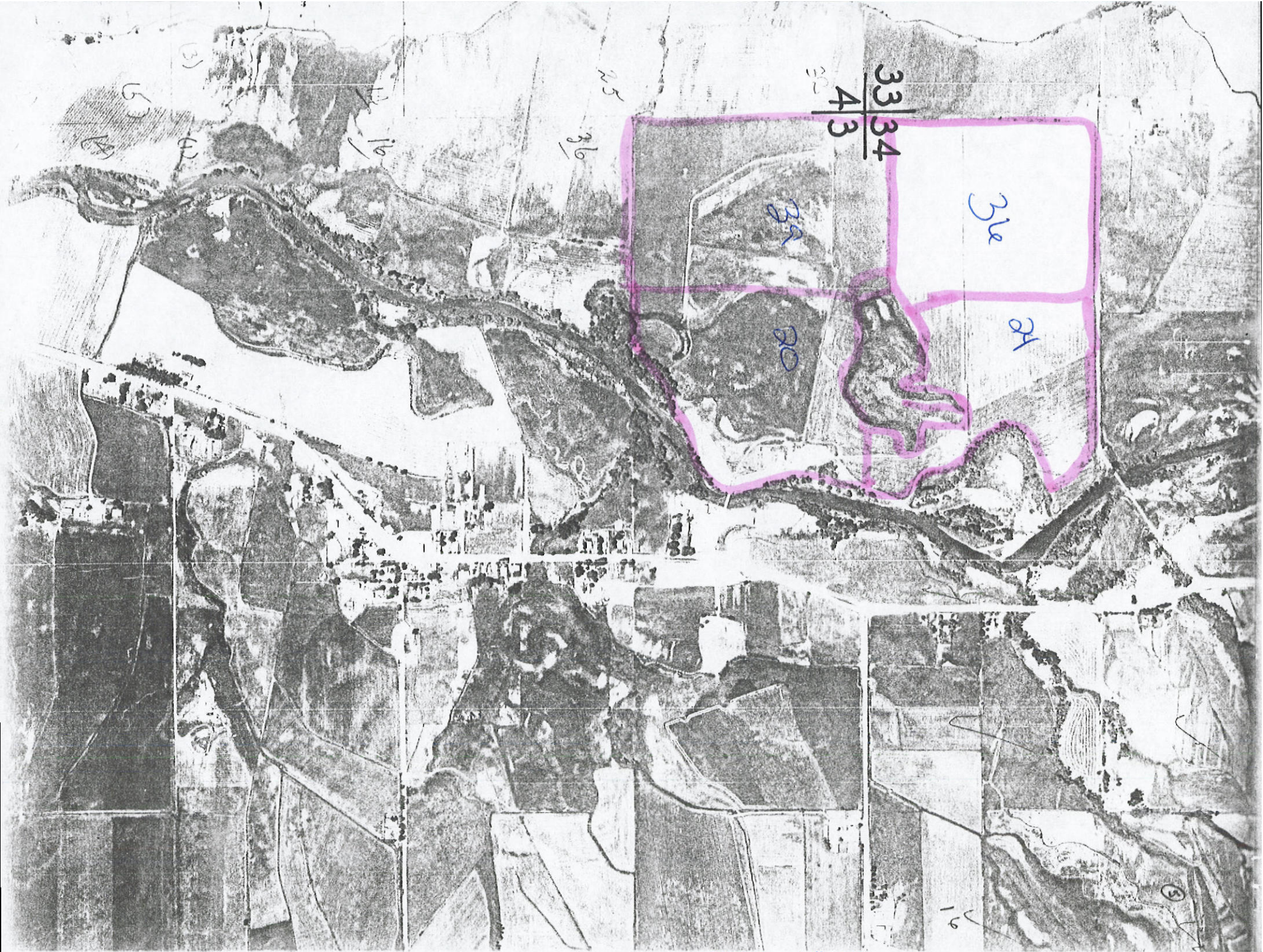




3334
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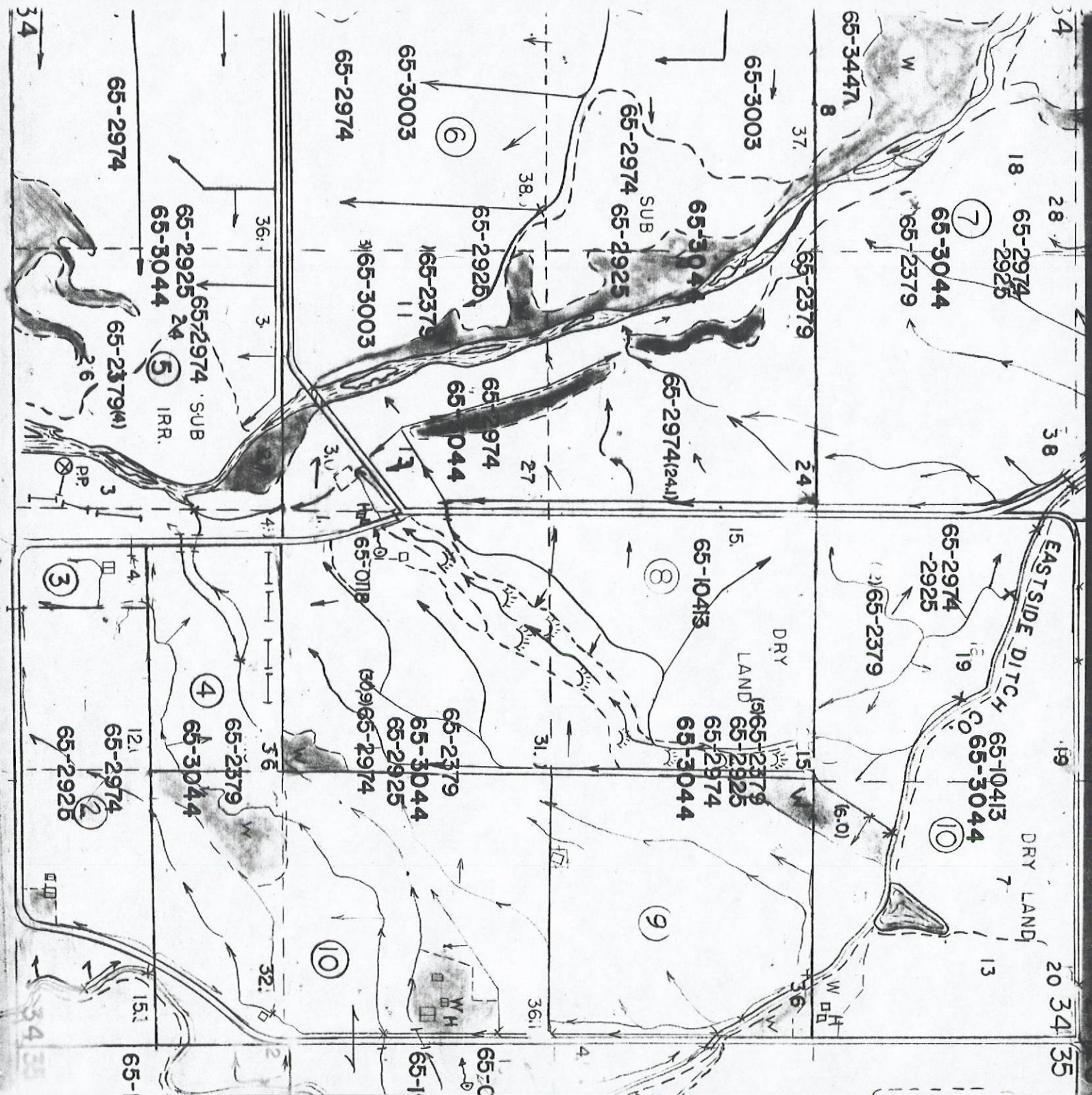
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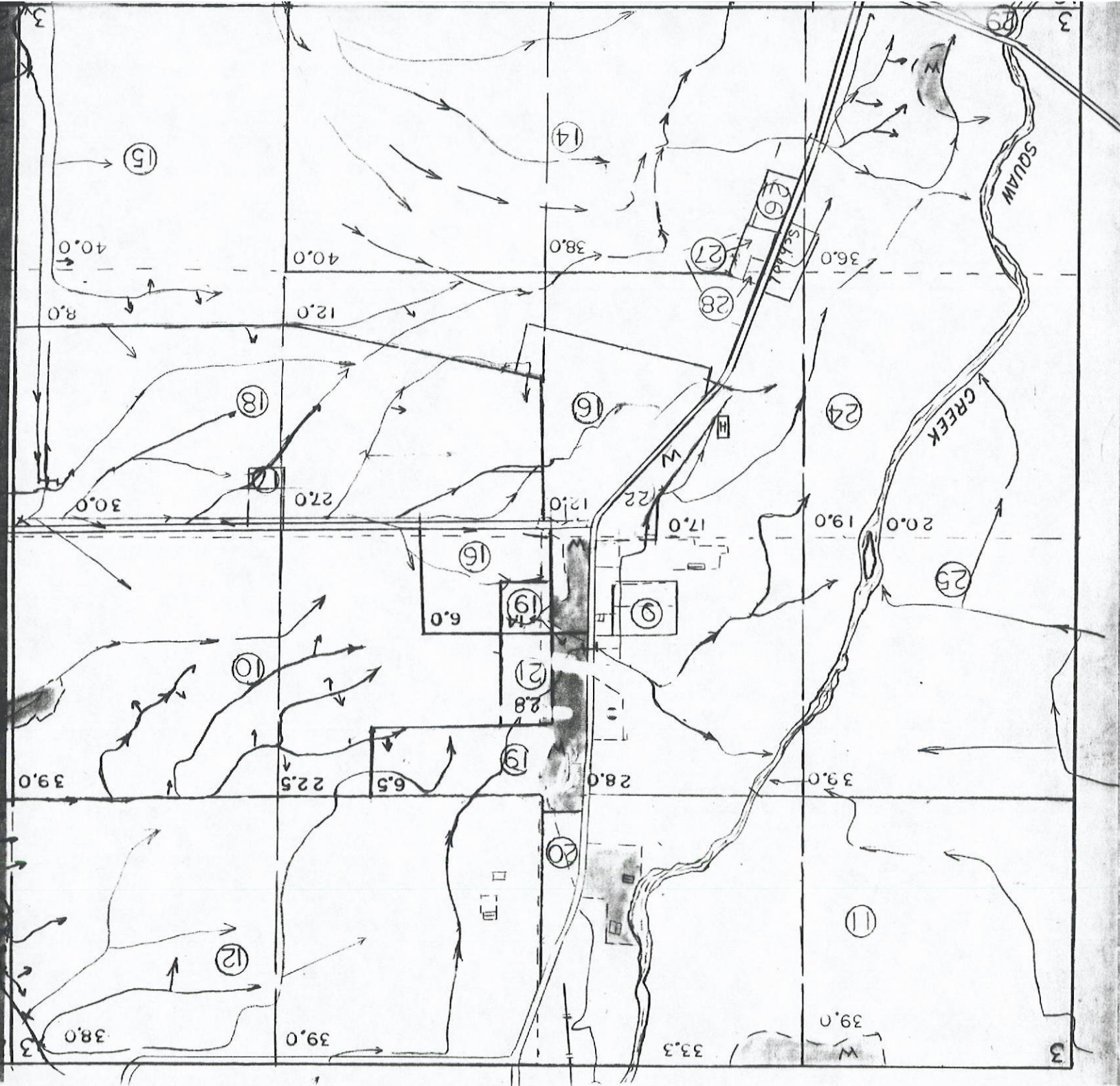
39

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CYM-283-189





