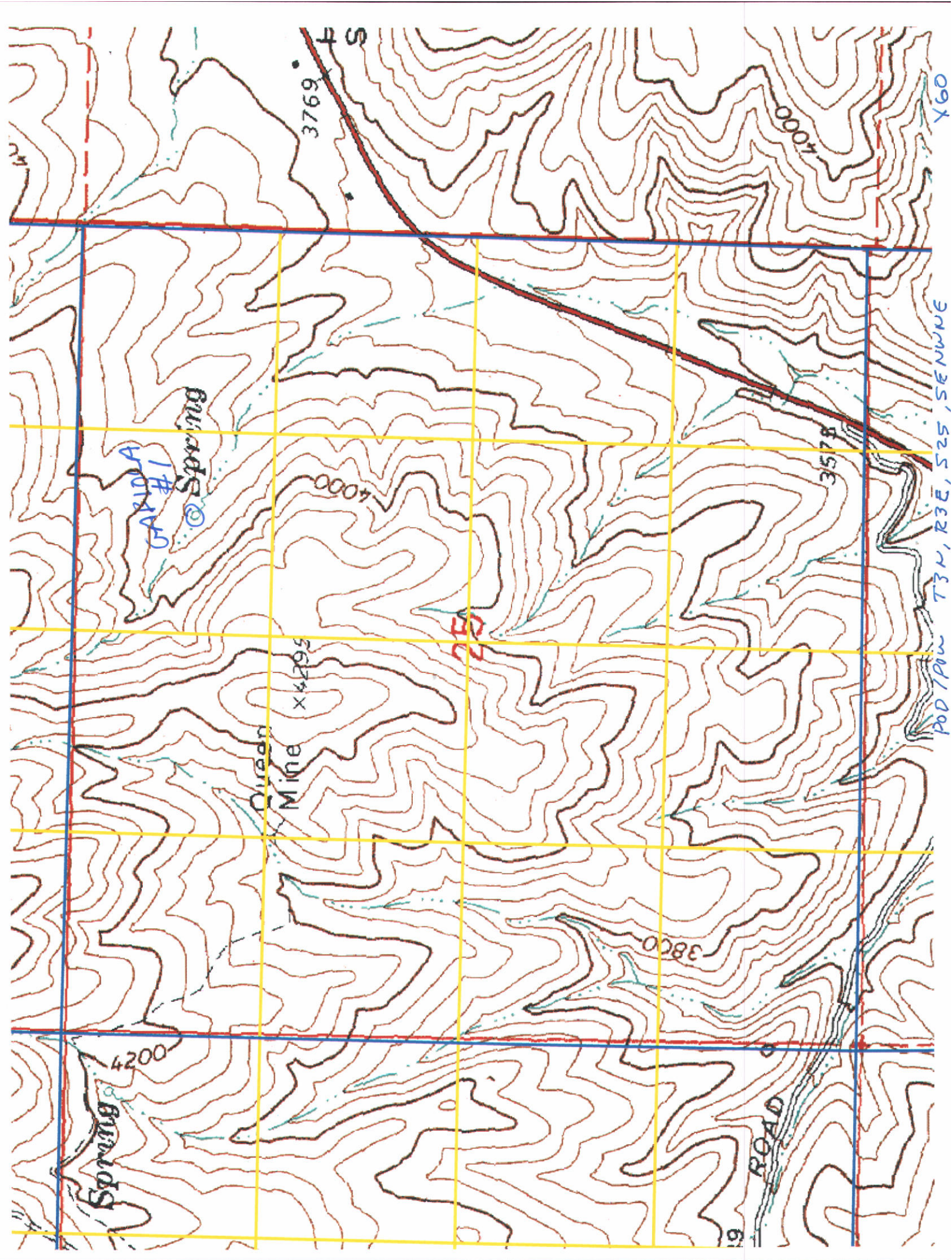




4200

Spring

Mine
X4295

25

3800

ROAD

3578

3769

4000

CAPINA #1
© Spring

POD/PW T3N, R3E, S25, SENWNE

X60

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: **A63-07579**
Date Received: 3/25/1993
Receipt No: X111111
Received By: _____

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

1. Name: STATE OF IDAHO 208-334-3700
Address: DEPT OF FISH & GAME
PO BOX 25
600 S WALNUT
BOISE ID 83707

2. Date of Priority: APR 6, 1972

3. Source: UNNAMED SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03E	25	NW	NE			ADA

5. Description of diverting works:
SPRINGBOX, PIPELINE, TROUGH

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		0.10
WILDLIFE	01/01	12/31	0.020		0.10

7. Total Quantity Appropriated is:
0.110 C.F.S. (and/or) 0.10 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
369 RANGE CATTLE, WILDLIFE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03E	25	NW	NE		STOCK	MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03E	25	NW	NE		WILDLF	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:
BLM RECORD ID = 6301488046
PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES
OWNERSHIP CHANGED BY LH 2/17/94.

