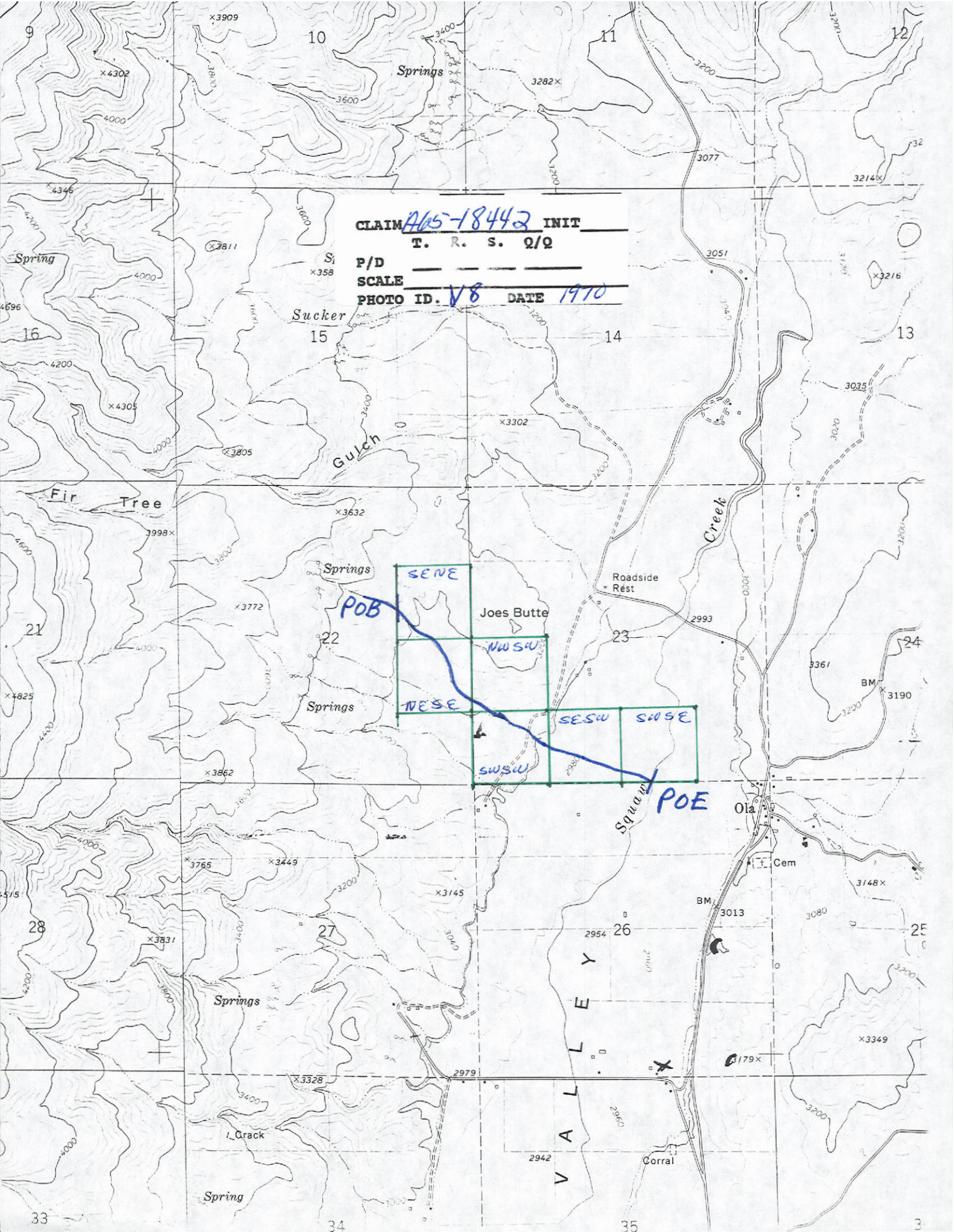
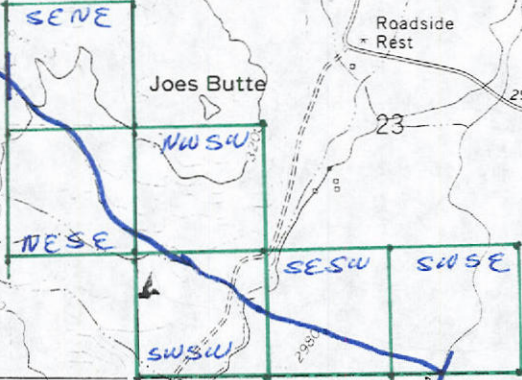