Idaho Dept. of Water Resources

Claim No(s): 65-03004

Claimant(s): Skippen ^{Herr}

T07N, R01E, S 3

T08N, R01E, S 34

Prepared by: Sue Bock

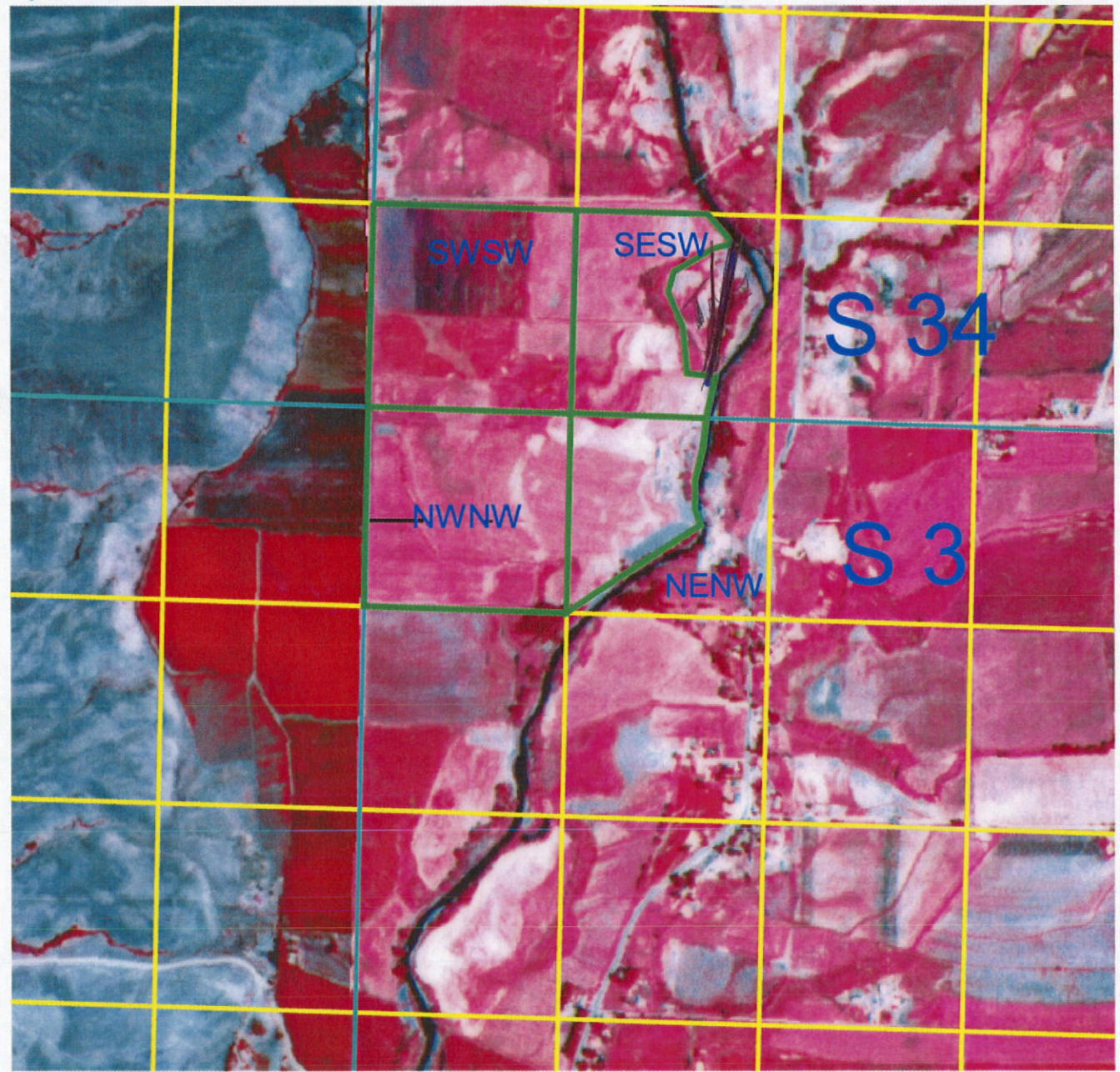
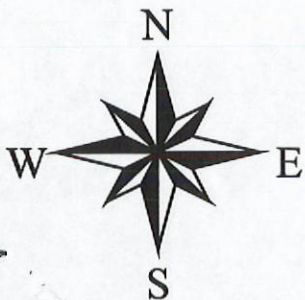
Date: 12/20/1999