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)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

FEB 14 1994

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: 11/15/43

LEGAL DESCRIPTION OF PROPERTY: Township 3N Range 3E
Section 25, 1/4 of NW 1/4 of NE 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: 63-07579
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): U.S. Dept. of Interior Bureau of Land Management
Idaho State Office
3380 Americana Terrace Boise ID 83706
- ☐ New Owner/Claimant (Purchaser): Idaho Department of Fish and Game
- ☐ New Mailing Address: P.O. Box 25
600 S. Walnut
Boise, ID 83707
- ☐ New Telephone Number: (208) 334 - 3700
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) [Signature] Date 2/7/94
- ☐ Signature of Former Owner/Claimant(s): [Signature] Date 2/10/94
Acting District Manager

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 2-17-94 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 2-17-94 By: [Signature]

Claim Numbers of Split, if any:

MICROFILMED

JUL 25 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

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

CIVIL CASE NUMBER: 39576

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

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1972-04-06
IDWR NUMBER: 6307579 *ALB3-07579*
BLM NUMBER: 6301488046
BASIS OF CLAIM: LICENSE
BASIN NUMBER: 63

SOURCE	TRIBUTARY TO
-----	-----
UNNAMED SPRING	SINKS

DESCRIPTION OF DIVERSION WORKS

SPRINGBOX, PIPELINE, TROUGH

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER	0.090	0.10	0101	1231
WILDLIFE	0.020	0.10	0101	1231
TOTAL:	0.110 CFS	0.10 AF		

NON-IRRIGATION USES

369 RANGE CATTLE, WILDLIFE

				POINT OF DIVERSION				
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY	
---	---	---	-----	-----	-----	---	-----	-----
03N	03E	25		NW	NE	00	ADA	

PLACE OF USE							IRRIGATED	
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	ACRES
---	---	---	-----	-----	---	-----	-----	-----
03N	03E	25	NW	NE	00	ADA	NO	0.0
03N	03E	25	NW	NE	00	ADA	NO	0.0

TOTAL ACRES IRRIGATED 0.0

JUL 25 1994

BLM NUMBER: 6301488046

PAGE: 2

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

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 5, 2002

Water right number: 63-7579

STATE OF IDAHO
DEPT OF FISH & GAME
600 S WALNUT
PO BOX 25
BOISE ID 83707
Telephone Number: (208)334-2920

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 3/19/02

SIGNATURE: *Gerald Scholten*

Please print your name: GERALD SCHOLTEN

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

IDAHO DEPARTMENT OF WATER RESOURCES 01/10/2002
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
600 S WALNUT
PO BOX 25
BOISE ID 83707

SOURCE: SPRING TRIBUTARY: SINKS
QUANTITY: 0.01 CFS
0.1 AFY

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

PRIORITY DATE: 04/06/1972

POINT OF DIVERSION:

T03N R03E S25 SENWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 11/30	0.010 CFS 0.10 AFY
WILDLIFE	01/01 12/31	0.010 CFS 0.10 AFY

PLACE OF USE: STOCKWATER Within ADA County
T03N R03E S25 NWNE
WILDLIFE same as STOCKWATER

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: License

STOCKWATER, 369 RANGE CATTLE & WILDLIFE.
SOURCE IS ALSO KNOWN AS GABIOLA SPRING.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 63-7579

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS
☐ NEW ADDRESS: _____

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☐ No Change — SAME SOURCE
☒ Source is different than that claimed: SPRING
Source found: AKA GABIOLA SPRING

4. ☐ No Change — POINT OF DIVERSION
☒ Point of diversion is different than the claim and/or new P/D's: CLARIFIED 10 ACRE TRACT
Township _____ Range _____ Section _____ 1/4 SE 1/4 NW 1/4 NE
Township _____ Range _____ Section _____ 1/4 1/4 1/4

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☐ No Change - WATER USES
☒ Different uses, (list uses found):

Use STK From 4-1 To 11-30 Amount .01 CFS .1 AFA
Use WLD From 1-1 To 12-31 Amount .01 CFS .1 AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

504 & Amount
SAME AS
LIC RECOMMENDED

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☒ Changes found, the new total is, Amount .01 CFS .1 AFA

