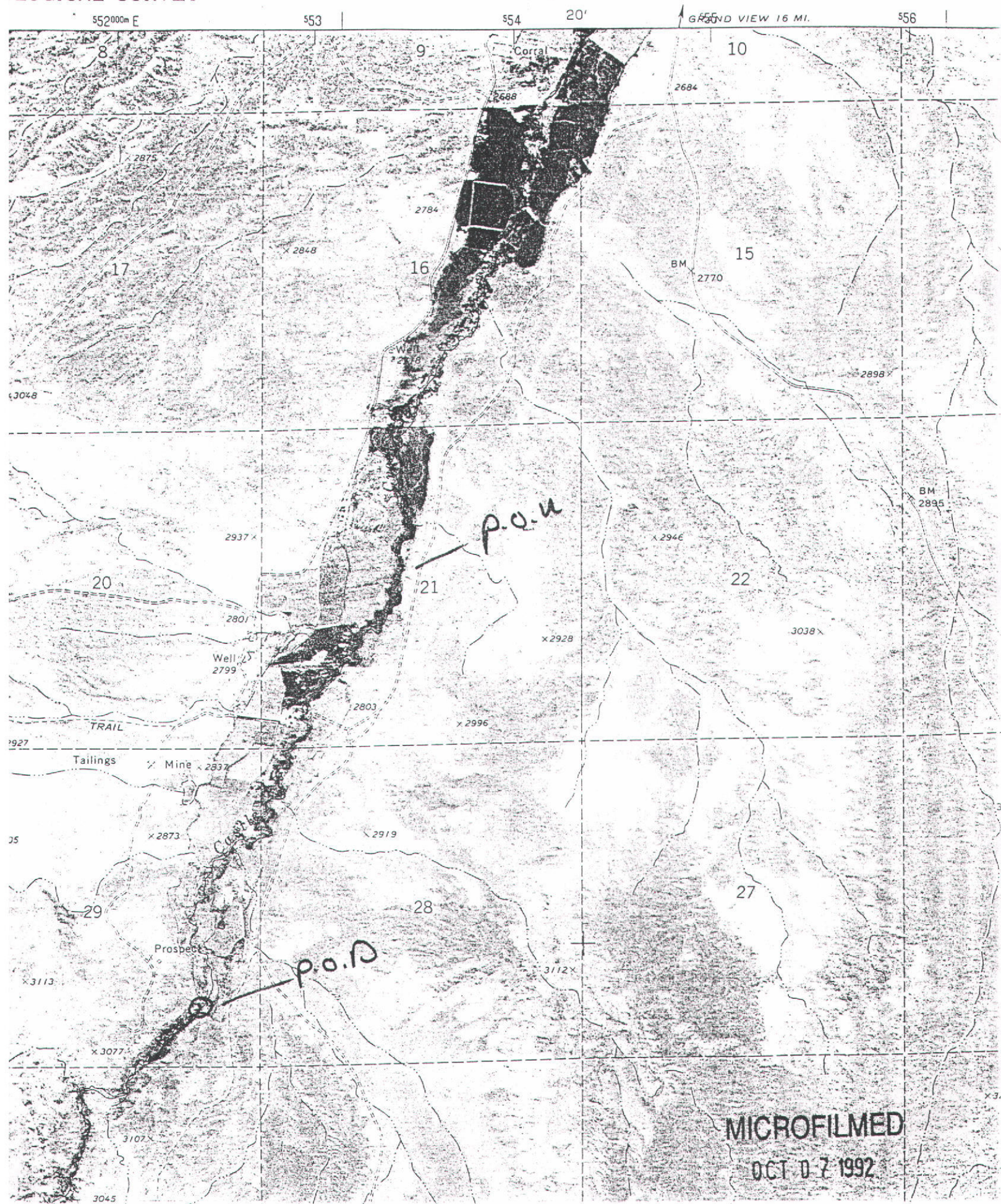


A57-00084





CONSERVATION PLAN MAP

Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with

Bruneau River

OWNER Elmer D. Johnston

FARM NO.

DATE

8-11

OPERATOR SWS

SCALE 3" = 1 mi ACRES

200

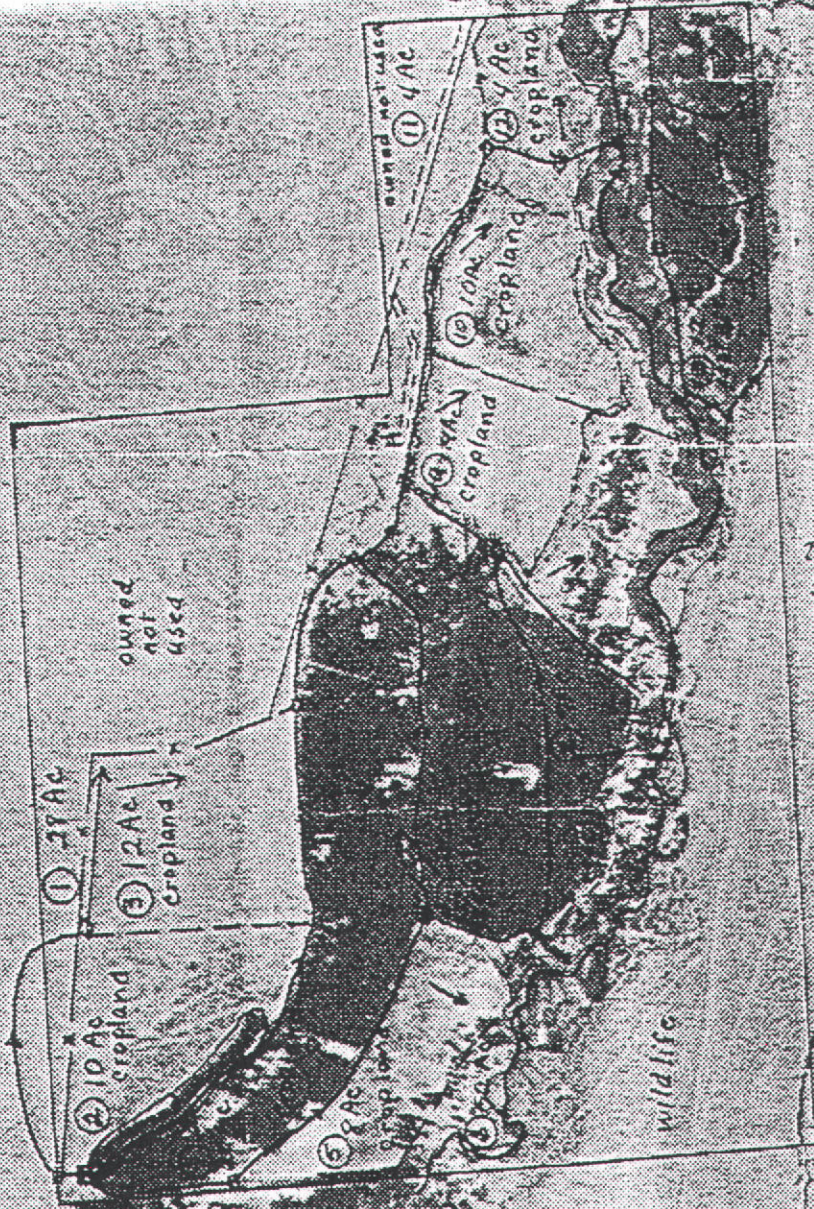
Bruneau

Idaho

PHOTO NO.

071 - 5741

R.I.E



A57-00084 etal

CONSERVATION PLAN MAP



Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with
Bureau of Reclamation

OWNER Elmer D. Johnston

FARM NO. DATE 8-64

OPERATOR SAMS

SCALE 3" = 1 MI ACRES 200

Bybee

Idaho

PHOTO NO. CVM - 57-41



AA8

A57-00084, etal

original ppts
✓ = claimed
○ = original recommended = 91
○ = amended claim
0.22104 = "R" (well)

