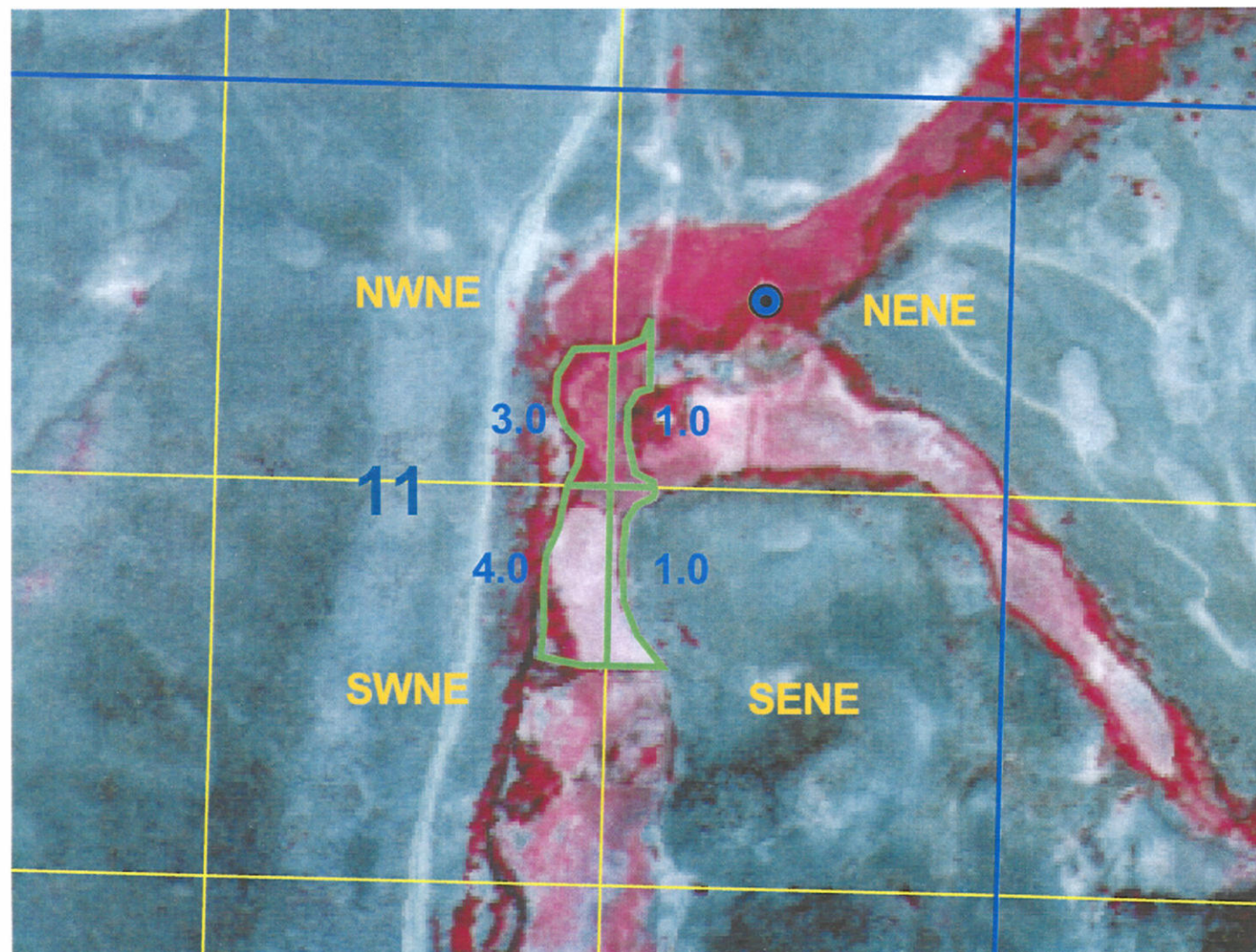


IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R01E, S11



1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

□ 1/4 1/4 LINES

□ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03050

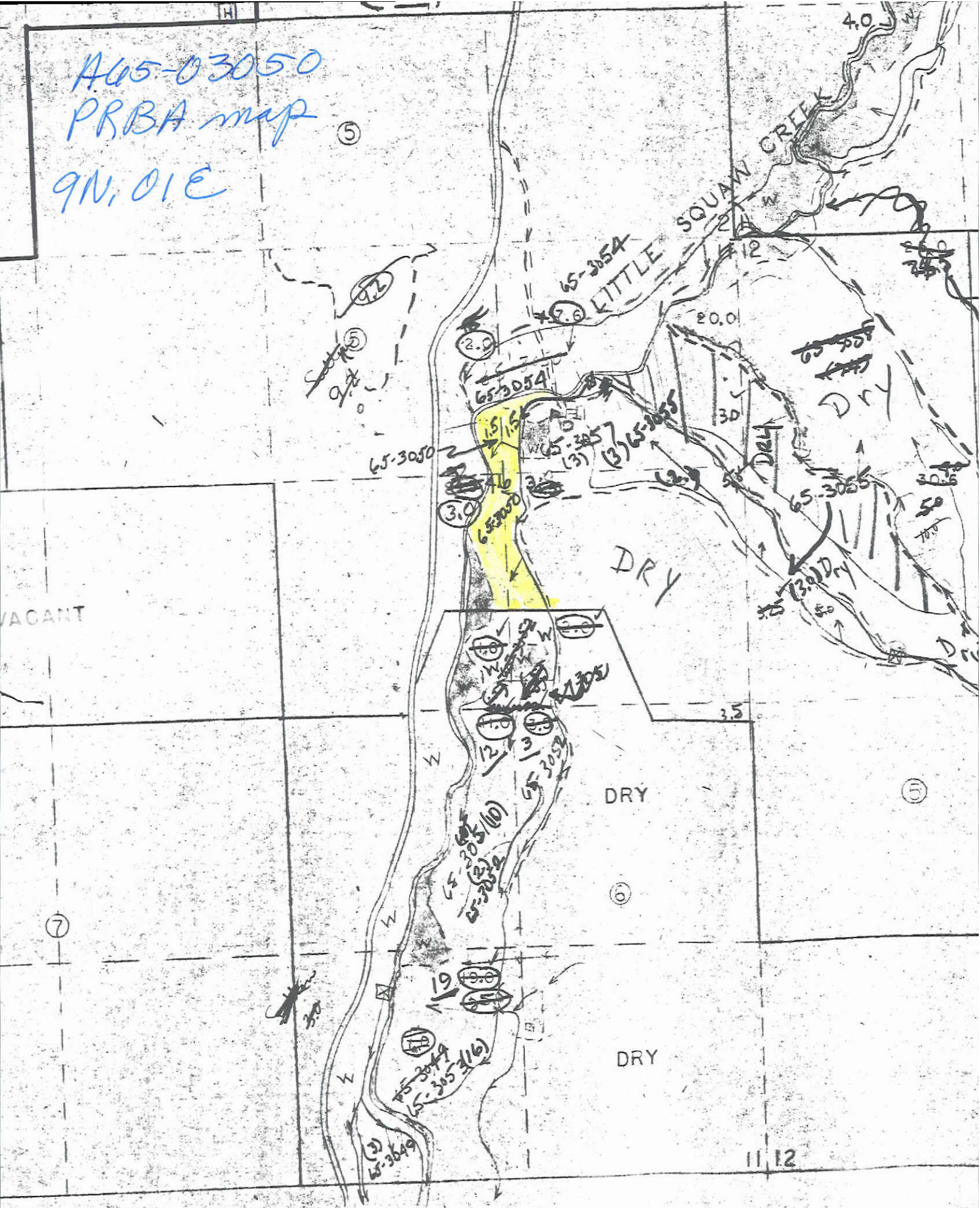
OWNER(S): MACAW, CHRIS &
REBECCA

Prepared by Mel Schulte

DATE: JULY 28, 2000

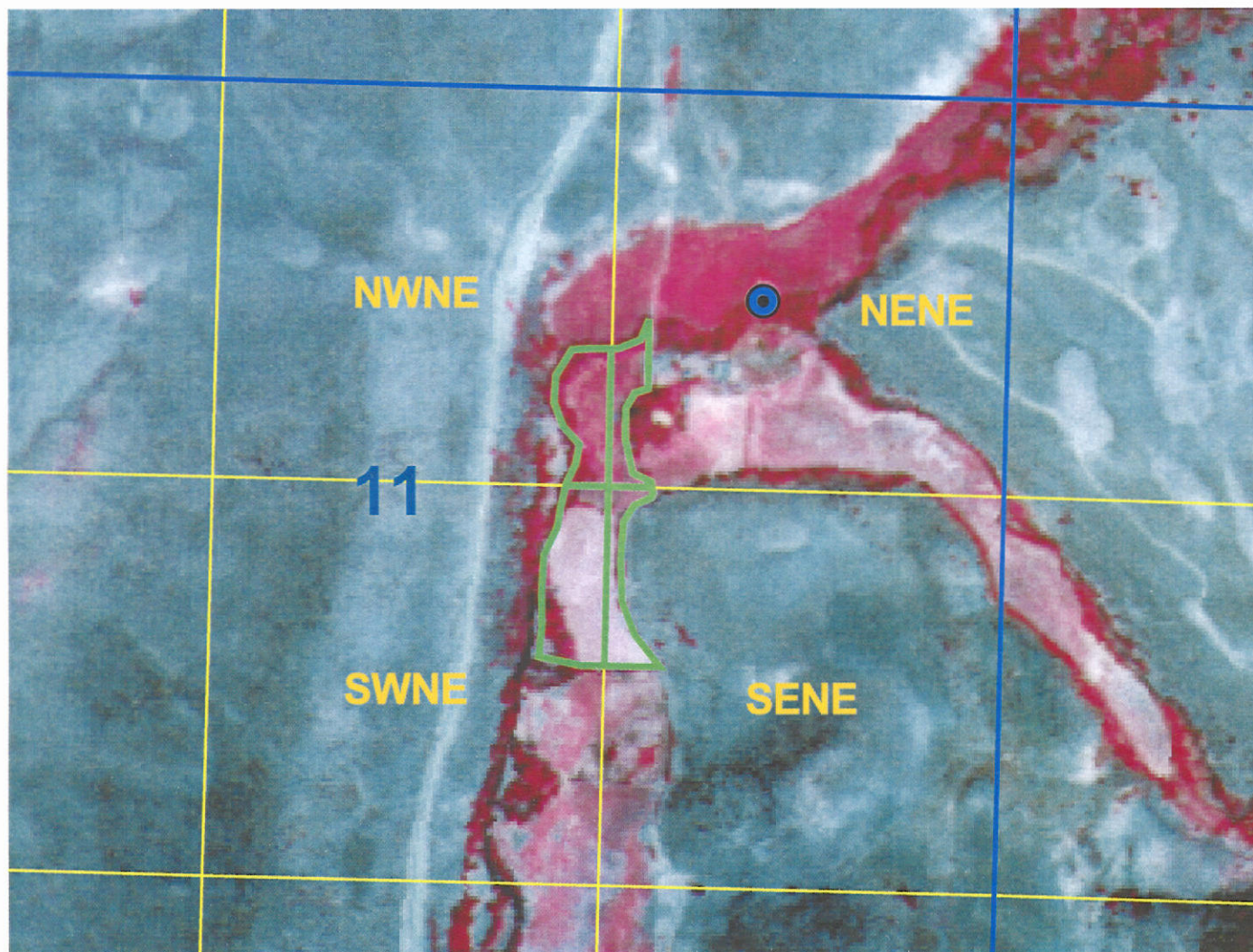
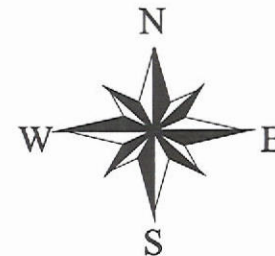
0 0.25 0.5 0.75 Miles

A65-03050
PRBA map
9N, 01E



IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R01E, S11



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03050

OWNER(S): MACAW, CHRIS &
REBECCA

Prepared by Mel Schulte

DATE: JULY 28, 2000

0 0.25 0.5 0.75 Miles

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 65-3050
Date Received: 11/23/88
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

