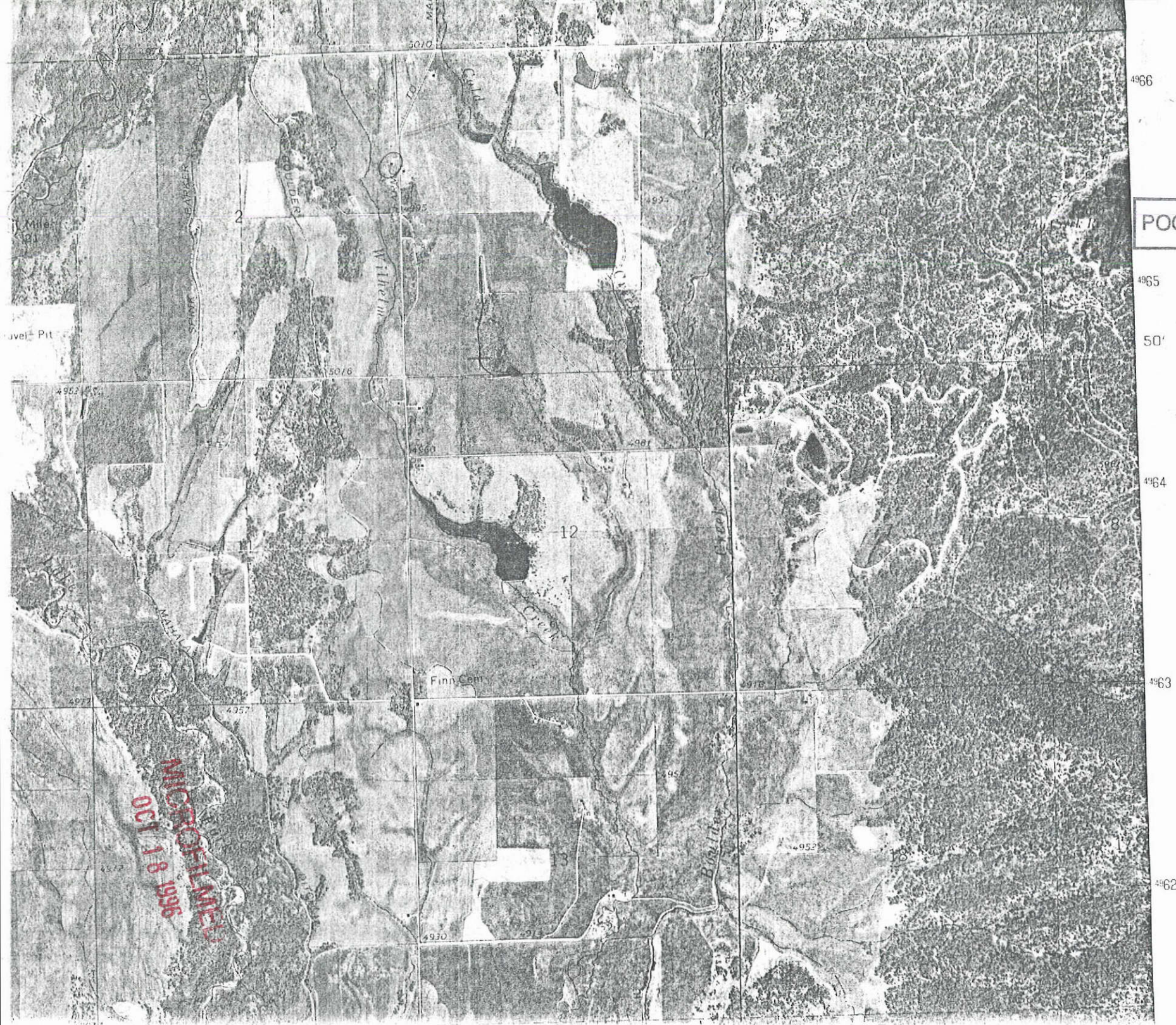
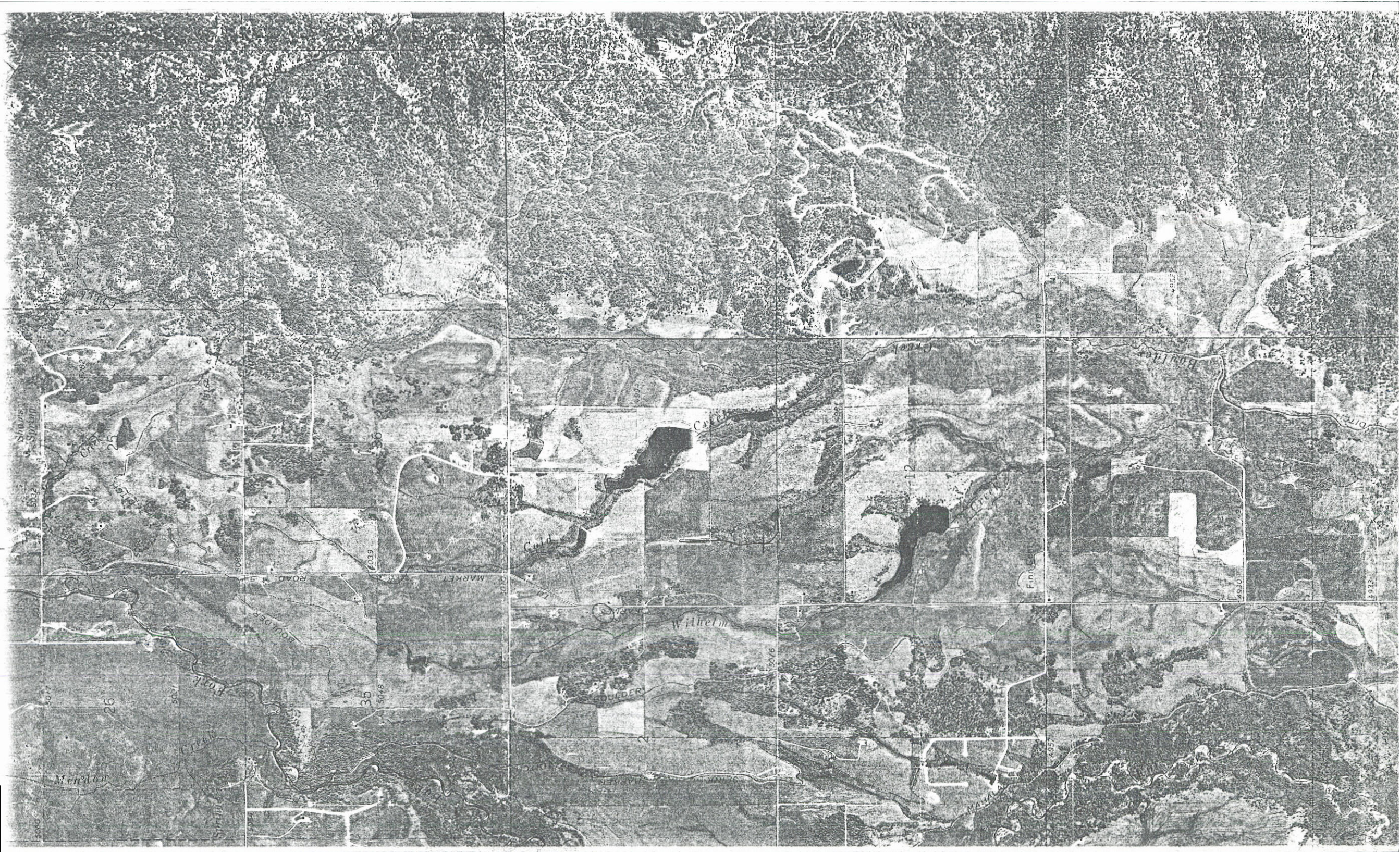