4760000m N

4759

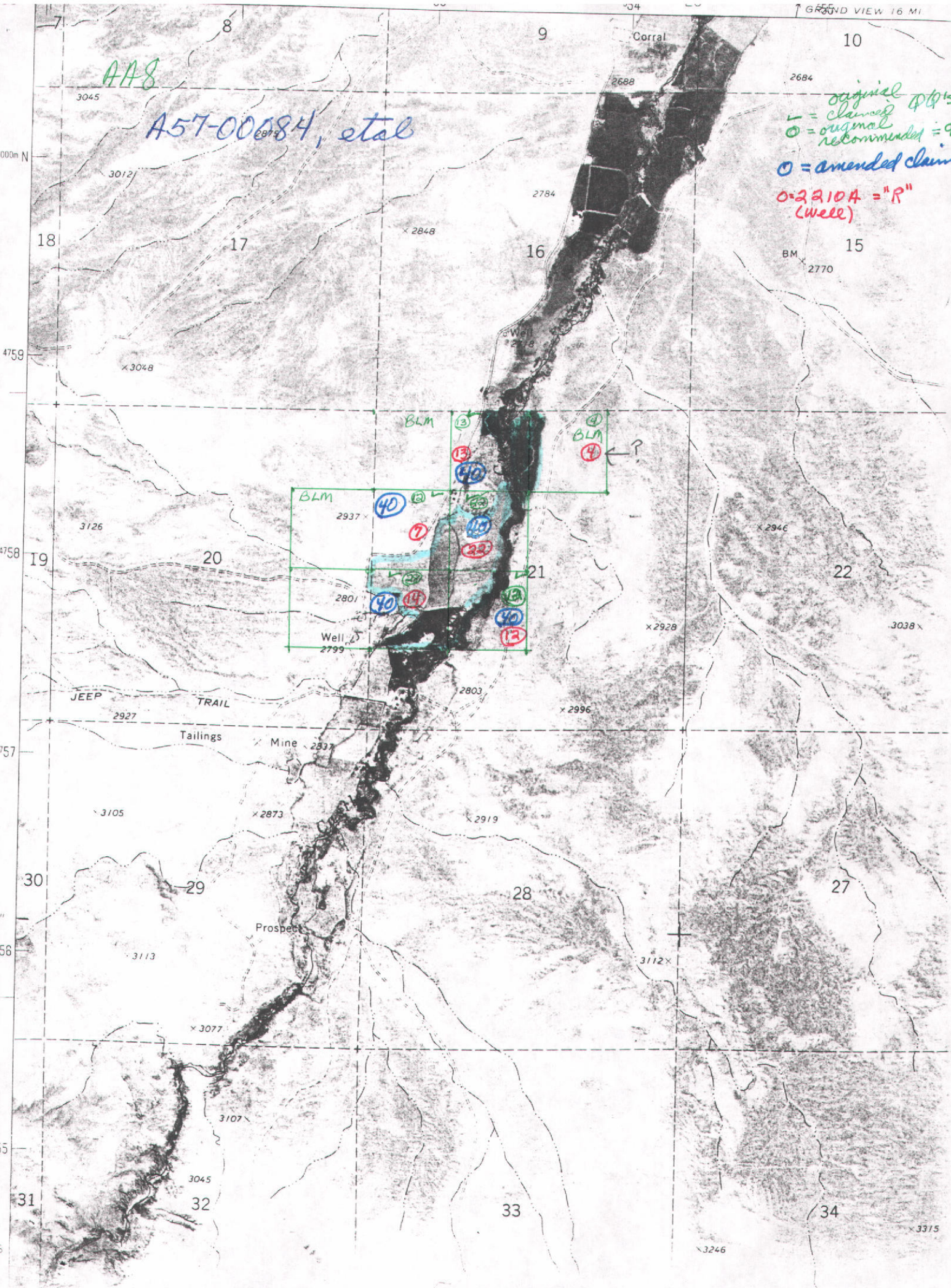
4758

4757

4756

4755

T 5 S



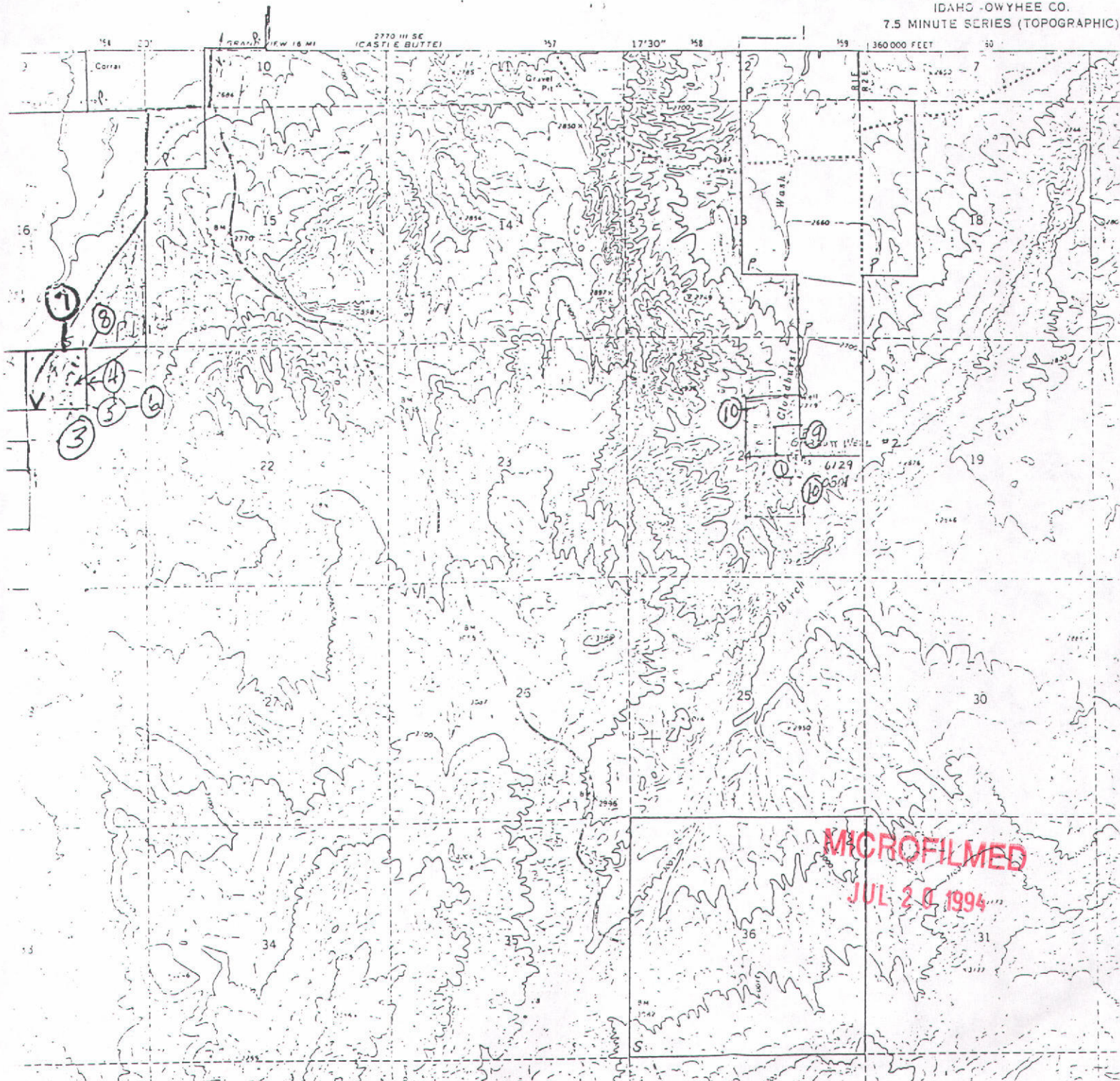
CLAIM NUMBER 5700084

☐ Denotes Public Land
☒ Included in this Claim

POOR ORIGINAL

57-00084

ROUGH MOUNTAIN NE QUADRANG
IDAHO - OWYHEE CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



SYSTEM DIAGRAM - EVA JOHNSTON AS7-00084 etc.

Not to scale



M
A
P

Irrigation
Boundary

Ditch

No well H₂O
this field,
creek H₂O
only

After cooling, pond
water flows into
ditch on east
side of pond

Cooling
pond

well
AS7-0220A

well + creek H₂O
from pld #1

well water can be injected
into creek via small ditches
& thus commingle with creek.
Then pld #2 can divert
commingled water.

