

Idaho Dept of Water Resources

Claim No(s): 63-15055

T01N, R12E, S6

Prepared by: Sue Bock

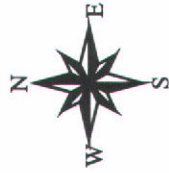
Date: 9/11/2001

 Place of Use

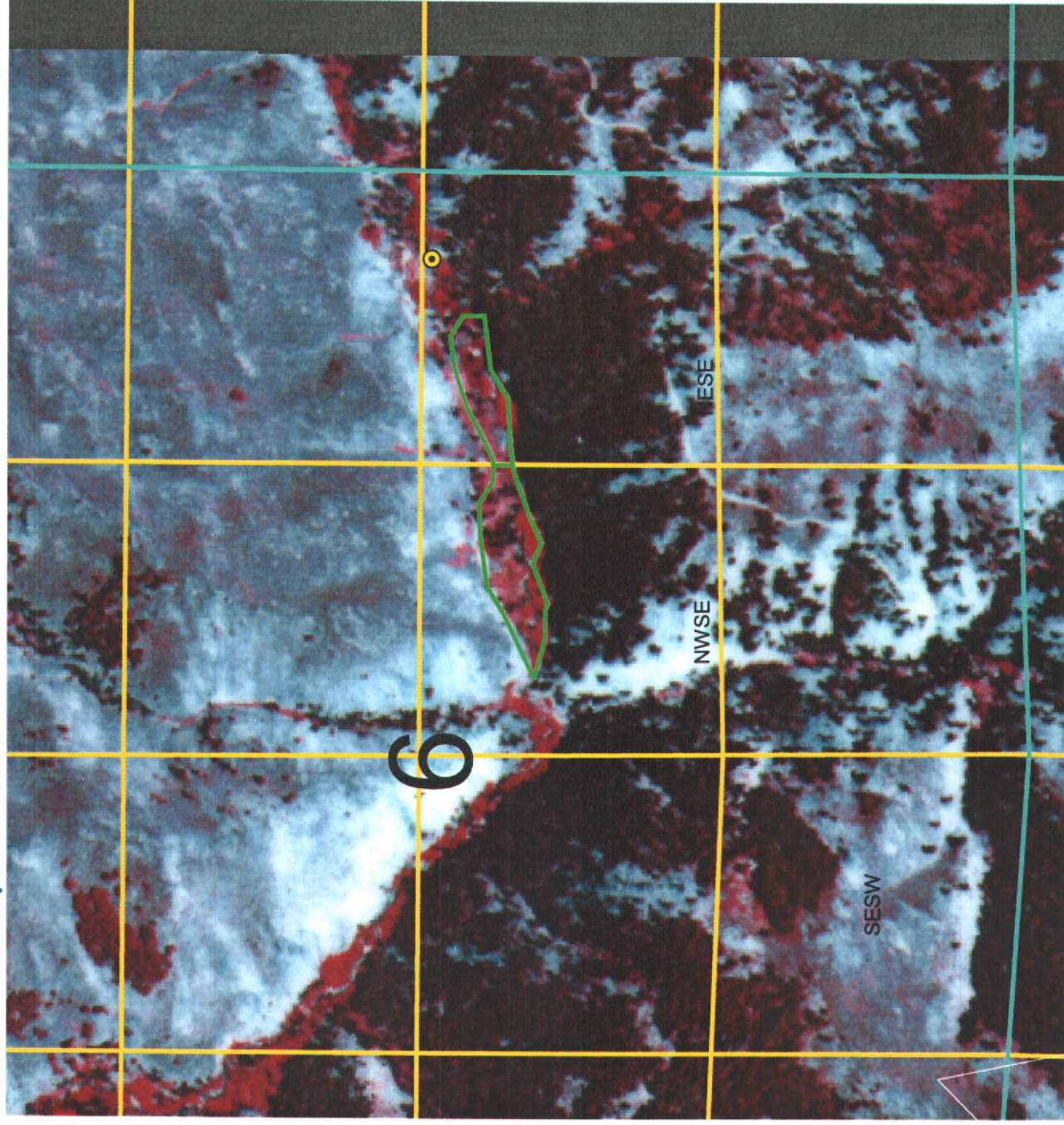
 Point of Diversion

 Section lines

 1/4 1/4 lines



600 0 600 1200 Feet



1987 NAPP Photo



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

IDWR Field Exam 63-15055 9/11/01 Sue Bock

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Pod from S. Fork Lime Cr.
At the Eastern edge of
property. Photo facing W.