T17

POOR ORIGINAL

MICROFILMED
OCT 18 1996





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: A65-02967E
Date Received: 11/23/1988
Receipt No: W2496
Received By: ER

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: D. JOHN CAREY 208-634-7641
Address: % STEVEN J. MILLEMAN, ATTORNEY
P.O. BOX 1318
MCCALL, ID 83638

AND/OR

Name: TERESA CAREY 208-634-7641
Address: % STEVEN J. MILLEMAN, ATTORNEY
P.O. BOX 1318
MCCALL, ID 83638

2. Date of Priority: DEC 31, 1949

3. Source: JUG CREEK Trib. to: LOUIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
17N	04E	5		3	VALLEY

5. Description of diverting works:
HEADGATES, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION FROM STORAGE	04/15	10/15			89.40
IRRIGATION	04/15	10/15	3.300		

7. Total Quantity Appropriated is:
3.300 C.F.S. (and/or) 89.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A65-02967E

Page 1

Date: 03/27/89

MICROFILMED
OCT 18 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	1	NW	SW		IRR FS	40.0
			SW	SW		IRR FS	40.0
			SE	SW		IRR FS	40.0
			SW	SE		IRR FS	40.0
Section Acres							160.0
		12	NE	NE		IRR FS	40.0
Section Acres							40.0
Total Acres							200.0

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:
65-02967, 65-02934, 65-02943

14. Remarks:

WATER EXCHANGED WITH ROSEBERRY IRRIGATION DISTRICT.

 THIS CLAIM REPRESENTS A TRANSFER OF 89.4 ACRE FEET OF STORAGE
 FOR IRRIGATION FROM THE ORIGINAL PLACE OF USE IN DECREE 65-02967
 TO THE PLACE OF USE LISTED IN THIS CLAIM.
 ON 12/02/1985, A SIGNED TRANSFER OF WATER RIGHTS FROM OSBORN
 RANCH INC. OF 546.3 ACRE FEET STORAGE RIGHTS FROM JUG CREEK RES.
 TO D. JOHN CAREY AND TERESA CAREY WAS PRESENTED TO THIS AGENT.
 THIS INSTRUMENT DID NOT SPECIFY FROM WHICH OF OSBORNS STORAGE
 RIGHTS THIS TRANSFER OCCURED FROM.
 SINCE THERE ARE OTHER CLAIMS AGAINST 65-02967 (A65-02967, 02967A,
 02967B, 02967C, 02967D), TOTALING 583.61 ACRE FEET, AND THE TOTAL
 STORAGE RIGHT OF 65-02967 IS 268.2 ACRE FEET, A QUESTION ARISES
 AS TO WHICH OF THE CLAIMS ARE LEGITIMATE AND WHICH ARE NOT.
 IT IS THE RESPONSIBILITY OF THE CLAIMANT OR THEIR REPRESENTATIVE TO
 PROVIDE SUPPORTING EVIDENCE FOR THEIR CLAIM(S).
 SEE FILE 65-02943C. ELR *****

 THIS IS A SPLIT OF 65-02967.
 WHEN THIS CLAIM AND ALL OTHER CLAIMS ARE COMBINED, THE RATE OF DI
 VERSION SHALL NOT EXCEED 0.02 CFS.