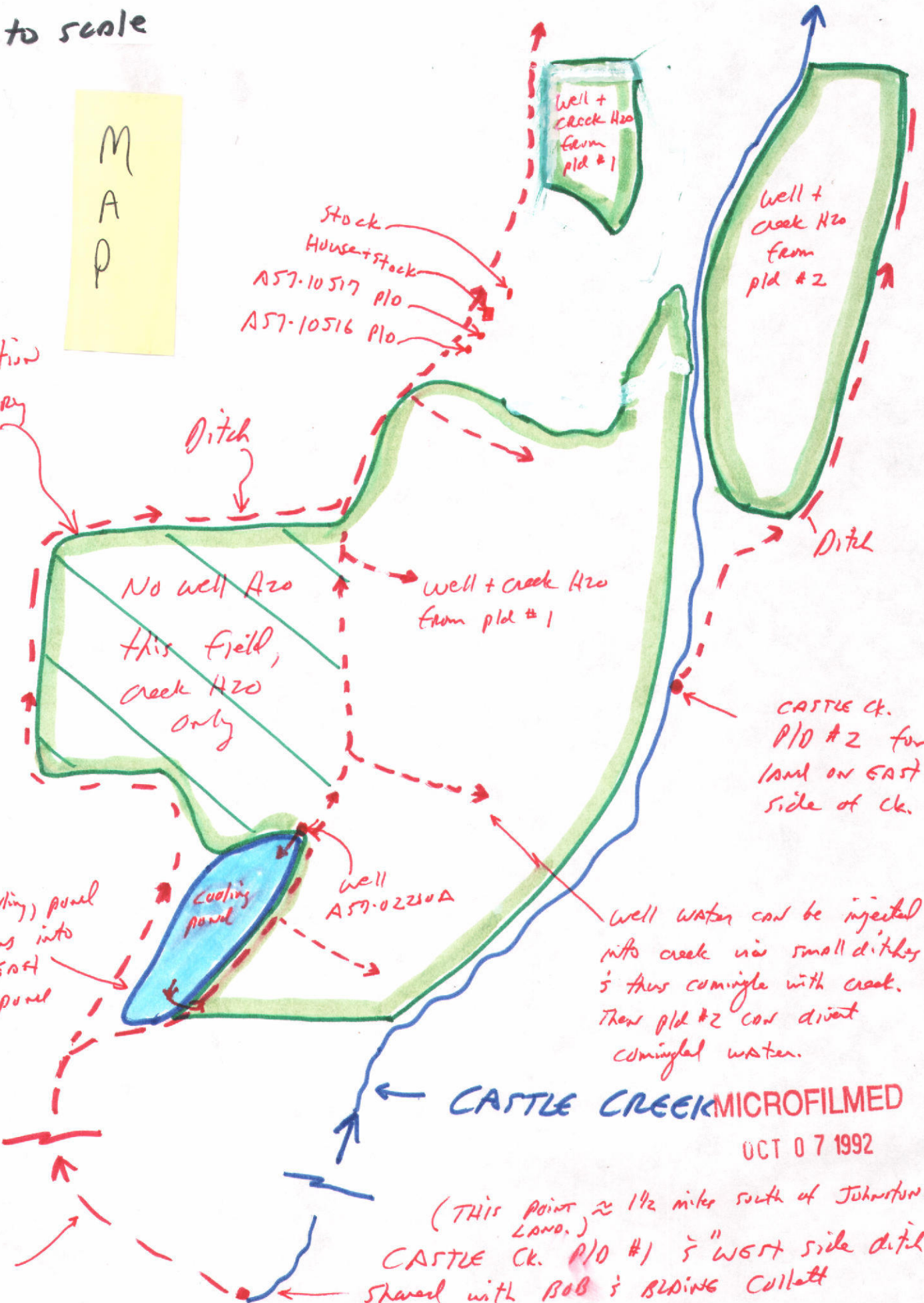
CASTLE Ck.
P/O #2 for
land on EAST
side of ck.

CASTLE CREEK

MICROFILMED
OCT 07 1992

"west
side
ditch"

(THIS point $\approx 1\frac{1}{2}$ miles south of Johnston's
Land.)
CASTLE Ck. P/O #1 is "west side ditch"
shared with BOB & BERING Collett





CONSERVATION PLAN MAP

Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with
Bruneau River
S.C. DISTRICT

OWNER Elmer D. Johnston

OPERATOR SAMS

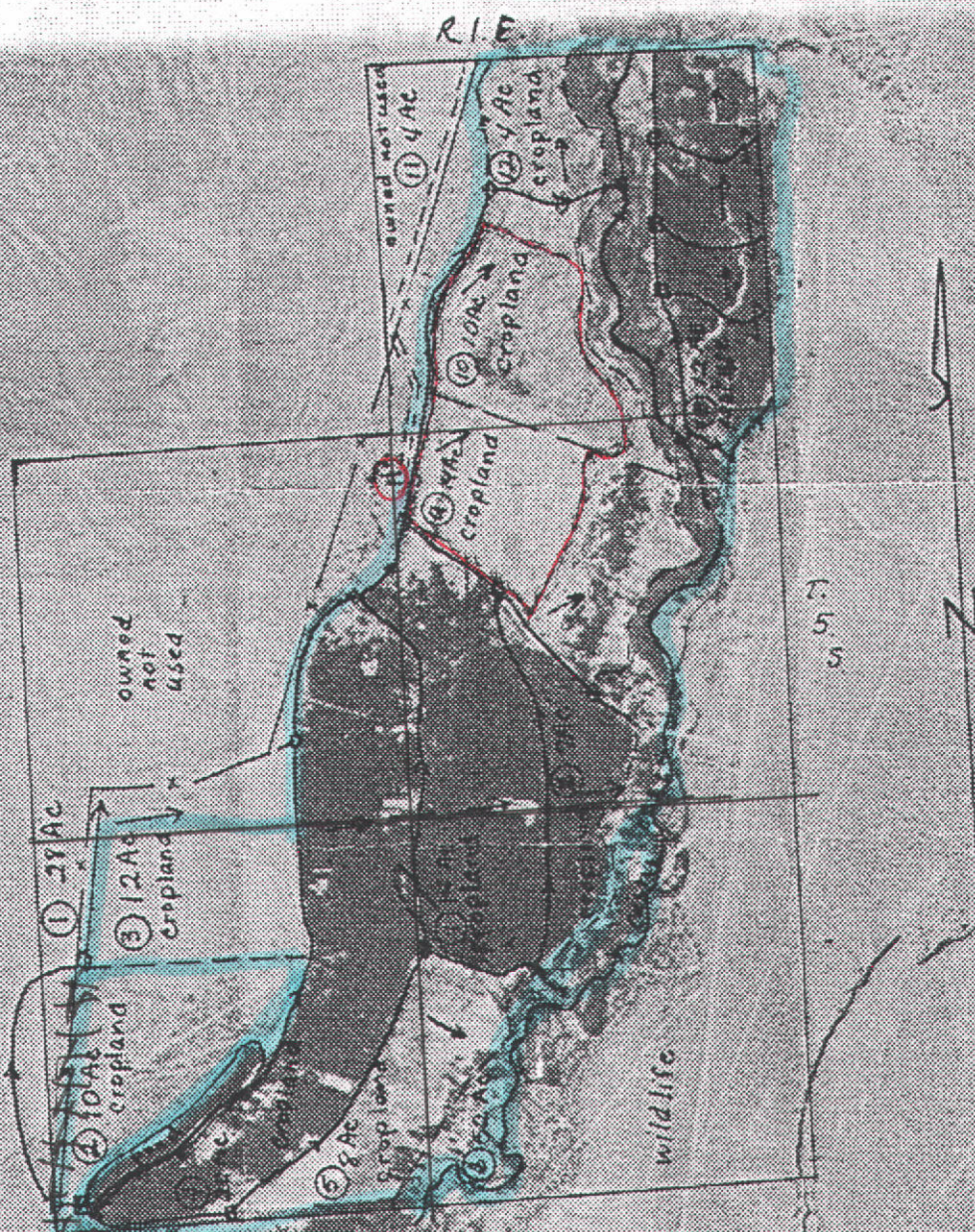
Bybee

Idaho

FARM NO. DATE 8-61

SCALE 8" = 1 mi ACRES 200

PHOTO NO. CVM - 57-21



RECEIVED

JUL 17 1997

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS Department of Water Resources

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: A57-00084

Date Received:

Receipt No.: _____

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

From
LEGAL
FILE

1. Name: Michael W. Randall and Charliene R. Randall
Address: 7761 Murphy Road, Melba, Idaho 83651
2. Date of Priority: April 1, 1870
3. Source: Castle Creek Trib. to: SNAKE RIVER
4. Point of Diversion

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	01E	21		SE	NW		OWYHEE
05S	01E	29		SE	SE		OWYHEE

5. Description of diverting works: Diversion dam, headworks,
TWO TRASH DAMS IN CREEK TO DITCH W/ HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
Irrigation	3/15	11/15	0.5		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC
STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
5S	01E	21	NE	NW		Irr	40.0
			SW	NW		Irr	40.0
			SE	NW		Irr	40.0
			NW	SW		Irr	40.0
			NE	SW		Irr	40.0

10. Place of Use: continued

Section Acres 200.00

Total Acres 200.00

11. Place of use in counties: Owyhee.

12. Do you own the property listed above as place of use? YES.

13. Other Water Rights Used:

57-00101, 57-0111, 57-00133, 57-00146, 57-02210A

14. Remarks:

15. Basis of Claim: DECREED

JAMES L. DAVEY
Decree Plaintiff

vs

GEORGE F. BROWN ET. AL
Decree 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:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

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): Mike Randall Date: 7-16-97

J. Randall Date: 7-16-97

STATE OF IDAHO)
COUNTY OF Ada) ss.

Subscribed and sworn (or affirmed) before me this 16 day of July, 1997.