REBECCA MACAW Phone: (208)584-3700

19200 SWEET OLA HWY
OLA ID USA 83657

CHRIS A MACAW Phone: (208)584-3700

19200 SWEET OLA HWY
OLA ID USA 83657

2. Date of Priority: 04/01/1884

3. Source: LITTLE SQUAW CREEK Trib. to: SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09N	01E	11	NE NE	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	0.18	

7. Total Quantity Appropriated is:
0.18 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
----------	-------	---------	----------------	-----	-------

09N	01E	11	NW	NE	IRRIGATION	2
			SW	NE	IRRIGATION	3
			SE	NE	IRRIGATION	3
			NE	NE	IRRIGATION	1
					Section Acres	9
					Total Acres	9

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 LH 10/31/95

15. Basis of Claim: Decreed

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)
) SS.
 County of _____)

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

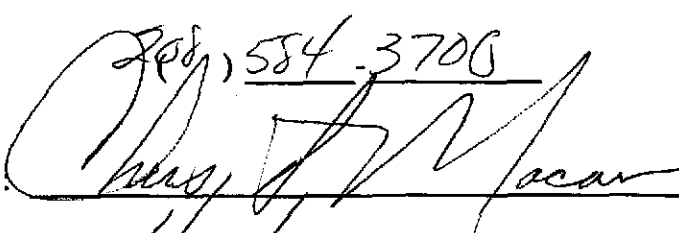
STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

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APR 12 2001

WATER RESOURCES
WESTERN REGION

CHANGE IN ADDRESS OF NOTICE OF CLAIM

- [] Water Right Number(s): 65-3050, 65-3054
65-3055, 65-3056, 65-3057
65-17885, 65-17900, 65-17901
65-17902, 65-17910, 65-17911
- [] Claimant Name(s): CHRIS A. MACAW
REBECCA A. MACAW
- [] Old Mailing Address: 10350 JAY RD
BOISE, ID 83703
- [] New Mailing Address: 19200 SWEET OLA WAY
OLA, ID 83657
- Telephone Number: 208, 584-3700
- [] Signature of Claimant(s): 
- Date: 4/12/01

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: **A65-03050**
Date Received: 11/23/1988
Receipt No: X999999
Received By: _____

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

1. Name: CHRIS A MACAW 208-939-2128
Address: 10350 JAY RD
BOISE ID 83703
AND
Name: REBECCA MACAW 208-939-2128
Address: 10350 JAY RD
BOISE ID 83703

2. Date of Priority: APR 1, 1884

3. Source: LITTLE SQUAW CREEK Trib. to: SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	01E	11	NE	NE			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	0.180		

7. Total Quantity Appropriated is:
0.180 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
09N	01E	11	NE	NE		IRR

Acres 1.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	01E	11	NW	NE	IRR	2.0
			SW	NE	IRR	3.0
			SE	NE	IRR	3.0
					Section Acres	9.0
					Total Acres	9.0

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:

OWNERSHIP CHANGED BY LH 10/31/95.

15. Basis of Claim: DECREED

Case Number: 3667

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ 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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

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DATE OF CLOSING: 10/17/95

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

Department of Water Resources

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WATER RESOURCES
WESTERN REGION

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s) Assigned by IDWR: A65-03054, A65-17901, A65-17900, A65-17885
~~A65-17910, A65-17911, A65-17902-A65-03057~~
 A65-03056, A65-03055, A65-03050
- ☒ Name and Address of Former Owner/Claimant(s)(Seller): Jerald and Joseph Jennaro
 4092 Greenoaks Way
 Hayward, CA.
- ☒ New Owner/Claimant (Purchaser): Chris A. Macaw and Rebecca Macaw
- ☐ New Mailing Address: 10354 JAY RD
 BOISE, ID 83703
- ☐ New Telephone Number: 608-939-2128

- ☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☒ Attach proof of ownership, describe proof attached: W & D

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☒ Signature of New Owner/Claimant(s): Chris A. Macaw Date 10-17-95
 Rebecca Macaw Date
- ☒ Signature of Former Owner/Claimant(s): Jerald and Joseph Jennaro Date 10/17/95
 Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10-31-95 By: JAL

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 10-31-95 By: JAL

Claim Numbers of Split, if any:

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OCT 18 1995

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

INSTRUCTIONS

RECEIVED
2001 JUN 10
IDWR
This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form, please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

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OCT 25 1995

COPY

CORPORATION SPECIAL WARRANTY DEED

THIS INDENTURE, made as of this 17th day of October, 1995, between J & R WAREHOUSE & SERVICE CO., INC., a California corporation whose address is 3727 Mohr Avenue, Pleasanton, California 94566 (the "Grantor"), and CHRIS A. MACAW and REBECCA MACAW, husband and wife, whose address is 10350 Say Road, Boise, Idaho 83703 (the "Grantees").

WITNESSETH, that Grantor, having been hereunto duly authorized by resolution of its Board of Directors, for and in consideration of the sum of Two Hundred Fifty-Five Thousand and 00/100 Dollars (\$255,000.00) lawful money of the United States of America, and other good and valuable consideration, to it in hand paid by the Grantees, hereby acknowledged, does hereby grant, bargain, sell and convey unto Grantees, and their successors and assigns forever, all the following described real estate and property situated in the County of Gem, State of Idaho, to-wit (the "Premises"):

See Exhibit "A" attached hereto and incorporated herein as if set forth in full by this reference, together with all and singular the water, well, ditch, reservoir and mineral rights, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining thereto, reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate right, title and interest in and to the said Premises, as well in law as in equity, of Grantor, of, in or to said Premises and every part and parcel thereof, subject to the easements, rights of way, reservations and exceptions contained herein.

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OCT 30 1995

WATER RESOURCES
WESTERN REGION

 RESERVING for the benefit of Grantor, its successors, transferees and assigns, a right-of-way and easement over and across the Premises and unrestricted ingress and egress thereto and therefrom, together with an irrevocable profit a prendre, to sport, hunt, shoot, fowl and fish upon the Premises, and the ~~power to~~ sell, mortgage, lease and otherwise dispose of its interest in such reservation.

SUBJECT TO all the easements, rights of way, reservations and exceptions contained herein.

