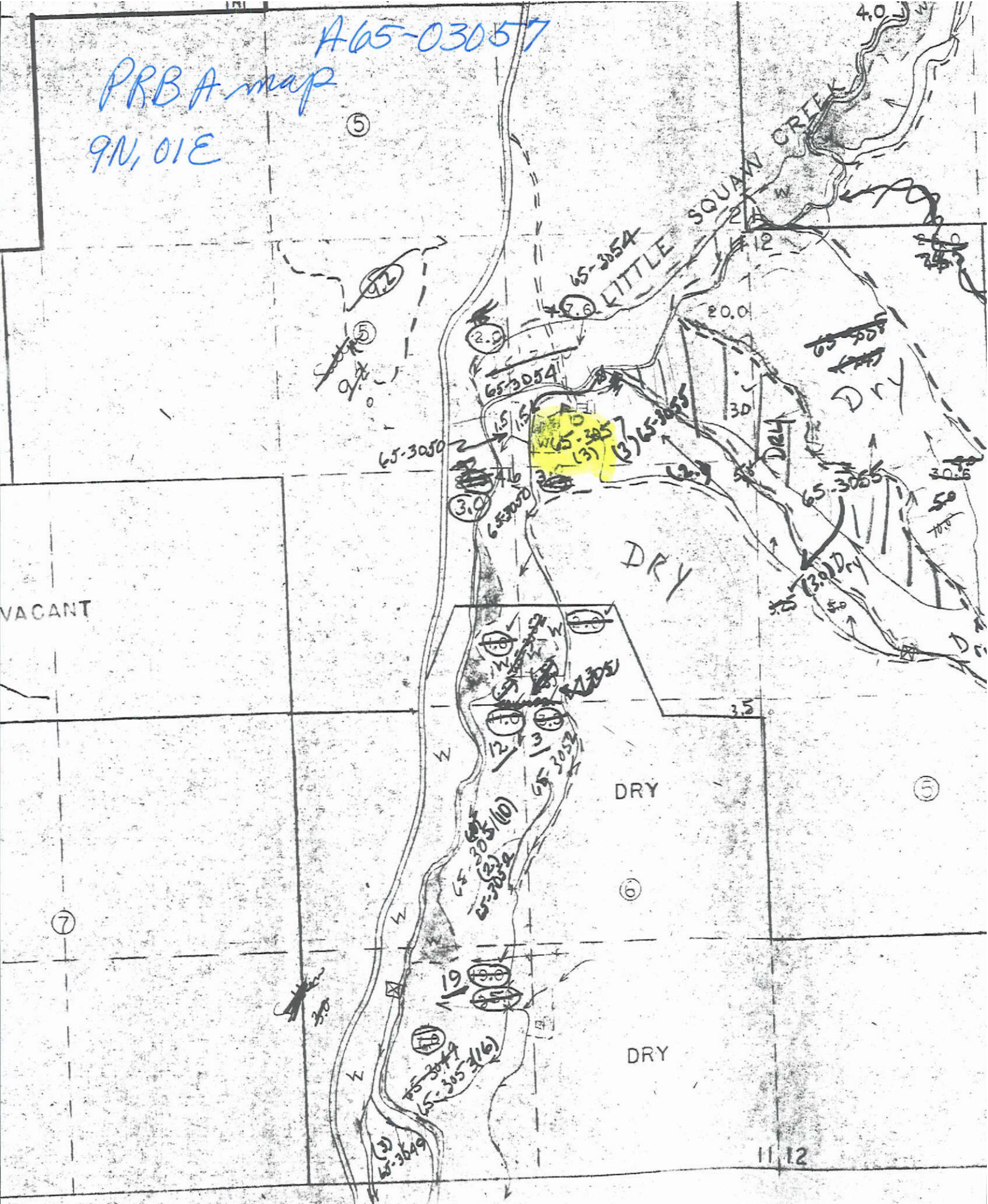
