03117 HAS BEEN SPLIT INTO AN A,B,C. 65-03117A IS THE ONLY
CLAIM WITH LANDS OCCURRING IN SEC 1. 20 ACRES ARE CLAIMED IN THE
NENE. THE ENTIRE 40 APPEARS IRRIGATED AND THE TAX LOT INFO
SHOWS CAREY OWNS 1/2 AND POTTER OWNS OTHER HALF, POTTER IS THE
CLAIMANT ON 65-03117A. THEREFORE, I HAVE NO WAY OF KNOWING IF
THERE WAS 100% OVERLAP OF THESE TWO RIGHTS OR NOT. I AM
RECOMMENDING AS THOUGH THE OVERLAP DID NOT OCCUR. OTHERWISE,
POTTER SHOULD HAVE FILED ON A PORTION OF THIS CLAIM.

Audit: 06/09/99 SBOCK

DATE: 03/05/99
PAGE: 21

Stage: DECREASED

VALLEY County

W38

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:02:37
03/10/99
17

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-02653

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	D JOHN CAREY	08/28/1959	IRRIGATION	04-15 10-15	1.10 CFS	
					TOTAL DIVERSION:	1.10 CFS

Water Source: WASTE WATER Tributary to: BOULDER CREEK Stage: DECREED

Point(s) of Diversion: T18N R03E S36 SESE 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	
17N	03E	1	:					27	:									21			22	92.0
17N	03E	1	:						:												22	
																			TOTAL ACRES	92.0		

POU County: VALLEY

Other Rights: A65-02971,03118,06960,06956,06957,02963,12007.

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2963 & 65-3117 SHALL
PROVIDE NO MORE THAN .02 CFS/ACRE.

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:08
03/10/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-02653

LAST: POTTER
ADDRESS: ROUTE 1 BOX 89
CITY: MC CALL
PHONE NUMBER: 208-000-0000

FIRST: C RAY
STATE: ID ZIP: 83638

OWNER CODE: 0

LAST: POTTER
ADDRESS: ROUTE 1 BOX 89
CITY: MC CALL
PHONE NUMBER: 208-000-0000

FIRST: INA C
STATE: ID ZIP: 83638

OWNER CODE: 0

LAST: CAREY
ADDRESS: 15320 PEACH HILL RD
CITY: SARATOGA
PHONE NUMBER: 408-867-9262

FIRST: D JOHN
STATE: CA ZIP: 95070

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2963 & 65-3117 SHALL
PROVIDE NO MORE THAN .02 CFS/ACRE.

PAGE: 2
FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A65-02653

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:

A. AJ CLAIM: # A65-02653 PRIORITY DATE: 08-28-1959 STAGE: D

B. WR RECORD: # 65-02653 PRIORITY DATE: 08-28-1959 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: Copy of decree included

RECOMMENDED PRIORITY DATE:

08-28-1959

REVIEWED BY

SB

DATE

6/29/99

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
A65-02653	18N 03E	36		SE	SE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-17854 65-17854

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: WASTE WATER

TRIB: BOULDER CREEK

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
65-02653	18N 03E	36		SE	SE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-17854 65-17854

SOURCE: WASTE WATER

TRIB: BOULDER CREEK

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? Drone

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: _____

=====

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
18N	03E	36		SE	SE			VALLEY		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: WASTE WATER

