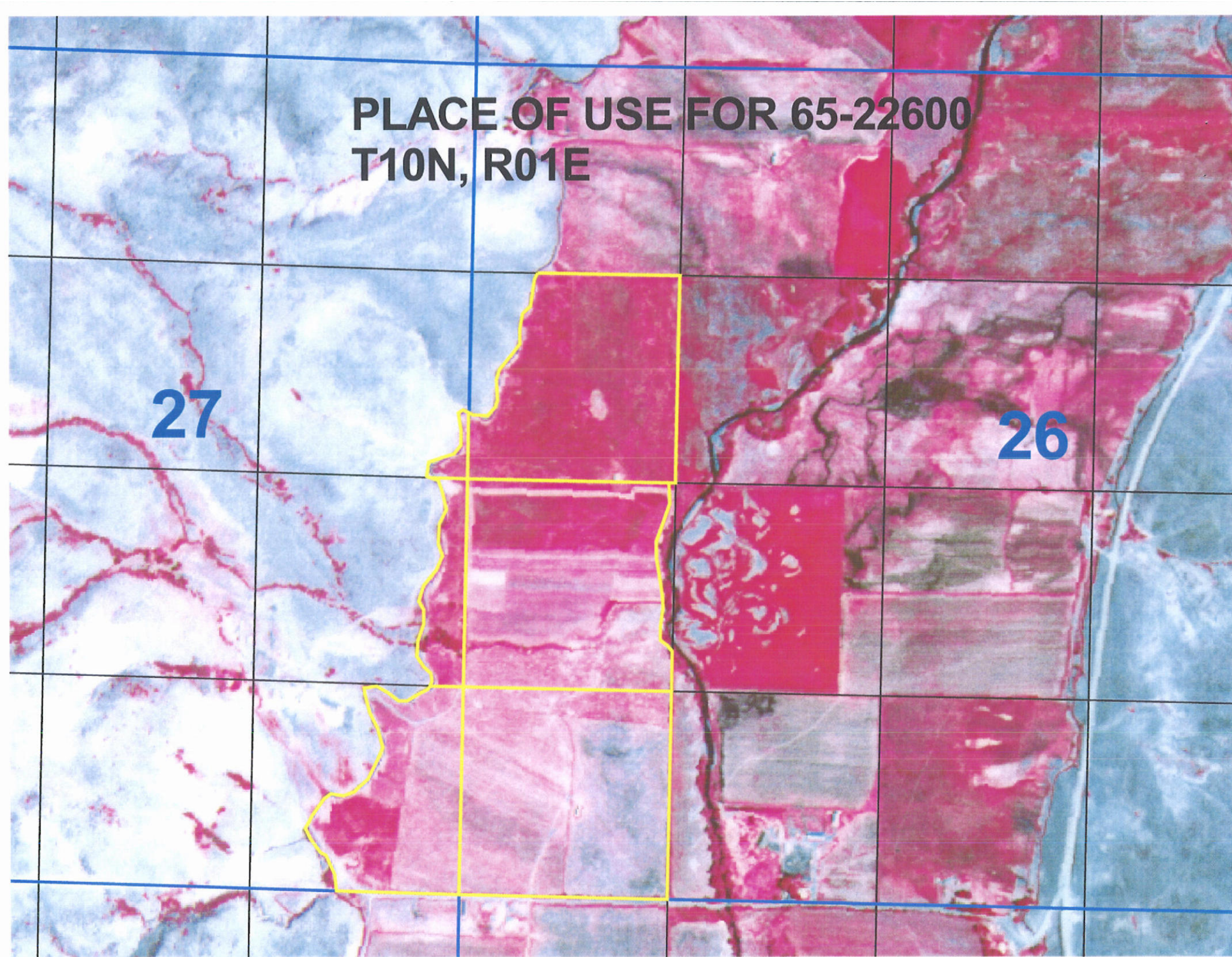


**PLACE OF USE FOR 65-22600
T10N, R01E**

27

26



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 65-22600
Date Received: 6/28/01
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

ROGER VAUGHN SPIKER Phone: (208) 584-3553

PO BOX 74
OLA ID USA 83657

SHARON MARIE SPIKER Phone: (208) 584-3553

PO BOX 74
OLA ID USA 83657

2. Date of Priority: 04/01/1870

3. Source: SQUAW CREEK Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10N	01E	12	NW SW	GEM	

5. Description of diverting works:

Younie Ditch.