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 1000 2000 Feet



1987 NAPP Photo

IDAHO DEPT OF WATER RESOURCES

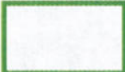
Claim No(s): 65-03004

T07N, R01E, S 3,

T08N, R01E, S 34

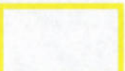
Prepared by: Sue Bock

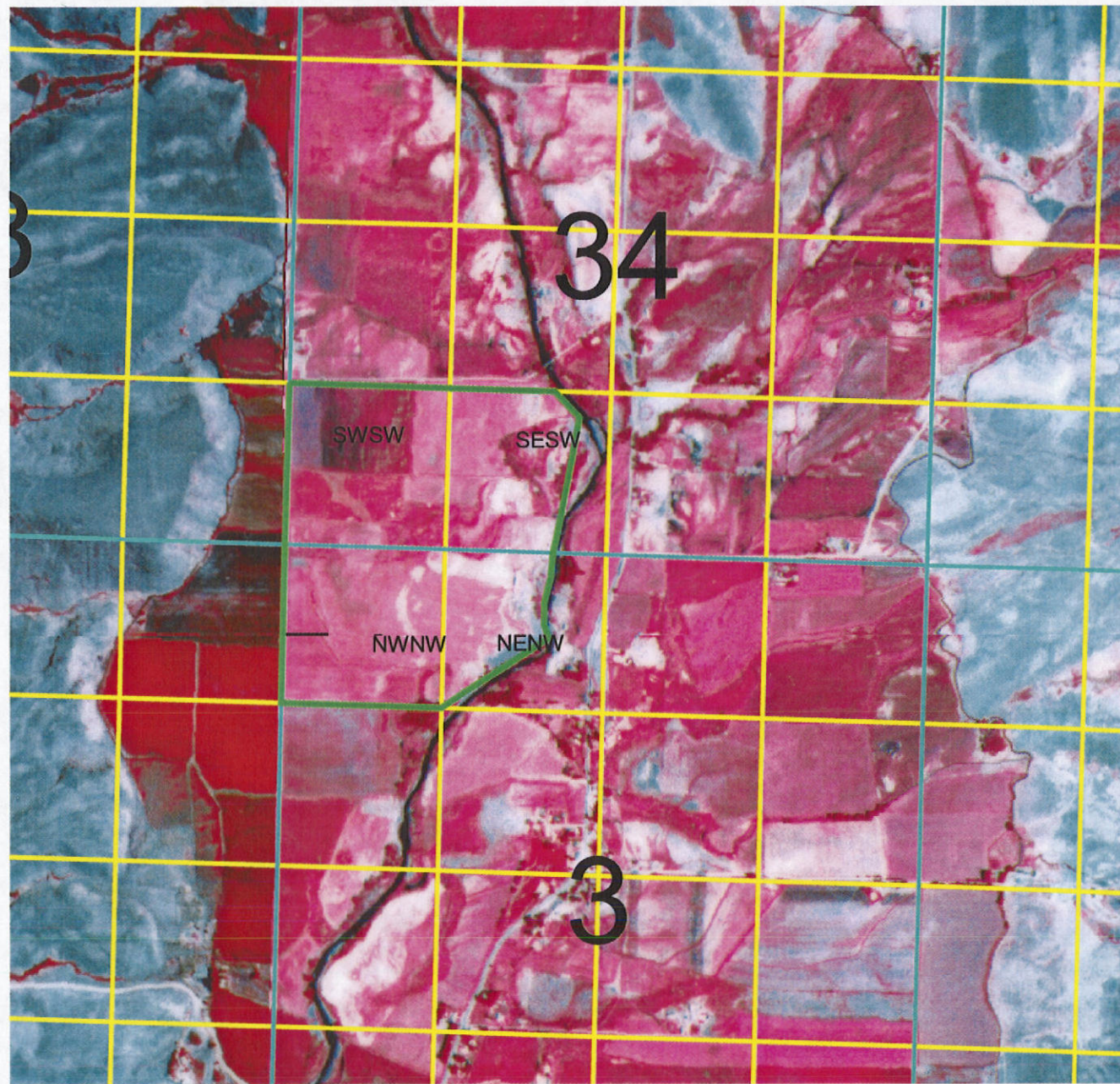
Date: 04/18/2001

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 3000 Feet

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 65-3004
Date Received: 1/24/90
Receipt No: X777777
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s): RODNEY H HERR
400 COSTON ST
BOISE ID USA 83712

Phone: (208)343-9438

MARCIA H HERR
400 COSTON ST
BOISE ID USA 83712

Phone: (208)343-9438

2. Date of Priority: 04/01/1864

3. Source: SQUAW CREEK Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
08N	01E	27	SE NW	GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.38	

7. Total Quantity Appropriated is:
2.38 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
07N	01E	3	NE	NW	3	IRRIGATION	20
			NW	NW	4	IRRIGATION	39
					Section Acres	59	
08N	01E	34	SW	SW		IRRIGATION	36
			SE	SW		IRRIGATION	24
					Section Acres	60	
						Total Acres	119

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 10/17/2000.

15. Basis of Claim: Decreed

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-03004

2003 MAY 20 PM 2:58

DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED

NAME AND ADDRESS: MARCIA H HERR
RODNEY H HERR
400 COSTON DR
BOISE, ID 83712

RECEIVED

MAY 21 2003

Department of Water Resources

SOURCE: SQUAW CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 2.38 CFS

PRIORITY DATE: 04/01/1864

POINT OF DIVERSION: T08N R01E S27 SENW Within Gem County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 11-01 2.38 CFS

PLACE OF USE: Irrigation Within Gem County
T07N R01E S03 LOT 3 (NENW) 20.0 LOT 4 (NWNW) 39.0
T08N R01E S34 SWSW 36.0 SESW 24.0
119.0 Acres Total

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

BASIN 65 GENERAL PROVISIONS NO. 3, THE SEPARATE STREAMS
GENERAL PROVISION, DOES NOT APPLY TO APPROPRIATIONS OF WATER
AFTER OCTOBER 19, 1977.

THIS WATER RIGHT SHALL BE ADMINISTERED AS BEING FROM A
SEPARATE SOURCE PURSUANT TO BASIN 65 GENERAL PROVISION NO. 3.
IF THE HOLDER OF THIS RIGHT SEEKS TO CHANGE THE RIGHT PURSUANT
TO IDAHO CODE SECTION 42-222 OR SUCCESSOR STATUTE, NOTHING IN
THIS GENERAL PROVISION SHALL PRECLUDE ANY OTHER PERSON OR ENTITY
FROM DEMONSTRATING THAT SUCH CHANGE IN USE WOULD CAUSE INJURY
TO ITS WATER RIGHT OR FROM RECEIVING ANY RELIEF PROVIDED BY LAW
IN THE EVENT OF INJURY.