10N-01E

WFO 100-100000



CLAIM 165-18442 INIT
T. R. S. Q/Q
P/D _____
SCALE _____
PHOTO ID. V8 DATE 1970



Suckers
15

Gulch

Fir Tree

Springs

Springs

Joes Butte

Roadside
Rest

Creek

POE

Ola

Cem

Springs

Crack

Spring

VALLEY

Corral

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: A65-18442
Date Received: 2/13/1990
Receipt No: W008777
Received By: S. J. H.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES E. MACKENZIE
Address: ~~BOX 34~~ See River 208-584-3329
OLA, ID 83657

2. Date of Priority: MAY 01, 1880

3. Source: UNNAMED STREAM Trib. to: SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Beginning Point of Minimum Instream Flow					
10N	01E	22	SW SE NE		GEM
Ending Point of Minimum Instream Flow					
10N	01E	23	SW SW SE		GEM

5. Description of diverting works:
STOCKWATER FROM INSTREAM FLOW.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.090		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK WATER--CATTLE 350-400 HEAD.

A65-18442

Page 1

Date: 02/13/90

MICROFILMED

AUG 04 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	01E	22	SE	NE	STOCK	
		23	SW	SE	STOCK	

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:

APPLICANT IS IN THE PROCESS OF PURCHASING PROPERTY. THE
APPLICANT REALIZES THE PRIORITY DATE MAY BE MOVED AHEAD DUE
TO THE PREVIOUS PAYETTE RIVER ADJUDICATION.

15. Basis of Claim: BENEFICIAL USE

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. Number

AGU-18442

Date Received

Feb 13 1990

Receipt Number

W008777

JFW

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) CHARLES E MACKENZIE Phone () 584-3329Mailing Address Box 34 OIA Idaho Zip 836572. Date of Priority (Only one (1) per claim) May 1, 18803. Source of water supply (a) UNNAMED STREAM
which is tributary to (b) Squaw Creek4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 10 N Range 01 E Section 22, SW 1/4 of SE 1/4 of NE 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township 10 N Range 01 E Section 23, SW 1/4 of SW 1/4 of
SE 1/4, Govt. Lot _____ B.M., County of GEM5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.STOCKWATER FROM INSTREAM FLOW.

MICROFILMED

AUG 04 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For STOCKWATER purposes from 1/1 to 12/31 amount .09 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .09 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER - CATTLE 350-400 Hd.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>#10N</u>	<u>01E</u>	<u>22</u>				<u>S</u>													
<u>10N</u>	<u>01E</u>	<u>23</u>				<u>(START)</u>												<u>(END)</u>	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? GEM

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: APPLICANT IS IN THE PROCESS OF PURCHASING PROPERTY
THE APPLICANT REALIZES THE PRIORITY DATE MAY BE MOVED AHEAD
DUE TO THE PREVIOUS PAYETTE RIVER ADJUDICATION

Last Name _____ Ident No. _____

MICROFILMED
AUG 04 1994

15. Basis of Claim (check one) Beneficial Use Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Charles E. Mackenzie

Date X Feb-13-1990

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13 day of Feb. 19 90

SEAL

Notary Public Linda Werner

Residing at LINDA WERNER

RESIDING AT EAGLE, IDAHO

My Commission Expires MY COMMISSION EXPIRES DEC. 8, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