15. Basis of Claim: DECREED
 Case Number:
 Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

Decree Defendant

vs

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): D. JOHN CAREY, by Date: 3/27/89

Steven J. Mullen Date:

State of Idaho)

County of Ada)

SS.

Attorney-in-Fact

Subscribed and sworn (or affirmed) before me this 27th day

of March 19 89

Eldon L. Roush
Notary Public

Seal

Residing at Eldon L. Roush
Residing at Boise, Idaho
My Commission Expires September 8, 1994

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

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 ¹⁰	65-06960 ¹⁰	65-10371 ¹⁰	65-03118 ^{obj in the canal}
65-02967E ¹⁰	65-02971 ^{obj}	65-02513 ¹⁰	65-06956 ^{obj}
65-02653 ^{obj}	65-02941 ^{obj}	65-02934C ¹⁰	65-02943K ¹⁰
65-10372 ¹⁰			

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

#####

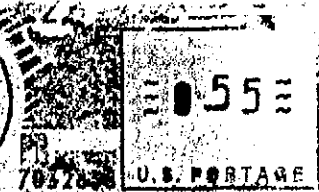
Millemann Pittenger & Mc Mahan
May 9, 2001
Page 2 of 2

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
- 2468
- 8702
- 6306

Weilmunster



NO MAIL
RECEIPT

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



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

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 65-02967E

(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)

[Signature]

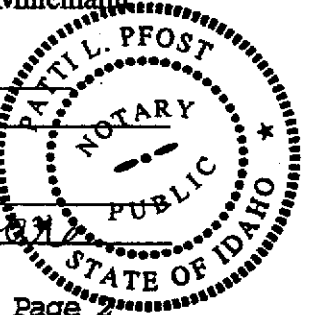
(Attorney signing in representative capacity) Steven J. Millemann

SUBSCRIBED AND SWORN to before me on November 21, 2000

NOTARY PUBLIC FOR IDAHO

Residing at: McCall, Idaho

My Commission Expires: 2/22/2012



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:

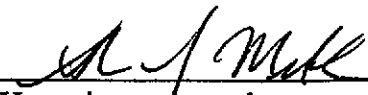
Name: United States of America acting through the Dept. of Interior, Bureau of Reclamation
Address: 1150 N. Curtis Road, Boise, ID 83706-1234

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

RECEIVED

SEP 26 2000

WATER RESOURCES
WESTERN REGION

McCall, Idaho
Sept. 25, 00

Dear John:

I am enclosing a copy of the Certificate of Incorporation for the Jug Creek Reservoir share-holders. I would appreciate it if you would get it to the proper place in your department.

Thank you.

Del Catlin
Del Catlin



CERTIFICATE OF INCORPORATION
OF

JUG CREEK RESERVOIR, INC.

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of Articles of Incorporation for the incorporation of _____

JUG CREEK RESERVOIR, INC.

duly signed pursuant to the provisions of the Idaho Nonprofit Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Incorporation and attach hereto a duplicate original of the Articles of Incorporation.

Dated _____ September 3, 1985. _____ 19 _____



Pete T. Cenarrusa

SECRETARY OF STATE

Vicki Rast

Corporation Clerk

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

DATE: 09/22/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	D JOHN CAREY	12/31/1949	IRRIGATION	04-15 10-15	3.300 CFS	
C	TERESA CAREY		IRRIGATION STORAGE	01-01 12-31		89.40 AFA
	C/O STEVEN J MILLEMAN ATT		IRRIGATION FROM STORAGE	04-15 10-15		89.40 AFA
	PO BOX 1318					
	MC CALL ID 83638					
	(208) 634-7641					
			TOTAL DIVERSION:		3.300 CFS	89.40 AFA

Water Source: JUG CREEK
BOULDER CREEK

Tributary to: LOUIE CREEK
CASCADE RESERVOIR

Stage: DECREED

Point(s) of Diversion: T17N R04E S05 Lot03(NENW)
T18N R04E S19 SESW

VALLEY County
VALLEY County

Place of use Legal Description for: IRRIGATION FROM STORAGE

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
17N	03E	1	:											40	40	40			40	:
17N	03E	12	:	40																:
																		TOTAL ACRES	200.0	

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

POU County: VALLEY

Other Rights: 65-02967, 65-02934, 65-02943

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 192 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS. 65-02934C, 65-02943K.

GEN WATER EXCHANGED WITH ROSEBERRY IRRIGATION DISTRICT.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-02934C, 65-02316, 65-02943B,
65-02943J, 65-02943K, 65-02943L, 65-02943P, 65-02943X, 65-02943A,
65-02967B, 65-02967A, 65-04047, 65-02943R, 65-02943Q.