Grantor makes no representations or warranties as to the qualifications or suitability of the Premises for water or electrical power, or as to said Premises or improvements located

CORPORATION SPECIAL WARRANTY DEED - 1

10/23/95 TRL:ch
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OCT 25 1995

thereon 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, or as to surveys, boundaries, fences or any matter, except as herein contained in writing. The Premises and fixtures attached thereto are transferred "AS IS," without any warranties, express or implied, as to merchantability or fitness for any particular purpose.

The Premises are transferred subject to all current taxes and assessments, easements, restrictions, reservations, mineral rights, water rights, claims or title to mineral or water, questions of survey, location, boundary and areas, overlaps and encroachments by improvements belonging to these or adjoining premises, any law, ordinance or governmental regulation (including, but not limited to, building, subdivision and zoning ordinances) restricting or regulating or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvement now or hereafter erected on the land, or prohibiting a separation in ownership or a reduction in the dimensions or area of the land, and the effect of any violation of any such law, ordinance or governmental regulation, and any encumbrances known to Grantees, other matters which would be disclosed by an accurate survey or inspection of the Premises and the reservation contained herein.

TO HAVE AND TO HOLD, all and singular the above mentioned and described Premises together with the appurtenances unto Grantees and their successors and assigns forever.

Grantor covenants and warrants that it is the owner in fee simple of the Premises and Grantor has good and marketable title thereto. Grantor further warrants the Premises to be free from all encumbrances and suffered or created by Grantor, but Grantor is not giving any warranties or covenants pertaining to any other assessments, charges, liens or encumbrances which may have been suffered or created on the Premises by third parties.

IN WITNESS WHEREOF, the said Grantor hereunto has set its corporate name by its duly authorized officer.

GRANTOR:

J & R WAREHOUSE
& SERVICE CO., INC.

By

Name:

Title:

CORPORATION SPECIAL WARRANTY DEED - 2

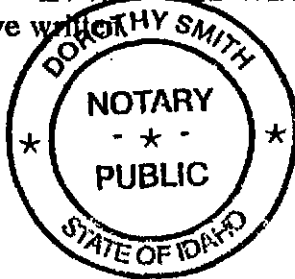
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F:\USERS\CARALEA\WPDAT\AVENNAROWAR-DEED.COR

MICROFILMED
OCT 18 1996

STATE OF Idaho)
 : ss.
County of Gem)

On the 23rd day of October, 1995, before me, the undersigned notary public in and for said State, personally appeared Jerald J. Jennaro, known or identified to me to be the Secretary of J & R Warehouse & Service Co., Inc., the corporation that executed the within instrument or the person who executed the same on behalf of said corporation, and acknowledged to me that said corporation executed the same.

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



Dorothy Smith
Notary Public
Residing at Emmett
Commission expires: 7/13/2000

CORPORATION SPECIAL WARRANTY DEED - 3

10/23/95 TRL:ch
P:\USERS\CARALEA\WPD\DATA\VENNARO\WAR-DEED.COR

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OCT 18 1996

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OCT 25 1995

Department of the Interior

LEGAL DESCRIPTION

PARCEL I:

In Section 11, Township 9 North, Range 1 East, Boise Meridian, Gem County, Idaho:

The North half of the Northeast quarter

AND

The Northeast quarter of the Northwest quarter

AND Commencing at the Southeast corner of the Northwest quarter of the Northwest quarter, Section 11, Township 9 North, Range 1 East, Boise Meridian, Gem County, Idaho, run North on the quarter quarter section line 1320 feet to the Northeast corner of the Northwest quarter of the Northwest quarter of Section 11; thence West on the North line of Section 11, 231 feet; thence South 1320 feet; thence East 231 feet to the place of beginning.

AND

The South half of the Northeast quarter, Section 11, Township 9 North, Range 1 East, Boise Meridian.

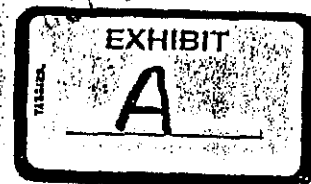
EXCEPTING therefrom the following described tract of land:

From the East quarter corner of Section 11, Township 9 North, Range 1 East, Boise Meridian run thence West on the East and West center line of said Section 11, a distance of 519 feet to the POINT OF BEGINNING of the land being described; thence North 21°00' West, 695.2 feet; thence West 926.6 feet, more or less, to the East line of the highway right of way; thence Southerly along said highway right of way on the following courses; South 14°30' West, 116.1 feet; thence South 18°00' West, 371.7 feet; thence South 1°00' West, 183.6 feet to the East and West center line of said section; thence East along said East and West center line 1322.5 feet to the POINT OF BEGINNING.

EXCEPT ditch and road rights of way.

SEE LEGAL DESCRIPTION NEXT PAGE

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LEGAL DESCRIPTION

PARCEL II:

In Section 2, Township 9 North, Range 1 East, Boise Meridian, Gem County, Idaho:

The South half of the Southeast quarter

AND

Commencing at the Southeast corner of the Southwest quarter of the Southwest quarter of Section 2, Township 9 North, Range 2 East, Boise Meridian, Gem County, Idaho, run North on the quarter quarter Section line to a point 705 feet North of the Southeast corner of the Southwest quarter of the Southwest quarter of Section 2; thence

South $32^{\circ}00'$ West, 440 feet to a point 231 feet West of the East line of the Southwest quarter of the Southwest quarter of Section 2; thence

South parallel to the East line of the Southwest quarter of the Southwest quarter of Section 2, 325 feet to the South line of the Southwest quarter of the Southwest quarter of said Section 2; thence

East along the Section line 231 feet to THE PLACE OF BEGINNING.

AND

From the Southwest corner of the Southeast quarter of the Southwest quarter of Section 2, Township 9 North, Range 1 East, Boise Meridian, Gem County, Idaho, run North on quarter quarter line 604 feet; thence

North $66^{\circ}00'$ East 1445 feet to the North and South center line 1295 feet more or less to the South quarter corner of Section 2; thence

West on section line 1320 feet, more or less, to the POINT OF BEGINNING.

EXCEPT ditch and road rights of way.

