

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

RECEIVED

MAR 14 2003

Department of Water Resources

CONSTANCE L BAKER
6191 N EAGLE RD
EAGLE, ID 83616



NO SUCH
NUMBER
DSN

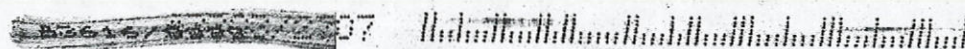
RECEIVED

MAR 17 2003

WATER RESOURCES
WESTERN REGION

65-7444 B

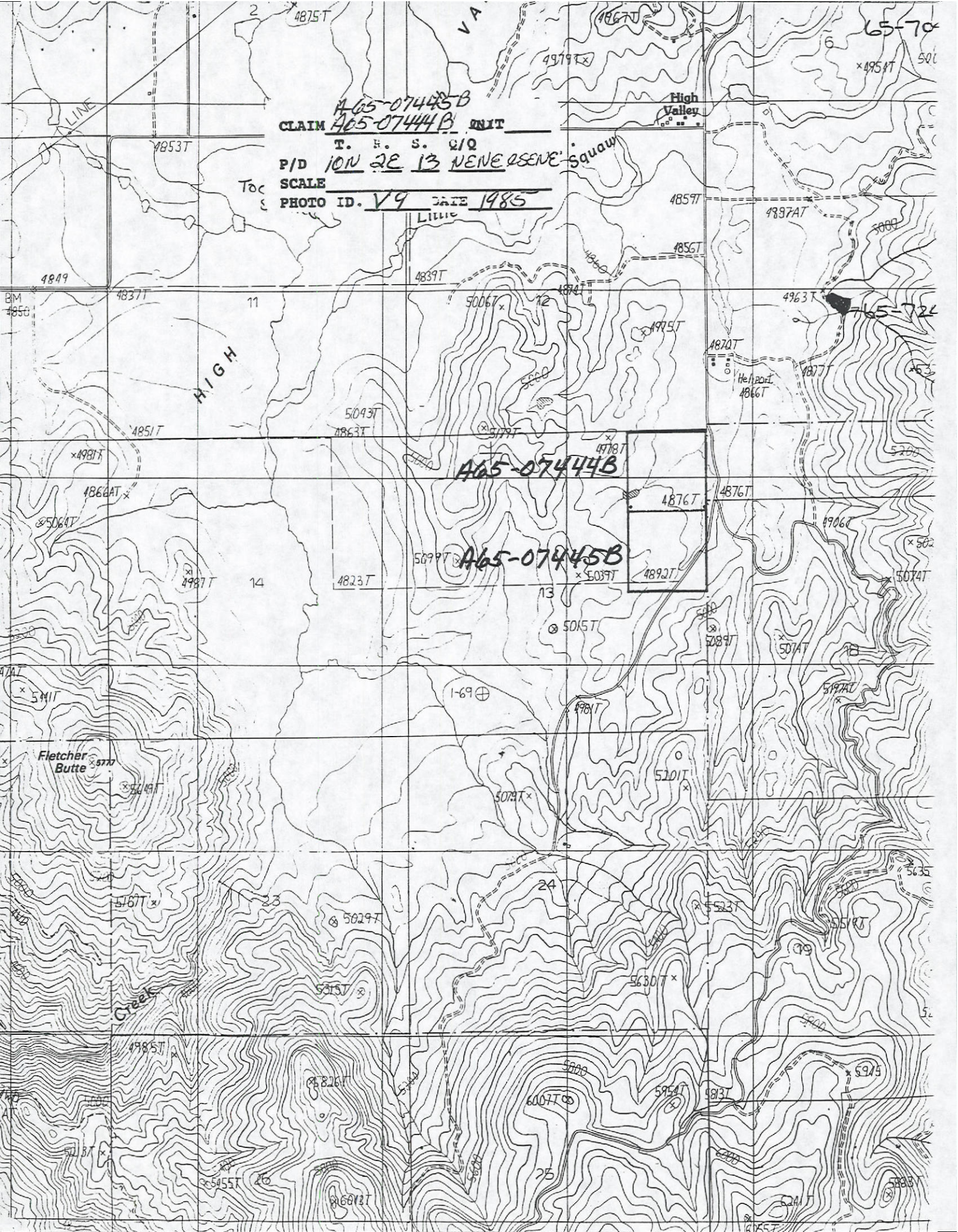
- 7445 B



found for Baker

Dorothy Beal also on this right:

38 High Valley Rd LA 83657



CLAIM 465-07444B UNIT

T. H. S. 210

P/D 10N 2E 13 NENE RSENE

SCALE

PHOTO ID. V9 DATE 1985

465-07444B

465-07445B

JUN 30 1961

State of Idaho
Department of Water Resources

**Department of Water Resources
Western Regional Office**

WATER RIGHT LICENSE

License of Water Right No.	Priority	December 12, 1973	Amount	.03 cfs
65-7445				

THIS IS TO CERTIFY, that

of 01a, Idaho, has complied with the terms and conditions of Permit

No. 65-7445 issued pursuant to Application for Permit dated December 12, 1973.

and has submitted proof to the Department of Water Resources on

that he has applied water to a beneficial use: an examination by the Department indicates that the works have a

capacity for the diversion of .03 cfs of water from _____ spring _____

tributary to Squaw Creek, and that the permit holder has applied to a beneficial use and

established a right to use water as follows:

Beneficial Use

Period of Use

Rate of Diversion

Annual Volume

Stockwater from January 1 to December 31, ~~1931~~ 1932 03 cfs and 1.4 acre feet

Storage for 1.0 acre feet

from _____ to _____ at _____

(both dates inclusive)

Subject, however, to the condition that no more than .03 cfs of water be diverted at any one time, and

that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose

aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed

2 4 acre feet per year, said waters to be diverted within the $SE\frac{1}{4}NE\frac{1}{4}$, Sec. 13, $Twp. 10N$,

Rae. 2E. B.M.

Description and location of place of use:

[illegible]

Total number of acres irrigated _____

Use of water under this license is subject to control by the watermaster of State Water District No. 65-A, Squaw Creek.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of the State.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25th day of June, 1981.

Director

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

IDENT. NO.

1851-1852

Office of Water Administration

claims a right to the diversion

10

12/12/73 - 1

Nov 7, 1973

presented by

LINE 5
have used the right claimed:
(Both Doms inclusive)

To Dec. 31 (Mon, Day)

To _____ (Mo., Day)

To	(Mo., Day)

Acres Per Annum,

SE $\frac{1}{4}$ NE $\frac{1}{4}$

length of ditch and field, etc.)

appropriate box. If use is not for

[illegible]

Total No. of acres
possible: Stock water for

[illegible]

Author's address: Department of Psychology, University of Illinois at Chicago, 608 S. Morgan St., Chicago, IL 60607-7199, USA.
E-mail: shawn@uic.edu

5-18-77

2473

its Reclamation Engineer, Office No.:
that all statements included herein are

Real.

73 _____, before me,
 _____, acknowledged to me that he, she, they,

Saint, John

...

9-12-77

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: **A65-07445B**
Date Received: 11/10/1988
Receipt No: X999999
Received By: _____

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

1. Name: DOROTHY BEAL 208-584-3563
Address: OLA ID 83657
AND/OR
Name: ROGER F BEAL 208-365-5623
Address: 422 WEST FIRST
EMMETT ID 83617
AND/OR
Name: CONSTANCE L BAKER 208-939-8987
Address: 6191 NORTH EAGLE ROAD
EAGLE ID 83616

2. Date of Priority: DEC 12, 1973

3. Source: SPRING Trib. to: SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	02E	13	SE	NE			VALLEY

5. Description of diverting works:
SPRINGS AND POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.030		
STOCKWATER STORAGE	01/01	12/31			1.00
STOCKWATER FROM STORAGE	01/01	12/31			1.00

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

8. Total consumptive use is Acre Feet Per Annum

MICROFILMED
OCT 21 1996

9. Non-irrigation uses:
STOCKWATER, 100 RANGE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	02E	13	SE	NE	STOCK	
			SE	NE	STO FS	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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 _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

ADJUDICATION MEMORANDUM

CLAIM NO.: A65-07445B

SUBJECT: Renumbered Claim

EMPLOYEE: L. Harris

DATE: 5-27-94

This claim has been renumbered due to a
duplicate claim being filed.