POU facing W.
Between Creek and
the dirt road





State of Idaho

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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Pou facing W. toward
the cow camp cabin



POU facing W.
The Western edge of
property



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: A63-15055
Date Received: 1/25/1989
Receipt No: S006147
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FAULKNER LAND & LIVESTOCK CO INC 208-934-4956
Address: 1989 S 1875 E - RT 2
GOODING ID 83330
AND
Name: DIAMOND A LIVESTOCK INC 208-934-5391
Address: 1997 S 1875 E
GOODING ID 83330

2. Date of Priority: MAY 1, 1971

3. Source: LIME CREEK, SOUTH FORK Trib. to: LIME CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	12E	6	NE	NE	SE		CAMAS

5. Description of diverting works:
LOG DAM AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.200		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	12E	6	NE	SE		IRR	5.0

MICROFILMED

JUL 26 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	12E	6	NW	SE		IRR	5.0
Section Acres							10.0
Total Acres							10.0

11. Place of use in counties: CAMAS

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: 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: _____

MICROFILMED
JUL 25 1994

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

JUL 26 1994

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

RECEIVED

JAN 27 1989

Ident. Number: A63-15055
Date Received: 1/25/1989
Receipt No: S006147
Received By: SCC

Department of Water Resources **NOTICE OF CLAIM TO A WATER RIGHT**
Western Regional Office **ACQUIRED UNDER STATE LAW**

1. Name: FAULKNER LAND & LIVESTOCK CO. 208-934-4956
Address: RT. 2
GOODING, ID 83330

2. Date of Priority: MAY 01, 1971

3. Source: LIME CREEK, SOUTH FORK Trib. to: LIME CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	12E	6	NE	NE	SE		CAMAS

5. Description of diverting works:
LOG DAM AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.200		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	12E	6	NE	SE		IRR	5.0
			NW	SE		IRR	5.0

Section Acres 10.0

10. Place of Use: Continued

Total Acres 10.0

11. Place of use in counties: CAMAS

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: 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: 1

For Organizations:

I do solemnly swear or affirm that I am Pres of
Title

Faulkner Land & Livestock that I have signed the foregoing
Organization
document in the space below as Pres of
Title

Faulkner Land & Livestock and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Pres Faulkner Land & Livestock
Title and Organization

1/25/89
Date

State of Idaho

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 25th day

of January 19 89

Seal

Steve Bell
Notary Public

Residing at Twin Falls

My Commission Expires Dec 7, 1994

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-15055 V1

WATER RIGHT NUMBER: 63-15055 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FAULKNER LAND & LIVESTOCK CO RT 2 GOODING, ID 83330 (208)934-4956
Current Owner	DIAMOND A LIVESTOCK INC 1997 S 1875 E GOODING, ID 83330 (208)934-5391
Current Owner	FAULKNER LAND & LIVESTOCK CO INC 1989 S 1875 E RT 2 GOODING, ID 83330 (208)934-4956

Priority Date: 05/01/1971

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SOUTH FORK LIME CREEK	LIME CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.120 CFS	
	<u>Total Diversion:</u>	0.120 CFS	

Location of Point(s) of Diversion

SOUTH FORK LIME CREEK	NE1/4NE1/4SE1/4	Sec. 6,	Twp 01N,	Rge 12E, B.M.
CAMAS County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	12E	6													2.0	4.0			6.0

Total Acres: 6

Conditions of Approval:

1. C18 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-15055 V1

Comments:

1. sbock 9/13/2001 field exam
- Comment: Met with Fred Faulkner on 9/11/01.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

63-15055)
)
)
)

State of Idaho)
County of CAMAS)

AFFIDAVIT

RECEIVED

SEP 19 2001

WATER RESOURCES
WESTERN REGION

Fred Faulkner being first duly sworn,
deposes and says: We have been using the water
from the south fork of Lime Creek for
irrigation since 1971.