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

RULE 54(b) CERTIFICATE

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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 65-03004 File Number: 00854

RECOMMENDATION

MAY 20 2003

SPECIAL MASTER

PAGE 1
May-15-2003

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SEP 11 2002

Department of Water Resources

Scott L. Campbell, ISB No. 2251
Angela D. Schaer, ISB No. 5436
MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED
101 S. Capitol Boulevard, 10th Floor
Post Office Box 829
Boise, Idaho 83701
Telephone: (208) 345-2000
Facsimile: (208) 385-5384

Attorneys for Rodney H. and Marcia H. Herr

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

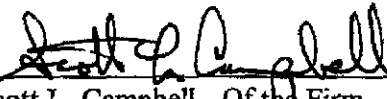
SUBCASE NO.: 65-03004

NOTICE OF APPEARANCE

NOTICE IS HEREBY given that Scott L. Campbell and Angela D. Schaer of the firm of Moffatt, Thomas, Barrett, Rock & Fields, Chtd., hereby enter their appearance as counsel on behalf of Rodney H. and Marcia H. Herr.

DATED this 18th day of September 2002.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By 
Scott L. Campbell - Of the Firm

By 
Angela D. Schaer - Of the Firm
Attorneys for Rodney H. and Marcia H. Herr

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 10th day of September 2002, I caused a true and correct copy of the foregoing **NOTICE OF APPEARANCE** to be served by the method indicated below, and addressed to the following:

Director
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720
Fax: (208) 327-5400

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

David W. Gehlert
US Department Of Justice
Environment & Natrual Resource
550 West Fort Street, MSC 033
Boise, ID 83724

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile


Scott L. Campbell

RECEIVED

JAN 24 2002

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 65-3004
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:
David W. Gehlert (303 312-7352)
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N 945
Denver, CO 80202

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

Name: Rodney H. Herr & Marcia H. Herr
Address: 400 Coston Dr.
Boise, ID 83712

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

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**
Should be:
 2. ☐ **Source**
Should be:
 3. ☐ **Quantity**
Should be:
 4. ☐ **Priority Date**
Should be:
 5. ☐ **Point(s) of Diversion**
Should be:
 6. ☐ **Instream Flow Description**
Should be:
 7. ☐ **Purpose(s) of Use**
Should be:
 8. ☐ **Period of Year**
Should be:
 9. ☐ **Place of Use**
Should be:
11. **I object because:**
- ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

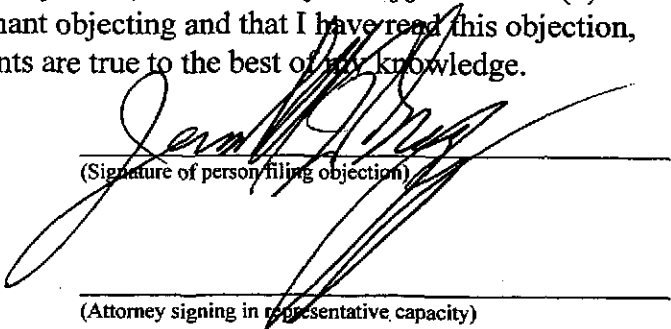
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

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

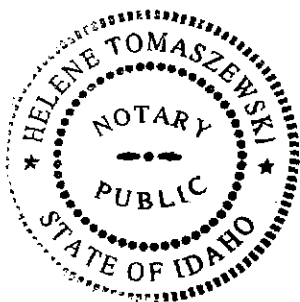
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

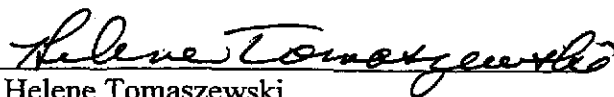

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002




Helene Tomaszewski

Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 01-16-2002

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

I certify that on January 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Name: Rodney H. Herr & Marcia H. Herr

Address: 400 Coston Dr.
Boise, ID 83712

3. Copies to:

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

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

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-3004

RODNEY H HERR
400 COSTON ST
BOISE ID 83712
Telephone Number: (208)343-9438

MARCIA H HERR
400 COSTON ST
BOISE ID 83712
Telephone Number: (208)343-9438

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
Change Place of use shape to match attached map
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 4-17-01 SIGNATURE: Marcia H. Herr
Please print your name: MARCIA H. HERR

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

("R" record)

10/17/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-3004

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RODNEY H HERR
Current Owner	MARCIA H HERR
	400 COSTON ST
	BOISE, ID 83712
	(208)343-9438
Original Owner	PEARL SKIPPEN FERRELL
Original Owner	MARY SKIPPEN
Original Owner	DON SKIPPEN
	SWEET, ID 83670

Priority Date: 04/01/1864
Basis: Decreed
Status: Valid

Source: SQUAW CREEK Trib. to: Payette River

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	2.38 CFS		
Total Diversion			2.38 CFS		

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
08N	01E	27	SE NW		GEM

Place(s) of use:

Place of Use Legal Description: IRRIGATION GEM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	01E	3	3	NENW	20	4	NWNW	39			
08N		34		SWSW	36		SESW	24			

Total Acres: 119

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
dbuffing	10/17/00	Ownership change	The data in the name field was changed to show this right has an ownership change.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

October 17, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RODNEY H HERR
MARCIA H HERR
400 COSTON ST
BOISE ID 83712

Re: Notice of Claim to a Water Right No. A65-03004

Dear Claimants:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water right(s) covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

Enclosure

CONFIDENTIAL

This document contains privileged information.

MEMO

To: Sue Bock
From: Susan Hamlin Nygard/Becky Harvey
Date: March 20, 2000 (reprinted 9/29/00)
Re: 65-03004 (Basin 65, Part III)

Susan Hamlin requested that I review this and prepare a memo for you. First, the claimants (Herr's) should be contacted to clarify and obtain the following information:

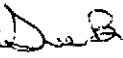
1. Are the Herr's in fact using ditch company water, or are they using the ditch just for delivery of their private water right? *yes*
2. Check with Mike Ciscell and/or Mark Larson. Have the boundaries for Sqaw Creek Ditch Company been digitized? Verify that the POU is within the ditch company boundaries. *yes*.
3. This deed, although, poorly drafted, is an "and/or situation". It specifically deeds the water right (refer to paragraph beginning with "Including any water and ditch rights appurtenant..."). The paragraph below that statement applies if the water right is **not** conveyed. They tried to cover all possible scenarios. It is clear from this deed that the water rights were deeded with the property. The paragraph pertaining to the ditch company water would apply only if the Skippen's had not owned a water right, but rather owned shares in the ditch company.

Unless you obtain other information that would change this situation, it appears that this recommendation should be recommended in the Herr's name for the amount of water appurtenant to the property identified in this deed.

Call me or Susan if you have any questions, or need additional assistance.

Memo

To: Susan Hamlin

From: Sue Bock 

Date: 02/11/00

Re: Questionable sale of water rights

Hi Susan.

Would you look over the enclosed information and give me your opinion.

Marcia Herr submitted a warranty deed for property purchased by Skippen in 1995. The warranty deed states that there are no irrigation water rights except as specifically stated. It does not seem to include right 65-03004, which covers the property described in the warranty deed.

Skippen has never filed a transfer on right 65-03004 and the Herr's have been irrigating the property with ditch co. water.

Should I recommend the right in Skippen's name, disallow the right if it has not been used since 1995, or suggest that Herr might want to get a clarification from Skippen? I think it is likely Skippen overlooked this right during the sale.

Thanks for your help.