TRIB: BOULDER CREEK

REVIEWED BY: SB

DATE: 6/29/99

=====

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

A. ROOT WATER RIGHT NUMBERS: A65-02653

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
17N	03E	1	SE	NE		CAREY, D JOHN	A65-02653 / 27.0	65-02653 / 27.0	38.0		
			SE	NE		BOULDER MEADOWS IRRIGATION	INCA65-02963 / 27.0	65-02963 / 27.0			
			SE	NE		BOULDER MEADOWS IRRIGATION	INCA65-12007 / 34.0	65-12007 / 34.0			27
17N	03E	1	NE	SE		CAREY, D JOHN	A65-02653 / 21.0	65-02653 / 21.0	39.0		
			NE	SE		BOULDER MEADOWS IRRIGATION	INCA65-02963 / 34.0	65-02963 / 34.0			21
			NE	SE		BOULDER MEADOWS IRRIGATION	INCA65-12007 / 30.0	65-12007 / 30.0			
17N	03E	1	SE	SE		CAREY, D JOHN	A65-02653 / 22.0	65-02653 / 22.0	24.0		
			SE	SE		BOULDER MEADOWS IRRIGATION	INCA65-02963 / 31.0	65-02963 / 31.0			22
			SE	SE		BOULDER MEADOWS IRRIGATION	INCA65-12007 / 27.0	65-12007 / 27.0			
17N	03E	1	SE	SE		CAREY, D JOHN	A65-02653 / 22.0	65-02653 / 22.0	24.0		
			SE	SE		BOULDER MEADOWS IRRIGATION	INCA65-02963 / 31.0	65-02963 / 31.0			
			SE	SE		BOULDER MEADOWS IRRIGATION	INCA65-12007 / 27.0	65-12007 / 27.0			

ADDITIONAL POU FOUND

NONE

10
80
90

TOTAL ACRES	A65-02653	92.00	92.00	125.00
-------------	-----------	-------	-------	--------

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

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-02653	WASTE WATER	CAREY, D JOHN	1.100	0.011		
A65-02963	BOULDER CREEK	BOULDER MEADOWS IRRIGATION INC	6.180	0.022		
A65-12007	BOULDER CREEK	BOULDER MEADOWS IRRIGATION INC			80.00	0.22

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A65-02971,03118,06960,06956,06957,02963,12007.

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 POB: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. 360;

(☒) NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES: Carrey claimed 92 acres, 22 of which were claimed
to be in the SESE B. Deane H.R. was a typo on W.R.
part of claimant. Designated off on 24 10 acres was deleted
in the NENE & not claimed. Based on the 1994
last info, Mr. Carrey owns a portion of the
NENE. I am making these recommendations
w/o an amended claim as I believe it was a
mistake on W.R. part. Mr. Carrey will have a chance
to file an objection if he does not agree.

RECOMMENDATIONS:

TOTAL ACRES: 80 N/A()

REVIEWED BY: SB

DATE: 6/19/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02653 IRRIGATION	FROM 04-15 TO 10-15	1.100 CFS	
TOTAL DIVERSION RATE/VOLUME		1.100 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-02653 IRRIGATION	FROM 04-15 TO 10-15	1.100 CFS	
TOTAL DIVERSION RATE/VOLUME		1.100 CFS	

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: _____

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 _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 80 x 0.02 CFS/ACRE = 1.60 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 = _____ AF/A
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: _____

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	04-15	10-15	DATABASE 1.100	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			1.100	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

W38

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

N/A

ROOT WATER RIGHT NUMBER: 65-02653

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	1.100		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-02653	1.100	-		65-02653	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	FIELD EXAMINER
Y	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: Due Bach DATE: 6/9/99

NAME OF FIELD EXAMINER: _____ TITLE: _____

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 <u>1973</u> IDWR ID NO. <u>360</u>	Y(☒) N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(☒) ASCS AERIAL PHOTO	DATE OF PHOTO <u>7-17-61 DIAZ-288-74</u>	Y(☒) N()
() 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 <u>GIS Map x2</u>	DATE <u>6/9/99</u>	Y(☒) N()
(☒) OTHER <u>IDWR Blagond</u>	DATE <u>1960's</u>	Y(☒) N()
(☒) OTHER <u>Taxlot page</u>	DATE <u>1994</u>	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 _____	_____	_____
() 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 <u>Blagond page</u>	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:08
03/10/99

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A65-02653

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					Done	SB 6-9-99		
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