David Hammerquist
Notary Public
Residing at Boise, Idaho
My commission expires Aug 19, 1999

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: A57-00084

Date Received:

Receipt No.: _____

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: Michael W. Randall and Charlene R. Randall
Address: 7761 Murphy Road, Melba, Idaho 83651
2. Date of Priority: April 1, 1870
3. Source: Castle Creek Trib. to: SNAKE RIVER
4. Point of Diversion

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	01E	21		SE	NW		OWYHEE
05S	01E	29		SE	SE		OWYHEE
5. Description of diverting works: Diversion dam, headworks,
TWO TRASH DAMS IN CREEK TO DITCH W/ HEADGATE
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
Irrigation	3/15	11/15	0.5		
7. Total Quantity Appropriated is:
0.5 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
DOMESTIC
STOCKWATER
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
5S	01E	21	NE	NW		Irr	40.0
			SW	NW		Irr	40.0
			SE	NW		Irr	40.0
			NW	SW		Irr	40.0
			NE	SW		Irr	40.0

10. Place of Use: continued

Section Acres 200.00

Total Acres 200.00

11. Place of use in counties: Owyhee.

12. Do you own the property listed above as place of use? YES.

13. Other Water Rights Used:

57-00101, 57-0111, 57-00133, 57-00146, 57-02210A

14. Remarks:

15. Basis of Claim: DECREED

JAMES L. DAVEY

Decree Plaintiff

vs

GEORGE F. BROWN ET. AL

Decree 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:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

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): Mike Randall Date: 7-16-97

C. Randall Date: 7-16-97

STATE OF IDAHO)
COUNTY OF Ada) ss.

Subscribed and sworn (or affirmed) before me this 16 day of July, 1997.

David Hammergren
Notary Public
Residing at Boise, Idaho
My commission expires Aug 19, 1999

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: A57-00084

Date Received: 1/12/1989

Receipt No: W001937

Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: MICHAEL W RANDALL

Address: 7761 MURPHY RD

MELBA ID

83641

AND

Name: CHARLIENE R RANDALL

Address: 7761 MURPHY RD

MELBA ID

83641

2. Date of Priority: JUN 1, 1870

3. Source: CASTLE CREEK

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	01E	29	SE	SE			OWYHEE

5. Description of diverting works:

TRASH DAM IN CREEK TO DITCH W/HEADGATE TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		

7. Total Quantity Appropriated is:

0.500 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	01E	21	NE	NW		IRR	16.0
			SW	NW		IRR	12.0
			SE	NW		IRR	28.0
			NE	SW		IRR	15.0
			NW	SW		IRR	20.0

Section Acres 91.0

Total Acres 91.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

57-00101, 57-00111, 57-00133, 57-00146, 57-02210A

14. Remarks:

OWNERSHIP CHANGE - RMC - 3-28-96

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JAMES L. DAVEY

Decree Plaintiff

GEORGE F. BROWN ET. AL.

vs Decree Defendant



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP RECEIVED

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

MAR 22 1996

DATE OF CLOSING: 3/8/96

LEGAL DESCRIPTION OF PROPERTY: Township 5 South Range 1 East, B. M. Department of Water Resources

Section 21, 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.

All permits attached plus any and all appurtenant to said premises.

[] 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) 57-00084, 57-00101, 57-00111, 57-00133, 57-00146,
Assigned by IDWR: 57-02210A

[] Name and Address of Former Owner/Claimant(s)(Seller): Eva M. Johnston
507 5th Ave. South, Nampa, ID 83651

[] New Owner/Claimant (Purchaser): Michael W. Randall and Charlene R. Randall

[] New Mailing Address: 7761 Murphy Rd., Melba, ID 83641

[] New Telephone Number: () -

[] 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:

[] 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) Michael W. Randall Date 3-8-96

Charlene R. Randall Date 3/8/96

[] Signature of Former Owner/Claimant(s): Eva M. Johnston Date 3-8-96

(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 Taken
Date: By:

Final Review and Data-Entry
Date: 3-28-96 By: RNF

Claim Numbers of Split, if any:

RECEIVED

MAR 26 1996

RECEIVED

MAR 22 1996

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

WATER RESOURCES
WESTERN REGION

2246

218315

WARRANTY DEED

RECEIVED
MAR 22 1996
WATER RESOURCES
WESTERN REGION

FOR VALUE RECEIVED, EVA M. JOHNSTON, a single person,
The Grantor, does hereby grant, bargain, sell and convey
unto

MICHAEL W. RANDALL and CHARLIENE R. RANDALL, husband and
wife, the Grantees, whose current address is

7761 Murphy Rd, Melba, ID 83641

the following described real property, located in Owyhee
County, Idaho, to-wit:

IN TOWNSHIP 5 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY,
IDAHO

Section 21: NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$, LESS THE FOLLOWING
DESCRIBED PARCEL:

A parcel of land situate in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.
21, T5S, R1E, B. M., more particularly
described as follows:

COMMENCING at the Southwest corner of Sec. 21,
T5S, R1E, B. M. thence North on the West section line of
said Sec. 21, a distance of 1753 feet, more or less to a
point being the REAL POINT OF BEGINNING; thence continue
North along said West section line, a distance of 417 feet;
thence East on a line perpendicular to said West line a
distance of 417 feet; thence South a a line parallel to said
West line a distance of 417 feet; thence West a distance of
417 feet to the REAL POINT OF BEGINNING.

Together with all and singular the tenements, hereditaments
and appurtenances thereunto belonging or in anywise
appertaining, including all water and ditch rights and
rights of way for water and ditches.

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto said Grantees, their heirs and assigns
forever. And the said Grantor does hereby covenant to and
with the said Grantees, that she is the owner in fee simple
of said premises; that said premises are free from all
encumbrances except: NONE

Subject to such rights, easements, covenants, restrictions
and zoning regulations as appear of record or by use upon
the premises.

RECEIVED

MAR 22 1996

Department of Water Resources

Taxes and assessments of all taxing units not yet due and payable.

Reservations in patents or state grants or in acts authorizing the issuance thereof.

All repayment contracts between any irrigation district within which the premises are situated and any government or agency.

The bonded debt of all taxing units within which said premises are located.

Restrictions imposed by law, ordinance, or regulation imposed by any governmental entity, department or agency.

Restrictions contained in any covenants of record affecting the premises.

All rights of way or easements affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not.

DATED: March 8th 1996

Eva M. Johnston
Eva M. Johnston

RECEIVED

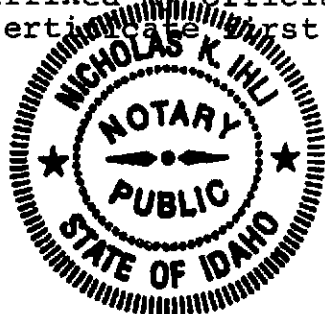
MAR 22 1996

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO, COUNTY OF OWYHEE

On this 8th day of March, 1996, before me, a Notary Public in and for the State, personally appeared Eva M. Johnston, a single person, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date and year in this certificate first above written.



Nicholas K. Ihli
Notary Public for Idaho
Residing at Marysville, Idaho
Commission Expires: 1/3/2000

Ihli Title

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: A57-00084
Date Received: 1/12/1989
Receipt No: W001937
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EVA M. JOHNSTON 208-467-3582
Address: 507 5TH AVE. SOUTH
NAMPA, ID 83651

2. Date of Priority: JUN 01, 1870

3. Source: CASTLE CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	01E	29	SE	SE			OWYHEE

5. Description of diverting works:
TRASH DAM IN CREEK TO DITCH W/HEADGATE TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	01E	21	NE	NW		IRR	16.0
			SW	NW		IRR	12.0
			SE	NW		IRR	28.0

A57-00084

Page 1

Date: 01/12/89

MICROFILMED

OCT 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	01E	21	NE	SW		IRR	15.0
			NW	SW		IRR	20.0
Section Acres							91.0
Total Acres							91.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

57-00101, 57-00111, 57-00133, 57-00146, 57-02210A

14. Remarks:

WHEN THIS RIGHT AND ALL OTHER RIGHTS ARE COMBINED, THE RATE OF
DIVERSION SHALL NOT EXCEED 0.02 CFS/ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JAMES L. DAVEY

Decree Plaintiff

vs

GEORGE F. BROWN ET. AL.

