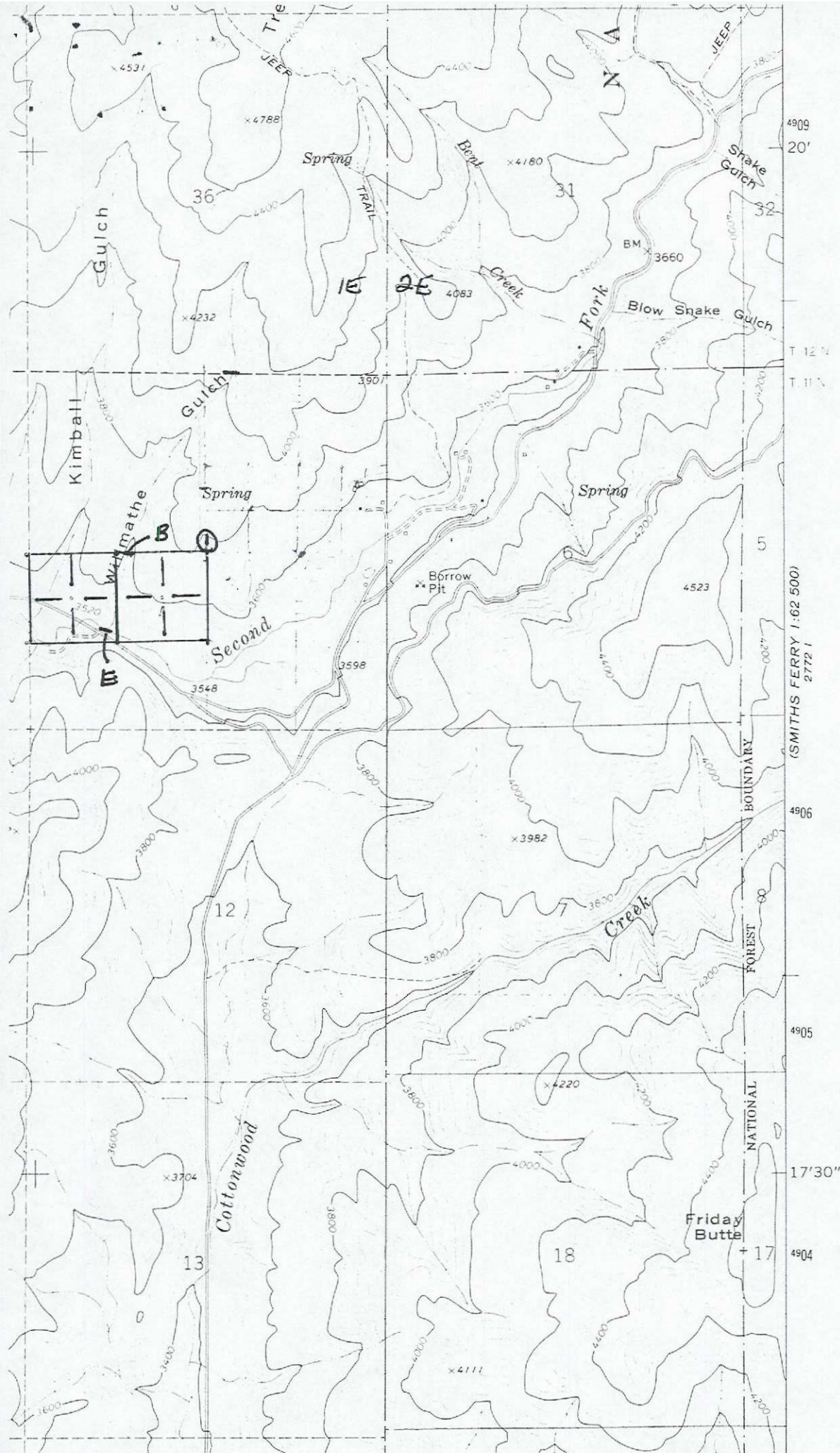




AL5-22128

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 65-22128
Date Received: 5/16/97
Receipt No: W022389
Received By:

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

1. Name of Claimant(s)

GERALD CARLOCK Phone: (208)365-3369

2254 PLUM STREET
EMMETT ID USA 83617

MILDRED M CARLOCK Phone: (208)365-3369

2254 PLUM STREET
EMMETT ID USA 83617

2. Date of Priority: 03/01/1893

3. Source: WILMATHE GULCH CREEK Trib. to: SQUAW CREEK SECOND FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11N	01E	1	SE NW SW	GEM	Ending Point
11N	01E	1	NW NE SW	GEM	Beginning Point

5. Description of diverting works:

INSTREAM STOCKWATER

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
STOCKWATER	1/01 12/31	0.07	

7. Total Quantity Appropriated is:
0.07 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	01E	1	NE	SW	STOCKWATER	
			NW	SW	STOCKWATER	

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: 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

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

\$-5.00

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: A65-22128
Date Received: 5/14/1997
Receipt No: W022389
Received By: RH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GERALD CARLOCK 208-584-3521
Address: 31351 SECOND FORK RD
OLA ID 83657
AND/OR
Name: MILDRED M CARLOCK 208-584-3521
Address: 31351 SECOND FORK RD
OLA ID 83657
2. Date of Priority: MAR 1, 1893
3. Source: WILMATHE GULCH Trib. to: SQUAW CREEK, SECOND CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
Beginning Point of Instream Flow							
11N	01E	1	NW	NE	SW		GEM
Ending Point of Instream Flow							
11N	01E	1	SE	NW	SW		GEM
5. Description of diverting works:
INSTREAM STOCKWATER
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.070		
7. Total Quantity Appropriated is:
0.070 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
220 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	01E	1	NE	SW		STOCK	
			NW	SW		STOCK	

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: 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): Mildred M. Carlock Date: May 16, 1997

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of May 19 97

Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 2000

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

Case No. 39576

A. Subcase 65-22128

(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: Mildred M. Carlock & Gerald Carlock

Address: 2254 Plum Street
Emmett, ID 83617

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.

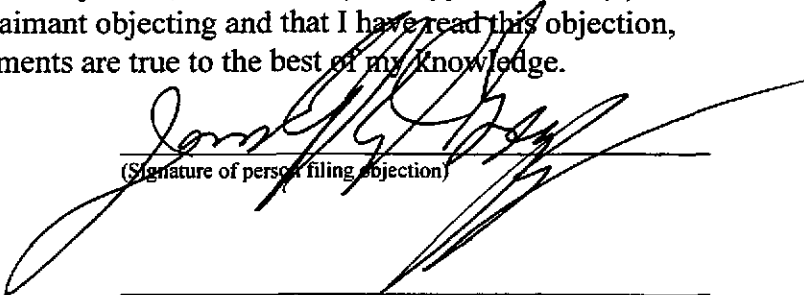
County of Ada

)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:

(Name of person filing objection)

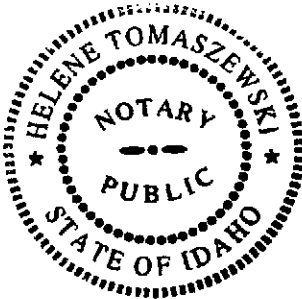
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

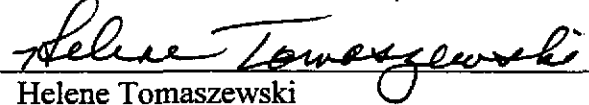

(Signature of person filing objection)

(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: Mildred M. Carlock & Gerald Carlock