INDICATES TOTAL

SOURCE: WASTE WATER

TRIBUTARY TO: BOB CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-11233	SHULMAKER, GARY K. & SHULMAKER, SHERRAL ROUTE 1, BOX 283, FRUITLAND, IDAHO 83619	6/ 1/1910	IRRIGATION	3/15 11/15	--- AFA .04 CFS	NWNE S25 T 8N R 5W	NWNE(2) S25 T 8N R 5W *2*	BENEFICIAL USE

INDICATES TOTAL

SOURCE: WASTE WATER

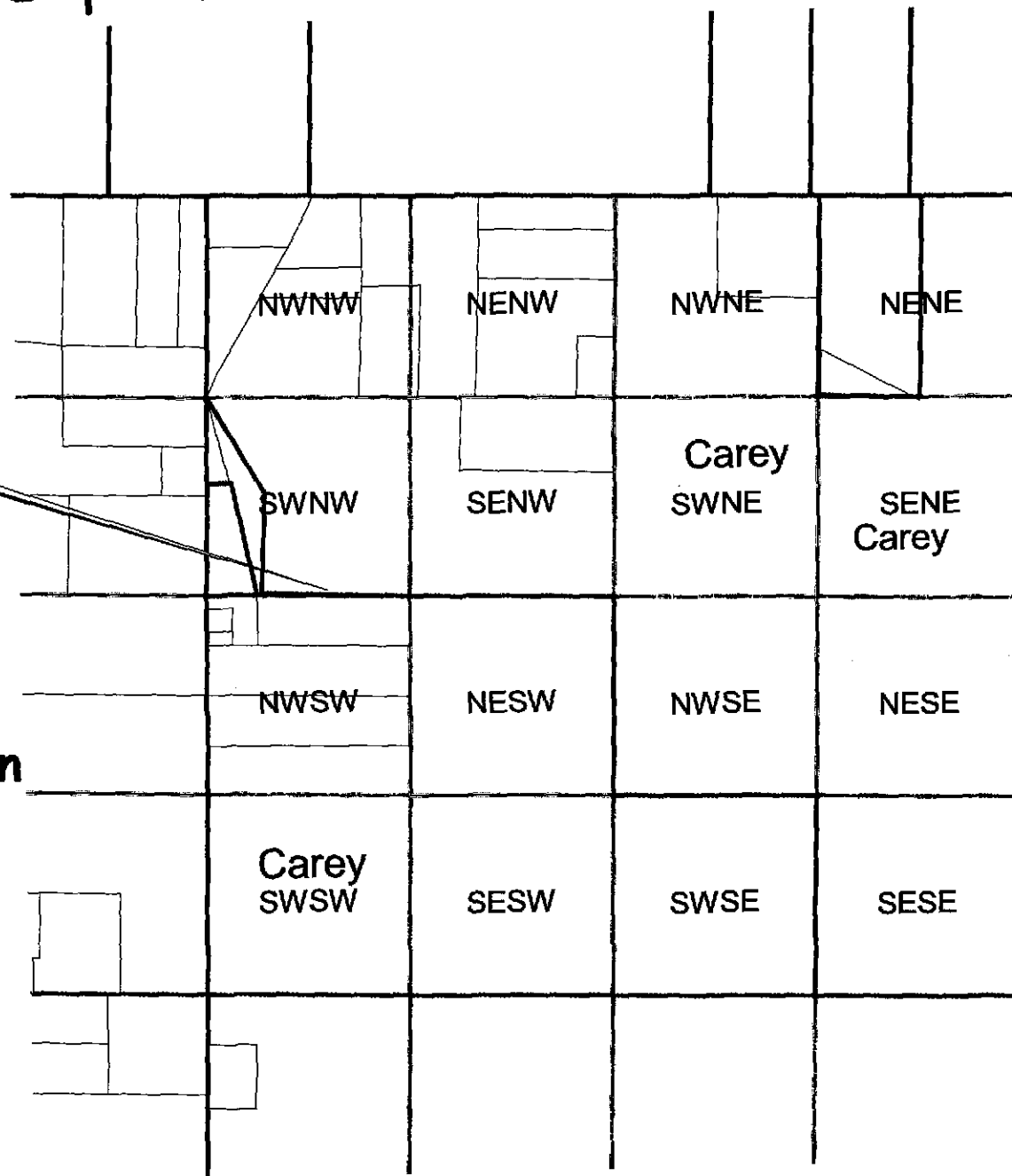
TRIBUTARY TO: BOULDER CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-8453	YENSEN, JACK ROUTE 1, MC CALL, IDAHO 83638	4/ 1/1901	IRRIGATION	4/15 10/15	--- AFA .70 CFS	SWSW S36 T17N R 3E	SWSW(35) S36 T17N R 3E *35*	BENEFICIAL USE
65-11023	BARKER, TILDA N. BOX 304, DONNELLY, IDAHO 83615 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2415, 65-2519 & 65-7025 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	7/ 1/1947	IRRIGATION	4/15 10/15	--- AFA .34 CFS	SWNE S10 T16N R 3E	NWSE(17) S10 T16N R 3E *17*	BENEFICIAL USE