Fred Faulkner
(Signature)

Subscribed and sworn to before me this
day 17th of September, 2001

Catherine L Varin
(Notary Public)

Residing at Gooding, Idaho

My Commission Expires 6/25/03

Idaho Dept of Water Resources

Claim No(s): 63-15055

T01N, R12E, S6

Prepared by: Sue Bock

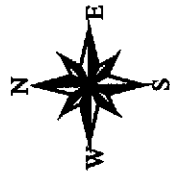
Date: 9/11/2001

☐ Place of Use

☒ Point of Diversion

☐ Section lines

☐ 1/4 1/4 lines



1987 NAPP Photo



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

Re: Claim No(s). 63-15055

DIAMOND A LIVESTOCK INC
1997 S 1875 E
GOODING, ID 83330

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

Re: Claim No(s) 63-15055

FAULKNER LAND & LIVESTOCK CO
INC
1989 S 1875 E - RT 2
GOODING, ID 83330

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

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Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures

6



State of Idaho

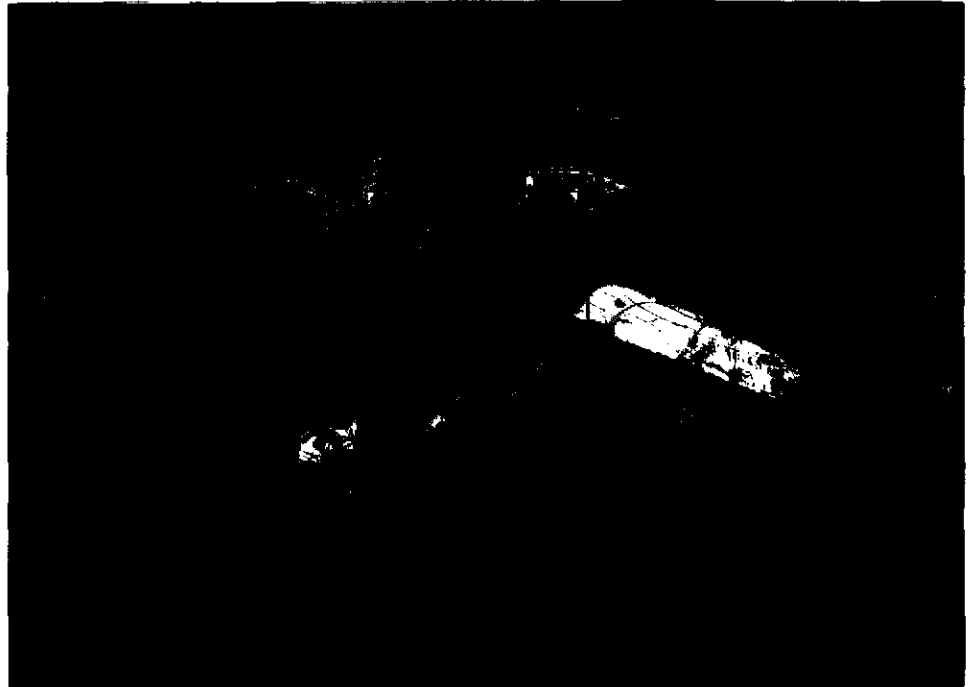
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
WR Field Exam 63-15055 9/11/01 Sue Bock FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Pod from S. Fork Lime Cr.
At the Eastern edge of
property. Photo facing W.



POU facing W.
Between Creek and
the dirt road





State of Idaho

DEPARTMENT OF WATER RESOURCES

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WR Field Exam 63-15055 9/11/01 Sue Bock FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Pou facing W. toward
the cow camp cabin



POU facing W.
The Western edge of
property





NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

SEP 17 1992

Department of Water Resources
Western Regional Office

DATE OF CLOSING: 5-5-92

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 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: A 63-15055

[] Name and Address of Former Owner/Claimant(s)(Seller): Faulkner Land and Livestock Co., Inc.

[] New Owner/Claimant (Purchaser): 1989 S. 1875 E - Rt. 2
Gooding, Idaho 83330
SAME & Diamond A Livestock, Inc.

[] New Mailing Address: 1997 S. 1875 E.
Gooding, Idaho 83330

[] New Telephone Number: Same (208) 934 - 5391
and

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

Note: Water rights remain AS whole rights, but ownership
splits into undivided one-half interests.