Address: 2254 Plum Street
Emmett, ID 83617

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

04/23/2001

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

RIGHT NUMBER: 65-22128

NAME AND ADDRESS: GERALD CARLOCK
MILDRED M CARLOCK
2254 PLUM STREET
EMMETT, ID 83617

SOURCE: WILLMATHE GULCH TRIBUTARY: SECOND FORK SQUAW CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 03/01/1893

POINT OF DIVERSION:	T11N R01E S1	NWNESW	Beginning of Stream Flow	Within GEM County
	T11N R01E S1	SENWSW	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

PLACE OF USE:

<u>STOCKWATER Within GEM County</u>			
T11N R01E S1	NESW	T11N R01E S1	NWSW

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 - Beneficial Use

STOCKWATER, 220 RANGE CATTLE
PARCEL NO. RP 00545100

**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: 65-22128

MILDRED M CARLOCK
~~31351 SECOND FORK RD~~
~~OLA ID 83657~~

Telephone Number: (208) ~~584-3521~~

See 65-3091A

GERALD CARLOCK
~~31351 SECOND FORK RD~~
~~OLA ID 83657~~

Telephone Number: (208) ~~584-3521~~

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:

4/13/01

SIGNATURE:

Deborah L. Sorenson
DEBORAH L SORENSON

Please print your name:

DEBORAH L SORENSON

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

Daughter of claimant and ranch mgr. ✓

AJ0749NP
No. R65-22128

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

DATE: 06/02/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD CARLOCK	03/01/1893	STOCKWATER	01-01 12-31	0.020 CFS	
C	MILDRED M CARLOCK					
	31351 SECOND FORK RD			TOTAL DIVERSION:	0.020 CFS	
	OLA ID 83657					
	(208) 584-3521					

Water Source: WILLMATHE GULCH

Tributary to: SQUAW CREEK, SECOND CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T11N R01E S01
Point(s) of Ending Stream Reach: T11N R01E S01

NWNESW
SENWSW

GEM County
GEM 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	:
11N	01E	1	:											S	S					:

POU County: GEM

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 STOCKWATER, 220 RANGE CATTLE.
PARCEL NO. RP 00545100

Dates: Exam Made Date: Verified Date: 06/02/2000 Objection Filed Date:

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

Audit: 06/02/00 MSCHULTE

AJ5809NP
No. A65-22128

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/02/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD CARLOCK	03/01/1893	STOCKWATER	01-01 12-31	0.070 CFS	103
C	MILDRED M CARLOCK					
	31351 SECOND FORK RD			TOTAL DIVERSION:	0.070 CFS	102
	OLA ID 83657					
	(208) 584-3521					

Water Source: WILMATHE GULCH

Tributary to: SQUAW CREEK, SECOND CREEK

Stage: BENEFICIAL USE

Point(s) of Beginning Stream Reach: T11N R01E S01
Point(s) of Ending Stream Reach: T11N R01E S01

NWNESW
SENWSW

GEM County
GEM 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	
11N	01E	1	:					:					:	S	S			:					:

POU County: GEM

Non-Irrigation Uses: 220 RANGE CATTLE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 05/16/97 RHOWERTO

See map in claim pack.

N11 + N13

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-27-1997
PAGE: A-497

RIGHT NUMBER: 65-22128

NAME & ADDRESS: GERALD CARLOCK
MILDRED M CARLOCK
31351 SECOND FORK RD ✓
OLA ID 83657

SOURCE: WILMATHE GULCH TRIBUTARY: SQUAW CREEK, SECOND CREEK

QUANTITY: 0.07 CFS

PRIORITY DATE: 03/01/1893 ✓

POINT OF DIVERSION: T11N R01E S01
NWNESE ✓ (INSTREAM BEGINNING POINT) Within GEM County
SENESE ✓ (INSTREAM ENDING POINT)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER 220 RANGE CATTLE	01-01 12-31	0.07 CFS

PLACE OF USE: STOCKWATER Within GEM County
T11N R01E S01 NESW ✓ NWSW ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP00545100

Verified by Duf Date: 11-6-97
Verification Source: City DB