65-2651	POTTER, C. RAY & POTTER, INA C. ROUTE 1, BOX 89, MC CALL, IDAHO 83638 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2963 & 65-3117 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	8/28/1959	IRRIGATION	4/15 10/15	--- AFA 1.10 CFS	SESE S36 T18N R 3E	NENE(10) SENE(27) NESE(21) SESE(22) S 1 T17N R 3E *80*	LICENSE
65-3762	LAPPENS, CHARLES & LAPPENS, SHIRLEY DONNELLY, IDAHO 83615 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-7473 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	5/20/1966	IRRIGATION	4/15 10/15	--- AFA .36 CFS	NESW S36 T17N R 3E	NWSE(18) S36 T17N R 3E *18*	BENEFICIAL USE
65-7025	BARKER, TILDA BOX 304, DONNELLY, IDAHO 83615 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-2415 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	12/18/1967	IRRIGATION	4/15 10/15	--- AFA 1.00 CFS	NESW S10 T16N R 3E	NESW(14) NWSE(40) S10 T16N R 3E *54*	LICENSE
65-6941	CAIN, THOMAS A. & CAIN, DALL E. BOX 656, DONNELLY, IDAHO 83615	4/ 1/1970	DOMESTIC	1/ 1 12/31	1.20 AFA .02 CFS	SESE S10 T16N R 3E	SESE S10 T16N R 3E	BENEFICIAL USE