AJ0749NP
No. R65-03004

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

DATE: 12/20/99
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM    TO    RATE    VOLUME
-----
C DON SKIPPEN    04/01/1864    IRRIGATION    04-01 11-01    2.380 CFS
C MARY SKIPPEN
  PO BOX 37
  SWEET ID 83670
  (208) 584-3421
                                     TOTAL DIVERSION:    2.380 CFS
=====
```

Water Source: SQUAW CREEK

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion:

T08N R01E S27

SENW

GEM 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	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM
07N	01E 3	:								:	03-20	04-39												: 59.0
08N	01E 34	:								:				36	24	:								: 60.0
																						TOTAL ACRES		119.0

POU County: GEM

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

00:09:28
12/09/99
235

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-03004

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																																																																												
C	DON SKIPPEN	04/01/1864	IRRIGATION	04-01 11-01	2.380 CFS																																																																																																																																																																													
C	MARY SKIPPEN																																																																																																																																																																																	
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Point(s) of Diversion: T08N R01E S27		SENW		GEM County																																																																																																																																																																														
Place of use Legal Description for: IRRIGATION																																																																																																																																																																																		
<table border="0"> <tr> <td colspan="4"></td> <td colspan="4">NE</td> <td colspan="4">NW</td> <td colspan="4">SW</td> <td colspan="4">SE</td> <td></td> </tr> <tr> <td colspan="2"></td> <td>NENE</td> <td>NWNE</td> <td>SWNE</td> <td>SENE</td> <td>:</td> <td>NENW</td> <td>NWNW</td> <td>SWNW</td> <td>SENW</td> <td>:</td> <td>NESW</td> <td>NWSW</td> <td>SWSW</td> <td>SESW</td> <td>:</td> <td>NESE</td> <td>NWSE</td> <td>SWSE</td> <td>SESE</td> <td>:</td> </tr> <tr> <td>T</td> <td>R S</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>:</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>Lt</td> <td>Ac</td> <td>:</td> <td>SUM</td> </tr> <tr> <td colspan="23">-----</td> </tr> <tr> <td colspan="2">07N 01E 3 :</td> <td colspan="4"></td> <td>:</td> <td colspan="4">03-20 04-39</td> <td>:</td> <td colspan="4"></td> <td>:</td> <td colspan="4"></td> <td>:</td> <td colspan="4"></td> <td>:</td> <td>59.0</td> </tr> <tr> <td colspan="2">08N 01E 34 :</td> <td colspan="4"></td> <td>:</td> <td colspan="4"></td> <td>:</td> <td colspan="4"></td> <td>:</td> <td colspan="4">36 24</td> <td>:</td> <td colspan="4"></td> <td>:</td> <td>60.0</td> </tr> <tr> <td colspan="21"></td> <td colspan="2">TOTAL ACRES</td> <td colspan="2">119.0</td> </tr> </table>											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	:	SUM	-----																							07N 01E 3 :						:	03-20 04-39				:					:					:					:	59.0	08N 01E 34 :						:					:					:	36 24				:					:	60.0																						TOTAL ACRES		119.0	
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POU County: GEM

Dates: Exam Made Date: Verified Date: 12/31/1984 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:

Presumption Flag:

WR5809NP
No. 65-03004

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/08/99
PAGE: 14

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PEARL SKIPPEN FERRELL SWEET ID 83670	04/01/1864	IRRIGATION	04/01 11/01	2.380 CFS	
TOTAL DIVERSION:					2.380 CFS	

Water Source: SQUAW CREEK Tributary to: Stage: DECREED
Point(s) of Diversion: T08N R01E S27 SENW GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
07N	01E	3	:					:	03-20	04-39			:					:						59.0
08N	01E	34	:					:					:			36	24	:						60.0
TOTAL ACRES																						119.0		

Pou County: GEM

Dates:	App. Received:	Priority Date:	04/01/1864
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:06
12/09/99

PAGE: 1
GENERAL INFORMATION

219
CLAIM NUMBER: A65-03004

LAST: FERRELL
ADDRESS:
CITY: SWEET
PHONE NUMBER: 208-000-0000

FIRST: PEARL SKIPPEN
STATE: ID ZIP: 83670

OWNER CODE: O

LAST: SKIPPEN
ADDRESS: BOX 37
CITY: SWEET
PHONE NUMBER: 208-584-3421

FIRST: DON
STATE: ID ZIP: 83670

OWNER CODE: C

LAST: SKIPPEN
ADDRESS: BOX 37
CITY: SWEET
PHONE NUMBER: 208-584-3421

FIRST: MARY
STATE: ID ZIP: 83670

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

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: # A65-03004 PRIORITY DATE: 04-01-1864 STAGE: D

B. WR RECORD: # 65-03004 PRIORITY DATE: 04-01-1864 STAGE: D