8. ☐ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # 369 List types: _____

Additional comments: EXP Rmk STK 369 & WLD LIFE

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

VERIFIED POB/POU with F&C PROJECT MAP
& TOPO X60

- ☐ SYSTEM DIAGRAM INCLUDED ☒ NA
☐ Shown on GIS Layout

☒ CHECK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-25-2001

FIELD EXAMINER: RON HOWERTON

Print Name

Ron Howerton

Signature

B61
P11
P13
C18

Memo

Date: 7/25/2001

Ref: F & G claims 63-3672, 63-7578, 63-7579, 63-23294, 63-23360 & 63-23362

Review By:

Ron Howerton

Senior Water Resource Agent

I met with Jerry (Gerald) Scholten of Fish and Game.

334-2115

jscholte@mindspring.com

Jerry is the Regional Habitat Biologist for the Boise River Wildlife Management Area for the above claims.

Jerry and I reviewed the above claims verifying locations and ownerships of the claimed springs with reference to his project area map and BLM maps. We then plotted the spring locations on IDWR DRG data base topographic maps in our GIS imagery.

Fish and Game also had local names assigned to these springs and the SRBA recommendations will show AKA for each spring.

When we finished our review we concluded that:

- Claims 63-3672, 63-7578 & 63-7579 were all located ok including ownership issues.
- Claims 63-23294, 63-23360 & 63-23362 had ownership and legal description problems. We corrected and eliminated several springs belonging to BLM and some duplicate claimed springs.

We finished and I made amended claims for these rights and Jerry took the amended claims with him for the F & G director or the authorized person to get re-signed.

He will also inform Cindy Robertson of Fish & Game who has been the main contact for F & G water rights, that these claims were verified by IDWR and Jerry of F & G and IDWR will expect these amended claims to be returned ASAP with the proper signature.

IDWR received an affidavit submitted earlier to this meeting by Jerry. He amended it at our meeting by initialing and dating. Changes were the eliminating of BLM spring locations and small corrections to legal descriptions.

DATE: 07/13/01
PAGE: 4

DIVERSION RATE
DIVERSION VOLUME

0-10 AFA
0-10 AFA

0-10 AFA

Stage: LICENSE

ADA County

SE-CLASIFIED TO 10 ACF-TRACT
NINE

ES

ESSE ESMS

ES

ESSE ESMS

COPIES

~~EW-057900-10-750148026~~

Objection Filed Date:

Field Inspection Flag:

Field Inspection Flag:

VERIFIED LOCATION
WITH FIG PROJECT
AND X 50 TOPO
MAP

04/01/11 11:30 AM

DATE: 05/22/01
PAGE: 47

DIVERSION
VOLUME

0.010 CFS	0.10 AFA
0.010 CFS	0.10 AFA
-----	-----
0.010 CFS	0.10 AFA

Stage 15: ESNCIT

ЭННН

五

FS

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SESW : NESE NWSE SESE
t Ac : Lt Ac Lt Ac Lt Ac
      : -----
      :
      :
      :