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

Renumbered to A65-074450

Ident. Number: A65-07445

Date Received: 11/10/1988

Receipt No: X999999

Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOROTHY BEAL 208-584-3563

Address: OLA, ID 83657

AND/OR

Name: ROGER F. BEAL 208-365-5623

Address: 422 WEST FIRST
EMMETT, ID 83617

AND/OR

Name: CONSTANCE L. BAKER 208-939-8987

Address: 6191 NORTH EAGLE ROAD
EAGLE, ID 83616

2. Date of Priority: DEC 12, 1973

3. Source: SPRING Trib. to: SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	02E	13	SE	NE			VALLEY

5. Description of diverting works:
SPRINGS AND POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.030		
STOCKWATER STORAGE	01/01	12/31			1.00
STOCKWATER FROM STORAGE	01/01	12/31			1.00

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

8. Total consumptive use is Acre Feet Per Annum.

A65-07445

Page 1

Date: 11/10/88

MICROFILMED
OCT 21 1996

9. Non-irrigation uses:
S/100 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	02E	13	SE	NE		STOCK	
			SE	NE		STO FS	

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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: - 0 -

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): *Roger F. Seal* Date: 11/10/88
Dorothy F. Seal Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of November 19 88

Carter Fritschle
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My commission Expires March 21, 1994

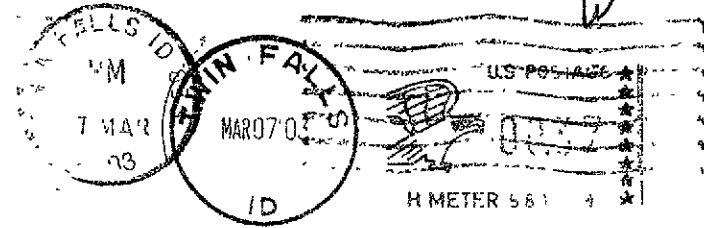
STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

RECEIVED

MAR 14 2003

Department of Water Resources

CONSTANCE L BAKER
6191 N EAGLE RD
EAGLE, ID



Handwritten: NO SUCH NUMBER
Handwritten: USN

RECEIVED

MAR 17 2003

WATER RESOURCES
WESTERN REGION

Handwritten: 105-7444 B

Handwritten: 7445 B.



Handwritten: found for Baker

Handwritten: Dorothy Beal also on this right:

Handwritten: 38 High Valley Rd LA 83657

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



ROGER BURDICK
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

March 7, 2003

Attention Water Right Claimant,

Enclosed is an *Amended Partial Decree* which amends and supercedes the partial decree previously issued for your water right to contain the following provision:

Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations 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 § 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 event of injury.

The provision was recommended in the *Special Master's Report and Recommendation* to be included in the *Partial Decree* for your water right, but was inadvertently omitted due to a clerical error.

Should you have any questions regarding this matter, please contact the Clerk of the Court for the SRBA at (208) 736-3011

Sincerely,

A handwritten signature in black ink, appearing to read "Diana Delaney", is written over a circular embossed seal. The seal is partially visible and contains some illegible text.

Diana Delaney

DD:sb
Enc.

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

AMENDED

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 65-07445B

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR - 7 2003

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: DOROTHY F BEAL
PO BOX 56
OLA, ID 83657

ROGER F BEAL
422 W FIRST
EMMETT, ID 83617

CONSTANCE L BAKER
6191 N EAGLE RD
EAGLE, ID 83616

SOURCE: SPRING TRIBUTARY: SQUAW CREEK

QUANTITY: 0.03 CFS
2.40 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/12/1973

POINT OF DIVERSION: T10N R02E S13 SENE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.03 CFS
			1.40 AFY
	Stockwater Storage	01-01 TO 12-31	1.00 AFY