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

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

AJ0749NP
No. R65-02967E

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

DATE: 09/22/99
PAGE: 2

=====

Comments: Date: 07/16/1999 User-ID: SBOCK Subject: THIS CLAIM WAS SPLIT IN 1/3'S BETWEEN SHAW, HEIKKILA, AND CAREY
CAREY RECEIVED 546.3 AF FROM OSBORN THE BREAKDOWN IS AS FOLLOWS:
65-02934C 350 AF
65-02967E 89.4 AF
65-02943K 106.9 AF

Date: 09/21/1999 User-ID: SBOCK Subject: STORAGE
YEAR ROUND STORAGE FOR IRR. WAS ADDED TO THIS RIGHT SINCE IT IS
NO LONGER A GEN. PROVISION IN THE SRBA

Audit: 09/22/99 SBOCK

AJ5809NP
No. A65-02967E

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/05/99
PAGE: 51

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	D JOHN CAREY % STEVEN J MILLEMAN ATTORNEY PO BOX 1318 MCCALL ID 83638 (208) 634-7641	12/31/1949	IRRIGATION IRRIGATION FROM STORAGE	04-15 10-15 04-15 10-15	3.30 CFS	89.40 AFA
TOTAL DIVERSION:					3.30 CFS	89.40 AFA

C TERESA CAREY
% STEVEN J MILLEMAN ATTORNEY
PO BOX 1318
MCCALL ID 83638
(208) 634-7641

Water Source: JUG CREEK

18 4 19 555W Tributary to: LOUIE CREEK

Stage: DECREED

Point(s) of Diversion:

T17N R04E S05 Lot03(NEW)

VALLEY County

Place of use Legal Description for: IRRIGATION FROM STORAGE

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
17N	03E	1	:											40	40	40			40	:
17N	03E	12	:	40																:
TOTAL ACRES																			200.0	

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

POU County: VALLEY

Non-Irrigation Uses: NONE

Other Rights: 65-02967, 65-02934, 65-02943

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A65-02934A A65-02934B A65-02934C A65-02943A A65-02943B A65-02943E A65-02943J A65-02943K A65-02943X A65-02967A
A65-02967B A65-02967C A65-02967D

Remarks: GEN

WATER EXCHANGED WITH ROSEBERRY IRRIGATION DISTRICT.

THIS CLAIM REPRESENTS A TRANSFER OF 89.4 ACRE FEET OF STORAGE
FOR IRRIGATION FROM THE ORIGINAL PLACE OF USE IN DECREE 65-02967
TO THE PLACE OF USE LISTED IN THIS CLAIM.

ON 12/02/1985, A SIGNED TRANSFER OF WATER RIGHTS FROM OSBORN
RANCH INC. OF 546.3 ACRE FEET STORAGE RIGHTS FROM JUG CREEK RES.
TO D. JOHN CAREY AND TERESA CAREY WAS PRESENTED TO THIS AGENT.
THIS INSTRUMENT DID NOT SPECIFY FROM WHICH OF OSBORN'S STORAGE
RIGHTS THIS TRANSFER OCCURED FROM.

SINCE THERE ARE OTHER CLAIMS AGAINST 65-02967 (A65-02967, 02967A,

COS
EXP 7/96

AJ5809NP
No. A65-02967E

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/05/99
PAGE: 52

Remarks: ~~02967B, 02967C, 02967D), TOTALING 583.61 ACRE FEET, AND THE TOTAL
STORAGE RIGHT OF 65-02967 IS 268.2 ACRE FEET. A QUESTION ARISES
AS TO WHICH OF THE CLAIMS ARE LEGITIMATE AND WHICH ARE NOT.
IT IS THE RESPONSIBILITY OF THE CLAIMANT OR THEIR REPRESENTATIVE TO
PROVIDE SUPPORTING EVIDENCE FOR THEIR CLAIM(S).
SEE FILE 65-02943C. ELR *****

THIS IS A SPLIT OF 65-02967.
WHEN THIS CLAIM AND ALL OTHER CLAIMS ARE COMBINED, THE RATE OF DI
VERSION SHALL NOT EXCEED 0.02 CFS.~~

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

73
CLAIM NUMBER: A65-02967E

LAST: OSBORN RANCH INC FIRST:
ADDRESS: BOX 209
CITY: NEW MEADOWS STATE: ID ZIP: 83654
PHONE NUMBER: 208-000-0000

OWNER CODE: O

LAST: CAREY FIRST: D JOHN
ADDRESS: % STEVEN JMILLEMANN ATTORNEY
PO BOX 1318
CITY: MCCALL STATE: ID ZIP: 83638
PHONE NUMBER: 208-634-7641

OWNER CODE: C

LAST: CAREY FIRST: TERESA
ADDRESS: % STEVEN J MILLEMAN ATTORNEY
PO BOX 1318
CITY: MCCALL STATE: ID ZIP: 83638
PHONE NUMBER: 208-634-7641

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN WATER EXCHANGED WITH ROSEBERRY IRRIGATION DISTRICT.