[] 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): Diamond A Livestock, Inc. Date 9-11-92

[] Signature of Former Owner/Claimant(s): Faulkner Land & Livestock Date 9-15-92

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

JUL 26 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.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 21, 1992

Re: Notice of Claim to a Water Right No. A63-15055

Faulkner Land & Livestock Co. Inc.
1989 S. 1875 E. - Rt. 2
Gooding, ID 83330

Diamond A Livestock Inc.
1997 S. 1875 E.
Gooding, ID 83330

Sirs:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

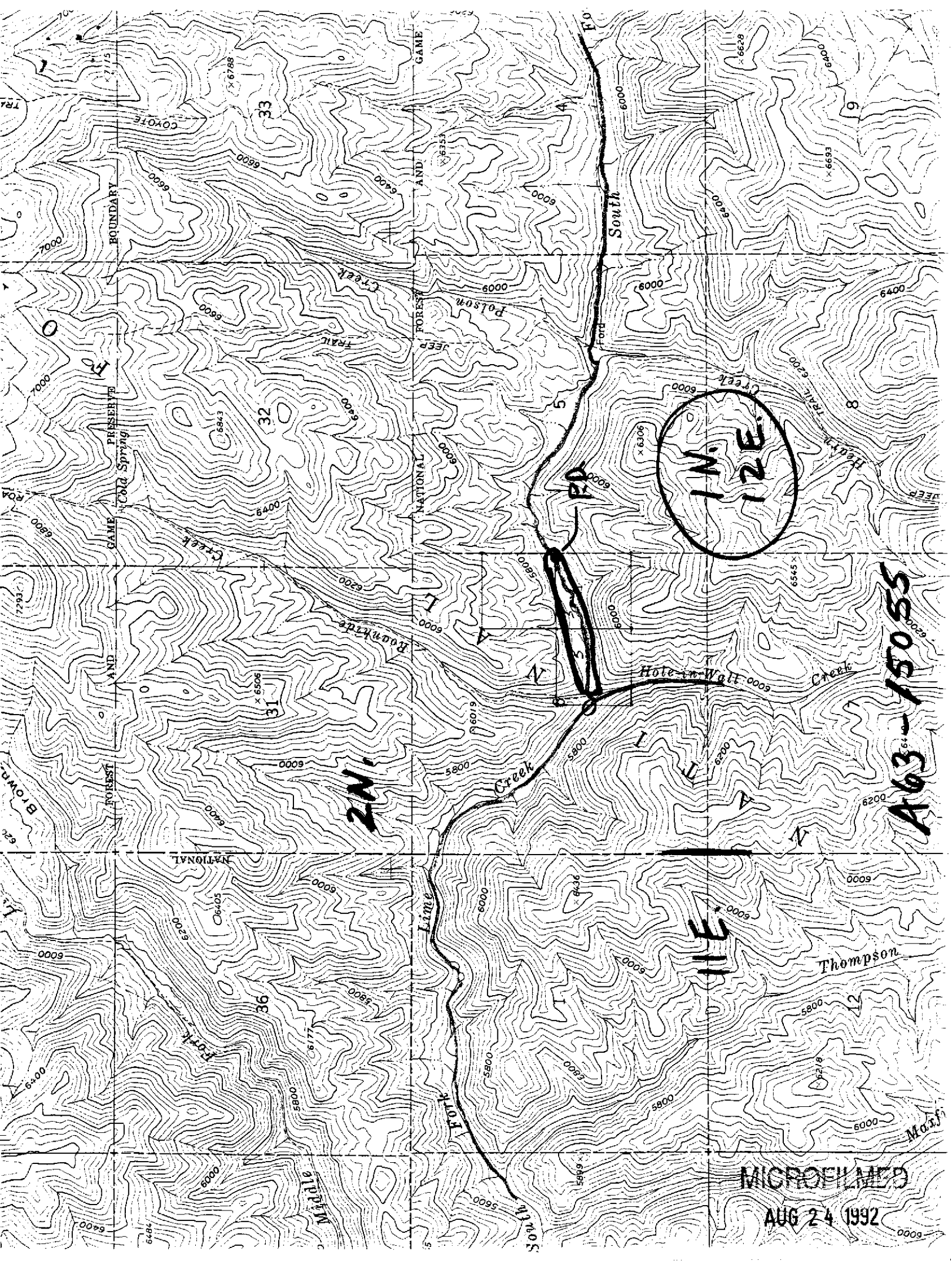
Jan Shurte by JES

JAN SHURTE
WATER RIGHT SUPERVISOR
ADJUDICATION SECTION

JS:lh
Enclosure

MICROFILMED

JUL 26 1994



A63-15055

MICROFILMED
AUG 24 1992