PLACE OF USE.	Stockwater		Within Valley County
	T10N R02E S13	SENE	
	Stockwater Storage		Within Valley County
	T10N R02E S13	SENE	

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

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

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

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

RULE 54(b) CERTIFICATE

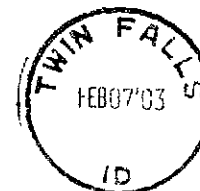
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment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



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

65-7444B
74450



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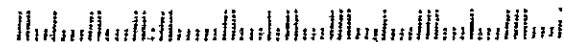
FEB 18 2003

WATER RESOURCES
WESTERN REGION

CONSTANCE L BAKER
6191 N EAGLE RD.
EAGLE, ID 83616

10574

██████████ 83303/2707



DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 FEB 7 AM 11 43

**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

)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Right 65-7445B**
)

On 12-23-2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 65-7445B is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED February 7, 2003.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
FILED

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I R C.P. 54(b) FOR
Water Right 65-07445B

2003 FEB 7 AM 11 43

NAME AND ADDRESS: DOROTHY F BEAL
PO BOX 56
OLA, ID 83657

ROGER F BEAL
422 W FIRST
EMMETT, ID 83617

CONSTANCE L BAKER
6191 N EAGLE RD
EAGLE, ID 83616

SOURCE. SPRING TRIBUTARY: SQUAW CREEK

QUANTITY 0.03 CFS
2.40 APY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE 12/12/1973

POINT OF DIVERSION T10N R02E S13 SENE Within Valley County

PURPOSE AND PERIOD OF USE.	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.03 CFS
			1.40 APY
	Stockwater Storage	01-01 TO 12-31	1.00 APY

PLACE OF USE:	Stockwater		Within Valley County
	T10N R02E S13	SENE	
	Stockwater Storage		Within Valley County
	T10N R02E S13	SENE	

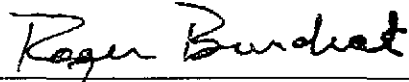
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT

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

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

RULE 54(b) CERTIFICATE

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



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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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 65-7445B
(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:	Dorothy F. Beal	Roger F. Beal	Constance L. Baker
Address:	PO Box 56	422 W First	6191 N Eagle Rd.
	Ola, ID 83657	Emmett, ID 83617	Eagle, ID 83616

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.

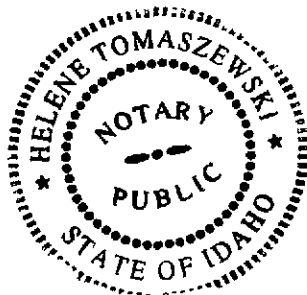
State of Idaho)
) ss.
County of Ada)

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)

January 9, 2002



Helene Tomaszewski
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:	Dorothy F. Beal	Roger F. Beal	Constance L. Baker
Address:	PO Box 56 Ola, ID 83657	422 W First Emmett, ID 83617	6191 N Eagle Rd. Eagle, ID 83616

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
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



RECEIVED

MAR 16 2001

WATER RESO
WESTERN REGIONAL

CONSTANCE L BAKER
6191 N EAGLE RD
~~BOISE, IDAHO 83705~~

Boise

65 - 07444 B

65 - 07445 B

Ø

**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: 65-7445B

DOROTHY F BEAL
PO BOX 56
OLA ID 83657

ROGER F BEAL
422 W FIRST
EMMETT ID 83617
Telephone Number: (208)365-5623

CONSTANCE L BAKER
6191 N EAGLE RD
EAGLE ID 83616
Telephone Number: (208)939-8987

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:

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

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

03/07/2001

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

RIGHT NUMBER: 65-7445B
NAME AND ADDRESS: DOROTHY F BEAL
PO BOX 56
OLA ID 83657
ROGER F BEAL
422 W FIRST
EMMETT ID 83617
CONSTANCE L BAKER
6191 N EAGLE RD
EAGLE ID 83616

SOURCE: SPRING TRIBUTARY: SQUAW CREEK

QUANTITY: 0.030 CFS
2.40 AFY
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/12/1973