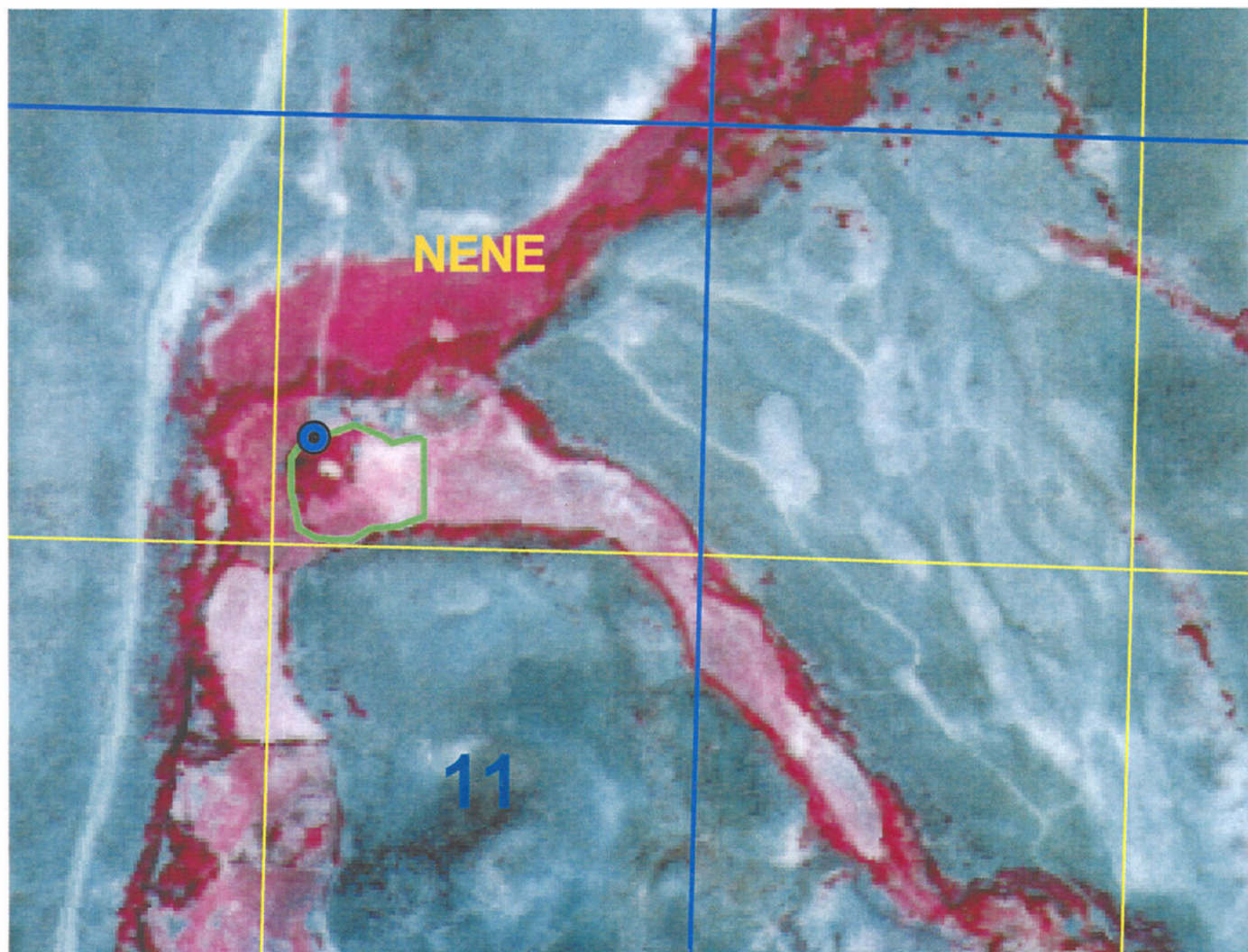