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

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

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

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A(1) Y() N()

FIELD EXAM COMPLETED

N/A(1) Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A(1) Y() N()

LICENSE ISSUED

N/A(1) 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(X) 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(1) N()

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

04-01-1864

REVIEWED BY 12-20-99

DATE 38

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
A65-03004	08N 01E	27		SE	NW			GEM		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-03005X NONE
A65-03006
A65-03006A
A65-03007

WR RECORDS IN SAME 40 ACRE TRACT
65-03003
65-03005X
65-03006
65-03007

SOURCE: SQUAW CREEK

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-03004	08N 01E	27		SE	NW			GEM		

OTHER WR RECORDS WITH SAME WR POD

65-03003
65-03005X
65-03006
65-03007

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-03005X NONE
A65-03006
A65-03006A
A65-03007

SOURCE: SQUAW CREEK

TRIB:

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

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

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: as discussed

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 GEN	DIVERSION NAME	DIVERSION NBR
08N	01E	27		SE	NW					
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE: SQUAW CREEK

TRIB: Pay.R.

REVIEWED BY: [Signature]

DATE: 12-20-99

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

A. ROOT WATER RIGHT NUMBERS: A65-03004

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	01E	3	NE	NW	3	SKIPPEN, DON	A65-03004 / 20.0	65-03004 / 20.0	38.0		
			NE	NW		VILLAGE OF SWEET	R65-18349 /	- /			
			NE	NW		NEWELL, CLAUDE B	A65-00139 /	65-00139 /			
			NE	NW		VILLAGE OF SWEET	A65-18349 /	- /			
			NE	NW		SKIPPEN, DON	A65-00239 /	65-00239 /			
			NE	NW		SKIPPEN, DON	A65-00255 /	65-00255 /			
			NE	NW		NEWELL, CLAUDE B	65-00139 /	- /			
			NE	NW		SKIPPEN, MARY	65-00239 /	- /			
			NE	NW		SKIPPEN, DON	65-00255 /	- /			
			NE	NW	3	CITY OF SWEET		65-13134 /			20
07N	01E	3	NW	NW	4	SKIPPEN, DON	A65-03004 / 39.0	65-03004 / 39.0	38.0		
			NW	NW		DE MASTERS, SADIE	A65-18696 /	- /			
			NW	NW		DE MASTERS, WILLARD W	65-18696 /	- /			39
08N	01E	34	SW	SW		SKIPPEN, DON	A65-03004 / 36.0	65-03004 / 36.0	43.0		
08N	01E	34	SE	SW		SKIPPEN, DON	A65-03004 / 24.0	65-03004 / 24.0	40.0		
			SE	SW		SQUAW CREEK DITCH CO	A65-02379 / 3.0	- /			
			SE	SW		SQUAW CREEK DITCH CO	A65-03043 / 3.0	65-03043 / 3.0			
			SE	SW		SQUAW CREEK DITCH CO	A65-03044 / 3.0	- /			24

ADDITIONAL POU FOUND

TOTAL ACRES	A65-03004	119.00	119.00	159.00
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POU COUNTY: GEM

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
A65-03004	SQUAW CREEK	SKIPPEN, DON	2.380	0.020		
A65-02379	SQUAW CREEK	SQUAW CREEK DITCH CO	7.660	0.005		
A65-03043	SQUAW CREEK	SQUAW CREEK DITCH CO	18.000	0.013		
A65-03044	SQUAW CREEK	SQUAW CREEK DITCH CO	3.230	0.002		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
R65-18349	DOMESTIC	VILLAGE OF SWEET	FROM 01-01 TO 12-31	0.050 CFS	
R65-18349	STOCKWATER	VILLAGE OF SWEET	FROM 01-01 TO 12-31	0.050 CFS	
A65-00139	DOMESTIC	NEWELL, CLAUDE B	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-18349	DOMESTIC	VILLAGE OF SWEET	FROM 01-01 TO 12-31	0.050 CFS	
A65-18349	STOCKWATER	VILLAGE OF SWEET	FROM 01-01 TO 12-31	0.050 CFS	
A65-00239	DOMESTIC	SKIPPEN, DON	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-00255	STOCKWATER	SKIPPEN, DON	FROM 01-01 TO 12-31	0.070 CFS	4.10 AF/A
65-00139	DOMESTIC	NEWELL, CLAUDE B	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-00239	DOMESTIC	SKIPPEN, MARY	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-00255	STOCKWATER	SKIPPEN, DON	FROM 01-01 TO 12-31	0.070 CFS	4.10 AF/A
A65-18696	DOMESTIC	DE MASTERS, SADIE	FROM 01-01 TO 12-31	0.050 CFS	
A65-18696	STOCKWATER	DE MASTERS, SADIE	FROM 01-01 TO 12-31	0.050 CFS	
65-18696	DOMESTIC	DE MASTERS, WILLARD W	FROM 01-01 TO 12-31	0.050 CFS	
65-18696	STOCKWATER	DE MASTERS, WILLARD W	FROM 01-01 TO 12-31	0.050 CFS	

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

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

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()

Y() N()

Y() N(X)

NOTES:

TOTAL ACRES: 119 N/A()

REVIEWED BY: 

DATE: 12-20-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03004 IRRIGATION	FROM 04-01 TO 11-01	2.380 CFS	
TOTAL DIVERSION RATE/VOLUME		2.380 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03004 IRRIGATION	FROM 04-01 TO 11-01	2.380 CFS	
TOTAL DIVERSION RATE/VOLUME		2.380 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:

ad basaal

AJ CLAIM TOTAL DIVERSION RATE: 2.380 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.380 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 119 x 0.02 CFS/ACRE = 2.38 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:

ad covered

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	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	04-01	11-01	2.380	_____		_____	0.0	_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			2.380	_____		_____	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):

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: 65-03004

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 2.380 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-03004	2.380	-		65-03004	2.380
TOTAL CFS		2.380				2.380

DIVERSION RATE REVIEW

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

DATABASE Y FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

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 _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(☒) ASCS AERIAL PHOTO	DATE OF PHOTO <u>CYM-288-189</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</u>	DATE <u>12-20-99</u>	Y(☒) N()
(☒) OTHER <u>Nylon field exam</u>	DATE <u>?</u>	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

00:00:06
12/09/99

PAGE: 16
QUICKLOOK INFORMATION

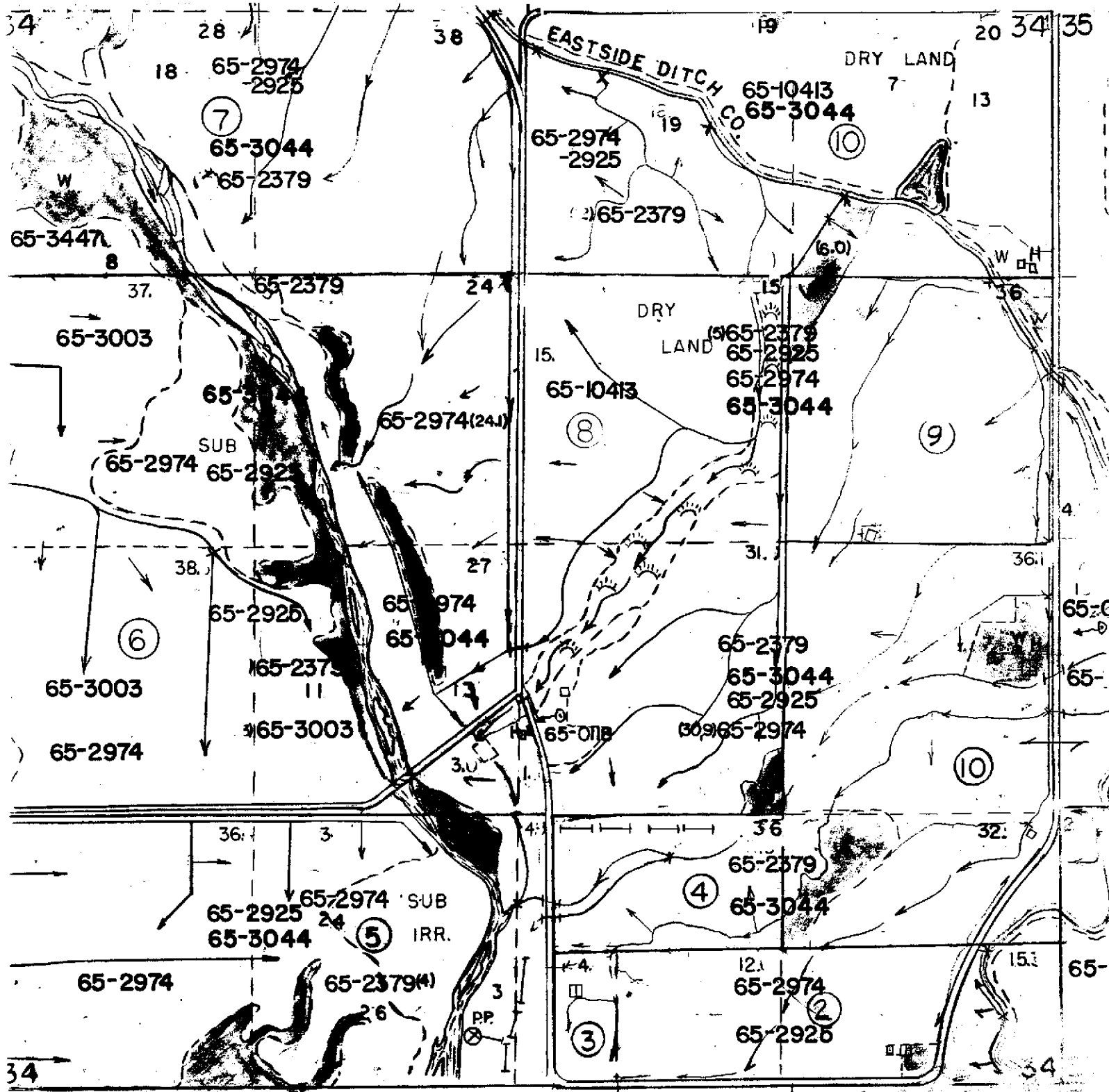
234
CLAIM NUMBER: A65-03004

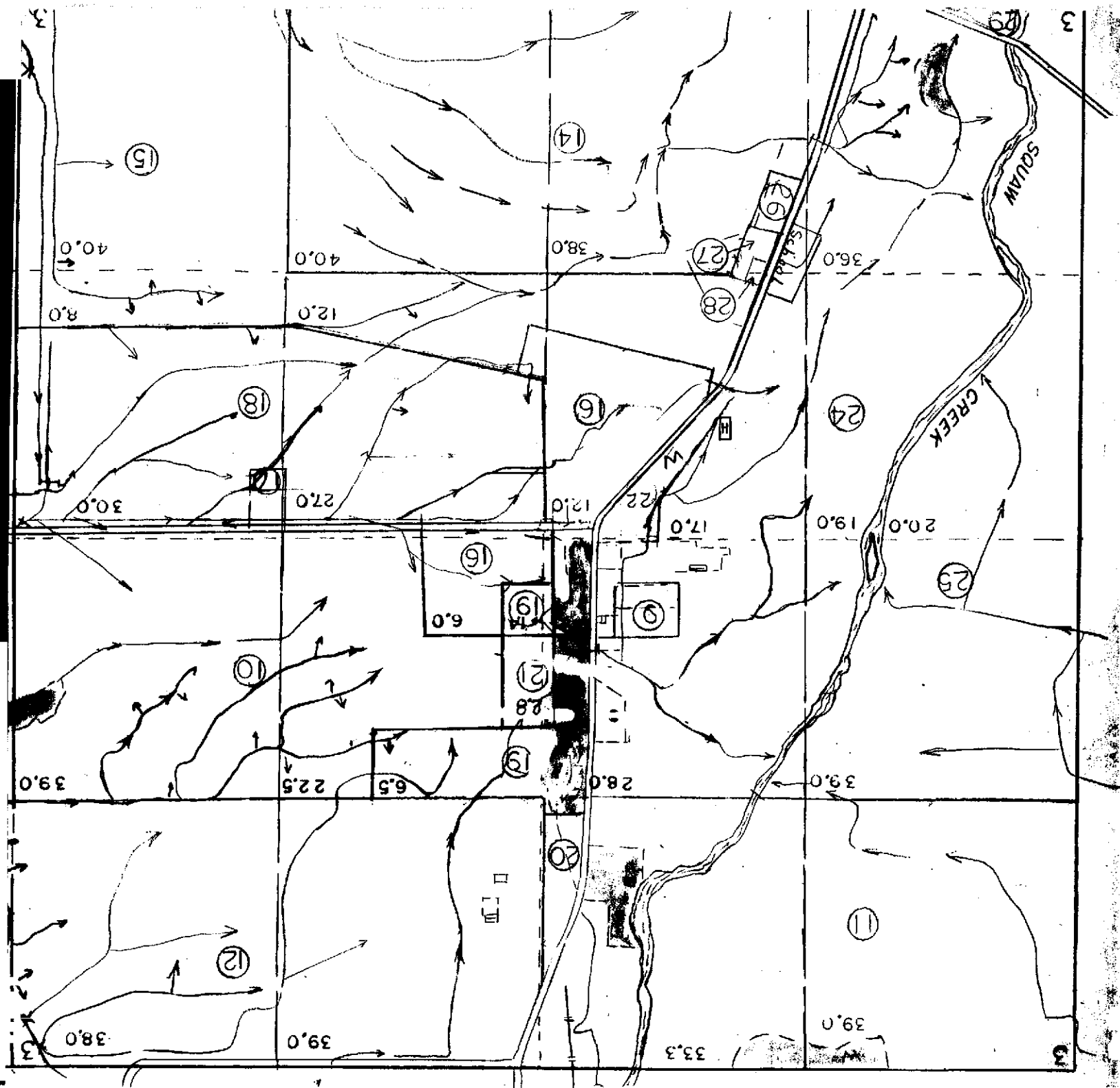
WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				2	Done	12-20-99		
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

BARCODE UPDATED
WHOM/DATE



CYM-383-189





Idaho Dept. of Water Resources

Claim No(s): 65-03004

Claimant(s): Skippen ^{Herr}

T07N, R01E, S 3

T08N, R01E, S 34

Prepared by: Sue Bock

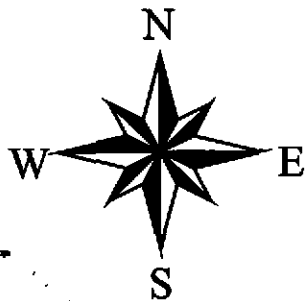
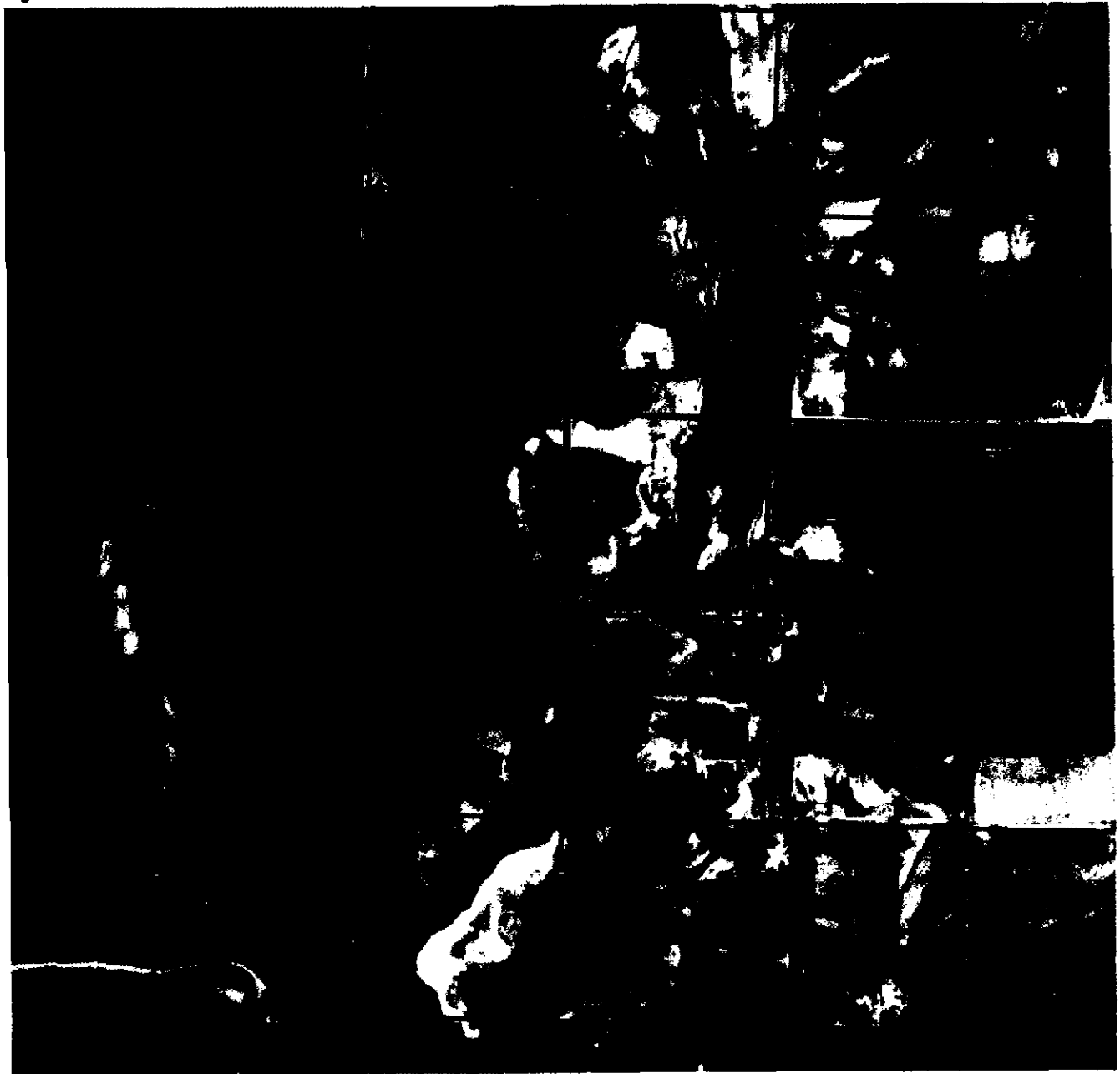
Date: 12/20/1999

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 1000 2000 Feet



1987 NAPP Photo

IDAHO DEPT OF WATER RESOURCES

Claim No(s): 65-03004

T07N, R01E, S 3,

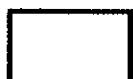
T08N, R01E, S 34

Prepared by: Sue Bock

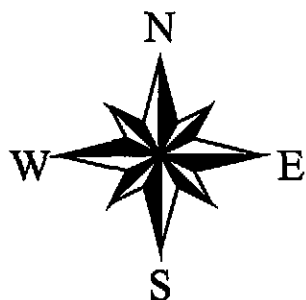
Date: 04/18/2001

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 3000 Feet



1987 NAPP Photo



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

OCT 11 2000

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	65-03004	NO			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. None
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

Skipped

4. New Owner/Claimant(s)

RODNEY H. HERR / MARCIA N. HERR
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

400 Coston St.

City, State and ZIP Code

BOISE, IDAHO 83712

New Telephone Number

208-343-9438

5. Date you acquired the property

NOVEMBER 1, 1995

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Rodney Allen
Marcia D. Allen

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

RECEIVED

FEB 10 2000

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

INSTR. NO. <u>204764</u>
PAGES <u>1</u> OF <u>2</u>

FOR VALUE RECEIVED, DONALD G. SKIPPEN and MARY ADIS SKIPPEN, husband and wife, the grantors, hereby grant, bargain, sell and convey unto

RODNEY H. HERR and MARCIA H. HERR, husband and wife

the grantee(s), whose current address is: 400 CUSTON ST. BOISE, ID 83712
the following described premises, being situate in Gem County, Idaho, to-wit:

Lot 4 and that part of Lot 3 lying West of Squaw Creek in Section 3, Twp. 7 N., R. 1 E., B.M., Gem County, Idaho;

AND

34 80 M.A.S. P.D.I.
The S½ of the SW¼, Section 3 lying West of Squaw Creek, Twp. 8 N., R. 1 E., B.M., Gem County, Idaho. Together with a 24 foot ingress and egress easement over that portion of Government Lot 3 lying East of Squaw Creek in Section 3, Twp. 7 N., R. 1 E., B.M., Gem County, Idaho.

Including any water and ditch rights appurtenant thereto or used in connection therewith, and including any easements or rights of ways appurtenant to or used for the benefit of, or dedicated to said described premises.

Subject to easements, rights of ways, reservations and exceptions, if any.

Irrigation Water Rights:

There are no irrigation water rights except as specifically stated herein. If the land is located in a legal irrigation district, the water rights included are those allowed by that district. If the land is not a part of any such legal irrigation district, the water rights consist of water rights in the Sweet West Side irrigation ditch, consisting of 118 inches

(number of shares and name of ditch company and/or water delivery lateral)

Grantee has investigated or inquired of water rights, ditch rights and easements that may be included in this conveyance or sale, and is satisfied with those rights, if any, and purchases the property "as is" without further covenants about water, ditches and easements on the part of grantor.

Irrigation pipeline: Including two existing buried irrigation pipelines and easement therefor crossing the adjoining Melvin Hale property, which easement is recorded as Instrument # 187168, November 3, 1995, records of Gem County, Idaho.