POINT OF DIVERSION:
T10N R02E S13 SENE Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.030 CFS
		1.40 AFY
STOCKWATER STORAGE	1/01 12/31	1.00 AFY

PLACE OF USE:

STOCKWATER Within VALLEY County
T10N R02E S13 SENE
STOCKWATER STORAGE Within VALLEY County
T10N R02E S13 SENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
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 - License
PARCEL NO. 10N02E130006 STOCKWATER, 100 RANGE CATTLE.^^^

AJ0749NP
No. R65-074458

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

DATE: 04/27/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DOROTHY BEAL OLA ID 83657 (208) 584-3563	12/12/1973	STOCKWATER STOCKWATER STORAGE	01-01 12-31 01-01 12-31	0.030 CFS	1.40 AFA 1.00 AFA
TOTAL DIVERSION:					0.030 CFS	2.40 AFA
C	ROGER F BEAL 422 WEST FIRST EMMETT ID 83617 (208) 365-5623					
C	CONSTANCE L BAKER 6191 NORTH EAGLE ROAD EAGLE ID 83616 (208) 939-8987					

Water Source: SPRING

Tributary to: SQUAW CREEK

Stage: LICENSE

Point(s) of Diversion: T10N R02E S13 SENE

VALLEY County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
10N	02E	13	:					S	:									:	

Place of use Legal Description for: STOCKWATER STORAGE

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
10N	02E	13	:					S	:									:	

POU County: VALLEY

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. 10N02E130006
STOCKWATER, 100 RANGE CATTLE.

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

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

AJ0749NP
No. R65-07445B

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

DATE: 04/27/00
PAGE: 2

=====

Comments: Date: 02/26/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 04/27/00 MSCHULTE

AJ5809NP
No. R65-07445B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/26/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DOROTHY BEAL OLA ID 83657 (208) 584-3563	12/12/1973	STOCKWATER	01-01 12-31	0.03 CFS	1.40 AFA
			STOCKWATER STORAGE	01-01 12-31		1.00 AFA
			~~STOCKWATER FROM STORAGE~~	~~01-01 12-31~~		~~1.00 AFA~~
C	ROGER F BEAL 422 ~~(WES)~~ FIRST EMMETT ID 83617 (208) 365-5623			TOTAL DIVERSION:	0.03 CFS	
C	CONSTANCE L BAKER 6191 ~~(NORTH)~~ EAGLE ~~(ROAD)~~ EAGLE ID 83616 (208) 939-8987					

Water Source: SPRING

Tributary to: SQUAW CREEK

Stage: LICENSE

Point(s) of Diversion: T10N R02E S13 SENE

VALLEY County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE											
T	R	S		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	:
10N	02E	13	:				S	:					:					:					:

Place of use Legal Description for: STOCKWATER FROM STORAGE

NE				NW				SW				SE											
T	R	S		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	:
10N	02E	13	:				S	:					:					:					:

POU County: VALLEY

Other Rights: NONE

Recommended as licensee

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP10N02E130005 ~~A~~
STOCKWATER, 100 RANGE *CATTLE*

Dates: Exam Made Date: Verified Date:

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

Check split info.

See A65-07445A

4-26-2000

Objection Filed Date:

Per Valley County Assessor - owner is Dorothy Beal Parcel # 10N02E130006

AJ5809NP
No. R65-07445B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/26/98
PAGE: 2

=====

Comments: Date: 02/26/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 05/27/94 HARRIS 03/30/95 POST-STD 01/16/98 AJU3-JSH 02/26/98 AJU5-JSH

WR5809NP
No. 65-07445

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/11/98
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	12/12/1973	STOCKWATER STOCKWATER STORAGE	01/01 12/31 01/01 12/31	0.030 CFS	1.40 AFA 1.00 AFA
TOTAL DIVERSION:					0.030 CFS	2.40 AFA

Water Source: SPRING

Tributary to: SQUAW CREEK

Stage: LICENSE

Point(s) of Diversion:

T10N R02E S13

SENE

VALLEY County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
T R S	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac
10N 02E 13	:				:				:				:			