9N, 01E



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): 65-03057

OWNER(S): MACAW, CHRIS &
REBECCA

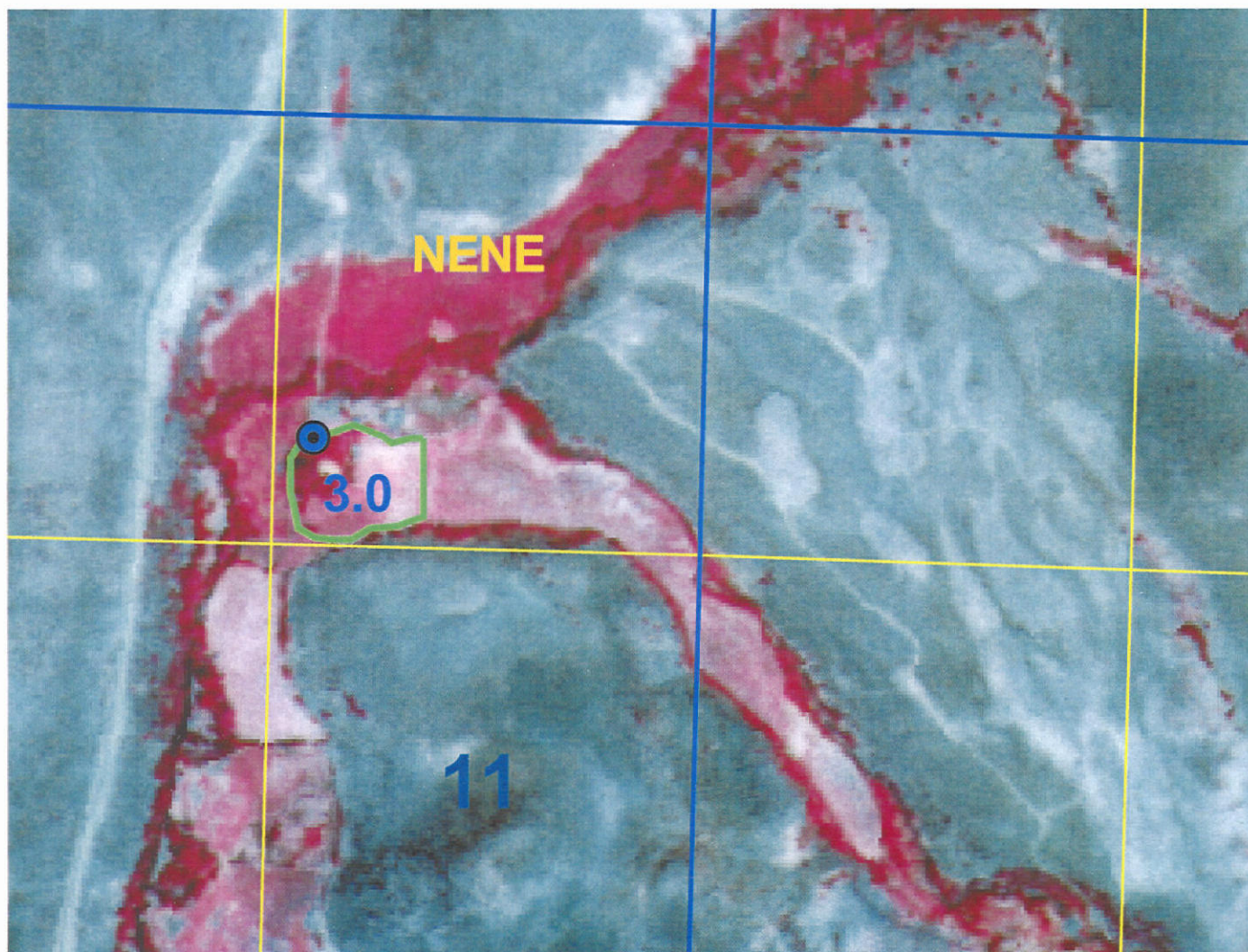
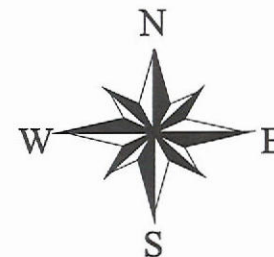
Prepared by Mel Schulte

DATE: JULY 28, 2000

0 0.25 0.5 0.75 Miles

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): 65-03057

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 65-3057
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: 05/01/1890

3. Source: SPRINGS Trib. to: LITTLE 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	0.06	0.2
STOCKWATER	1/01	12/31	0.02	0.2
DOMESTIC	1/01	12/31	0.04	1.2

7. Total Quantity Appropriated is:
0.1 C.F.S. and/or 0.2 A.F.A.

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	NE	NE	IRRIGATION	3
Section Acres						3
Total Acres						3

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

RECEIVED

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):

Chris A. Macaw

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: A65-03057
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: MAY 1, 1890

3. Source: SPRINGS Trib. to: LITTLE 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.
STOCKWATER	01/01	12/31	0.020		0.20
IRRIGATION	04/01	11/01	0.060		0.20
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) 0.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	01E	11	NE	NE	IRR	3.0
Section Acres						3.0
Total Acres						3.0

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 _____

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OCT 18 1996



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.

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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: 208-939-2128

☒ 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: WD

(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

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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

MICROFILMED
OCT 18 1996

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.

