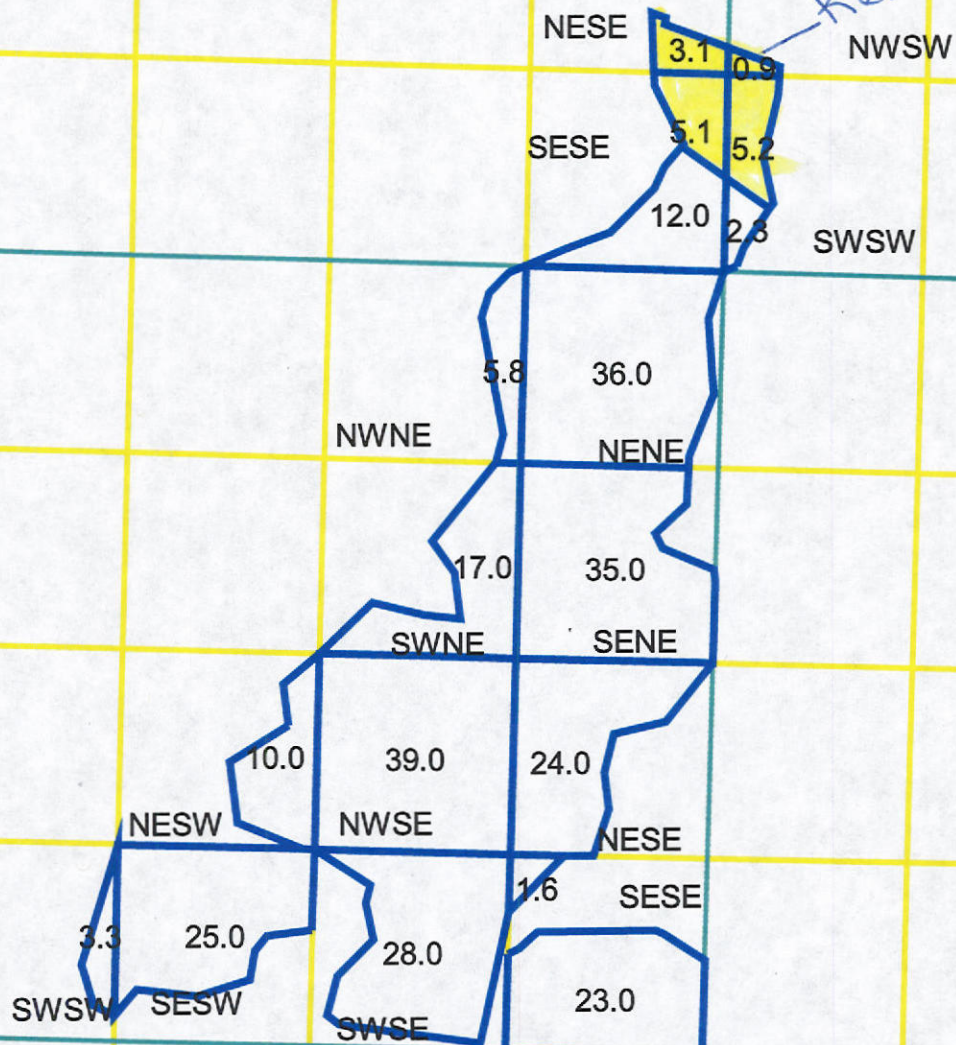


Sec 4

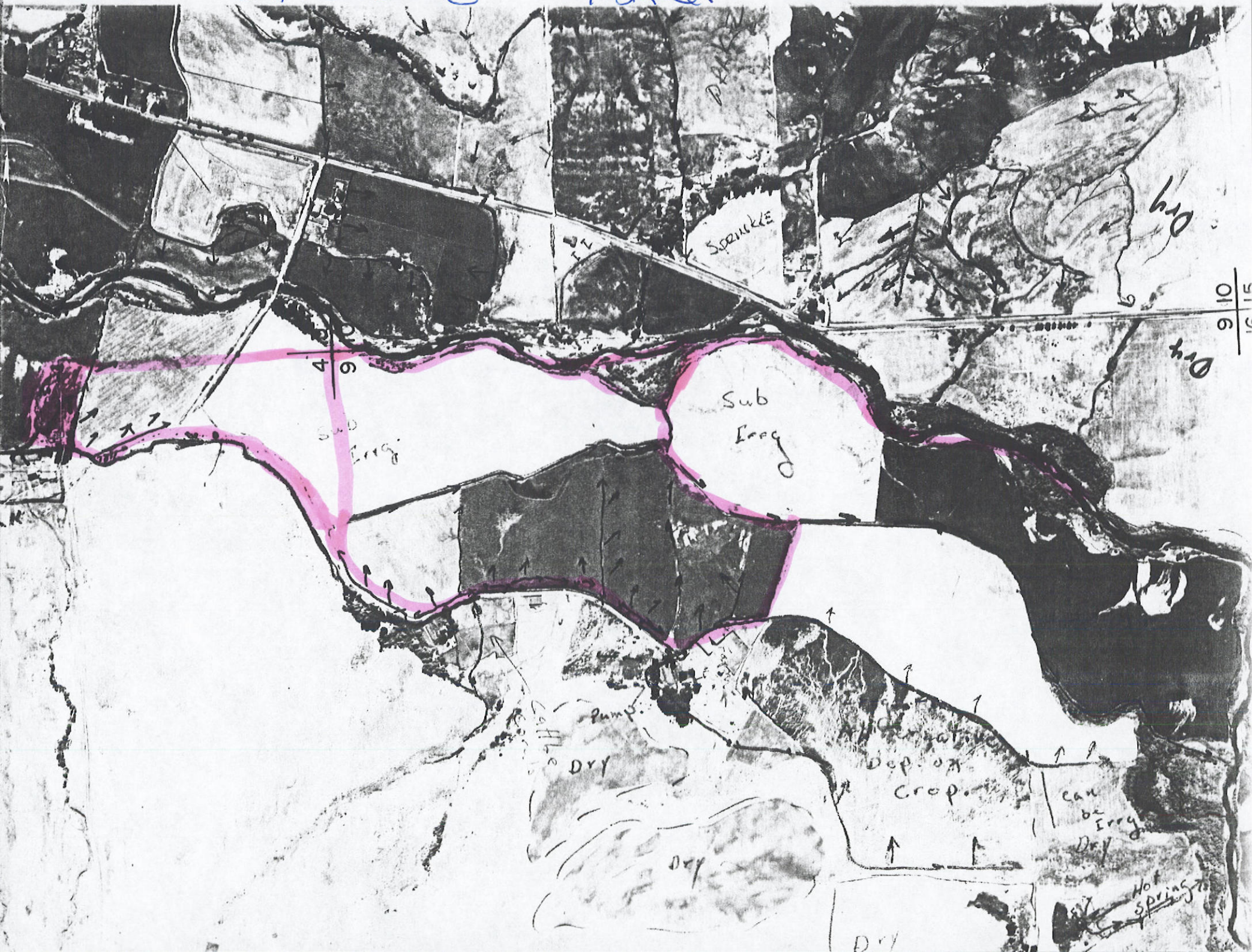
Sec 3

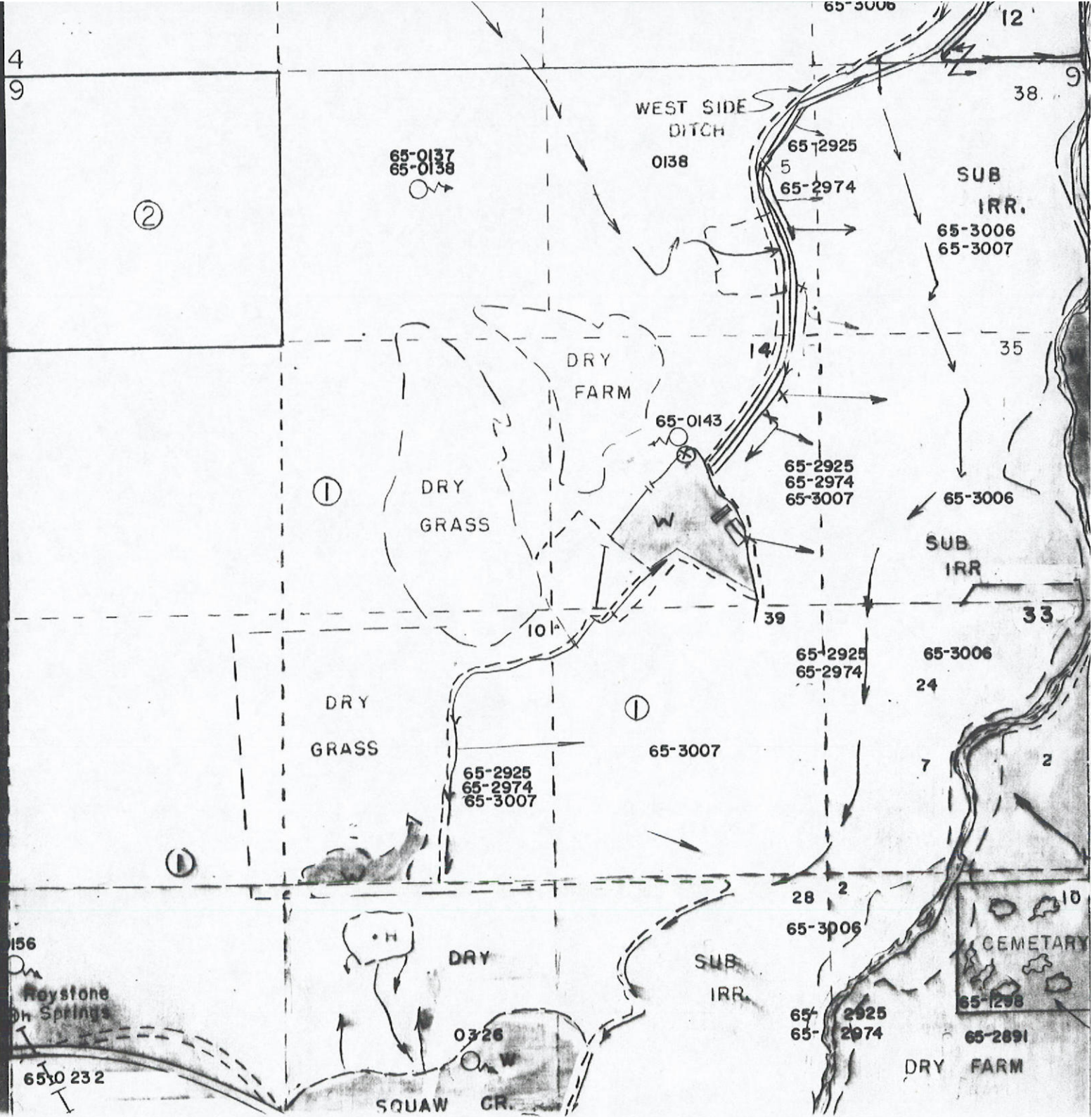
Kersteln



C4M-200-188

7-24-61





Idaho Dept. of Water Resources

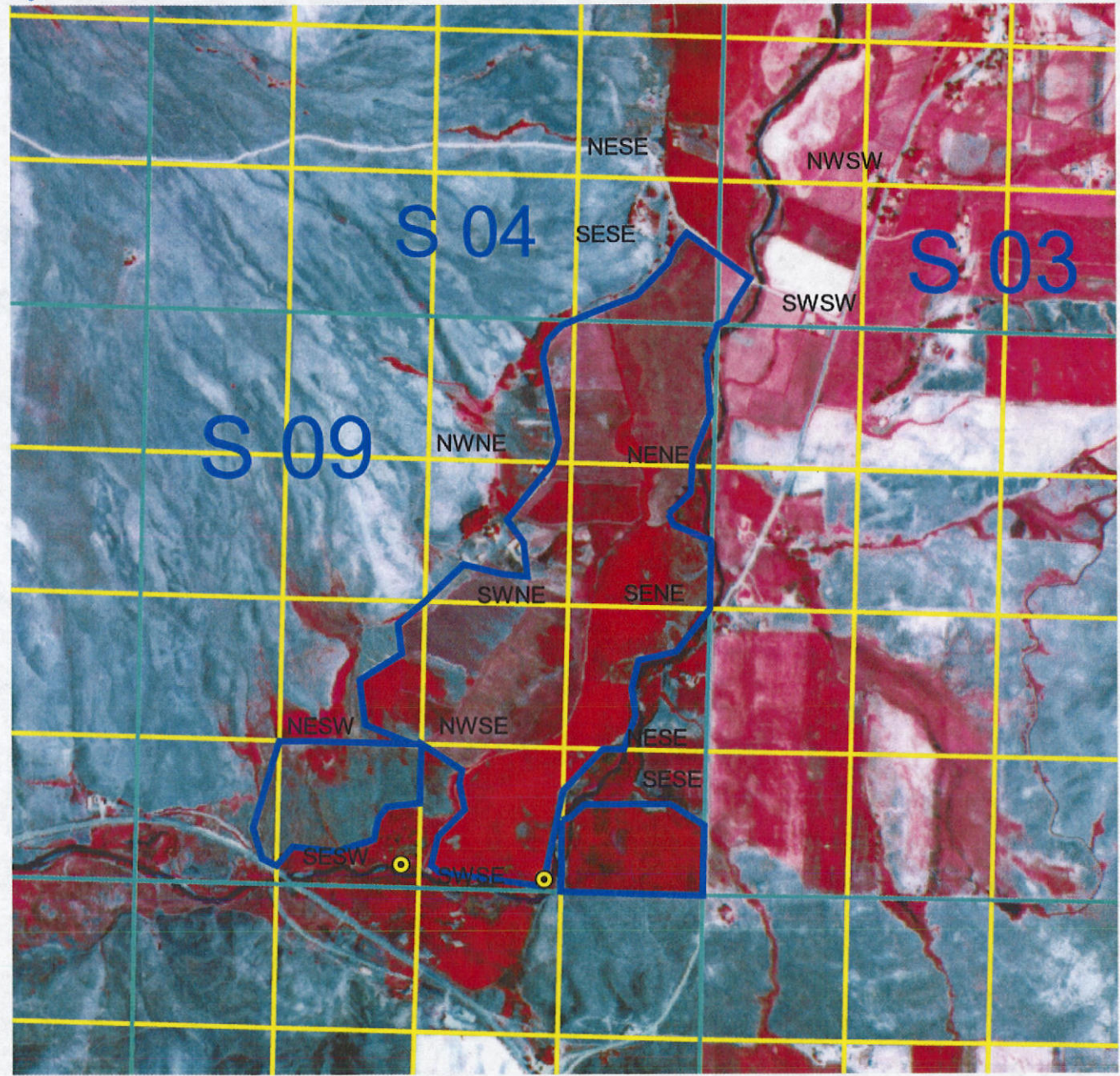
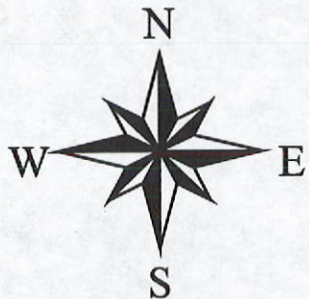
Claim No(s): 65-03006B,
65-003007, 65-12113

Claimant(s): Herr
7N, R01E, S 3, 4, 9

Prepared by: Sue Bock

Date: 2/11/2000

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



0 1000 2000 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: A65-03006B
Date Received: 1/30/1990
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: RODNEY H HERR 208-343-9438
Address: 400 COSTON ST
BOISE ID 83712
OR
Name: MARCIA H HERR 208-343-9438
Address: 400 COSTON ST
BOISE ID 83712

2. Date of Priority: APR 1, 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	04/01	11/01	3.380		