Pou County: VALLEY

Dates: App. Received:
Proof Due Date:
Exam Made Date:
Licensed Date: 04/12/1982

Priority Date: 12/12/1973
Proof Made Date:
Exam Sent to S.O.:

Misc: Water District Number: 65A

Field Exam Fee:

Audit: 09/27/82 04/30/88 CONVERT

Water Right Number - R65-07445B Prefix Translation: RESEARCH Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***

BEAL DOROTHY 1 -
2 -
3 -
City- OLA State- ID Zip- 83657
Phone - 208-584-3563

BEAL ROGER F 1 - 422 WEST FIRST
2 -
3 -
City- EMMETT State- ID Zip- 83617
Phone - 208-365-5623

BAKER CONSTANCE L 1 - 6191 NORTH EAGLE ROAD
2 -
3 -
City- EAGLE State- ID Zip- 83616
Phone - 208-939-8987

*** O - ORIGINAL OWNER ***

BEAL HOMER C 1 -
2 -
3 -
City- OLA State- ID Zip- 83657
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

12/12/1973 14 WESTERN L - LICENSE

* - - - - Source - - - - + + - - - - Tributary - - - - - +

SPRING SQUAW CREEK

+ - - - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot RFlg County

10N 02E 13 SE NE (85) VALLEY

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER 01/01 12/31 0.030 1.40

05 - STOCKWATER STORAGE 01/01 12/31 1.00

06 - STOCKWATER FROM STORAGE 01/01 12/31 1.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +

0.030 0.0

+ - - - - Place of Use - - - - - +

TwN Rng Sec Tract Lot Acres Code Description County

10N 02E 13 SE NE 04 STOCKWATER (85) VALLEY

10N 02E 13 SE NE 06 STOCKWATER FROM STORAGE (85) VALLEY

MICROFILMED
OCT 2 1996

Prefix Translation: RESEARCH

[illegible]

Total Acres:

+ - - Diversion Means - SPRINGS AND POND

+ - - Non-Irrigation Use - STOCKWATER, 100 RANGE

+ - - Other Rights for Same Use - NONE

+	-----	Remarks	-----	+
	PARCEL NO. RP10N02E130005 A			

[illegible]

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - + + - - - Decree Defendant - - + + - Decree Date - +
00/00/0000

```
+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+
-Comments-
+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+
No Comments Found
```

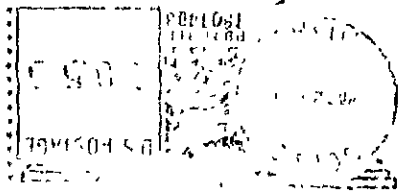
+ - - Audit Fields - - +
05/27/94 HARRIS

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/10/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X999999	Water District	- 65A
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
OCT 21 1996

POOR ORIGINAL



IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED
MAR 2 1995
WATER RESOURCES
WESTERN REGION

CONSTANCE L BAKER
6191 N EAGLE RD
EAGLE ID 83616



FORWARDING
ORDER
EXPIRED

File: A65-07444B
A65-07445B

MICROFILMED
OCT 21 1996



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

R. KEITH HIGGINSON
DIRECTOR

March 20, 1995

Dorothy Beal
Ola ID 83657

Roger F. Beal
422 W First
Emmett ID 83617

Constance L. Baker
6191 N Eagle Rd
Eagle ID 83616

RE: Snake River Basin Adjudication (SRBA)

Dear Claimant:

The Identification Number of your Notice of Claim to a Water Right has been changed from A65-07444 and A65-07445 to A65-07444B and A65-07445B respectively. The suffix "B" has been added to the number in order to distinguish your claim from other claims that may claim a portion of the same original water right. This change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new Identification Number. Refer to this record number in any future inquiries or correspondence.