Ingress and Egress Right of Way: Including the twenty-four foot (24') ingress and egress right of way extending from the bridge to the Sweet-Ola Highway. Grantees shall construct a road at their personal expense, as well as fencing the right of way. Grantees shall be responsible for placing gates on said right of way; two of the gates for the benefit of seller, and any other gates shall be at the sole discretion of Grantee. Further, Grantee has the right to cross certain property retained by grantors not included in this sale, on an existing, visible roadway which runs from the right of way above granted 'down to the creek to a ford' when necessary or required to bring machinery or equipment which cannot cross the bridge to the property being purchased by buyers. All parties are familiar with the locations of these rights of ways. Title to bridge: This conveyance includes 'title' to a bridge across Squaw Creek.

Said property is conveyed "as is" under existing boundary fences, if any, after reasonable inspection by the grantee, and grantor does not make any representations or warranties as to the qualifications or suitability of said land or premises for water or electrical power, or as to said land or improvements meeting any Federal, State, or local laws, rules or regulations pertaining to zoning, building, subdividing, platting, surveys, planning and use, health, ecology, drainage, irrigation (except as otherwise mentioned), water quality, sewage or disposal systems, hazardous materials and toxic wastes. Grantor makes no warranties as to surveys, boundaries, or any matter mentioned in this paragraph. There are no warranties, express or implied, as to merchantability, in a general sense or for a particular purpose, except as herein contained in writing, if any.

TO HAVE AND TO HOLD, the said premises, with their appurtenances, unto the said Grantees, their heirs or assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances, except as may be otherwise agreed, and they will warrant and defend the same from all lawful claims whatsoever.

DATED this 4th day of OCTOBER, 1995.

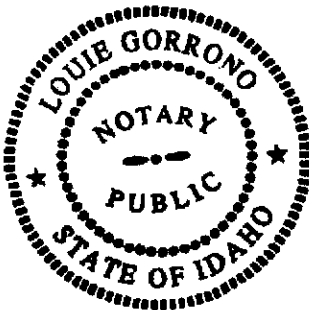
Donald G. Skippen

Mary Adis Skippen

STATE OF IDAHO,)
) ss.
County of Gem.)

On this 4th day of OCTOBER, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared DONALD G. SKIPPEN and MARY ADIS SKIPPEN, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Louie Gorrone
Notary Public for State of Idaho;
Residing at Emmett, Idaho.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-03004
Date Received: 1/24/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON SKIPPEN 208-584-3421
Address: BOX 37
SWEET, ID 83670

AND

Name: MARY SKIPPEN 208-584-3421
Address: BOX 37
SWEET, ID 83670

2. Date of Priority: APR 01, 1864

3. Source: SQUAW CREEK Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	01E	27	SE	NW			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.380		

7. Total Quantity Appropriated is:
2.380 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
07N	01E	3	NE		NW	3	IRR	20.0
			NW		NW	4	IRR	39.0
							Section Acres	59.0
08N	01E	34	SW		SW		IRR	36.0
			SE		SW		IRR	24.0
							Section Acres	60.0
							Total Acres	119.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576
Ident. No.

ATTACHMENT TO
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly:

Name of Claimant(s) DON + MARY SKIPPEN

Mailing Address (include Zip Code) BOX 37
SWEET IDAHO
83670

Phone Number (208) 584-3421

MICROFILMED

SEP 21 1992

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

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

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-03004

DATE RECEIVED: 1/24/90

RECEIPT NO: X999999

RECEIVED BY: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: PEARL SKIPPEN FERRELL
ADDRESS:

SWEET, ID

83670

2. DATE OF PRIORITY: APR 01, 1864

3. SOURCE: SQUAW CREEK

TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
08N	01E	27	SE	NW			GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	04/01	11/01	2.380		

7. TOTAL QUANTITY APPROPRIATED IS:
2.380 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
07N	01E	3	NE	NW	3	IRR	20.0
			NW	NW	4	IRR	39.0
SECTION ACRES							59.0

10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
08N	01E	34	SW	SW		IRR	36.0
			SE	SW		IRR	24.0
SECTION ACRES							60.0
TOTAL ACRES							119.0

11. PLACE OF USE IN COUNTIES: GEM, GEM

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

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREEED

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): Mary Skipper DATE: Jan 24, 1990
Don Skipper DATE: Jan 24, 1990

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
_____, 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 ADA) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 24 DAY
OF JANUARY 19 90

Jeff Pappas
NOTARY PUBLIC

SEAL

RESIDING AT _____

MY COMMISSION EXPIRES _____
Notary Public 4843

Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994

MICROFILMED

SEP 21 1992



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