Idaho Dept of Water Resources

Boulder Meadows

~~Roseberry Irr~~
Dist. Boundary
(purple)

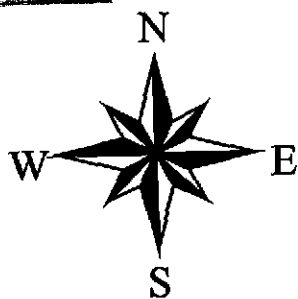


 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 0.25 0.5 0.75 Miles

1987 NAPP Photo



9-11-77
H-888-24C



WASTE
WATER

DRY

DRY

DRY
NOW

DRY

DRY

DRY

DRY

Idaho Dept of Water Resouces

Claim No(s): 65-02653

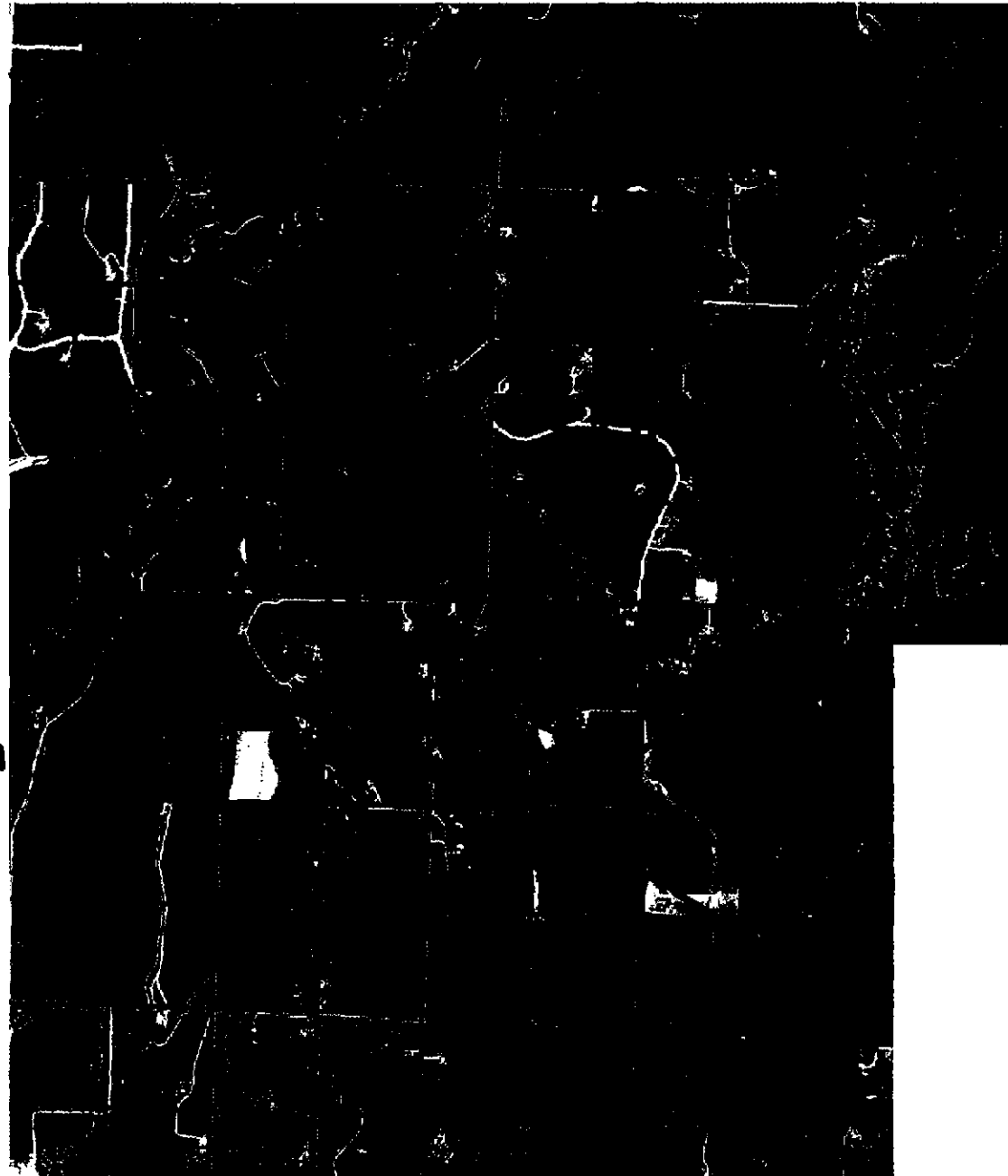
65-02971, 65-03118

Claimant(s): Carey

T17N, R03E, S 1

Prepared by: Sue Bock