MICROFILMED

Copies None State, Yellow Claimant
AUG 04 1994

710-01E

WICROFILMED

RECEIVED

JAN 24 2002

WATER RESOURCES
WESTERN REGION

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

In Re SRBA)

A. Subcase 65-18442

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

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

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

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

Name & Address of Attorney, if any:

David W. Gehlert (303 312-7352)

Trial Attorney, General Litigation Section

Environment and Natural Resource Division

U.S. Department of Justice

999 18th Street, Suite N 945

Denver, CO 80202

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

Name: Charles E. Mackenzie

Address: PO Box 1005
Caldwell, ID 83606

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):

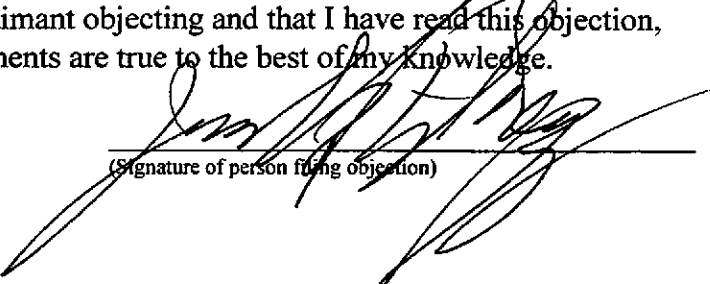
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

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)

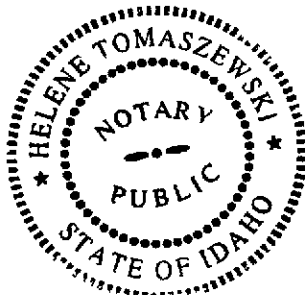
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

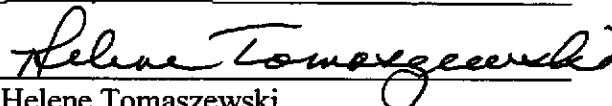

(Signature of person filing objection)

(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: Charles E. Mackenzie

Address: PO Box 1005
Caldwell, ID 83606

3. Copies to:

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

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

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



Signature of Objector or attorney mailing on Objector's behalf



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user

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

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

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

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

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

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

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

Sincerely,

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

05/01/2001

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

RIGHT NUMBER: 65-18442

NAME AND ADDRESS: CHARLES E MACKENZIE
PO BOX 1005
CALDWELL, ID 83606

SOURCE: UNNAMED STREAM TRIBUTARY: SQUAW CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/01/1880

POINT OF DIVERSION:	T10N R01E S22	SWSENE	Beginning of Stream Flow	Within GEM County
	T10N R01E S23	SWSWSE	End of Stream Flow	Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.02 CFS

IN STREAM STOCK WATER

PLACE OF USE:

<u>STOCKWATER Within GEM County</u>			
T10N R01E S22	SENE	T10N R01E S22	NESE
T10N R01E S23	NWSW	T10N R01E S23	SWSW
T10N R01E S23	SESW	T10N R01E S23	SWSE

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 IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NOS. RP 00541900 & RP 00541800
STOCKWATER, 400 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: 65-18442

CHARLES E MACKENZIE

PO BOX 34

OLA ID 83657

Telephone Number: (208)584-3329

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:

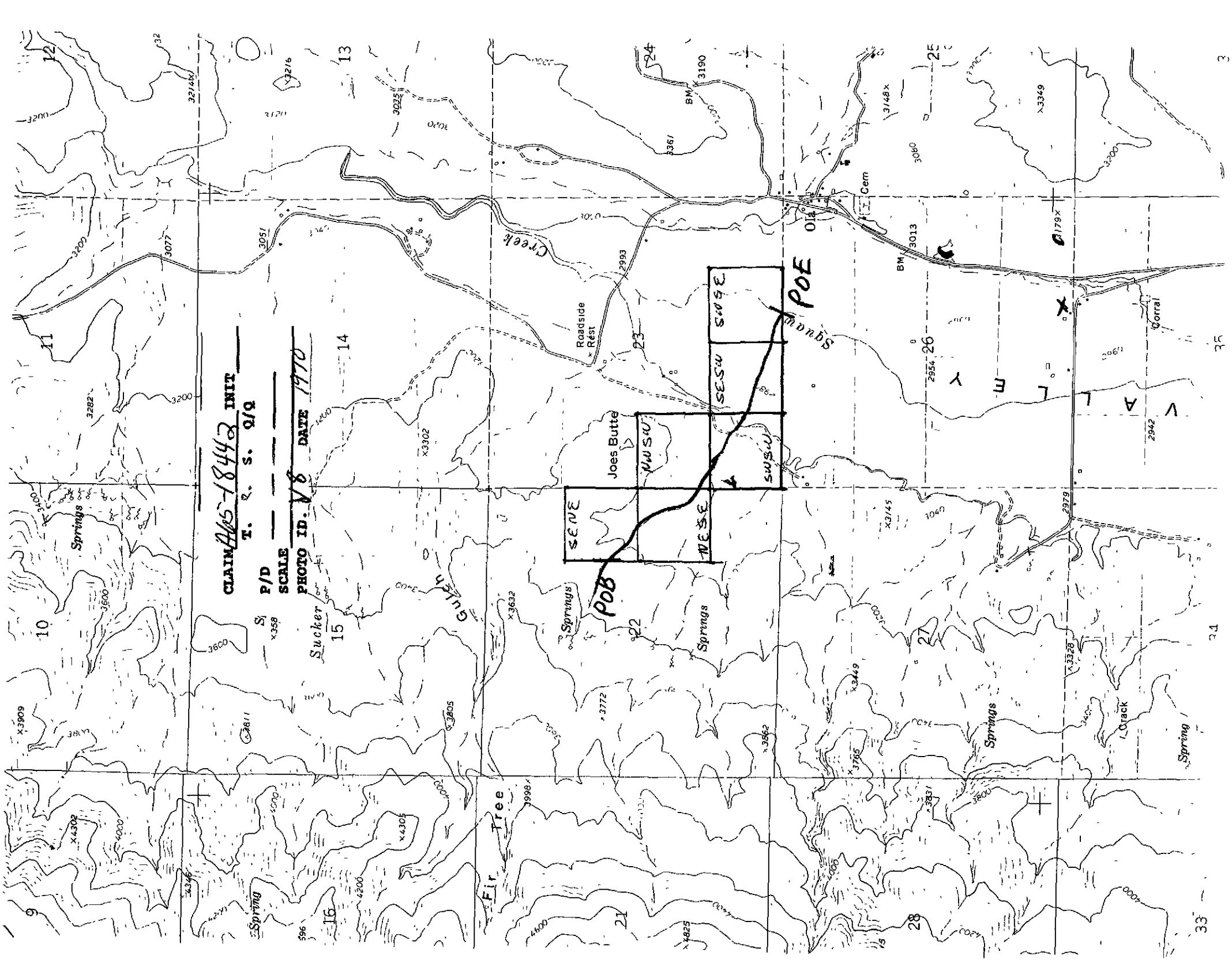
 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 5-1-001

SIGNATURE: Charles Mackenzie

Please print your name: _____

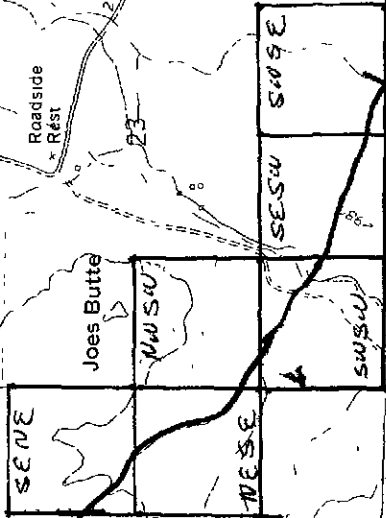
IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190