SEE LEGAL DESCRIPTION CONTINUED NEXT PAGE

MICROFILMED
OCT 18 1995

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OCT 25 1995

LEGAL CONTINUED

PARCEL III:

In Section 12, Township 9 North, Range 1 East, Boise Meridian, Gem
County, Idaho:

The West half of the Northwest quarter:

The North half of the Southwest quarter:

The Southeast quarter of the Northwest quarter.

Except ditch and road rights of way.

MICROFILMED
OCT 18 1998

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: A65-03050

Date Received: 11/23/1988

Receipt No: X999999 *eat*

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JERALD JENNARO
Address: 4092 GREENOAKS WAY
HAYWARD, CA 94542

AND/OR

Name: JOSEPH JENNARO
Address: 4092 GREENOAKS WAY
HAYWARD, CA 94542

2. Date of Priority: APR 01, 1884

3. Source: LITTLE SQUAW CREEK Trib. to: SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	01E	11	NE	NE			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	0.180		

7. Total Quantity Appropriated is:
0.180 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
09N	01E	11	NE		NE		IRR	1.0
			NW		NE		IRR	2.0
			SW		NE		IRR	3.0
			SE		NE		IRR	3.0
							Section Acres	9.0
							Total Acres	9.0

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: 3667

Court :

Decree date:

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) Jerald Jennaro and/or

Joseph Jennaro

Mailing Address
(include Zip Code)

4092 Greenoaks Way

Hayward, California 94542

Phone Number () -

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: A65-03050

Date Received: 11-23-88

Receipt No: X99999 RAO

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 23 1988

1. Name: HOMER C. BEAL

Address:

OLA, ID

83657

2. Date of Priority: APR 01, 1884

Department of Water Resources

3. Source: LITTLE SQUAW CREEK

Trib. to: SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	01E	11	NE	NE	NE		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	0.180		

7. Total Quantity Appropriated is:
0.180 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
09N	01E	11	NE	NE		IRR	1.0
			NW	NE		IRR	2.0
			SW	NE		IRR	3.0
			SE	NE		IRR	3.0

Section Acres 9.0

A65-03050

Page

1

Date: 10/13/88

MICROFILMED

SEP 21 1992

10. Place of Use: Continued

Total Acres 9.0

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:

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): [Signature] Date: 11/18/88
_____ Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____ Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____ Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

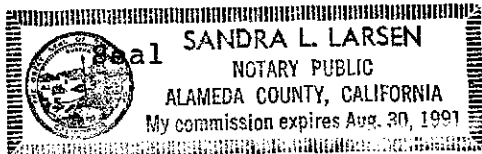
Signature of Authorized Agent

Title and Organization

Date

State of Calif)
~~Idaho~~)
County of Alameda) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of Nov 19 88 Sandra L. Larsen
Notary Public



A65-03050 Page

Residing at Castro Valley Ca
My Commission Expires 8-30-91
3 Date: 10/13/88

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

FILED

2004 MAR 29 PM 4 54

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 19576)
)
) Water Right 65-03050

NAME AND ADDRESS: CHRIS A MACAW
REBECCA MACAW
19200 SWEET OLA HWY
OLA, ID 83657

SOURCE: LITTLE SQUAW CREEK TRIBUTARY: SQUAW CREEK

QUANTITY: 0.18 CFS

PRIORITY DATE: 04/01/1884

POINT OF DIVERSION: T09N R01E S11 NENE Within Gem County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 11-01 0.18 CFS

PLACE OF USE: Irrigation Within Gem County
T09N R01E S11 NENE 1.0 NWNE 3.0
SWNE 4.0 SENE 1.0
9.0 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 13, 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.

RECOMMENDATION

MAR 29 2004

SPECIAL MASTER

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



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

04/20/2001

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

RIGHT NUMBER: 65-3050

NAME AND ADDRESS: CHRIS A MACAW
REBECCA MACAW
19200 SWEET OLA HWY
OLA, ID 83657

SOURCE: LITTLE SQUAW CREEK TRIBUTARY: SQUAW CREEK

QUANTITY: 0.18 CFS

PRIORITY DATE: 04/01/1884

POINT OF DIVERSION: T09N R01E S11 NENE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	0.18 CFS

PLACE OF USE:

<u>IRRIGATION Within GEM County</u>					
T09N R01E S11	NENE	1	T09N R01E S11	NWNE	3
T09N R01E S11	SWNE	4	T09N R01E S11	SENE	1

9 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

**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: 65-3050

REBECCA MACAW

10350 JAY RD

BOISE ID 83703

Telephone Number: (208)939-2128

CHRIS A MACAW

10350 JAY RD

BOISE ID 83703

Telephone Number: (208)939-2128

RECEIVED

APR 12 2001

WATER RESOURCES
WESTERN REGION

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

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

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

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

DATE:

4/12/01

SIGNATURE:

Chris A Macaw

Please print your name:

CHRIS MACAW

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

AJ5809NP
No. A65-03050

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	REBECCA MACAW	04/01/1884	IRRIGATION	04-01 11-01	0.180 CFS	
C	CHRIS A MACAW					
	10350 JAY RD			TOTAL DIVERSION:	0.180 CFS	
	BOISE ID 83703					
	(208) 939-2128					

Water Source: LITTLE SQUAW CREEK

Tributary to: SQUAW CREEK

Stage: DECREED

Point(s) of Diversion: T09N R01E S11 NENE

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
09N	01E	11	:	01		02		03		03										:	9.0
				3		4		1												:	9.0
																				TOTAL ACRES	9.0

POU County: GEM

Remarks: GEN OWNERSHIP CHANGED BY LH 10/31/95.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