Date: 06/09/1999

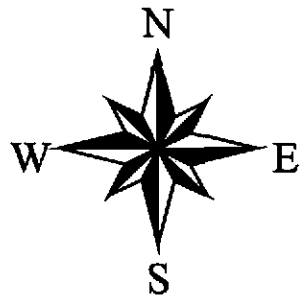


 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 0.25 0.5 0.75 Miles



1987 NAPP Photo

Idaho Dept of Water Resouces

Claim No(s): 65-02653

65-02971, 65-03118

Claimant(s): Carey

T17N, R03E, S 1

Prepared by: Sue Bock

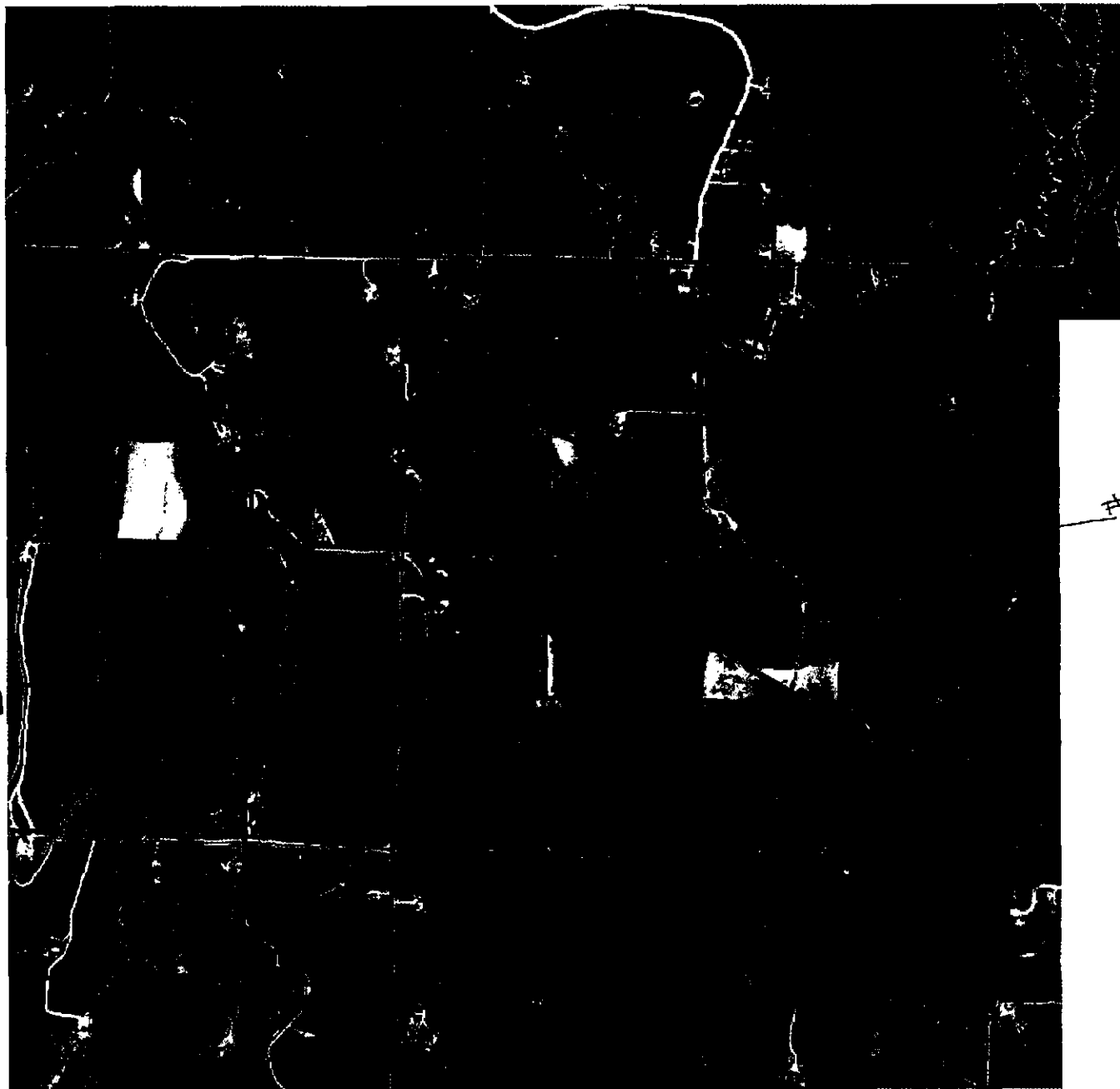
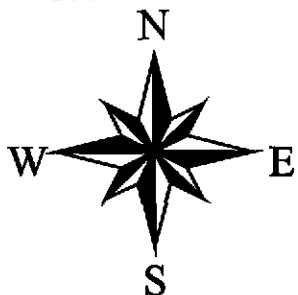
Date: 06/09/1999

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 0.25 0.5 0.75 Miles



1987 NAPP Photo