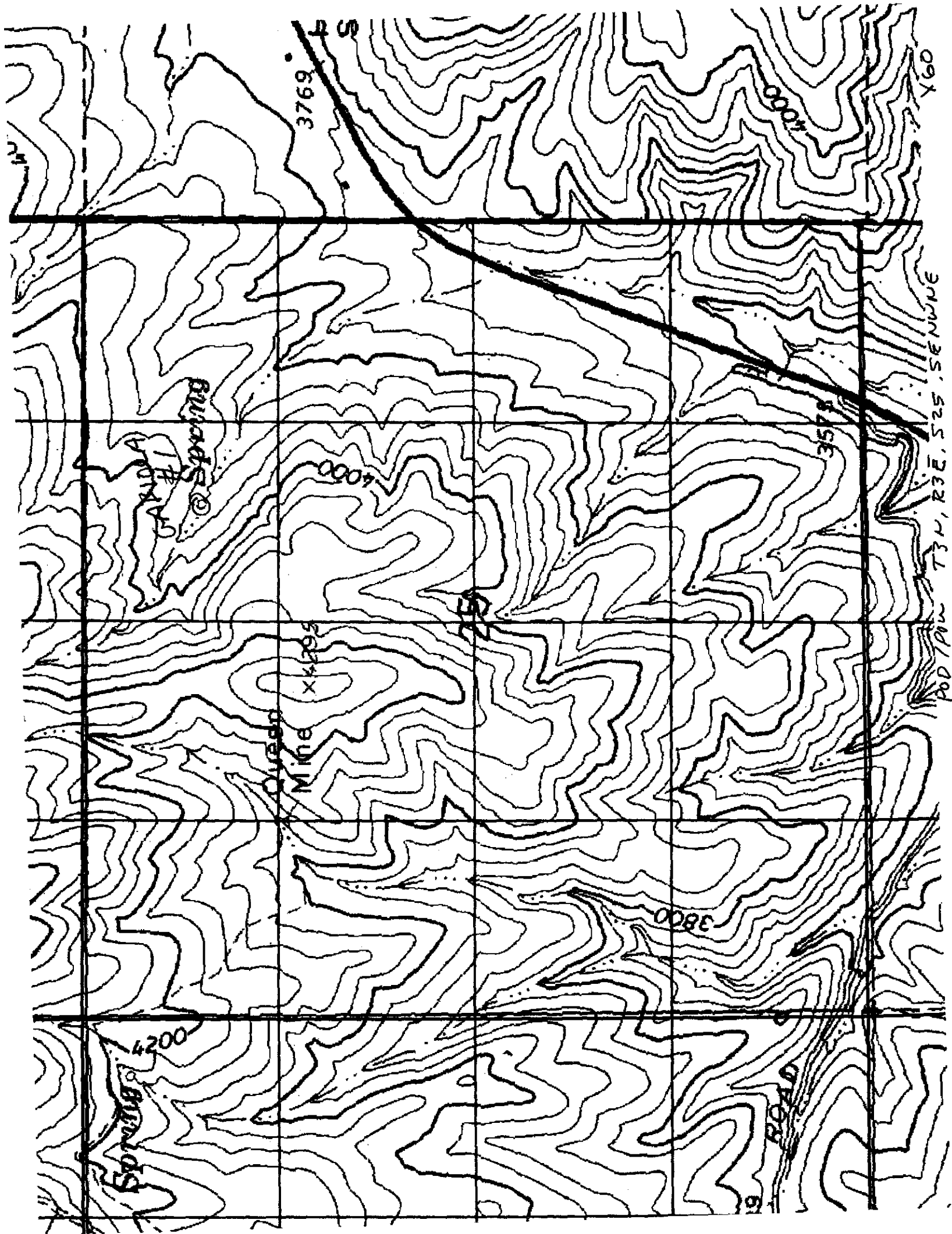
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Polu County: ADA

Priority Date:
Proof Made Date:
Exam Sent to S.O.: 04/06/1972

Field Exam Fee:

4/03/89	NAMECHNG	01/26/92	POST-STD
---------	----------	----------	----------



State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 63-7579 Priority April 6, 1972 Amount 0.01 cfs

THIS IS TO CERTIFY, that the Bureau of Land Management
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-7579 issued pursuant to Application for Permit dated April 6, 1972,
and has submitted proof to the Department of Water Administration on July 18, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.01 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Cabola Spring
tributary of _____, is hereby confirmed in the following amounts:
Amount 0.01 cfs for Livestock from April 1 to Nov. 30 (both dates inclusive)
Amount 0.01 cfs for Wildlife from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.01 cfs of water be diverted at
any one time, said waters to be diverted within the _____
NW 1/4 Sec. 25, Twp. 3 N, Rge. 3 E, B.M.
in the county of Ada; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 0.1 acre feet per year ~~or~~
~~more than 0.1 acre feet per year.~~

Description and location of place of use: (Project No. 4096)

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3 N	3 E	25		X															

Total number of acres irrigated _____

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 7 day of
August, 19 73.


Director

63 7579

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

1. Name of permit holder Bureau of Land Management
 Postoffice address 230 Collins Road, Boise, Idaho 83702 Phone _____
 Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Gabiola Spring
 (name spring, stream, etc.)
 Tributary to Sinks

3. Water will be used for the following purposes:

Amount .01 c.f.s. for livestock
 AF/Annum (nature of use)

Period of Use: from April 1 to Nov. 30
 (mo.-day) inclusive (mo.-day)

Amount .01 c.f.s. for wildlife
 AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion .01 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 3N N/S, Range 3E E/W, B.M., Section 25, Subdivision NW 1/4 NE 1/4, Ada County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 County

Other Points of Diversions: _____

Description of diverting works: Standard galvanized perforated headbox, fed by 26' of 6" perforated helcore pipe. Discharge, 100' of 1 1/2" plastic pipe to service trough.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	3E	25	X																

63 7579

TOTAL ACREAGE _____

Permit No. 63-7579
 Examination for b/u

11. Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number.

T. 3 N.

R. 3 E.

25

Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

(Applicant) David Hallock
Acting District Manager

63 7579