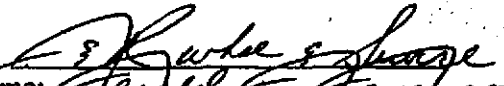
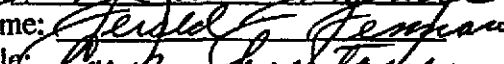
TO HAVE AND TO HOLD, all and singular the above mentioned and described Premises together with the appurtenances unto Grantees and their successors and assigns forever.

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: 

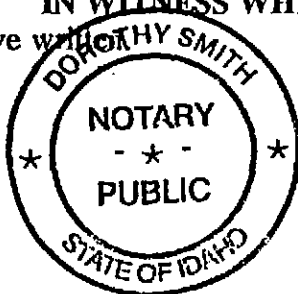
CORPORATION SPECIAL WARRANTY DEED - 2

MICROFILMED
OCT 18 1996

STATE OF Idaho)
)
County of Gem) : ss.

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
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OCT 18 1996

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Deposition

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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OCT 18 1996
EXHIBIT

A

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OCT 25 1995

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

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OCT 18 1996

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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 1996

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-03057
Date Received: 11/23/1988
Receipt No: X999999
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 BEAL
Address: 4092 GREENOAKS WAY
HAYWARD, CA 94542
2. Date of Priority: MAY 01, 1890
3. Source: SPRINGS Trib. to: LITTLE SQUAW CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	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.
STOCKWATER	01/01	12/31	0.020		0.20
IRRIGATION	04/01	11/01	0.060		0.20
DOMESTIC	01/01	12/31	0.040		1.20
7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) 0.20 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:

A65-03057

Page

1

Date: 12/01/88

MICROFILMED

SEP 21 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	01E	11	NE	NE		IRR	3.0
Section Acres							3.0
Total Acres							3.0

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: A65-03057

Date Received: 11-23-88

Receipt No: X99999

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
NOV 23 1988

1. Name: HOMER C. BEAL
Address:

OLA, ID

83657

Department of Water Resources

2. Date of Priority: MAY 01, 1890

3. Source: SPRINGS

Trib. to: LITTLE 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.
STOCKWATER	01/01	12/31	0.020		0.20
IRRIGATION	04/01	11/01	0.060		0.20
DOMESTIC	01/01	12/31	0.040		1.20

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

0.20 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	3.0
Section Acres							3.0

A65-03057

Page

1

Date: 10/13/88

MICROFILMED

SEP 21 1992

10. Place of Use: Continued

Total Acres 3.0

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): *Gerald E. Jensen* 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.

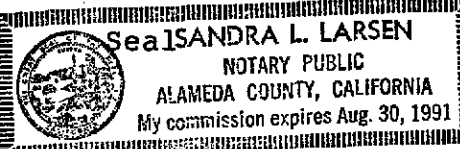
Signature of Authorized Agent

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


A65-03057 Page

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

MICROFILMED
SEP 21 1992

In Re SRBA	}	PARTIAL DECREE PURSUANT TO
	}	I.R.C.P. 54(b) FOR
Case No. 39S76	}	
	}	Water Right 65-03057

PAGE 1
Jan-09-2004

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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 65-3057
(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: Chris A. Macaw & Rebecca Macaw
Address: 19200 Sweet Ola Hwy
Ola, ID 83657

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.

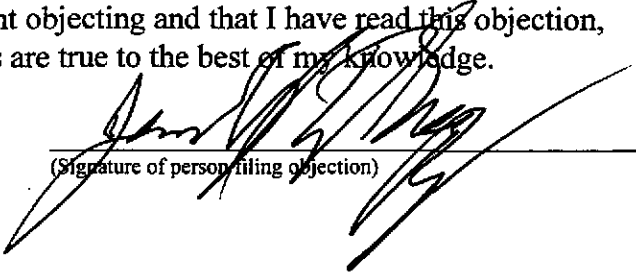
F.