CLAIM 18442 INIT
T. R. S. Q/Q

P/D
SCALE

PHOTO ID. V8 DATE 1970



POB

POE

Joes Butte

NW SW

SW SW

SE SW

SE NE

Sucker

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DATE: 10/22/97
PAGE: 18

Date: 10/03/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE

AJ5809NP
No. R65-18442

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/22/97
PAGE: 19

=====

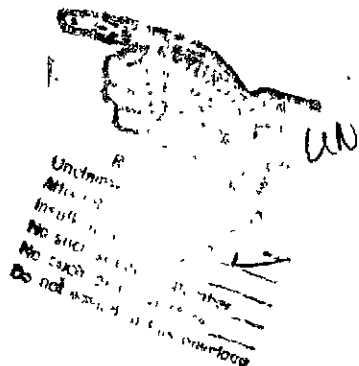
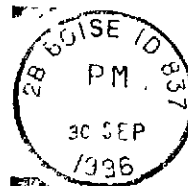
Comments: Date: 10/03/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 10/05/93 DUNN1 03/30/95 POST-STD 10/03/97 AJU5-JSH

Oct. 3, 1996

AGS-18442

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



Charles Mackenzie
Box 34
Ola, ID 83657

RECEIVED
OCT 02 1996
WATER RESOURCES
WESTERN REGION

Re: My letter of 9/30/96 to Watermaster
#65A w/ cc to C. Mackenzie -
letter's copy returned as
"attempted - not known" by post office.

JL



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

September 30, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ERIC HERR WATERMASTER #65-A
8917 BUTTE RD.
SWEET, ID 83670

RE: WATER DELIVERY FOR CIRCLE ARROW & MACKENZIE

Dear Eric:

I am assuming that the issue about delivery of water from springs and/or an unnamed stream for the above-referenced water users has worked out so far. This letter is to confirm the allowable arrangement in which you can deliver water to these parties.

As Watermaster (WM) of Squaw Creek District No. 65-A, you are authorized to deliver water from springs and/or an unnamed stream via a common ditch under the following conditions pursuant to I.C. § 42-607 (see attached copy).

1. Right No. 65-03025X has first priority for .10 cubic feet per second (cfs), which is 45 gallons per minute (gpm). This decreed stockwater right is for Circle Arrow Grazing Corp. (Suttons).
2. Suttons' Right No. 65-13155 has second priority for .20 cfs, which is 90 gpm, for stock and recreation uses. This right is a permit being licensed.
3. Right No. A65-18442 has third and last priority for .09 cfs, or 40 gpm. This right is for Charles MacKenzie, in-stream stock use only.
4. The first and second priority Sutton rights must be fully satisfied before any water can be delivered to the third priority MacKenzie right. However, Suttons can allow some of the water normally used to fill their rights to be routed to MacKenzie if they so choose.
5. The sliding headgate in the Sutton ditch will be adjusted only by the WM. No other parties are legally authorized to adjust this headgate or to in any way interfere with WM water delivery.
6. Beneficial use of any delivered water must occur within the limits of the associated water right(s).
7. Delivery of water to MacKenzie does not in any way either prove or disprove the validity of right no. A65-18442; that issue is left to the Snake River Basin Adjudication process.
8. Cost of these deliveries will be as follows per year: \$50 for the first WM visit, at \$25 per owner; \$50 for each subsequent WM visit to be totally paid by the party requesting the visit; these costs will be itemized as separate

September 30, 1996
Page 2

expenses in the annual WM Report (no costs to parties other than the above); and payment will occur when the normal annual assessments are paid by members of the water district.

9. Water to be delivered in accordance with these rights is tributary to Squaw Creek. The authorization defined in this letter will not over-ride a call for water by any downstream water user who owns or otherwise legally operates a senior decreed, licensed or permitted Squaw Creek right.

Please contact me at your convenience if you have any questions about this situation or about other water delivery issues in your district.