7. Total Quantity Appropriated is:
3.380 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	SW	SW		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	1.0
		4	SE	SE		IRR	12.0
						Section Acres	12.0
		9	NE	NE		IRR	38.0
			NW	NE		IRR	5.0
			SE	NE		IRR	35.0
			NE	SE		IRR	24.0
			NW	SE		IRR	24.0
			SW	SE		IRR	28.0
			SE	SE		IRR	2.0
						Section Acres	156.0
						Total Acres	169.0

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:

THIS CLAIM IS THE RESULT OF A CHANGE OF OWNERSHIP FOR CLAIM
65-03006, NO FEE REQUIRED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

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 65-03006B

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

SOURCE: SQUAW CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 3.38 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 3.38 CFS

PLACE OF USE: Irrigation Within Gem County
T07N R01E S03 SWSW 1.0
S04 SESE 12.0
S09 NENE 38.0 NWNE 5.0
SENE 35.0 NESE 24.0
NWSE 24.0 SWSE 28.0
SESE 2.0

169.0 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 18, 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(5).

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.: 65-03006B

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 10th day of September 2002.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By Scott L. Campbell
Scott L. Campbell - Of the Firm

By Angela D. Schaer
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
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)

A. Subcase 65-3006B

(Insert water right number)

Case No. 39576)

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: Marcia H. Herr & Rodney 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.

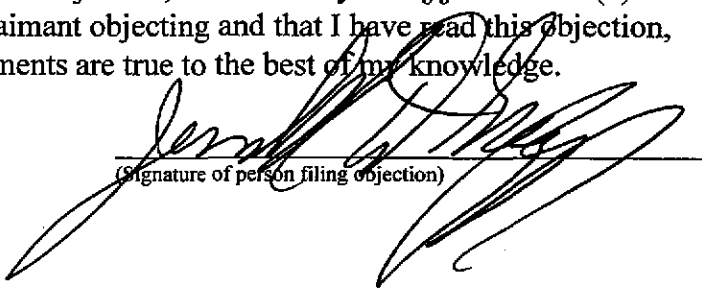
F.