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)

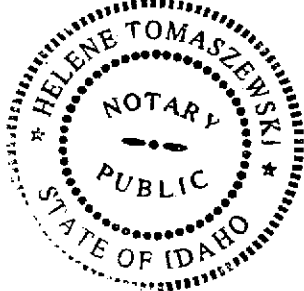
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

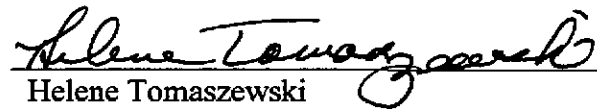

(Signature of person filing objection)

(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: Chris A. Macaw & Rebecca Macaw

Address: 19200 Sweet Ola Hwy
Ola, ID 83657

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

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

04/20/2001

RIGHT NUMBER: 65-3057

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

SOURCE: SPRINGS TRIBUTARY: LITTLE SQUAW CREEK

QUANTITY: 0.1 CFS
1.4 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND
STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 05/01/1890

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 11-01	0.06 CFS
STOCKWATER	01-01 12-31	0.02 CFS
		0.20 AFY
DOMESTIC	01-01 12-31	0.04 CFS
		1.20 AFY

PLACE OF USE:

IRRIGATION Within GEM County
T09N R01E S11 NENE 3
STOCKWATER Within GEM County
T09N R01E S11 NENE
DOMESTIC Within GEM County T09N R01E S11
NENE

3 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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF
HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

STOCKWATER, 30 RANGE CATTLE

**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: 65-3057

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

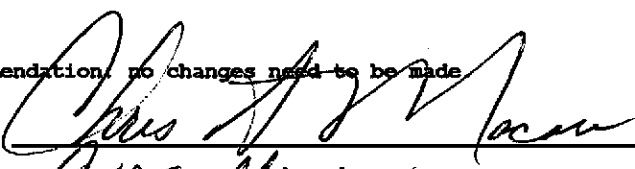
APR 12 2001

**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: 
Please print your name: CHRIS MACAW

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

AJ5809NP
No. A65-03057

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHRIS A MACAW	05/01/1890	IRRIGATION	04-01 11-01	0.060 CFS	0.20 AFA
C	REBECCA MACAW		STOCKWATER	01-01 12-31	0.020 CFS	0.20 AFA
	10350 JAY RD		DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
	BOISE ID 83703					
	(208) 939-2128					
				TOTAL DIVERSION:	0.100 CFS	0.20 AFA

Water Source: SPRINGS

Tributary to: LITTLE 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	:	03																:	3.0
																				TOTAL ACRES	3.0

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

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

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 + N14 + N9.

~~E28~~ Stock = 30

WR5809NP
No. 65-03057

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/13/00
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HOMER C. BEAL OLA ID 83657	05/01/1890	IRRIGATION	04/01 11/01	0.060 CFS	0.20 AFA
			STOCKWATER	01/01 12/31	0.020 CFS	0.20 AFA
			DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
TOTAL DIVERSION:					0.100 CFS	0.20 AFA

Water Source: SPRINGS

Tributary to: LITTLE 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	: Lt	Ac	: SUM			
09N	01E	11	:	03	:		:		:		:		:		:		:		:		: 3.0			
																				: TOTAL ACRES	: 3.0			

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

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

Pou County: GEM

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

65-03050 65-03051 65-03052 65-03053

Other Water Rights Listing Overlapping Place(s) of use:

65-03050 65-03054 65-03055

Dates:	App. Received:	Priority Date:	05/01/1890
	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

44-5-18-2

MAP NO.

65-3054
65-3055
65-3057

9-1-A
Department of Information

HOMER C. BEAL

01a. Idaho P3657

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) May 1, 1890

- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) springs tribe

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
(Both Dates Inclusive)

Use 12 stock 02 2 Period of Use From January 1 To December 31
(Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day)

Use 8 06 10 Irrigation (Both Dates Inclusive)
 (Domestic, Industrial, Stock, etc.) Period of Use From April 1 To October 31
 No. Days 196

Use 0.04 domestic 0.04 12 (Both Dates Inclusive)
(Domestic Irrigation, Stock, etc.) Period of Use From January 1 To December 31
(Mo. Day) (Mo. Day)

Quantity of water claimed: 10 ¹⁰ Cubic Feet Per Second, or 112 Acre Feet Per Annum,
and/or Gals. Per Minute.

- (5) A) Point of Diversion: Give location of point where water is diverted from its source. NE 1/4 NE 1/4.
Sec. 11, Twp. 9 N, Rge. 1 E, B.M.: additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)

Give sizes and capacities; be as specific as possible. _____ piped to stock tank also use water through open ditch to irrigate garden, also used for domestic _____

- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres 43

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: used for stock water, domestic and irrigation of garden and pasture
- (7) Effluent, sewage waste, or return water from this use is discharged into Little Squaw Cr.
- (8) If you are claiming water as a member of an organization, list name of organization _____
- (9) Remarks 30 head of stock
- (10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☒ B) Right decreed by court, cite title of case Diamond L. Co. vs H. Allen, et al
☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

May 18, 1970
(Date)

Harmer C. Ball
(Signature of Claimant)

(Signature of Claimant)

(Signature of Spouse)

Organization 23-78 kps 2-3-78 kps

(Signature of Authorized Agent)

State of 1-29-40

County of Franklin

On this 18 day of May, in the year 1970, before me,
a notary public, personally appeared Harmon C. Paul
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that he, she, they,
corporation, partnership or _____ executed the same.