THIS CLAIM REPRESENTS A TRANSFER OF 89.4 ACRE FEET OF STORAGE
FOR IRRIGATION FROM THE ORIGINAL PLACE OF USE IN DECREE 65-02967
TO THE PLACE OF USE LISTED IN THIS CLAIM.
ON 12/02/1985, A SIGNED TRANSFER OF WATER RIGHTS FROM OSBORN
RANCH INC. OF 546.3 ACRE FEET STORAGE RIGHTS FROM JUG CREEK RES.
TO D. JOHN CAREY AND TERESA CAREY WAS PRESENTED TO THIS AGENT.
THIS INSTRUMENT DID NOT SPECIFY FROM WHICH OF OSBORNS STORAGE
RIGHTS THIS TRANSFER OCCURED FROM.
SINCE THERE ARE OTHER CLAIMS AGAINST 65-02967 (A65-02967, 02967A,
02967B, 02967C, 02967D), TOTALING 583.61 ACRE FEET, AND THE TOTAL
STORAGE RIGHT OF 65-02967 IS 268.2 ACRE FEET, A QUESTION ARISES
AS TO WHICH OF THE CLAIMS ARE LEGITIMATE AND WHICH ARE NOT.
IT IS THE RESPONSIBILITY OF THE CLAIMANT OR THEIR REPRESENTATIVE TO
PROVIDE SUPPORTING EVIDENCE FOR THEIR CLAIM(S).
SEE FILE 65-02943C. ELR *****

THIS IS A SPLIT OF 65-02967.
WHEN THIS CLAIM AND ALL OTHER CLAIMS ARE COMBINED, THE RATE OF DI

PAGE: 2
GENERAL INFORMATION

74
CLAIM NUMBER: A65-02967E

CLAIM REMARKS (CONT'D):

VERSION SHALL NOT EXCEED 0.02 CFS.

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:

A. AJ CLAIM: # A65-02967E PRIORITY DATE: 12-31-1949 STAGE: D

B. WR RECORD: # 65-02967 PRIORITY DATE: 07-08-1966 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 PRIORITY DATE:

12-31-1949
REVIEWED BY SB

DATE 7/16/99

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
A65-02967E	17N 04E	5				3		VALLEY		

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

WR RECORDS IN SAME 40 ACRE TRACT

65-02934
65-02943A
65-02943B
65-02943C
65-02943X

* 13 A PREFIX CLAIMS WITH THIS POD

SOURCE: JUG CREEK

TRIB: LOUIE 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
65-02967	17N 04E	5				3		VALLEY		
65-02967	18N 04E	19		SE	SW			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

65-02316
65-02934
65-02943A
65-02943B
65-02943C
65-02943X
65-04047

***** NONE

***** 15 A PREFIX CLAIMS IN SAME 40 ACRE TRA

SOURCE: JUG CREEK

TRIB: LOUIE 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?

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 ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
17N	04E	5		NE	NW	3				
18	4	19		SE	SW				Boulder Cr	Qas Res.

SOURCE: JUG CREEK

TRIB: LOUIE CREEK

REVIEWED BY:

JB

DATE:

7/16/99

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

A. ROOT WATER RIGHT NUMBERS: A65-02967A
A65-02967B
A65-02967D
A65-02967C
A65-02967E

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	NW	SW		CAREY, D JOHN	A65-02967E / 40.0	- /	40.0		
			NW	SW		BIGELOW, ROBERT B	65-17331 /	- /			
			NW	SW		BIGELOW, ROBERT B	A65-17331 /	- /			
			NW	SW		GREMS, LESLIE A	A65-11245 /	65-11245 /			40
			NW	SW		CAREY, D JOHN	A65-02943K / 40.0	- /			
			NW	SW		CAREY, TERESA	A65-02934C / 40.0	- /			
			NW	SW		BOULDER IRRIGATION CO	A65-02308 / 0.5	- /			
			NW	SW		GREMS, LESLIE A	65-11245 /	- /			
17N	03E	1	SW	SW		CAREY, D JOHN	A65-02967E / 40.0	- /	37.0		40
			SW	SW		CAREY, D JOHN	A65-02943K / 40.0	- /			
			SW	SW		CAREY, TERESA	A65-02934C / 40.0	- /			
17N	03E	1	SE	SW		CAREY, D JOHN	A65-02967E / 40.0	- /	28.0		40
			SE	SW		CAREY, D JOHN	A65-02943K / 40.0	- /			
			SE	SW		CAREY, TERESA	A65-02934C / 40.0	- /			
17N	03E	1	SW	SE		CAREY, D JOHN	A65-02967E / 40.0	- /	19.0		40
			SW	SE		CAREY, D JOHN	A65-02943K / 40.0	- /			
			SW	SE		CAREY, TERESA	A65-02934C / 40.0	- /			
17N	03E	12	NE	NE		CAREY, D JOHN	A65-02967E / 40.0	- /	19.0		40
			NE	NE		CAREY, D JOHN	A65-02941 / 2.0	65-02941 / 2.0			
			NE	NE		CAREY, D JOHN	A65-02943K / 40.0	- /			
			NE	NE		CAREY, TERESA	A65-02934C / 40.0	- /			
			NE	NE		FRISBIE, EDWARD		65-02513 / 2.0			