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)

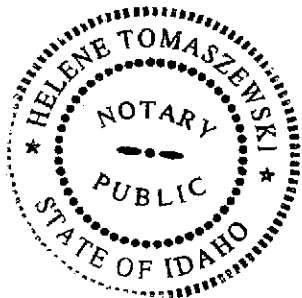
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

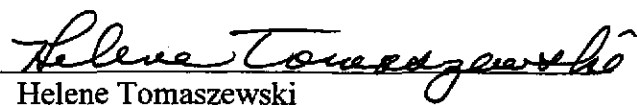

(Signature of person filing objection)

(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: Marcia H. Herr & Rodney 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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

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

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

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

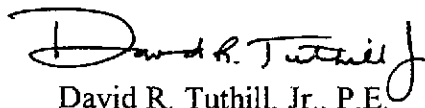
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without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

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

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

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

Sincerely,


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

AJ0749NP
No. R65-03006B

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

DATE: 02/11/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RODNEY H HERR	04/01/1864	IRRIGATION	04-01 11-01	3.380 CFS	
C	MARCIA H HERR					
	400 COSTON ST					
	BOISE ID 83712					
	(208) 343-9438					
				TOTAL DIVERSION:	3.380 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	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											01						1.0
07N	01E	4																12	12.0
07N	01E	9	38		05		35								24	24	28	02	156.0
TOTAL ACRES																			169.0

POU County: GEM

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Comments: Date: 02/11/2000 User-ID: SBOCK Subject: COPIED FROM REMARKS
THIS CLAIM IS THE RESULT OF A CHANGE OF OWNERSHIP FOR CLAIM
65-03006, NO FEE REQUIRED.

Audit: 02/11/00 SBOCK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:09:46
12/11/99
102

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A65-03006

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RODNEY H HERR	04/01/1864	IRRIGATION	04-01 11-01	3.660 CFS	3.38
C	MARCIA H HERR				3.660 CFS	3.38
TOTAL DIVERSION:					3.660 CFS	3.38

Water Source: SQUAW CREEK

Tributary to: *Fay R.*

Stage: DECREED

Point(s) of Diversion:

T08N R01E S27

SENE

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	:	SUM
07N	01E	3	:																	:	7.0
07N	01E	4	:																	:	20.0
07N	01E	9	:	38		05														:	156.0
																				TOTAL ACRES	169.0

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

00:05:36
12/11/99

PAGE: 1
GENERAL INFORMATION

85
CLAIM NUMBER: A65-03006

LAST: GOODWIN FARMS INC
ADDRESS: PO BOX 15
CITY: SWEET
PHONE NUMBER: 208-000-0000

FIRST:
STATE: ID ZIP: 83670

OWNER CODE: O

LAST: HERR
ADDRESS: 400 COSTON ST
CITY: BOISE
PHONE NUMBER: 208-343-9438

FIRST: RODNEY H
STATE: ID ZIP: 83712

OWNER CODE: C

LAST: HERR
ADDRESS: 400 COSTON ST
CITY: BOISE
PHONE NUMBER: 208-343-9438

FIRST: MARCIA H
STATE: ID ZIP: 83712

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: # A65-03006 PRIORITY DATE: 04-01-1864 STAGE: D

B. WR RECORD: # 65-03006 PRIORITY DATE: 04-01-1864 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:

04-01-1864

REVIEWED BY 3B

DATE 2-11-00

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
A65-03006	08N 01E	27		SE	NW			GEM		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-03004 NONE
A65-03005X
A65-03006A
A65-03007

WR RECORDS IN SAME 40 ACRE TRACT
65-03003
65-03004
65-03005X
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
65-03006	08N 01E	27		SE	NW			GEM		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-03004 NONE
A65-03005X
A65-03006A
A65-03007

65-03003
65-03004
65-03005X
65-03007

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: _____

===== 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 GEM	DIVERSION NAME	DIVERSION NBR
08N	01E	27		SE	NW					
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE: SQUAW CREEK

TRIB: Payette R

REVIEWED BY: SB

DATE: 2/1/00

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

A. ROOT WATER RIGHT NUMBERS: A65-03006
A65-03006A

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	NW	SW		HERR, RODNEY H	A65-03006 / 1.0	65-03006 / 1.0	38.0		
			NW	SW		SQUAW CREEK DITCH CO	A65-02379 / 24.0	- /			
			NW	SW		SQUAW CREEK DITCH CO	A65-03043 / 24.0	65-03043 / 24.0			
			NW	SW		SQUAW CREEK DITCH CO	A65-03044 / 24.0	- /			
			NW	SW		KERSTEIN, CHESTER	A65-03005X / 15.0	65-03005X / 15.0			
07N	01E	3	SW	SW		HERR, RODNEY H	A65-03006 / 6.0	65-03006 / 6.0	38.0		
			SW	SW		SQUAW CREEK DITCH CO	A65-02379 / 25.0	- /			
			SW	SW		SQUAW CREEK DITCH CO	A65-03043 / 25.0	65-03043 / 25.0			
			SW	SW		SQUAW CREEK DITCH CO	A65-03044 / 25.0	- /			
			SW	SW		KERSTEIN, CHESTER	A65-03006A / 5.0	- /			
07N	01E	4	NE	SE		HERR, RODNEY H	A65-03006 / 3.0	65-03006 / 3.0	33.0		
			NE	SE		KERSTEIN, CHESTER	A65-00088 /	65-00088 /			
			NE	SE		KERSTEIN, CHESTER	A65-03005X / 11.0	65-03005X / 11.0			
			NE	SE		KERSTEIN, JO ANN	A65-08136 /	65-08136 /			
			NE	SE		KERSTEIN, CHESTER	A65-10652 / 2.0	65-10652 / 2.0			
			NE	SE		KERSTEIN, CHESTER	A65-10653 / 2.0	65-10653 / 2.0			
			NE	SE		KERSTEIN, CHESTER	65-00088 /	- /			
			NE	SE		KERSTEIN, JO ANN	65-08136 /	- /			
07N	01E	4	SE	SE		HERR, RODNEY H	A65-03006 / 17.0	65-03006 / 17.0	36.0		
			SE	SE		KERSTEIN, CHESTER	A65-03006A / 6.0	- /			
			SE	SE		DAVIDSON, CECIL R.		65-00228 /			
			SE	SE		ELDRIDGE, JAMES A.		65-03005A / 1.0			
07N	01E	9	NE	NE		HERR, RODNEY H	A65-03006 / 38.0	65-03006 / 38.0	37.0		
			NE	NE		HERR, RODNEY H.		65-13148 / 8.0			
07N	01E	9	NW	NE		HERR, RODNEY H	A65-03006 / 5.0	65-03006 / 5.0	34.0		
			NW	NE		HERR, RODNEY H	A65-00137 /	65-00137 /			
			NW	NE		HERR, RODNEY H	A65-00138 /	65-00138 /			
			NW	NE		HERR, RODNEY H	A65-03007 / 1.0	65-03007 / 1.0			
			NW	NE		HERR, RODNEY H	65-00137 /	- /			
			NW	NE		HERR, RODNEY H	65-00138 /	- /			
			NW	NE		HERR, RODNEY H.		65-13148 / 2.0			
07N	01E	9	SE	NE		HERR, RODNEY H	A65-03006 / 35.0	65-03006 / 35.0	40.0		
07N	01E	9	NE	SE		HERR, RODNEY H	A65-03006 / 24.0	65-03006 / 24.0	37.0		
			NE	SE		SWEET MONTOUR CEMETERY DISTRICT	A65-02891 / 2.0	65-02891 / 2.0			
			NE	SE		LYNCH, SHARON K	A65-07588 / 7.0	65-07588 / 7.0			