Notary Public residing at 5066 JONES

My commission expires May 1 1977

A65-03057

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 480

INDICATES TOTAL

SOURCE: SPRINGS

TRIBUTARY TO: LITTLE 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
65-3057	BEAL, HOMER C. OLA, IDAHO 83657	5/ 1/1890	STOCKWATER	1/ 1 12/31	.20 AFA .02 CFS	NENE S11 T 9N R 1E	SAME AS OTHER USE	DECREED
			IRRIGATION	4/ 1 11/ 1	--- AFA .06 CFS		NENE(3) S11 T 9N R 1E *3*	
			DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS *---*AFA *.10*CFS		SAME AS OTHER USE	
65-3375	WHITE, HAROLD C. ROUTE 4, NAPPA, IDAHO 83651	4/ 1/1895	STOCKWATER	1/ 1 12/31	2.70 AFA .05 CFS	NENE S24 TION R 2E	NENE S24 TION R 2E	BENEFICIAL USE
65-11313	U. S. DEPT. OF AGRI. FOREST SERVICE, FEDERAL BLDG., 324 25TH STREET, OGDEN, UTAH 84401 REMARKS: HIGH VALLEY RANGER STATION.	12/15/1906	DOMESTIC	1/ 1 12/31	7.00 AFA .02 CFS	NESW S 7 TION R 3E	LCT3 LQ14 S 7 TION R 3E	RESERVED
65-3445	WHITE, HAROLD C. ROUTE 4, NAPPA, IDAHO 83651 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-0446 SHALL PROVIDE NO MORE THAN .05 CFS NOR 2.7 AFA.	1/13/1920	STOCKWATER	1/ 1 12/31	2.70 AFA .05 CFS	NWSE S24 TION R 2E NESE S24 TION R 2E	NESE NWSE S24 TION R 2E	BENEFICIAL USE
65-8642	CUMMINGS, HERBERT L. & CUMMINGS, JAMES M. BOX 321, COUNCIL, IDAHO 83612	6/ 1/1940	STOCKWATER	1/ 1 12/31	.20 AFA .02 CFS	NENE S 6 TION R 3E	NENE S 6 TION R 3E	BENEFICIAL USE
65-7243	WOODALL, JON & WOODALL, ERNEST BOX 5035, BCISE, IDAHO 83705 REMARKS: SOURCES FOR THIS RIGHT ARE SPRINGS TRIB. TO LITTLE SQUAW CREEK AND UNNAMED STREAM TRIB. TO LITTLE SQUAW CREEK. THIS PERMIT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	10/ 8/1971	IRRIGATION FROM STCR	3/15 11/15	60.00 AFA --- CFS	SWNE S 7 TION R 3E NWNE S 7 TION R 3E	SAME AS OTHER USE	PERMIT
			DOMESTIC	1/ 1 12/31	4.80 AFA .08 CFS		SAME AS OTHER USE	
			STOCKWATER	1/ 1 12/31	4.70 AFA .06 CFS		SAME AS OTHER USE	
			IRRIGATION	4/ 1 11/ 1	--- AFA 2.00 CFS		NENE(40) SENW(21) LCT 11401 LCT 21401 S 7 TION R 3E *141*	
			RECREATION STORAGE	1/ 1 12/31	60.00 AFA --- CFS *---*AFA *2.00*CFS		SAME AS OTHER USE	



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

ALB-07009
00193
199
201
212
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

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:

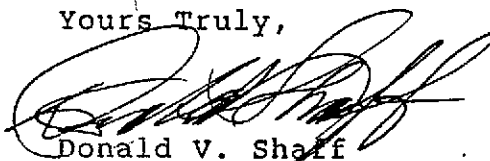
- a. 12 Notice of Claims for instream stockwater use
- b. 1 Notice of Claim for domestic use
- c. 6 Notice of Claims for stockwater use in ponds
- d. 9 Notices of Claims in the name of Homer C. Beal (decreed rights)
- e. 16 Notices of Claim in the name of Jerald and/or Joseph Jennaro (decreed rights).