Decree 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: _____

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): Eva M. Johnston Date: 1-12-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12 day

of Jan 19 89

Eldon J. Poush
Notary Public

Seal

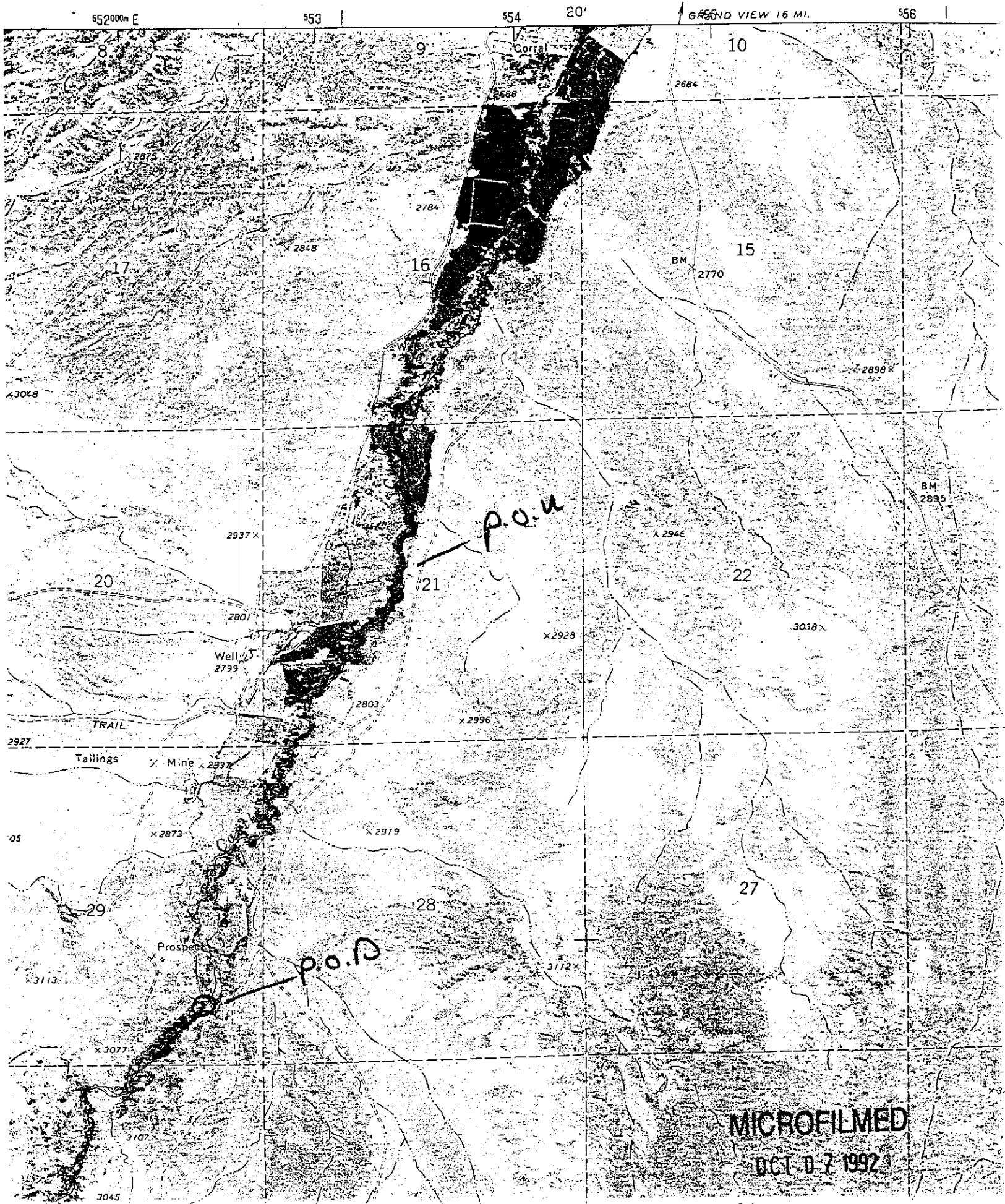
Residing at Boise

My Commission Expires 07/08/1999

WATER RESOURCES
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

T55 R1E Sec 21

A57-00089



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: A57-00084
Date Received: 1/12/1989
Receipt No: W001937
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EVA M. JOHNSTON 208-467-3582
Address: 507 5TH AVE. SOUTH
NAMPA, ID 83651

2. Date of Priority: JUN 01, 1870

3. Source: CASTLE CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	01E	29	SE	SE			OWYHEE

5. Description of diverting works:
TRASH DAM IN CREEK TO DITCH W/HEADGATE TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	01E	21	NE	NW		IRR	16.0
			SW	NW		IRR	12.0
			SE	NW		IRR	28.0

A57-00084

Page 1

Date: 01/12/89

MICROFILMED

OCT 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	01E	21	NE	SW		IRR	15.0
			NW	SW		IRR	20.0
Section Acres							91.0
Total Acres							91.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

57-00101, 57-00111, 57-00133, 57-00146, 57-02210A

14. Remarks:

WHEN THIS RIGHT AND ALL OTHER RIGHTS ARE COMBINED, THE RATE OF
DIVERSION SHALL NOT EXCEED 0.02 CFS/ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JAMES L. DAVEY

Decree Plaintiff

vs

GEORGE F. BROWN ET. AL.

Decree 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 ☒ 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): X Eva M. Johnston Date: X 1-12-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of Jan 19 89

Edda J. Pugh
Notary Public

Seal

Residing at Boise

My Commission Expires 07/08/1999

MEMORANDUM

To: File

From: Roxanne McCarthy

Re: status of Randall claims

Date: September 18, 1996

I spoke to Jan Shurte today; she indicated that Char Randall (495-2801) had called with an inquiry about the settlement of objections to her water rights (57-00084, 57-00101, 57-00111 and 57-00146).

My research indicates that an informal settlement had been reached between the previous owners and BLM, but the court has not requested a hearing yet. An SF5 and stipulation needs to be prepared and signed by the parties (the Randalls and BLM) before we can proceed. It is impossible for IDWR to guess when this might occur.

I called Mrs. Randall and left a message on her answering machine inviting her to call me back. I will discuss it with her in detail at that time.

D. V. STEENSON
RINGERT CLARK CHARTERED
455 S. Third St., P.O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591

RECEIVED

JUL 17 1997

Department of Water Resources

Attorneys for Michael and Charliene Randall

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	)	Subcase No. 57-00084
	)	
	)	
Case 39576	)	STANDARD FORM 4
	)	
	)	MOTION TO FILE:
	)	LATE NOTICE OF CLAIM
	)	X AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-numbered pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a separate form for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of the litigation.



I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is: _____

My address is: _____

My phone number is: Work _____ Home _____

I am an attorney representing Michael and Charlene Randall

My name is: Daniel V. Steenson

My address is: 455 South Third Street, P.O. Box 2773,
Boise, Idaho, 83701

My phone number is: (208) 342-4591

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.



I did not file a Notice of Claim to the use of water in the SRBA because:



I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.



I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you must attach a copy of your Notice of Claim.

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee and a late claim fee. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine the amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$_____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$_____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☒ I must amend my Notice of Claim to the use of water in the SRBA because:

Please see Attachment 1, Reasons for Amending Notice of Claim.



I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

Attachment 1: Reasons for Amending Notice of Claim.

Attachment 2: Davey v. Brown ("Castle Creek Decree")

Attachment 3: Deeds in chain of title

Attachment 4: Bob Collett letter dated June 30, 1997



I have attached:



An amended Notice of Claim (available from IDWR)



Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Ada

Daniel V. Steenson, being first duly sworn, upon Oath,
(Insert name of person filing form)
deposes and says:

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Signature of person filing motion

Daniel Steenson

Attorney signing in representative capacity

Subscribed and sworn to before me on: July 17, 1997

(insert date)

Esther Lipkin

Notary Public for Idaho

Residing at: Boise

My Commission expires: 7/10/2001

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the SRBA Clerk of the Court. You must also send a copy to all the parties listed below in the Certificate of Mailing.

I certify that on July 17, 1997, I mailed the original and copies of this form, 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, Idaho 83303-2707

2. Copies to:

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

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

Andrew Helmlinger (BY HAND DELIVERY)
Office of Attorney General
Natural Resources Division
1301 N. Orchard
P.O. Box 83720
Boise, Idaho 83270-0098

Director of IDWR
P.O. Box 83720
Boise, Idaho 83720-0098

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



Signature of person or attorney mailing the form

ATTACHMENT 1. REASONS FOR AMENDING NOTICE OF CLAIM

1. The original Notice of Claim was prepared by Eva Johnston, the Randalls' predecessor in interest, with the assistance and consultation of IDWR. Mrs. Johnston failed to claim all lands to which this water right is appurtenant by the Decree issued in Davey v. Brown (the "Castle Creek Decree," (copy attached)) dated May 15, 1923. This water right is identified at page 7 of the Castle Creek Decree under the name of the Johnstons' predecessor, Joseph W. Hardimen, by the priority date 1870 for 25 miners inches. The Decree makes this water right, together with the four others listed at page 7, appurtenant to the lands owned by Joseph Hardimen as generally identified by five quarter sections in Section 21 of Township 5 South, Range 1 East, Boise Meridian. A more precise legal description and quantification of acreage is not described in the Decree. However, the Decree allocates the waters of Castle Creek to each party, including Joseph Hardimen:

in the amount, priorities and for the lands, hereinafter set forth, for the irrigation of the lands owned by them respectively at the date [of the Decree], and for domestic use and for live stock according to the date of priority on which the said waters were first diverted and used upon said lands and in the quantity so diverted as hereinafter specifically set forth.

As of the date of the decree, Joseph Hardimen owned 200 acres within the lands identified in the decree. These lands were subsequently transferred to Mrs. Johnston, who transferred these lands to the Randalls in 1996 (see attached deeds). Pursuant to the SRBA District Court's decisions relating to partial forfeiture and reductions of decreed water rights based on IDWR's beneficial use determinations, currently before the Idaho Supreme Court, this water right is not subject to partial forfeiture or reduction, and should be confirmed in this proceeding as decreed in the Castle Creek Decree.