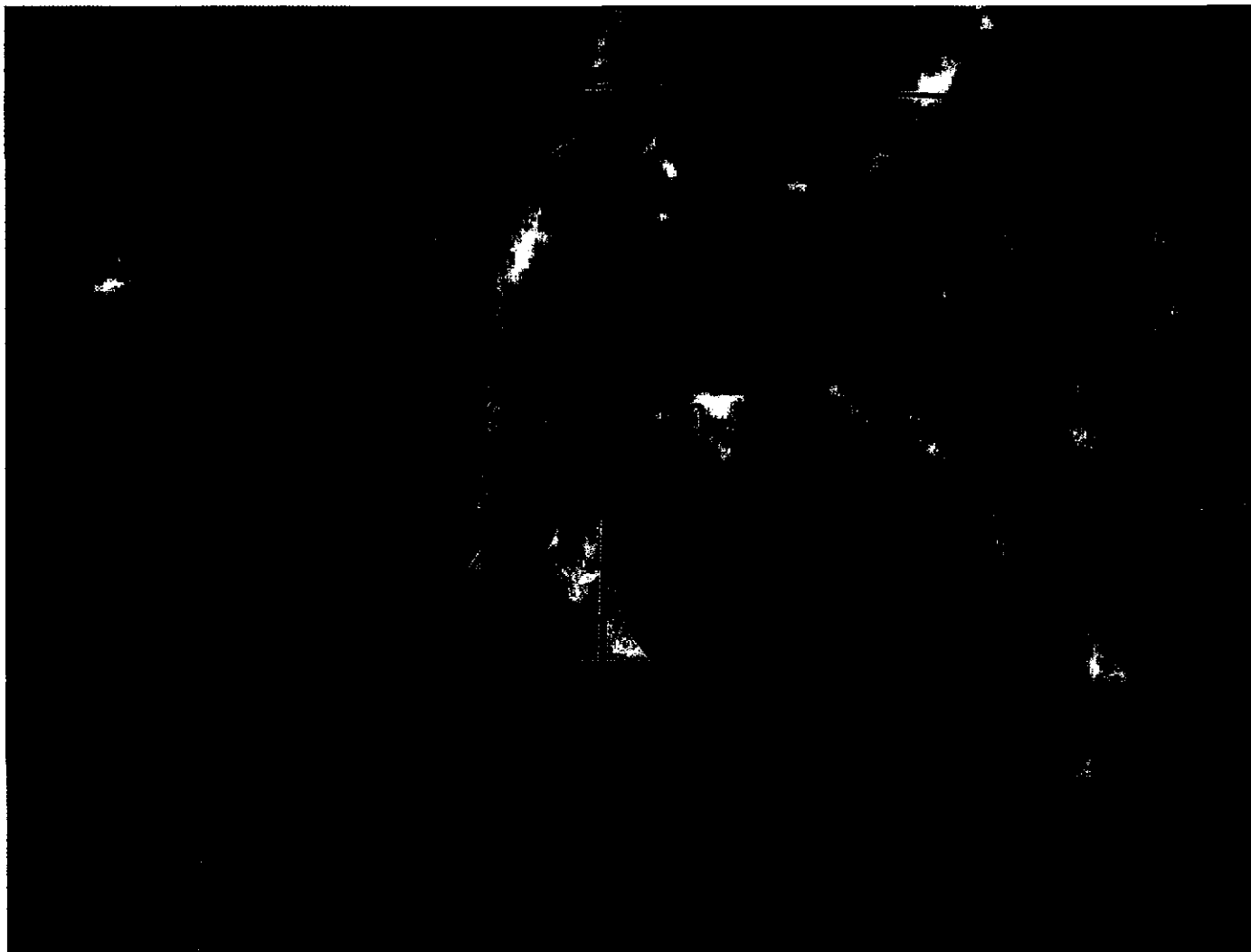
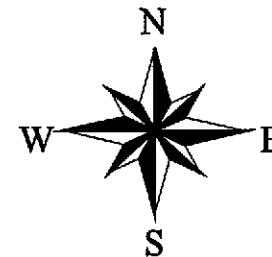
Field Inspection Flag:
Presumption Flag:

Audit: 12/01/88 HARRINGT 03/30/95 POST-STD 10/31/95 LHARRIS

C18

IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R01E, S11



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03050

OWNER(S): MACAW, CHRIS &
REBECCA

Prepared by Mel Schulte

DATE: JULY 28, 2000

0 0.25 0.5 0.75 Miles

WR5809NP
No. 65-03050

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/13/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HOMER C. BEAL OLA ID 83657	04/01/1884	IRRIGATION	04/01 11/01	0.180 CFS	
TOTAL DIVERSION:					0.180 CFS	

Water Source: LITTLE SQUAW CREEK Tributary to: SQUAW CREEK Stage: DECREED
Point(s) of Diversion: T09N R01E S11 NENE 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
09N	01E	11	:	01		02		03		03										:	9.0
																				TOTAL ACRES	9.0

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-03051 65-03052 65-03053 65-03057

Other Water Rights Listing Overlapping Place(s) of use:
65-03054 65-03055 65-03057

Dates:	App. Received:	Priority Date:	04/01/1884
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