✓

1

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38

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35

24

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	SE		LYNCH, ROBERT G	A65-18312 /	- /			
			NE	SE		LYNCH, ROBERT G	65-18312 /	- /			
07N	01E	9	NW	SE		HERR, RODNEY H	A65-03006 / 24.0	65-03006 / 24.0	38.0		
			NW	SE		HERR, RODNEY H	A65-03007 / 15.0	65-03007 / 15.0			
			NW	SE		HERR, RODNEY H.		65-13148 / 30.0			
07N	01E	9	SW	SE		HERR, RODNEY H	A65-03006 / 28.0	65-03006 / 28.0	39.0		24
			SW	SE		HERR, RODNEY H.		65-13148 / 3.0			28
07N	01E	9	SE	SE		HERR, RODNEY H	A65-03006 / 2.0	65-03006 / 2.0	38.0		
			SE	SE		SWEET MONTOUR CEMETERY DISTRICT	A65-02891 / 8.0	65-02891 / 8.0			
			SE	SE		HERR, MARCIA H	A65-12113 / 22.0	65-12113 / 22.0			2

ADDITIONAL POJ FOUND

TOTAL ACRES	A65-03006	183.00	183.00	408.00
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POJ COUNTY: GEM

169

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 POJ AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-03006	SQUAW CREEK	HERR, RODNEY H	3.660	0.020		
A65-02379	SQUAW CREEK	SQUAW CREEK DITCH CO	7.660	0.005		
A65-02891	SQUAW CREEK	SWEET MONTOUR CEMETERY DISTRICT	0.200	0.020		
A65-03005X	SQUAW CREEK	KERSTEIN, CHESTER	2.510	0.020		
A65-03006A	SQUAW CREEK	KERSTEIN, CHESTER	0.220	0.020		
A65-03007	SQUAW CREEK	HERR, RODNEY H	0.990	0.024		
A65-03043	SQUAW CREEK	SQUAW CREEK DITCH CO	18.000	0.013		
A65-03044	SQUAW CREEK	SQUAW CREEK DITCH CO	3.230	0.002		
A65-07588	SQUAW CREEK	LYNCH, SHARON K	0.080	0.011		

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-10652	SPRING	KERSTEIN, CHESTER	0.220	0.020	2.70	0.24
A65-10653	SQUAW CREEK	KERSTEIN, CHESTER	0.220	0.020		
A65-12113	SQUAW CREEK	HERR, MARCIA H	0.900	0.018	171.50	3.50

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-00088	DOMESTIC	KERSTEIN, CHESTER	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-00088	STOCKWATER	KERSTEIN, CHESTER	FROM 01-01 TO 12-31	0.030 CFS	1.40 AF/A
A65-08136	STOCKWATER	KERSTEIN, JO ANN	FROM 01-01 TO 12-31	0.030 CFS	1.40 AF/A
65-00088	DOMESTIC	KERSTEIN, CHESTER	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-00088	STOCKWATER	KERSTEIN, CHESTER	FROM 01-01 TO 12-31	0.030 CFS	1.40 AF/A
65-08136	STOCKWATER	KERSTEIN, JO ANN	FROM 01-01 TO 12-31	0.030 CFS	1.40 AF/A
A65-00137	DOMESTIC	HERR, RODNEY H	FROM 01-01 TO 12-31	0.020 CFS	0.60 AF/A
A65-00138	STOCKWATER	HERR, RODNEY H	FROM 01-01 TO 12-31	0.070 CFS	4.10 AF/A
65-00137	DOMESTIC	HERR, RODNEY H	FROM 01-01 TO 12-31	0.020 CFS	0.60 AF/A
65-00138	STOCKWATER	HERR, RODNEY H	FROM 01-01 TO 12-31	0.070 CFS	4.10 AF/A
A65-18312	DOMESTIC	LYNCH, ROBERT G	FROM 01-01 TO 12-31	0.040 CFS	
65-18312	DOMESTIC	LYNCH, ROBERT G	FROM 01-01 TO 12-31	0.040 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()

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

Y() N(☒)

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

Y() N(☒)

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

NOTES: 2/7/00 Marcia & ERIC Horn come into
office to go over POU & PAD. They agreed w/
my recommendations & the Sped. with Kenner

RECOMMENDATIONS:

TOTAL ACRES: 1109 N/A ()
REVIEWED BY: JB DATE: 2/11/00

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03006 IRRIGATION	FROM 04-01 TO 11-01	3.660 CFS	
TOTAL DIVERSION RATE/VOLUME		3.660 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03006 IRRIGATION	FROM 04-01 TO 11-01	3.660 CFS	
TOTAL DIVERSION RATE/VOLUME		3.660 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:

Spent according to warranty deal

AJ CLAIM TOTAL DIVERSION RATE: 3.660 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 3.660 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 169 x 0.02 CFS/ACRE = 3.38 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:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION	04-01	11-01	DATABASE ~~3.660~~	EXAMINER <u>3.38</u>	DATABASE	EXAMINER	DATABASE	EXAMINER
							0.0	
TOTAL FOR THIS RIGHT			~~3.660~~	<u>3.38</u>			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: 65-03006

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 3.660 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A65-03006	A65-03006	3.660	-		65-03006	3.660
-	A65-03006A	0.220	-		-	
TOTAL CFS		3.880				3.660

DIVERSION RATE REVIEW

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

FIELD
EXAMINER
DATABASE N Y() N()

NOTES:

A - Kerstein	14	0.28
B - Horn	149	3.38
	183	3.66
	<u>183</u>	<u>3.66</u>

AUTHENTICATION:

SIGNATURE: [Signature] DATE: 2-11-00

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()
(X) ASCS AERIAL PHOTO	DATE OF PHOTO <u>7-24-01 CYM233-188</u>	Y(X) 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()
(X) OTHER <u>GIS Map</u>	DATE <u>2/1/00</u>	Y(X) N()
(X) OTHER <u>Nylon field sketch</u>	DATE <u>?</u>	Y(X) 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

00:05:36
12/11/99

PAGE: 17
QUICKLOOK INFORMATION

101
CLAIM NUMBER: A65-03006

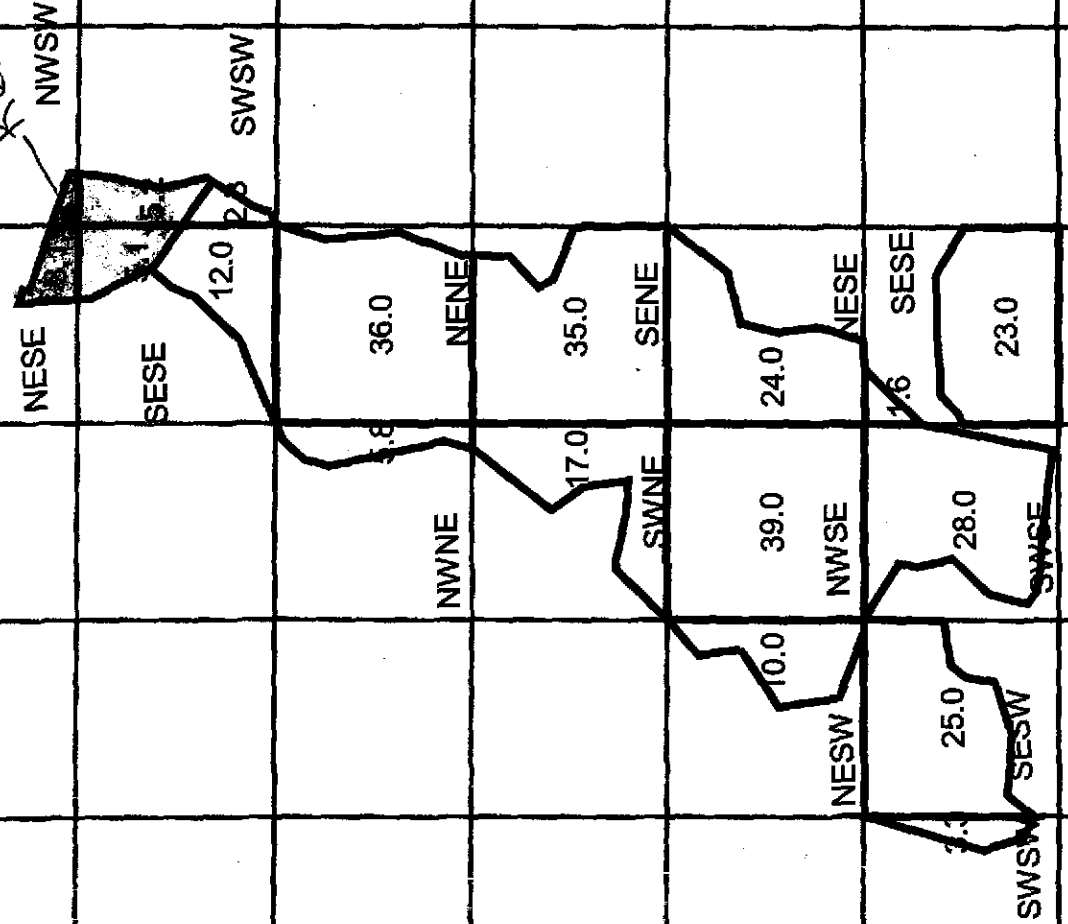
WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				2	Don't Dever	SB 2-11-00		
POINT OF DIV				2				
SOURCE				2				
PLACE OF USE	Y			2				
DIV. AMOUNT CFS/VOLUME				2				
CONSUMPTIVE USE	-			2				
PURPOSES OF USE				2				
PERIOD OF USE				2				
BASIS OF CLAIM	Y			2				
REMARKS								