ADDITIONAL POU FOUND

200
11

TOTAL ACRES	A65-02967E	200.00	143.00
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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
A65-02967E	JUG CREEK	CAREY, D JOHN	3.300	0.016	89.40	0.44
A65-02308	BOULDER CREEK	BOULDER IRRIGATION CO	24.000	0.020		
A65-02934C	JUG CREEK	CAREY, TERESA			350.00	1.75
A65-02941	WILHELM CREEK	CAREY, D JOHN			100.00	0.57
A65-02943K	JUG CREEK	CAREY, D JOHN			406.90	2.03

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
65-17331	DOMESTIC	BIGELOW, ROBERT B	FROM 01-01 TO 12-31	0.040 CFS	
65-17331	STOCKWATER	BIGELOW, ROBERT B	FROM 01-01 TO 12-31	0.020 CFS	
A65-17331	DOMESTIC	BIGELOW, ROBERT B	FROM 01-01 TO 12-31	0.040 CFS	
A65-17331	STOCKWATER	BIGELOW, ROBERT B	FROM 01-01 TO 12-31	0.020 CFS	
A65-11245	DOMESTIC	GREMS, LESLIE A	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-11245	DOMESTIC	GREMS, LESLIE A	FROM 01-01 TO 12-31	0.040 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: 65-02967, 65-02934, 65-02943

Do not exceed 1" to acre

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(☒)

NOTES: _____

TOTAL ACRES: 250 N/A()

REVIEWED BY: S/S

DATE: 7/16/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02967E IRRIGATION FROM STORAGE	FROM 04-15 TO 10-15		89.40 AF/A
A65-02967E IRRIGATION	FROM 04-15 TO 10-15	3.300 CFS	
TOTAL DIVERSION RATE/VOLUME		3.300 CFS	89.40 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-02967 IRRIGATION FROM STORAGE	FROM 04-15 TO 10-15		268.20 AF/A
65-02967 IRRIGATION	FROM 04-15 TO 10-15	9.940 CFS	268.20 AF/A
TOTAL DIVERSION RATE/VOLUME		9.940 CFS	268.20 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(☒)

PAGE: 10

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

82

CLAIM NUMBER: A65-02967E

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 3.300 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 9.940 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 200 x 0.02 CFS/ACRE = 4.0 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 = 89.40 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:

This night was Sped into 1/3's away between Shaw (A),
Heikkila (B) + Casey (E). Breakney + Huffman have no
basis of claim to this night. Oshorn said Casey
546.3 AF of Storage under the breakdown was as follows:

65-02924C	350 AF
65-02967E	89.4 AF
65-02943K	106.9
	<u>546.3 AF</u>

Ordered the Boulder Co. PD, as desired.
Water has been moved through an accomplished
transfer in an exchange w/ Roseburg.

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 FROM STORAGE IRRIGATION	04-15	10-15	DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
	04-15	10-15	3.300	_____	89.40	_____	0.0	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT			3.300	_____	89.40	_____	0.0	_____

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

COS
EXP FOLG

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

ROOT WATER RIGHT NUMBER: 65-02967

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 9.940	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-02967A	3.320	-	-	65-02967	9.940
-	A65-02967B	3.320	-	-	-	-
-	A65-02967C	0.070	-	-	-	-
-	A65-02967D	1.540	-	-	-	-
-	A65-02967E	3.300	-	-	-	-
TOTAL CFS		11.550				9.940

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
N	Y() N()

NOTES:

=====

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

=====

See GDS map in 65-029342

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()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	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 _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() 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 _____	_____	_____
() 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 _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:08
03/10/99

PAGE: 17
QUICKLOOK INFORMATION

89
CLAIM NUMBER: A65-02967E

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	Y			2	Don 1/10	7-16-99		
POINT OF DIV	Y			~~2~~				
SOURCE				2				
PLACE OF USE	Y			2				
DIV. AMOUNT CFS/VOLUME	Y			2				
CONSUMPTIVE USE	-			2				
PURPOSES OF USE				2				
PERIOD OF USE				2				
BASIS OF CLAIM	Y			2				
REMARKS	Y			2				

BARCODE UPDATED
WHOM/DATE

LAW OFFICES OF
STEVEN J. MILLEMANN
POST OFFICE BOX 1318
McCALL, IDAHO 83638

STEVEN J. MILLEMANN
JAMES C. WEAVER

PHONE (208) 634-7641

March 28, 1989

Eldon Roush
Water Resource Agent
DEPARTMENT OF WATER RESOURCES
Western Region
2735 Airport Way
Boise, Idaho 83705

Re: John D. Carey Claim

Dear Mr. Roush:

Enclosed please find a check in the amount of \$366.00, pertaining to the Carey/Osborn Water Rights Claim fee in the amount of \$350.00 and \$16.00 for copies of the Osborn master file. Thank you.

Sincerely,


Vikki E. Haney
Secretary

veh/s
enclosure
cc: John D. Carey

RECEIVED
MAR 29 1989
MICROFILMED
Department of Water Resources
Western Regional Office
OCT 18 1986

TRANSFER OF WATER RIGHTS

OSBORN RANCH, INC., an Idaho corporation, and WARREN OSBORN and TESSIE M. OSBORN, husband and wife, Grantors, hereby grant and convey to D. JOHN CAREY and TERESA CAREY, husband and wife, Grantee, of 15320 Peach Hill Road, Saratoga, California 95070, for good and other valuable consideration, all of Grantors right, title and interest in and to their water rights from the storage water located in Jug Creek Reservoir. Said reservoir being located in the NE 1/4 of the NW 1/4 of Section 5, Township 17 N., Range 4 E., B.M., Valley County, Idaho.