2. The Notice of Claim filed by Eva Johnston for this water right claims only 16 acres in the NE¼ NW¼, and only 28 acres in the SE¼ NW¼ Section 21, Township 5 South, Range 1 East, B.M. The Directors' Report recommends only 13 acres in the NE¼ NW¼, and only 22 acres in the SE¼ NW¼ Section 21, Township 5 South, Range 1 East, B.M. As discussed above, the License entitles the Randalls to apply this water right to irrigate all the land identified in the License (i.e. 67 acres) within these quarter sections. Attached hereto is a letter written by Bob Collett, who leases the Randalls' land within these quarter sections. Mr. Collett identifies 20 acres, more or less, within these quarter sections (Mr. Collett circled this area on the map attached to his letter), all or part of which were not claimed in Mrs. Johnston's Notices of claims, and not recommended by IDWR. Mr. Collett's letter establishes that this water right has been beneficially used on these acres, and that this water right should be confirmed to include irrigation of these acres within the place of use.

①
9/15/1923

IN THE DISTRICT COURT OF THE THIRD JUDICIAL
DISTRICT OF THE STATE OF IDAHO,
IN AND FOR AND A COUNTY.

JAMES L. DAVEY,

Plaintiff,

vs.

George F. Brown, James E.
Murphy, William Gordy, William
Toy, Joseph W. Hardiman, Andrew
T. Evans, William D. Evans,
Lillian L. Evans, William Hender-
son, Martha Henderson, Urcilla
McDonough, John J. Evans, Thomas
A. Foreman, Victor Foreman,
Donald (Fred D.) Henderson, Thomas
D. Henderson, John Henderson, Charles
H. Morehouse, Maggie Devine, Robert
J. Kelley, James L. Dees, John M. (James H.)
Forgan, Arsey Drill, Edith Carothers,
Olga Reed, Etta Bethel, Charles
Johnson, James Henderson, Belos
Forosen, John E. Munger, Edna
Munger, his wife, James Torrence,
Mina B. Torrence, his wife, Alex
Belap, Thomas Payne, John Kidd,
John Skillern, John Lee Rohovarrria,
Bill T. Skillern, Victor Gabica,
J. S. Fischer, Della Bethel, John
Bethel, her husband, Richard McCumber,
Harry Belap, John Walberg, and the
Castle Falls Mining Company, a cor-
poration, (whose charter was forfeited
November 30, 1914) and J. L. Conley,
H. F. Ross, P. L. Bloom, A. C. Garber,
and S. L. Kennedy, as directors and
statutory trustees of said the Castle
Falls Mining Company, Walter H. Jones
and Anna Joyce,

Defendants.

DLC-EE

The above entitled cause came on regularly
for trial on November 14th, 1923, in open court be-
fore Honorable Charles F. Seddock, Judge of said Court.

-17-

JUN 19 1996

The plaintiff appeared by his attorneys, Parky & Brinck, Esquires; Hawley & Hawley, Esquires, and C. H. Johnson, Esquire, appeared as attorneys for defendants, George F. Brown, James M. Murphy, William Toy, Joseph E. Hardiman, Andrew T. Evans, William D. Evans, Lillian E. Evans, Ursilla McDonough, John J. Evans, Thomas E. Foreman, Victor Foreman, John Henderson, James L. Lees, William Gordy and Amsey Crill; C. H. Johnson, Esquire, appeared as attorney for James M. Morgan, James Henderson, John H. Mungler, Edna Mungler, James Torrence, Nina B. Torrence, James L. Lees, Robert E. Henderson and Anna Joyce (who has been duly substituted for Harry Delap and Alex Delap, defendants); Hawley & Hawley, Esquires, appeared as attorneys for defendant Charles Johnson; Martin & Martin, Esquires, appeared as attorneys for defendant Walter B. Jones who was substituted for defendants, Maggie Devine and Robert J. Colley; Wright Stacey, Esquire, appeared as attorney for defendant Hilt Carothers; Frank T. Lyman, Esquire, appeared as attorney for defendants, Martha Henderson, Donald Henderson, Thomas E. Henderson and John Walmborg; and Frawley & Koelsch, Esquires, appeared as attorneys for defendants, Pedro Echevarria and W. T. Skillern.

It appearing that the true name of the defendant named in the amended complaint as John Doe Echevarria is Pedro Echevarria, it was ordered that the amended complaint be amended by substituting the true name of said defendant, Pedro Echevarria for said John Doe Echevarria; and it is ~~ordered that~~ the true name of the cross-complainant named in his cross-com-

JUN 19 1936

plaint as John Mullenberg is John Malmberg, it was ordered that said cross complaint be amended by substituting the true name of said defendant, John Malmberg, for said John Mullenberg.

It appearing to the satisfaction of the court that defendants, Charles H. Morehouse, Alva Reed, Delos Foreman, Thomas Payne, John Kidd, John Skillern, The Castle Falls Mining Company, a corporation, and J. L. Conley, H. P. Ross, P. H. Bloom, A. S. Garber, and G. L. Kennedy, as directors and statutory trustees of said Castle Falls Mining Company, a corporation, (whose charter has been forfeited), have been regularly served with summons herein and with the complaint and amended complaints of plaintiff, and with the cross-complaints filed herein, and that their time for answering each of said complaints and cross-complaints has expired, and that they and each of them have failed to answer the same, or any of them, or to make other appearance in said cause, the default of each of said defendants was duly entered; and that defendants, Della Pethel and John Pethel having appeared by their attorney, C. S. Hunter, Esquire, and having demurred to the complaint and their demurrer having been overruled, and they having refused to plead further, the default of said Della Pethel and John Pethel was duly entered.

Whereupon, the following stipulation was made by and between all of the aforesaid parties appearing by counsel in open court, to-wit:

"It is stipulated as between the parties to this action that, whereas, a decree was heretofore, on May 18th, 1911, entered in the District Court of the Third Judicial District of the State of Idaho, in and for Owyhee County, in the cause wherein
JUN 11 1911

D. Evans, et al, were plaintiffs and William Toy, et al, were defendants, adjudicating the rights in the waters of Castle Creek as between the parties hereto who were parties to said former action and their successors in interest respectively, the parties to this action have agreed that the respective priorities as specified in said former decree shall remain in full force and effect except that the plaintiff herein shall be decreed the right to the use of 20 inches of the waters of said Castle Creek, with priorities as follows:

57	0168	1870-----	25 inches,
57	0167	1873-----	5 inches,
57	0167	1874-----	10 inches,
57	0167	1883-----	10 inches,
57	0170	1887-----	20 inches,
57	0171	1890-----	20 inches,

and providing, that where more than one right is by said prior decree and by this stipulation fixed for the same year, they will all take equal rank as to priority.

"The said water rights of said J. L. Sawyer shall be decreed for his land described in said complaint.

"The rights of all parties hereto in the waters of said creek which they respectively claimed as of a prior date later than the date of said former decree, or which are not adjudicated by the former decree, or which were not completed at the date of said former decree, shall be subject of a further stipulation among the respective parties, or trial, if no stipulation is made, and shall be included in any decree made herein; provided, that if said further stipulation, or trial, shall not be completed within 30 days from the date hereof, or final decision in said matter had within said time, the court shall enter a final decree as to the respective water rights governed by this stipulation, and such decree be stipulated within said time, and that subsequent decree may further be entered, settling the rights of the parties not settled by the decree just referred to."

And it appearing that a decree was heretofore, on May 13, 1914, entered in this court in an action wherein William L. Evans, et al, were plaintiffs, and William Toy, et al, were defendants, adjudicating to the

JUN 1 9 1895

parties thereto the waters of Castle Creek in Owyhee County, Idaho, as therein set forth, being the decree referred to in aforesaid stipulation, and that since the entry of said decree, the defendant herein, Joseph W. Hardiman, has succeeded to the water rights awarded to Hardiman Brothers, consisting of Charles I. Hardiman, Joseph W. Hardiman and Eugene A. Hardiman, described in said former decree; that William C. Jones, since the said former decree, has succeeded to the water rights awarded to Maggie Levine, described in said former decree; that Thomas A. Foreman, since the said former decree, has succeeded to the water rights awarded to Charles H. Forehouse, described in said former decree; that Amsey Grill, since said former decree, has succeeded to the water rights awarded to Wilbur Foreman, described in said former decree; that George F. Brown and James M. Murphy, since said former decree, have succeeded to the water rights awarded to Victor Schick, described in said former decree; that George I. Stern, since said former decree, has succeeded to the water rights awarded to Harlan Clark, described in said former decree; that William Gordy, since said former decree, has succeeded to the water rights awarded to M. F. Lunham, described in said former decree; that Elt Carothers, since said former decree, has succeeded to the water rights awarded to Fred T. Smith, described in said former decree; that John Mainberg, since said former decree, has succeeded to the water rights awarded to Martha Henderson, described in said former decree, so far as the land therein des-