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. Shaif
Adjudication Section Supervisor

MICROFILMED

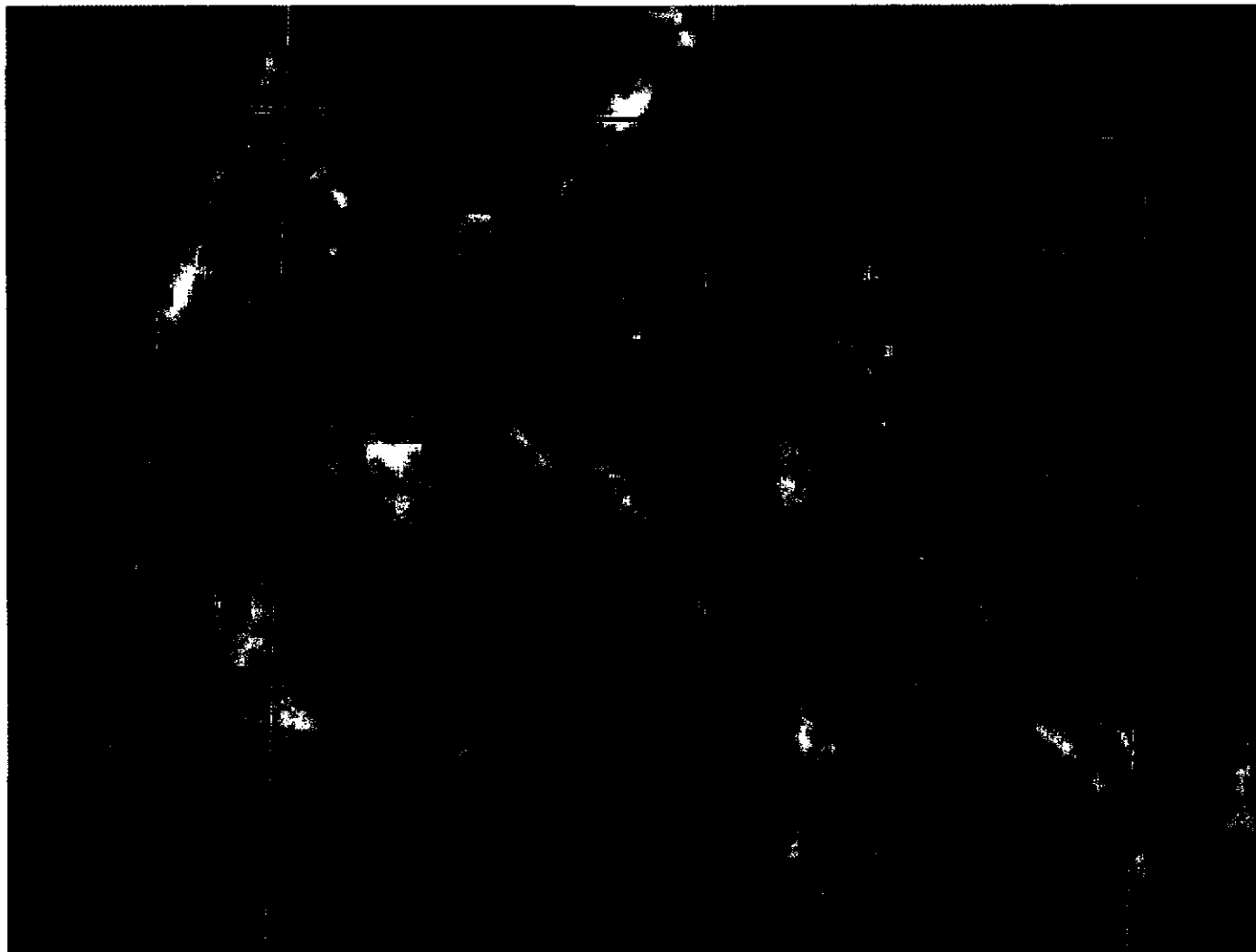
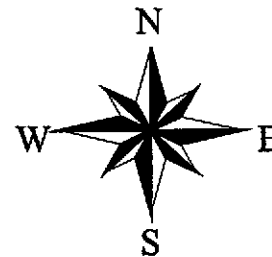
SEP 21 1992