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

A65-03050

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 189

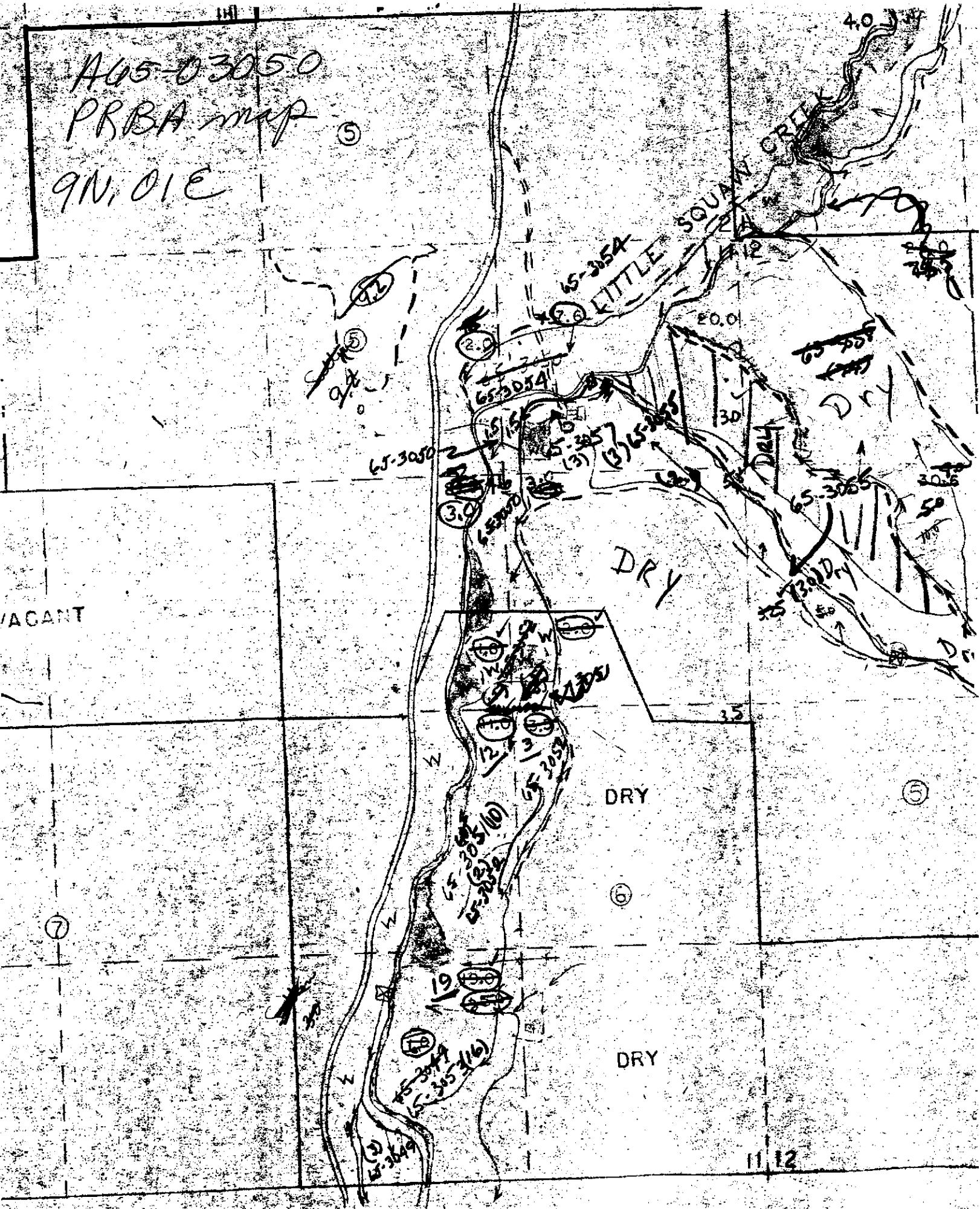
INDICATES TOTAL

SOURCE: LITTLE SQUAW CREEK

TRIBUTARY TO: SQUAW CREEK

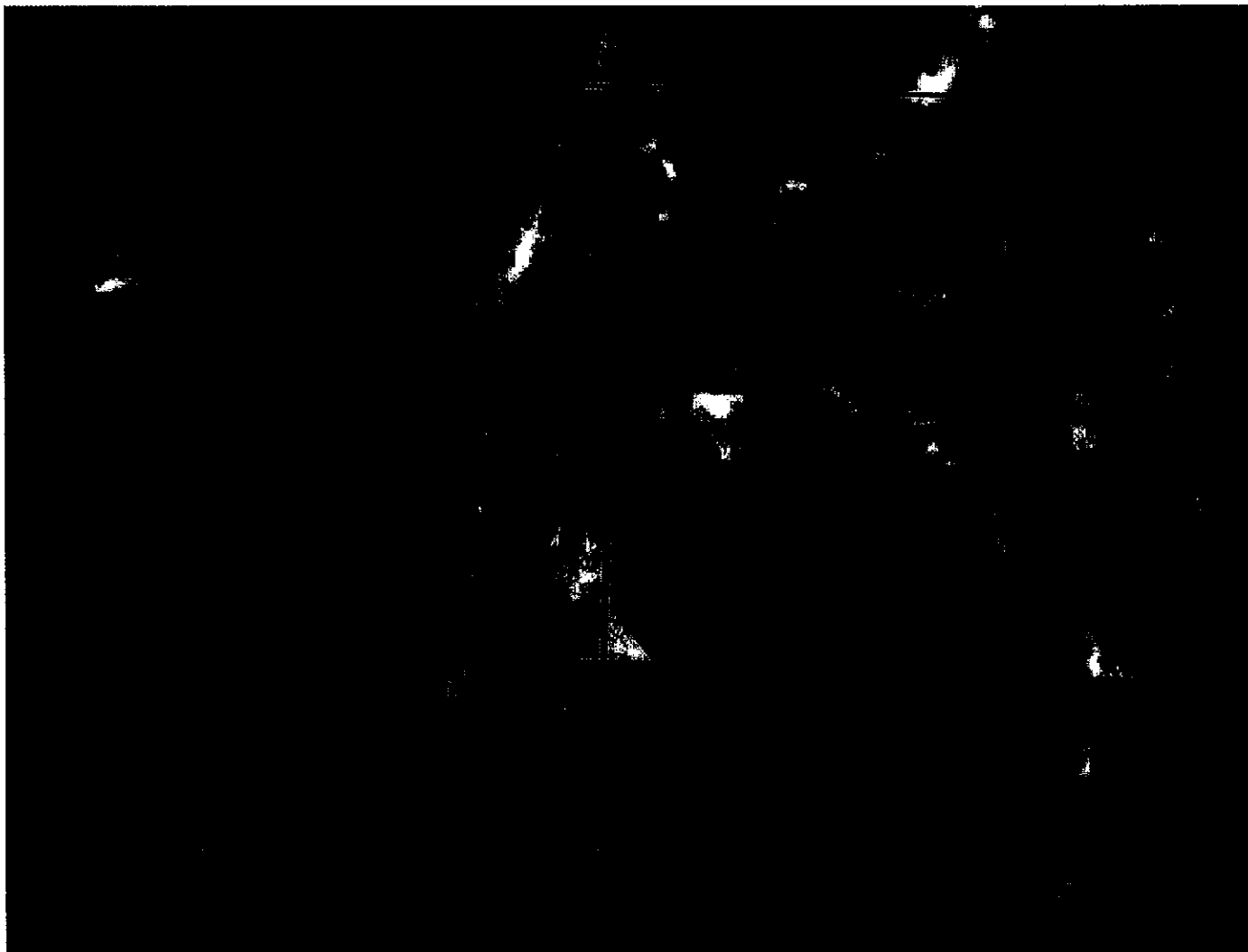
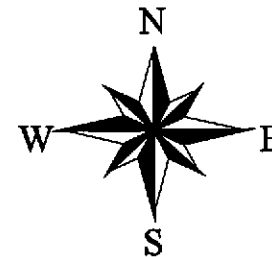
RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-3067	HALE, MELVIN E. & HALE, GEORGIA B. BOX 205, SWEET, IDAHO 83670	4/ 1/1879	IRRIGATION	4/ 1 11/ 1	--- AFA .63 CFS	SWNW S31 T10N R 2E	SWNE(6) SENE(9) NESE(1) NWSE(3) LOT 1(1) S 2 T 9N R 1E *20*	DECREE
65-3066	HALE, MELVIN E. & HALE, GEORGIA B. BOX 205, SWEET, IDAHO 83670	6/ 1/1879	IRRIGATION	4/ 1 11/ 1	--- AFA .58 CFS	SWNW S31 T10N R 2E	SWNE(18) NWSE(7) LOT 2(2) S 2 T 9N R 1E *27*	DECREE
65-3063	HOLBROOK, SUMNER & HOLBROOK, GEORGIA E. OLA, IDAHO 83657	6/ 1/1879	IRRIGATION	4/ 1 11/ 1	--- AFA 1.74 CFS	LOT 2 S31 T10N R 2E	SWNE(20) SENE(20) SESW(23) NESW(20) S36 T10N R 1E *83*	DECREE
65-3064	HOLBROOK, SUMNER & HOLBROOK, GEORGIA E. OLA, IDAHO 83657	6/ 1/1879	IRRIGATION	4/ 1 11/ 1	--- AFA .18 CFS	LOT 2 S31 T10N R 2E	SESW(9) S36 T10N R 1E *9*	DECREE
65-3065	HOLBROOK, SUMNER & HOLBROOK, GEORGIA E. OLA, IDAHO 83657	6/ 1/1879	IRRIGATION	4/ 1 11/ 1	--- AFA .51 CFS	LOT 2 S31 T10N R 2E	SESE(12) S35 T10N R 1E LOT 1(13) S 2 T 9N R 1E *25*	DECREE
65-3060	HARLAN, EDGAR E JOPLIN, LOIS L. ROUTE #2, BEISE, IDAHO 83702	4/ 1/1883	IRRIGATION	4/ 1 11/ 1	--- AFA .94 CFS	LOT 2 S 1 T 9N R 1E	SESW(16) NESW(4) NWSW(10) SWSW(4) S 1 T 9N R 1E *34*	DECREE
65-3050	BEAL, HOMER C. OLA, IDAHO 83657	4/ 1/1884	IRRIGATION	4/ 1 11/ 1	--- AFA .18 CFS	NENE S11 T 9N R 1E	NWNE(2) SWNE(3) SENE(3) NENE(1) S11 T 9N R 1E *9*	DECREE
65-3054	BEAL, HOMER C. OLA, IDAHO 83657	4/ 1/1884	IRRIGATION	4/ 1 11/ 1	--- AFA .19 CFS	SWSW S 1 T 9N R 1E	NENE(8) NWNE(2) S11 T 9N R 1E *10*	DECREE
65-3046	SUTTON RANCHES INC. MIDVALE IDAHO 83645	4/ 1/1884	STOCKWATER IRRIGATION	1/ 1 12/31 4/ 1 11/ 1	5.40 AFA .09 CFS --- AFA .20 CFS *---*AFA *.20*CFS	SWSE S11 T 9N R 1E	SWSE S14 T 9N R 1E NWNE(10) S14 T 9N R 1E *10*	DECREE
65-3047	SUTTON RANCHES INC. MIDVALE, IDAHO 83645	4/ 1/1884	STOCKWATER IRRIGATION	1/ 1 12/31 4/ 1 11/ 1	5.40 AFA .09 CFS --- AFA .16 CFS *---*AFA *.20*CFS	SWSE S11 T 9N R 1E	SWSE S14 T 9N R 1E SWNE(2) SENW(2) NESW(4) S14 T 9N R 1E *8*	DECREE