BARCODE UPDATED
WHOM/DATE

Doc 4

Doc 3

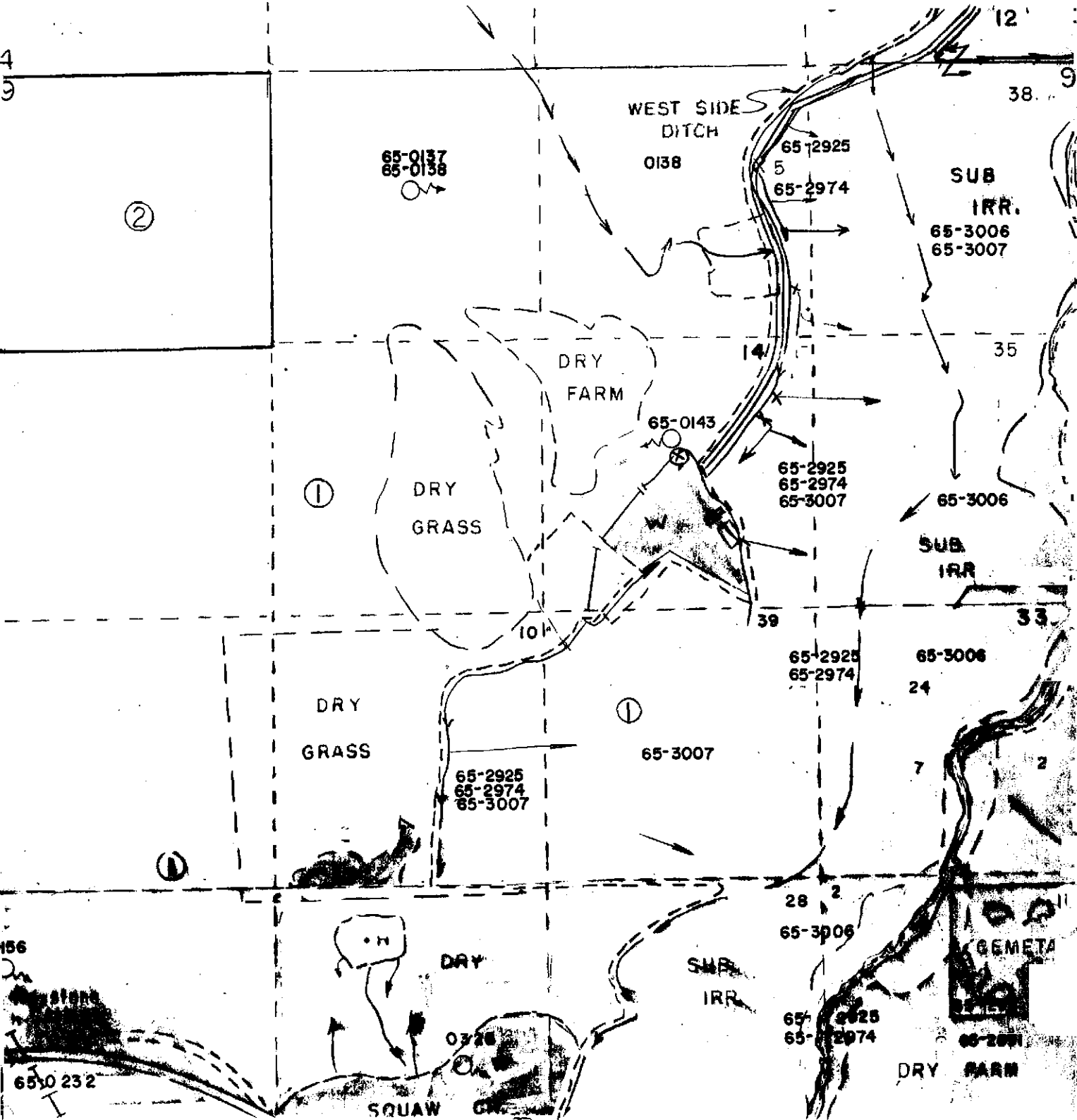
W. 50' x 100'



C4M-288-188

7-24-61





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2

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65-2925
65-2974

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65-2925
65-2974
65-3005 25

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8

CREEK

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65-8136

88-E

16

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65-2974
65-3006

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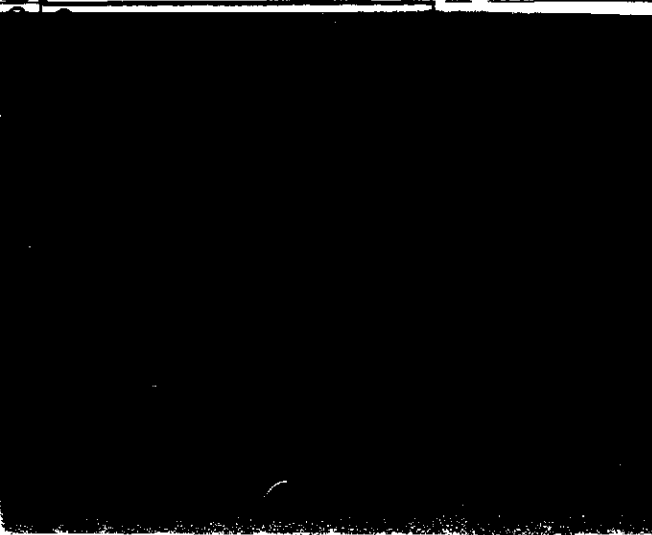
65-2925
65-2974

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0228L
65-3005
65-3006

12

54



Idaho Dept. of Water Resources

Claim No(s): 65-03006B,
65-003007, 65-12113

Claimant(s): Herr
7N, R01E, S 3, 4, 9

Prepared by: Sue Bock

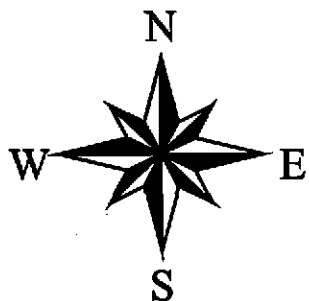
Date: 2/11/2000

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 1000 2000 Feet


1987 NAPP Photo

WR5809NP
No. 65-03006

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/08/99
PAGE: 27

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GOODWIN FARMS INC. P.O. BOX 15 SWEET ID 83670	04/01/1864	IRRIGATION	04/01 11/01	3.660 CFS	
TOTAL DIVERSION:					3.660 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

T	R	S	NE				NW				SW				SE				SUM		
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE			
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
07N	01E	3	:		:		:		:		:		01	06	:		:		03	17	7.0
07N	01E	4	:		:		:		:		:				:		:	24	28	02	20.0
07N	01E	9	:	38	:	05	:	35	:		:				:		:				156.0
																			TOTAL ACRES		183.0

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:

65-03006A
Kerstein
Sec 3 NWSW(1) SWSW(5)
Sec 4 NESE(3) SESE(5)
CFS 0.28

65-03006B
Harr
SWSW(1)
SESE(12)
Sec 9 as is
CFS 3.38

EXHIBIT A

Township 7 North, Range 1 East, B.M., Gem County, Idaho.