RECORDED
JUN 19 1936

cribed as her homestead entry and the water right thereto decreed is involved; and agreement having been reached pursuant to said stipulation; and findings of fact and conclusions of law having been specifically waived by all parties in open court,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED:

1. That the waters of Castle Creek, Owyhee County, Idaho, be and the same are hereby allotted and decreed to the several parties to this suit in the amount, priorities and for the lands, hereinafter set forth, for the irrigating of the lands owned by them respectively at the date hereof and described in the complaint, answers and cross-complaints of the parties hereto and for domestic use and for live stock according to the date of priority on which the said waters were first diverted and used upon said lands and in the quantity so diverted as hereinafter specifically set forth. That where more than one right is fixed upon the same date, they will all take equal rank as to priority. That the various rights so decreed and allotted, with the date of the right, the party to whom allotted and decreed, and the amount of water allotted, and the lands for which allotted, are as follows:

RECEIVED

JUN 1 9 1936

Name of Party	Source of Water	Date of Priority.	Amt. in Inches.	Pos. of All Owyhee County Land.	Sec.	Twp.	Range	
William Roy	Castle Creek	1870	25	{ SUBD. E. 1/2 NE 1/4 SW 1/4 NE 1/4 NE 1/4 NE 1/4 SW 1/4 NE 1/4 28	29	5	14	B.M.
		1885	20					
		1887	20					
		1895	30					
		1903	15					
		1908	20					
Joseph E. Hardiman (successor to Hardiman Bros. consisting of Joseph Hardiman, Charles L. Hardiman and Eugene A. Hardiman)	Castle Creek	1870	25	{ SUBD. SW 1/4 NE 1/4 NE 1/4 SW 1/4 NE 1/4 SW 1/4 85	21	5	5	B.M.
		1897	5					
		1890	30					
		1902	10					
		1906	15					
William L. Evans & William D. Evans	Castle Creek	1870	25	{ SUBD. SW 1/4 NE 1/4 NE 1/4 SW 1/4 NE 1/4 SW 1/4 NE 1/4 SW 1/4 9	10	5	5	B.M.
		1871	20					
		1887	20					
		1890	25					
		1895	20					
		1902	12					
		1908	9					
Andrew T. Evans	Castle Creek	1870	25	{ SUBD. SW 1/4 NE 1/4 NE 1/4 SW 1/4 NE 1/4 SW 1/4 16	16	5	5	B.M.
		1890	18					
		1901	15					
James H. Levey	Castle Creek	1870	25	{ SUBD. SW 1/4 NE 1/4 NE 1/4 SW 1/4 NE 1/4 SW 1/4 NE 1/4 SW 1/4 13	13	5	5	B.M.
		1873	5					
		1874	10					
		1885	10					
		1897	20					
		1900	20					
Urcilla McEnough	Castle Creek	1874	5	{ SUBD. SW 1/4 NE 1/4 NE 1/4 SW 1/4 NE 1/4 SW 1/4 NE 1/4 SW 1/4 3	3	5	5	B.M.
		1885	15					
		1897	4					
		1900	5					
		1898	14					
		1906	10					
		1908	17					
John J. Evans	Castle Creek #3300	1874	12	{ SUBD. SW 1/4 NE 1/4 NE 1/4 SW 1/4 NE 1/4 SW 1/4 NE 1/4 SW 1/4 NE 1/4 SW 1/4 34	34	4	5	B.M.
		1885	18					
		1897	10					
		1895	5					
		1896	15					
		1890	20					
		1906	10					

JUN 19 1906

Name of Party	Source of Enter	Date of Priority.	Amt. in Inches.	Des of All Owyhee County Land. Sec. Twp. Range.
J. H. Morgan	Castle Creek	1874 10 11 1906 10 6 1908 10 34	{ Lot 3 Lot 4 Lot 4 Lot 5	6 4 S 2E B.M. 31 3 S 2E B.M.
Thomas A. Foreman	Castle Creek	1874 10 10 1885 10 20 1887 10 10 1895 10 5 1896 10 15 1899 10 20 1902 10 10 1906 10 10 1908 10 10	{ SE 1/4 Sec. 27 E 1/2 Sec. 26 SE 1/4 Sec. 26 SW 1/4 Sec. 35	4 S 1E B.M. 35
Thomas A. Foreman (successor to Charles H. Fore- house)	Castle Creek	1897 10 50	{ E 1/2 Sec. 26 SE 1/4 Sec. 26 NE 1/4 Sec. 26	26 4 S 1E B.M.
Amsey Grill (successor to Wilbur Mossman)	Castle Creek	1878 10 2 1900 10 71	{ N. Sparks Lunch in SW 1/4 Sec. 9 Sec. 9; SE SW 1/4 Sec. 10	7 S 1E B.M.
Amsey Grill	Castle Creek	1884 10 0 1904 10 2 1911 10 2	{ Formerly F. Wicher Lunch in SW 1/4 Sec. 9 SW 1/4 Sec. 10	7 S 1E B.M.
Amsey Grill	Castle Creek	1913 10 22 8	SW 1/4 Sec. 10	16 7 S 1E B.M.
Amsey Grill	Pixley Creek	1918 10 11	SW 1/4 Sec. 10	10 7 S 1E B.M.
Thomas D. Henderson & Donald Henderson	Castle Creek	1885 10 20 1887 10 35	{ SW 1/4 Sec. 24 SE 1/4 Sec. 23	4 S 1E B.M.
Walter B. Jones (successor to Maggie Devine & Robert J. Kelley.)	Castle Creek	1885 10 15 1887 10 20 1906 10 6 1908 10 20	{ SW 1/4 Sec. 24 NE 1/4 Sec. 24	4 S 1E B.M.

JUN 1 9 1906

Name of Party	Source of Water.	Date of Priority	Am't. in inches.	Pos. of Land. (Subd.)	All Owyhee County Sec.	Twp.	Range.
John Palmberg (successor to Martha Henderson)	Castle Creek	1886 11/20/86 } 1887 11/20/86 } 1890 11/20/86 } 1896 11/20/86 } 1908 11/20/86 } 52	30 5 5 4 8	SEC. 35 T. 12 N. R. 25 E.	10	5 S	1E B.M.
Milt Carothers (successor to Fred T. Smith)	Castle Creek	1898 11/20/86 } 1903 11/20/86 }	20 5	SEC. 23 T. 12 N. R. 25 E.	23	6 S	1E B.M.
Martha Henderson	Castle Creek	1897 11/20/86 } 5	7	SEC. 25 T. 12 N. R. 25 E.	25	4 S	1E B.M.
William Gordy (successor to L. F. Dunham)	Castle Creek	1898 11/20/86 } 15	15	SEC. 23 T. 12 N. R. 25 E. (lands formerly owned by John Goodman),	23	7 S	1E B.M.
John Henderson	Castle Creek	1899 11/20/86 } 1902 11/20/86 } 1906 11/20/86 }	3 7 3	SEC. 25 T. 12 N. R. 25 E.	25	4 S	1E B.M.
George F. Brown and James L. Murphy (successors to Victor Gabica.)	Castle Creek	1901 11/20/86 } 1902 11/20/86 } 1904 11/20/86 } 1905 11/20/86 } 1907 11/20/86 } 1908 11/20/86 }	15 5 5 5 10 5	SEC. 10 T. 12 N. R. 25 E.	10	7 S	2E B.M.
George F. Brown (successor to Harlan Clark)	Castle Creek	1903 11/20/86 } 1904 11/20/86 } 1905 11/20/86 } 1906 11/20/86 } 1907 11/20/86 } 1908 11/20/86 }	5 5 5 5 15 3	SEC. 36 T. 12 N. R. 25 E.	36	3 S	1E B.M.
James Henderson (successor to James Henderson and John Henderson under license #6258) 57-2037	Castle Creek	July 12, 1910 (1.04 sec. ft.) 20 32		SEC. 35 T. 12 N. R. 25 E.	35	4 S	1E B.M.
Anna Joyce (successor to Alex Lepp under license 7743) 57-2040	Castle creek	Sept. 20, 1911 25 } (.5 sec. ft.) } 1912 14 } 1913 14 } 1914 14 } 1915 14 } 1916 14 } 1917 14 } 1918 14 } 1919 14 } 1920 14 } 1921 14 } 1922 14 } 1923 14 } 1924 14 } 1925 14 } 1926 14 } 1927 14 } 1928 14 } 1929 14 } 1930 14 } 1931 14 } 1932 14 } 1933 14 } 1934 14 } 1935 14 } 1936 14 } 1937 14 } 1938 14 } 1939 14 } 1940 14 } 1941 14 } 1942 14 } 1943 14 } 1944 14 } 1945 14 } 1946 14 } 1947 14 } 1948 14 } 1949 14 } 1950 14 } 1951 14 } 1952 14 } 1953 14 } 1954 14 } 1955 14 } 1956 14 } 1957 14 } 1958 14 } 1959 14 } 1960 14 } 1961 14 } 1962 14 } 1963 14 } 1964 14 } 1965 14 } 1966 14 } 1967 14 } 1968 14 } 1969 14 } 1970 14 } 1971 14 } 1972 14 } 1973 14 } 1974 14 } 1975 14 } 1976 14 } 1977 14 } 1978 14 } 1979 14 } 1980 14 } 1981 14 } 1982 14 } 1983 14 } 1984 14 } 1985 14 } 1986 14 } 1987 14 } 1988 14 } 1989 14 } 1990 14 } 1991 14 } 1992 14 } 1993 14 } 1994 14 } 1995 14 } 1996 14 } 1997 14 } 1998 14 } 1999 14 } 2000 14 } 2001 14 } 2002 14 } 2003 14 } 2004 14 } 2005 14 } 2006 14 } 2007 14 } 2008 14 } 2009 14 } 2010 14 } 2011 14 } 2012 14 } 2013 14 } 2014 14 } 2015 14 } 2016 14 } 2017 14 } 2018 14 } 2019 14 } 2020 14 } 2021 14 } 2022 14 } 2023 14 } 2024 14 } 2025 14 } 2026 14 } 2027 14 } 2028 14 } 2029 14 } 2030 14 } 2031 14 } 2032 14 } 2033 14 } 2034 14 } 2035 14 } 2036 14 } 2037 14 } 2038 14 } 2039 14 } 2040 14 } 2041 14 } 2042 14 } 2043 14 } 2044 14 } 2045 14 } 2046 14 } 2047 14 } 2048 14 } 2049 14 } 2050 14 } 2051 14 } 2052 14 } 2053 14 } 2054 14 } 2055 14 } 2056 14 } 2057 14 } 2058 14 } 2059 14 } 2060 14 } 2061 14 } 2062 14 } 2063 14 } 2064 14 } 2065 14 } 2066 14 } 2067 14 } 2068 14 } 2069 14 } 2070 14 } 2071 14 } 2072 14 } 2073 14 } 2074 14 } 2075 14 } 2076 14 } 2077 14 } 2078 14 } 2079 14 } 2080 14 } 2081 14 } 2082 14 } 2083 14 } 2084 14 } 2085 14 } 2086 14 } 2087 14 } 2088 14 } 2089 14 } 2090 14 } 2091 14 } 2092 14 } 2093 14 } 2094 14 } 2095 14 } 2096 14 } 2097 14 } 2098 14 } 2099 14 } 2100 14 }		SEC. 34 T. 12 N. R. 25 E.	34	6 S	2E B.M.