Said water rights consist of 546.30 acre feet, more or less, for irrigation purposes.

Grantors warrant that no prior conveyance or transfer of said water right has been made, save and except a trade of said water right with the Roseberry Irrigation District for the 1985 irrigation season.

IN WITNESS WHEREOF, Grantors have executed this Agreement and caused its corporate name to be hereto affixed by its duly authorized officers, this 2nd day of December, 1985.

OSBORN RANCH, INC.

Warren Osborn
Warren Osborn

By Warren Osborn
Warren Osborn, President

Tessie M. Osborn
Tessie M. Osborn

ATTEST:

By: Tessie M. Osborn
Tessie M. Osborn, Secretary

MICROFILMED
OCT 18 1996

1 STATE OF IDAHO)
2 County of Valley) ss.

3 On this 2nd day of ~~November~~ ^{December}, 1985, before me, a Notary
4 Public in and for said State, personally appeared WARREN
5 OSBORN and TESSIE M. OSBORN, President and Secretary respectively
6 of OSBORN RANCH, INC., an Idaho corporation, and known or
identified to me to be the persons who executed the within
instrument on behalf of said corporation, and acknowledged
to me that said corporation executed same.

7 IN WITNESS WHEREOF, I have hereunto set my hand and
8 notary seal the day and year first written in this certificate.

9 *Arden Zolt*
10 Notary Public for Idaho
11 Residing at: Cascade

12 STATE OF IDAHO)
13 County of Valley) ss.

14 On this 2nd day of ~~November~~ ^{December}, 1985, before me, a Notary
15 Public in and for said State, personally appeared WARREN
16 OSBORN and TESSIE M. OSBORN, known or identified to me to be
the persons whose names are subscribed to the within and
foregoing instrument and acknowledged to me that they
17 executed the same.

18 IN WITNESS WHEREOF, I have hereunto set my hand and
19 notarial seal the day and year in this Certificate first
above written.