All that portion of the following described property, lying North of State Highway #52:

Section 8: NE 1/4 SE 1/4.

Section 9: S 1/2 SW 1/4 and NW 1/4 SW 1/4.

Section 16: NE 1/4 NW 1/4 and NW 1/4 NE 1/4.

ALSO

Township 7 North, Range 1 East, B.M., Gem County, Idaho.

Section 9: NE 1/4 SW 1/4; W 1/2 SE 1/4; SE 1/4 SE 1/4;
E 1/2 NW 1/4; SW 1/4 NW 1/4; NW 1/4 NE 1/4;
E 1/2 NE 1/4; SW 1/4 NE 1/4; NE 1/4 SE 1/4.

ALSO

Beginning at the section corner of Sections 3, 4, 9 and 10, in Township 7 North, Range 1 East, B.M., and running South 89°52' West on a line between Sections 4 and 9, 19.74 chains to a point; thence North 52°45' East 8.90 chains; thence North 43°30' East 5 chains; thence North 52°30' East 5.85 chains to North end of lane; thence South 57°15' East 7.50 chains in lane; thence South 45°45' East 3.10 chains; thence South 17°30' East 1.75 chains; thence South 71° West 2.10 chains; thence South 51°30' West 2.35 chains; thence South 15°30' East 2.50 chains; thence West 1.35 chains to section corner and place of beginning.

The last above described property being a part of the SW 1/4 SW 1/4 of Section 3, and a part of the SE 1/4 SE 1/4 of Section 4, T. 7 N., R. 1 E., B.M. It being the intention to include all that part of the above described 80 acres lying South of the County Road and West of Squaw Creek.

EXCEPTING THEREFROM the following described tract of land:

From the Southeast corner of Section 9, T. 7 N., R. 1 E., B.M., run North on the section line 732 feet to the place of beginning; thence North on the section line 668.5 feet; thence North 86°30' West 620 feet; thence South 2°00' East 689.5 feet; thence South 89°00' East 597.3 feet to the place of beginning.

ALSO EXCEPTING from the above described the following described tract of land:

Commencing 45 rods 2 1/2 feet North of the Southeast corner of Section 9, T. 7 N., R. 1 E., B.M. at a stake; running thence 190 feet North; thence West 229 feet; thence South 190 feet; thence East 229 feet to the place of beginning.

ALSO EXCEPTING a strip of land 33 feet wide off the East side for highway.

Warranty Deed

(THIS DEED IS BEING SIGNED TO REPLACE A LOST WARRANTY DEED SIGNED APRIL 16, 1983 BY GOODWIN FARMS, INC. a corporation in good standing at the date of signing.)

For Value Received

GOODWIN FARMS, INC., an Idaho corporation who forfeited its charter 12-1-83 and JOHN R. GOODWIN and DARCIA GOODWIN, husband and wife, individuals

the grantor^S, do hereby grant, bargain, sell and convey unto
RODNEY H. HERR and MARCIA H. HERR, husband and wife, the grantees,

whose current address is 400 Coston Street, Boise, Idaho

the grantee^S, the following described premises, in GEM County Idaho, to wit:

LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

Including all 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.

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, water quality, sewage or disposal systems. 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 Grantee^S, their heirs and assigns forever. And the said Grantor^S do hereby covenant to and with the said Grantee^S, that they are the owners in fee simple of said premises; that they are free from all incumbrances EXCEPT: current year taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: January 29, 1997

GOODWIN FARMS, INC., a forfeited Corporation

By: John R. Goodwin
John R. Goodwin, former President

John R. Goodwin
John R. Goodwin, individual

By: Darcia Goodwin
Darcia Goodwin, former Secretary

Darcia Goodwin
Darcia Goodwin, individual



STATE OF IDAHO, COUNTY OF Gem

On this 29 day of January, 1997
before me, a notary public in and for said State, personally appeared

John R. Goodwin and Darcia Goodwin,
individuals

known to me to be the person whose name^S are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Linda M. Davis
Notary Public
Residing at Emmett
Comm. Expires 6-30-2000

STATE OF IDAHO
COUNTY OF GEM

On this 29 day of January, 1997,
before me, a Notary Public personally appeared
John R. Goodwin and Darcia Goodwin, known to
me to be the former President and Secretary of
the forfeited corporation that executed the
within instrument on behalf of said forfeited
corporation, and acknowledged to me that such
forfeited corporation executed the same.

Linda M. Davis
Notary Public
Residing at: Emmett, Idaho
Commission expires: 6-30-2000

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: A65-03006
Date Received: 1/30/1990
Receipt No: X999999
Received By: La

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RODNEY H. HERR 208-343-9438
Address: 400 COSTON DR.
BOISE, ID 83712

OR

Name: MARCIA H. HERR 208-343-9438
Address: 400 COSTON DR.
BOISE, ID 83712

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	3.660		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A65-03006

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Date: 01/30/90

MICROFILMED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	01E	3	NW	SW		IRR	1.0
			SW	SW		IRR	6.0
			Section Acres				7.0
		4	NE	SE		IRR	3.0
			SE	SE		IRR	17.0
			Section Acres				20.0
		9	NE	NE		IRR	38.0
			NW	NE		IRR	5.0
			SE	NE		IRR	35.0
			NE	SE		IRR	24.0
			NW	SE		IRR	24.0
			SW	SE		IRR	28.0
			SE	SE		IRR	2.0
			Section Acres				156.0
			Total Acres				183.0

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): X Marcee H. Hene Date: X 1-30-90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 30 day

of Jan 19 90

Seal

Linda Werner
Notary Public
LINDA WERNER

RESIDING AT EAGLE, IDAHO

Residing at MY COMMISSION EXPIRES DEC. 8, 1994

My Commission Expires _____