Respectfully,


Helen L. Thornton
Adjudication Staff

HHT:h
Enclosures

MICROFILMED
OCT 21 1996

465-07443-B
465-07444-B

U.S. 5/15

U.S. 5/15

1011 22 13 18

11

ID. 67 DATE

2111711

50997

Fletcher & Butte

RECEIVED

JUL 30 1981

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License No. 65-7445 Priority December 12, 1973 Amount .03 cfs

THIS IS TO CERTIFY that HONOR C. BEAL

of Idaho has complied with the terms and conditions of Permit

No. 65-7445 issued pursuant to Application for Permit dated December 12, 1973

and has submitted proof to the Department of Water Resources on December 11, 1978

that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of .03 cfs of water from Spring

tributary to Squaw Creek, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use Stockwater Period of Use January 11 to December 31 Rate of Diversion .03 cfs and 1.4 acre feet
Storage for from January 11 to December 31 1.4 acre feet
Stockwater from January 11 to December 31 1.0 acre feet
from to at to at

(both dates inclusive)
Subject, however, to the condition that no more than .03 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 2.4 acre feet per year, said waters to be diverted within the SENECA, Sec. 13, Twp. 10N, Rge. 2E, B.M. in the County of Valley

Range	Town	Section	Mileage												Total
			1	2	3	4	5	6	7	8	9	10	11	12	
2E	13	1													
10N		1													
		2													
		3													
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		98													
		99													
		100													

Total number of acres irrigated _____

Use of water under this license is subject to control by the watermaster of State Water District No. 65-A, Squaw Creek.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25th day of June, 19 81.

[Signature]
Director

**IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADAMS**

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM

TO A

WATER RIGHT

Notice is hereby given that WHEREAS the

State of Idaho - 33059

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 bene field use, state that year) 12/10/23

2) Describe source of water: (Name of stream, lake, spring, etc., or sub-surface water) Payette River

3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: Stockwater

Use: (Domestic, Irrigation, stock, etc.) Stockwater

Use: (Domestic, Irrigation, stock, etc.) Stockwater

Use: (Domestic, Irrigation, stock, etc.) Stockwater

Quantity of water claimed: 270.03 Cuse Feet Per Second

and/or Gals. Per Minute

(5) A) Point of Diversion: Give location of point where water is diverted from its source 10 N. Twp. 12 E. Sec. 13

B) Describe means of diversion of water: (Pump and pipeline, well, dam, etc.) Dam and pipeline

Give sizes and capacities; be as specific as possible. Dam and pipeline

(6) Describe location of use by listing number of irrigated acres within each irrigation place an "X" in appropriate box to show location within each

100 head

100 head

100 head

100 head

100 head

100 head

100 head

100 head

100 head

100 head

100 head

100 head

100 head

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100 head

100 head

100 head

100 head

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100 head

100 head

100 head

100 head

100 head

100 head

100 head

100 head

100 head

WATER RIGHT NUMBER - A65-07445

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - NON-IRRIGATION USE - S/100 RANGE.

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - -
NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - -
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 11/10/88 FRITSCHL

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING - 00/00/0000	FIELD INSPECTION MADE - 00/00/0000	CIVIL CASE NUMBER - 39576
OBJECTION FILED DATE - 00/00/0000	FIELD INSPECTION FLAG -	OLD CASE NUMBER -
RESPONSE FILED DATE - 00/00/0000	VERIFIED DATE - 00/00/0000	OLD JUDICIAL DISTRICT -
CLAIM RECEIVED DATE - 11/10/1988	LAST AMENDED DATE - 00/00/0000	TEMPORARY RIGHT - P
PROOF DUE DATE - 00/00/0000	PROOF MADE DATE - 00/00/0000	WATER DISTRICT - 65A
LICENSED DATE - 00/00/0000	RECEIPT NUMBER - X999999	FEDERAL/STATE INDICATOR - S
CLAIMS TAPE ERROR FLG -	PDU OWNERSHIP FLAG - Y	PRESUMPTION FLAG -
FEE EXEMPT FLAG -	NAME CONNECTOR - AND/OR	NOTICE OF ERROR FLAG -

RP10NOZE130005 A

DATA ENTRY

ENTERED 02-11-83
CHECKED 10/21/83

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED

JUN 14 1993

CERTIFIED

JUN 15 1993

WATER EXAMINER

MICROFILMED
OCT 21 1996