Sincerely,



Steve Lester
Deputy Regional Manager

Enclosure: I.C. § 42-607

c: Circle Arrow Grazing Assoc.
Charles MacKenzie
Water District 65-A File

42-606. Reports of watermasters. — All watermasters shall make an annual report to the department of water resources prior to the expiration of the watermaster's appointment for the current year. This report shall show the total amount of water delivered by the watermaster during the preceding year, the amount delivered to each water user, the total expense of delivery and the apportionment of expenses among users and all debits and credits to be carried over to the following year. Such report shall also include records of stream flow the watermaster used or made in the process of distributing water supplies. The director may ask for other information deemed necessary in assuring proper distribution of water supplies within the district. The reports of watermasters to the department of water resources shall be filed and kept in the office of the department. [1903, p. 223, § 25; reen. R.C., § 3276; am. 1915, ch. 34, § 11, p. 103; reen. C.L., § 3276; C.S., § 5610; I.C.A., § 41-506; am. 1992, ch. 339, § 8, p. 1014.]

Compiler's notes. The name of the department of water administration (formerly the department of reclamation) has been

changed to the department of water resources on the authority of S.L. 1974, ch. 286, § 1 and S.L. 1974, ch. 20, § 28 (§ 42-1801a).

42-607. Distribution of water. — It shall be the duty of said watermaster to distribute the waters of the public stream, streams or water supply, comprising a water district, among the several ditches taking water therefrom according to the prior rights of each respectively, in whole or in part, and to shut and fasten, or cause to be shut or fastened, under the direction of the department of water resources, the headgates of the ditches or other facilities for diversion of water from such stream, streams or water supply, when in times of scarcity of water it is necessary so to do in order to supply the prior rights of others in such stream or water supply; provided, that any person or corporation claiming the right to the use of the waters of the stream or water supply comprising a water district, but not owning or having the use of an adjudicated or decreed right therein, or right therein evidenced by permit or license issued by the department of water resources, shall, for the purposes of distribution during the scarcity of water, be held to have a right subsequent to any adjudicated, decreed, permit, or licensed right in such stream or water supply, and the watermaster shall close all headgates of ditches or other diversions having no adjudicated, decreed, permit or licensed right if necessary to supply adjudicated, decreed, permit or licensed right in such stream or water supply. So long as a duly elected watermaster is charged with the administration of the waters within a water district, no water user within such district can adversely possess the right of any other water user. [1903, § 26; p. 223; reen. R.C., § 3277; am. 1909, § 1, p. 326; am. 1915, ch. 34, § 12, p. 103; C.L., § 3277; C.S., § 5611; am. 1927, ch. 63, § 2, p. 78; I.C.A., § 41-507; am. 1969, ch. 305, § 2, p. 913; am. 1973, ch. 262, § 2, p. 534; am. 1992, ch. 339, § 9, p. 1014.]

Compiler's notes. The name of the department of water administration (formerly the department of reclamation) has been changed to the department of water resources on the authority of S.L. 1974, ch. 286, § 1 and

S.L. 1974, ch. 20, § 28 (§ 42-1801a).

Sections 1, 3 of S.L. 1969, ch. 305 are compiled herein as §§ 42-605, 42-618, respectively.

Section 3 of S.L. 1973, ch. 262 declared an

*delivery → decreed - licensed - permitted I ST;
if any left over, then other delivery
(like A65-18442 for example) CAN occur.*

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PHONE - 208-584-3329

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SQUAW CREEK

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

WATER RIGHT NUMBER - A65-18442

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 02/13/90 HORTON

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

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+ - - - - - - - - - - - - - - - - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +
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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	-	02/13/1990	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PROOF MADE DATE	-	00/00/0000	WATER DISTRICT	-	
LICENSED DATE	-	00/00/0000	RECEIPT NUMBER	-	W008777	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		POU OWNERSHIP FLAG	-	N	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-		NOTICE OF ERROR FLAG	-	

5419.00 7

DATA ENTRY

ENTERED 10-6-93 RL

CHECKED 2/12/84 PM

"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
AUG 01 1992

PROOF
JUN 26 1992

CERTIFIED
AUG 30 1963
WATER EXAMINER