6. Water is used for the following purposes:

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

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 250 Range Cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	01E	26	SW	SW	STOCKWATER	
			NW	SW	STOCKWATER	
			SW	NW	STOCKWATER	
10N	01E	27	SE	SE	STOCKWATER	
			NE	SE	STOCKWATER	
			SE	NE	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:

This claim is based on right nos. 65-3013 & 65-3017.

15. Basis of Claim: Decreed

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. AL65-22600Date Received 6-28-01

Receipt Number _____

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

RECEIVED

JUN 28 2001

WATER RESOURCES
WESTERN REGION

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) ROGER V SPIKER OR SHARON M SPIKER Phone (208) 584-3553Mailing Address PO BOX 74 OLA ID Zip 836572. Date of Priority (Only one per claim) 4-1-1870 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other ☒ (a) SNAW CREEK
which is tributary to (b) Payette RIVER Name or kind of source4. Location of point of diversion is: Township 10N Range 01E
Section 12, NW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of GEM

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Younie Ditch

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Stockwater purposes from JAN ^{Month/Day} to Dec 31 ^{Month/Day} amount .07 ^(cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed .07 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Stockwater 250 HERR

10. Place of use is: Township: 10N Range 1E
Section 26 ^{SW} _{NW} 1/4 of SW _{NW} 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any Sec 27 SESE; SE NE; NE SE

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 X No _____
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.
() None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date 03-05-79 Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number 65-3017
65-3013

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 4

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

Signature of Claimant (s) Roger V. Spiker Date 6/28/01
Sharon M. Spiker Date 6-28-2001

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

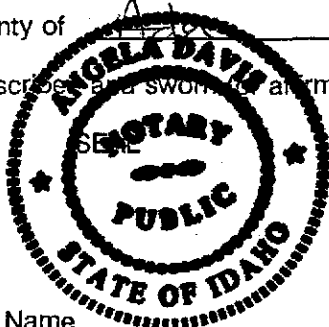
of US Bank of Idaho AD that I have signed the foregoing
Organization
document in the space below as undersigned of US Bank of Idaho
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

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

Subscribed and sworn to (or affirmed) before me this 28th day of June 192001



NOTARIZATION REQUIRED FOR EACH CLAIM

Notary Public [Signature]
Residing at US Bank of Idaho
My Commission Expires 09/10/05

Last Name _____ Ident No. _____
Copies: White-State, Yellow-Claimant

*Staff
mail*

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 65-22600

(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: Roger Vaughn Spiker & Sharon Marie Spiker

Address: PO Box 74
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.

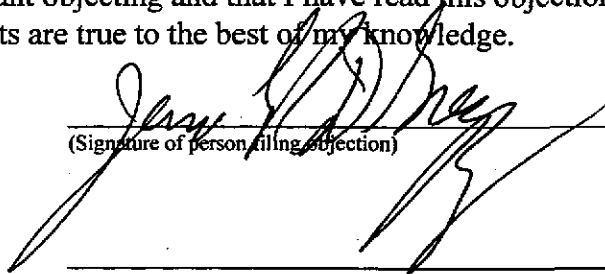
F.

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)

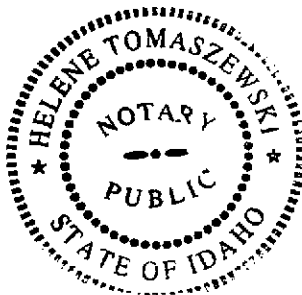
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

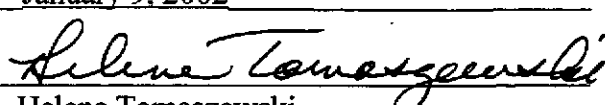

(Signature of person filing objection)

(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: Roger Vaughn Spiker & Sharon Marie Spiker

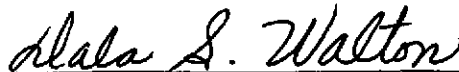
Address: PO Box 74
Ola, ID 83657

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

06/29/2001

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

RIGHT NUMBER: 65-22600

NAME AND ADDRESS: ROGER VAUGHN SPIKER
SHARON MARIE SPIKER
PO BOX 74
OLA, ID 83657

SOURCE: SQUAW CREEK

TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.02 CFS

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

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER
DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT
WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.