AG5-03050
PRBA map
9N, 01E



IDAHO DEPARTMENT OF WATER RESOURCES

T09N, R01E, S11



1987 NAPP PHOTO

● POINT OF DIVERSION

▬ PLACE OF USE

▬ 1/4 1/4 LINES

▬ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03050

OWNER(S): MACAW, CHRIS &
REBECCA

Prepared by Mel Schulte

DATE: JULY 28, 2000

0 0.25 0.5 0.75 Miles





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 1, 1995

Re: Notices of Claim to a Water Right Nos. A65-03050, A65-03054, A65-03055, A65-03056, A65-03057, A65-17885, A65-17900, A65-17901, A65-17902, A65-17910, A65-17911

Chris A. Macaw
Rebecca Macaw
10350 Jay Rd.
Boise, ID 83703

Mr. & Mrs. Macaw:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

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

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1
Enclosures

MICROFILMED
OCT 18 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

HLU-01001
00193
199
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2945
3011
CECIL D. ANDRUS
GOVERNOR 3041A
R. KEITH HIGGINSON 3050
DIRECTOR
3054
3055
3056
3057

December 5, 1988

Mr. Stephen A. Bradbury
Eberle, Berlin, Kading, Turnbow & Gillespie
P.O. Box 1368
Boise, ID 83701

Valley

Dear Mr. Bradbury:

Enclosed are 30 Notices of Claim to a Water Right in the name of Jerald Jennaro and/or Joseph Jennaro which are returned to allow you the opportunity to reconsider their submission as was discussed this morning on the telephone.

The following claims will be processed which were submitted at the same time:

- a. 12 Notice of Claims for instream stockwater use
- b. 1 Notice of Claim for domestic use
- c. 6 Notice of Claims for stockwater use in ponds
- d. 9 Notices of Claims in the name of Homer C. Beal (decreed rights)
- e. 16 Notices of Claim in the name of Jerald and/or Joseph Jennaro (decreed rights).

Also enclosed please find a receipt in the amount of \$1,225.00.

If you resubmit the claims before January 1, 1989, you will not be assessed a late fee; if you decide not to submit the claims, please notify this office regarding a refund.

Please contact Helen Harrington at this office, if you have any questions or I can be of assistance.

Yours Truly,

Donald V. Shaff
Adjudication Section Supervisor

MICROFILMED

SEP 21 1992