310, 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): 65-03057

OWNER(S): MACAW, CHRIS &
REBECCA

Prepared by Mel Schulte

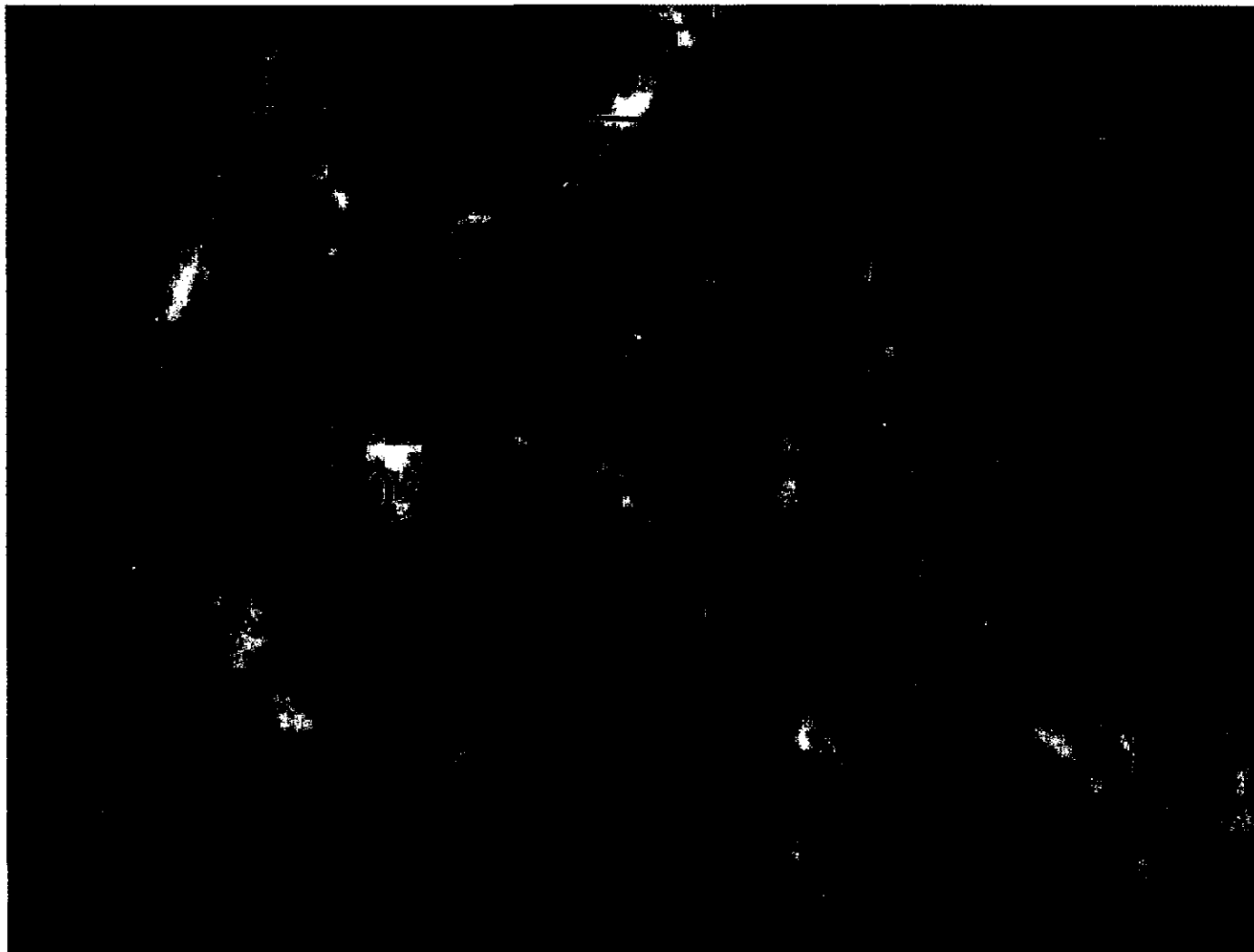
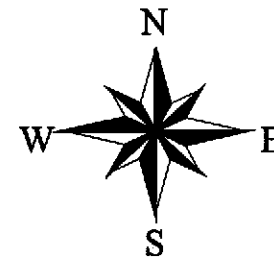
DATE: JULY 28, 2000

0 0.25 0.5 0.75 Miles



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): 65-03057

OWNER(S): MACAW, CHRIS &
REBECCA

Prepared by Mel Schulte

DATE: JULY 28, 2000

0 0.25 0.5 0.75 Miles