USE OF THIS RIGHT WITH RIGHT NO. 65-3013 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF .84 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 65-3017 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.03 CFS.

PRIORITY DATE: 04/01/1870

POINT OF DIVERSION: T10N R01E S12

NWSW

Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
0.02 CFS

PLACE OF USE:

STOCKWATER Within GEM County

T10N R01E S26 SWNW
T10N R01E S26 SWSW
T10N R01E S27 NESE

T10N R01E S26 NWSW
T10N R01E S27 SENE
T10N R01E S27 SESE

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 - Decreed

STOCKWATER, 250 RANGE CATTLE

ASSOCIATED WITH 65-3013 & 65-3017

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 65-22600

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROGER VAUGHN SPIKER
Current Owner	SHARON MARIE SPIKER
	PO BOX 74
	OLA, ID 83657
	(208) 584-3553

Priority Date: 04/01/1870
 Basis: Decreed
 Status: Active

<u>Source</u>	<u>Tributary to</u>
SQUAW CREEK	PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01	12/31	0.07 CFS	.02	
Total Diversion			0.07 CFS	.02	

Location of Point(s) of Diversion:

SQUAW CREEK	NWSW	Sec. 12	Township 10N	Range 01E	GEM County
-------------	------	---------	--------------	-----------	------------

STOCKWATER Use:
 Number of other uses: 250 Range Cattle

Place(s) of use:

Place of Use Legal Description: STOCKWATER	GEM County
--	------------

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10N	01E	26		SWNW			SWSW							
		27		SENE			SESE							
				NESE										

Remarks:

1. This claim is based on right nos. 65-3013 & 65-3017.

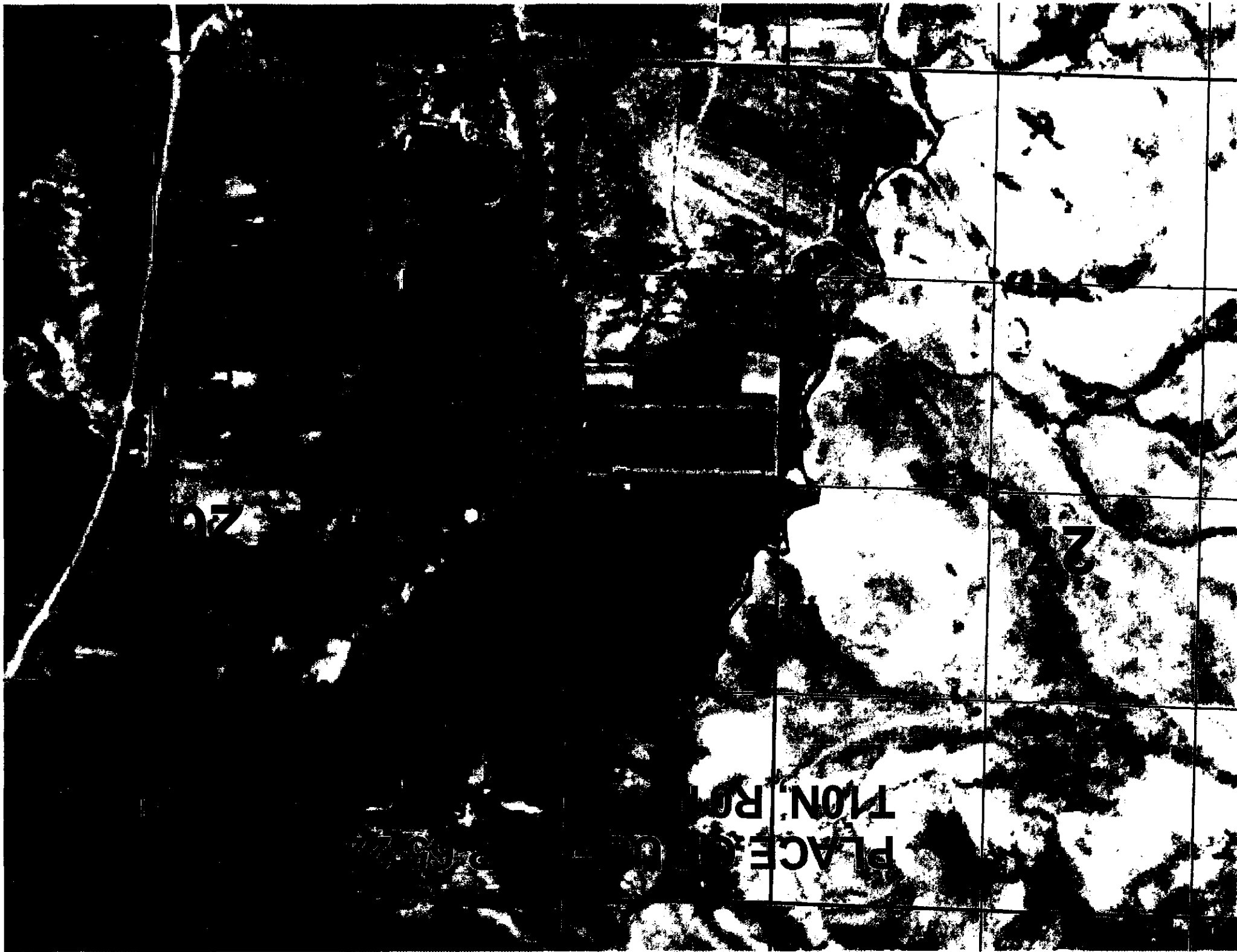
Dates:

Licensed Date:
 Claim Received Date:
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:

C18 + N11 + N13 + N15 + E01 x 2
 Exp

Other Information:

Receipt Number(s):
 State or Federal:
 Owner Name Connector: OR
 Water District Number:



07

2

PLACE OF
T10N, R01

06/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-3017

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROGER VAUGHN SPIKER
Current Owner	SHARON MARIE SPIKER
	PO BOX 74
	OLA, ID 83657
	(208) 584-3553
Original Owner	LOURABELLE ODERMOTT
Original Owner	W L ODERMOTT
	HC 78 BOX 3815
	OLA, ID 83657
	(208)584-3543

Priority Date: 04/01/1870
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary to</u>
SQUAW CREEK	PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	2.03 CFS		
Total Diversion			2.03 CFS		

Location of Point(s) of Diversion:

SQUAW CREEK	NWSW	Sec. 12	Township 10N	Range 01E	GEM County
-------------	------	---------	--------------	-----------	------------

IRRIGATION Use:
Acre Limit: 94

Place(s) of use:

Place of Use Legal Description: IRRIGATION						GEM County								
<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10N	01E	26		NWSW	34		SWSW	40						
		27		SESE	20									

Total Acres: 94

06/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-3013

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROGER VAUGHN SPIKER
Current Owner	SHARON MARIE SPIKER
	PO BOX 74
	OLA, ID 83657
	(208) 584-3553
Original Owner	LOURABELLE ODERMOTT
Original Owner	W L ODERMOTT
	HC 78 BOX 3815
	OLA, ID 83657
	(208)584-3543

Priority Date: 04/01/1870
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary to</u>
SQUAW CREEK	PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	0.84 CFS		
Total Diversion			0.84 CFS		

Location of Point(s) of Diversion:

SQUAW CREEK	NWSW	Sec. 12	Township 10N	Range 01E	GEM County
-------------	------	---------	--------------	-----------	------------

IRRIGATION Use:
Acre Limit: 41

Place(s) of use:

Place of Use Legal Description: IRRIGATION						GEM County								
<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10N	01E	26		SWNW	33									
		27		SENE	1									
				NESE	7									

Total Acres: 41