20 *Arden Zolt*
21 Notary Public for Idaho
22 Residing at: Cascade

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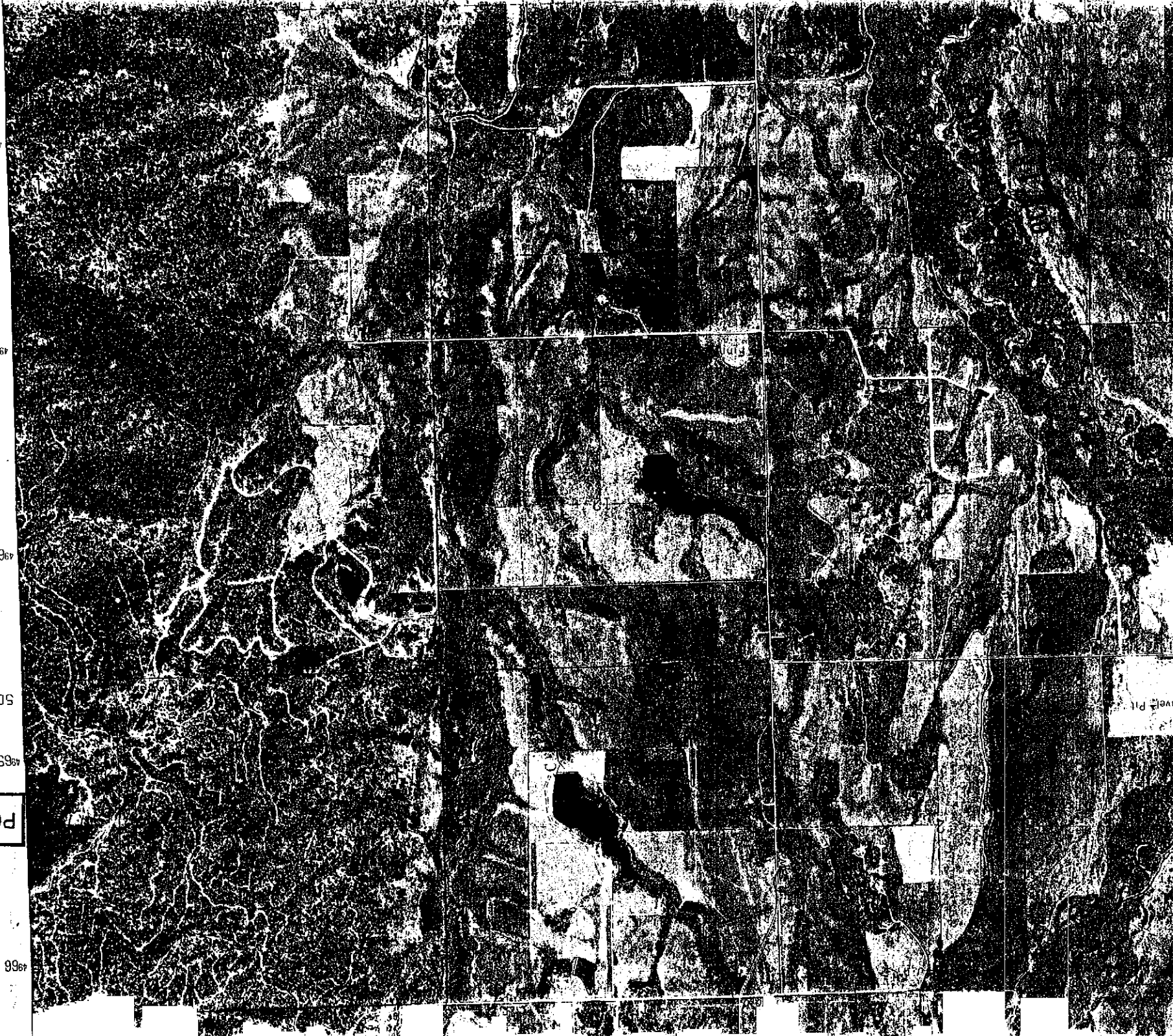
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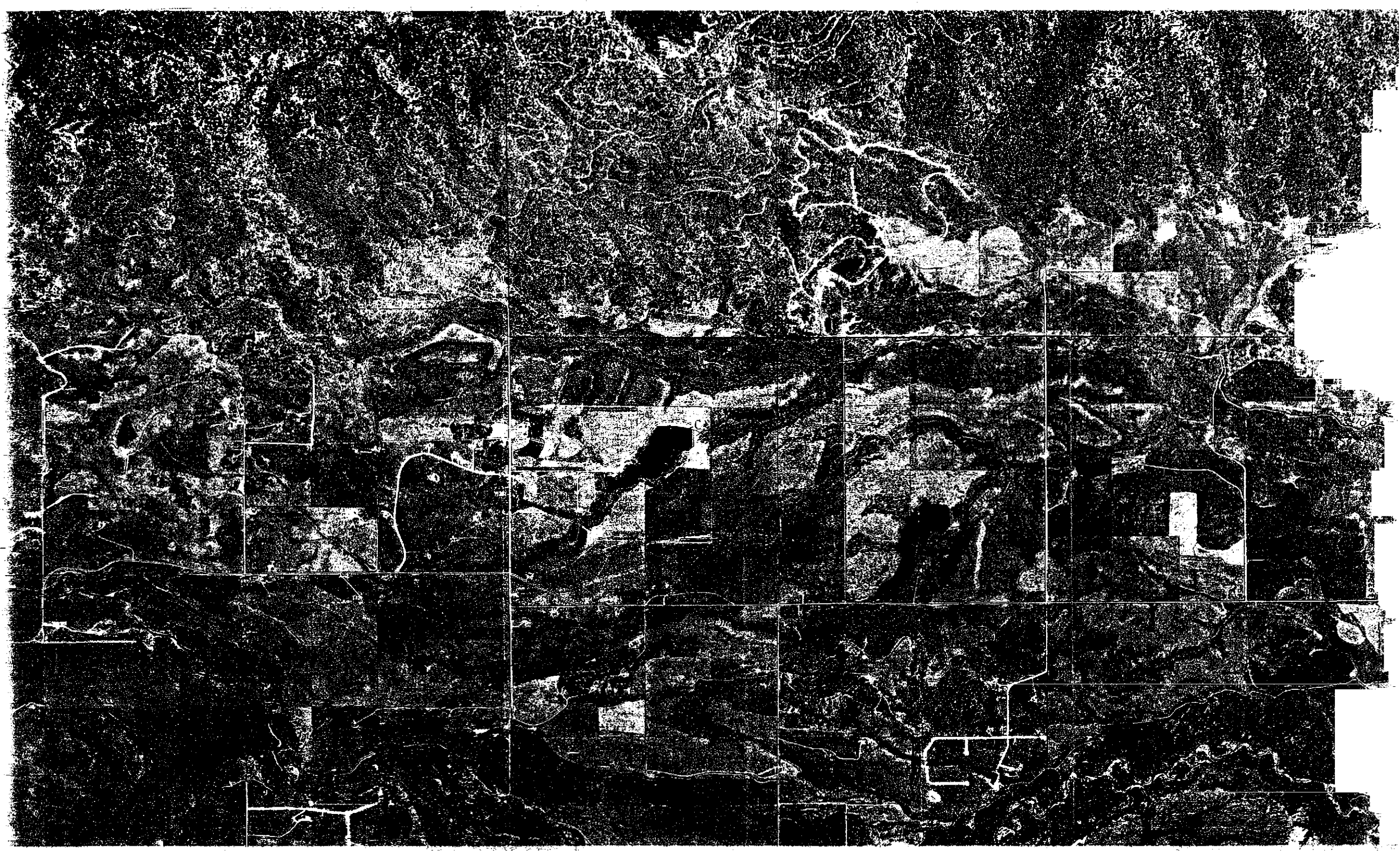
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SPECIAL POWER OF ATTORNEY

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.

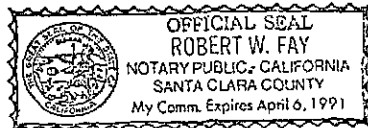
DATED this 22 day of November, 1988.

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:



MICROFILMED
OCT 18 1996