JUN 1 9 1996

Name of Party	Source of Water.	Date of Priority	Am't. in inches.	Des. of Land (Subd.)	All Owyhee County Sec.	Twp.	Range.
John Munger (water license #602) 57-2044	Castle Creek	Aug. 10, 1912	25 (.5 sec. ft.)	{ SW 1/4 NE 1/4 } { NW 1/4 SW 1/4 }	34	4 S	1E B.M.
Edna Munger (water license #2776) 11494 57-2090	Castle Creek	Sept. 3, 1915	20 (.4 sec. foot)	{ NW 1/4 NE 1/4 }	34	4 S	1E B.M.
Charles Johnson.	Alder Cr. and John-son Reser-voir. March 1, 1921	1894-1908-1913-1921	{ 10 32 25 54 } (1.08 sec. ft. water license #15135.) 57-2430	{ NE 1/4 NW 1/4 } { SE 1/4 SW 1/4 }	15	6 S	1E B.M.
Thomas E. Henderson. (water license #6161) 57-2036	Castle Creek	May 23, 1910	50	{ SW 1/4 NE 1/4 } { SE 1/4 SW 1/4 } { NE 1/4 NW 1/4 } { NW 1/4 SW 1/4 }	13 } 24 }	4 S	1E B.M.
Fred P. Henderson and Thomas E. Henderson. (water license #9896) 57-2064	Castle Creek	Nov. 11, 1913	75	{ NE 1/4 NE 1/4 } { SE 1/4 SE 1/4 } { NE 1/4 SW 1/4 } { SE 1/4 SW 1/4 }	23 } 24 }	4 S	1E B.M.
James L. Lees (water license #3301) 57-2021	Castle Creek	Dec. 10, 1907	55	{ SW 1/4 SW 1/4 } { SE 1/4 SW 1/4 }	35	3 S	1E B.M.
Mina E. Torrance (water license #3301) 57-2021	Castle Creek	Dec. 10, 1907	55	{ Lot 4 } { SW 1/4 NW 1/4 } { SE 1/4 NW 1/4 }	1	4 S	1E B.M.

That the water so decreed to the said parties shall be appurtenant to the lands owned by them respectively and which are described above.

The water above decreed is the amount above stated

measured under a four-inch pressure.

The several parties to this action whose rights the use of the waters of said streams are of even date, are entitled, whenever the amount of water flowing in the channel of said streams is insufficient in quantity to sup-

ply all of said parties with the amounts herein decreed, to share in the use of the available supply in the proportion that the several quantities awarded as of the same date, bear to the total available supply for said rights, but subject to the prior rights awarded hereby.

Each and every party hereto in, and his agents, attorneys, employees, privies and successors in interest, are, hereby enjoined and restrained from interfering, in any manner, with the rights of prior appropriators, as herein decreed, and from obstructing, using and wasting the waters of said streams to the injury of such prior appropriators.

That the defendants hereinafter named are the holders of certain water permits issued by the State of Idaho as hereinafter designated, and this decree is not intended to, nor does it, interfere with or prevent the acquiring of such licenses or further licenses under the said permits upon performance of the requirements of law relating to the securing of such licenses or further licenses, notwithstanding that such licenses or further licenses may grant rights or priorities earlier than the date of this decree or of rights herein decreed:

James Henderson ~~James Henderson~~ and John Henderson, Permit No. 6238.

Amsey Grill, Permit No. 15652 (Castle Creek and Pixley Creek),

Charles Johnson, Permit No. 15135, (Older Creek and Johnson Reservoir),

Lillian L. Evans, Permit No. 15427, ✓

~~Robert Evans~~ and Lillian L. Evans, Permit No. 15418.

JUN 19 1936

James L. Davay, Permits No. 12842⁵⁷⁻²¹⁰
and No. 15712,

Pedro Schewarria and William T.
Skillern, Permit No. 5095,

A. T. Evans, Permit No. 15112,

John J. Evans, Permit No. 12871,

Donald F. Henderson, Permit No. 9901,

Thomas F. Henderson, Permit No. 3151, *in decree*

Robert F. Henderson (successor to Robert
F. Henderson and James Henderson) Per-
mit No. 11266,

Edna Munger, Permit No. 11494, *also #2776 in decree*

John H. Munger, Permit No. 8602, *in decree*

Anna Joyce. (successor to Alex
Belapp) Permit no 7743. *in decree*

IT IS FURTHER ORDERED, ADJUDGED AND DECREED:

That the foregoing rights are established and shall
be in operation during the irrigation season from the
1st day of April to and until the 15th day of October
of each year. It is further adjudged that the average
amount of water required each year for the irrigation
of the lands hereinbefore described during such season
is one inch of water to the acre. It is further ad-
judged that the water hereinbefore decreed shall be
diverted and applied to the respective lands to which
they are made appurtenant as aforesaid, by means of the
headgates, ditches and laterals owned by the respective
parties at the date of this decree. It is further
adjudged and decreed that each party shall pay his
own costs herein.

Done in open court this 15th day of May,

1923.

MAILED
JUN 1 9 1923

M. J. Church

District Judge.

William Hardiman

to

WARRANTY DEED.

Jos. W. Hardiman et al

THIS INSTRUMENT, Made this 21st day of February in the year of our Lord one thousand nine hundred and seven between WILLIAM HARDIMAN of Oregan County of Owyhee State of Idaho the party of the first part, and JOS. W. HARDIMAN, CHAS. I. HARDIMAN and R. A. HARDIMAN of Oregan County of Owyhee State of Idaho the parties of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of ONE HUNDRED \$ DOLLARS, lawful money of the United States of America, to him in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate, situated in Owyhee County, State of Idaho, to-wit:

The East half of the Northwest quarter, the Southwest quarter of the North west quarter and the North west quarter of the Southwest quarter of Section twenty one Township five South Range one East and also the North East quarter of the South west quarter of Section twenty one Township five South Range One East all in Owyhee County Idaho and containing 200 acres. Together with all water rights and water privileges thereunto belonging or in anywise appertaining to said lands, particularly all rights under water right notice recorded in book 3 of water rights page 53 Owyhee County records.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said party of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said party of the first part his heirs and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents DEFEND.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and

William Hardiman (SEAL)

Delivered in Presence of

Fred G. Muck

C. R. Hickey

State of Idaho, :
:--ss.
County of Canyon. :

On this 23rd day of February 1907 before me Fred G. Mock, a Notary Public in and for said County, personally appeared William Hardiman, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Seal, the day and year in this certificate first above written.

.....
: FRED G. MOCK :
: NOTARY PUBLIC :
: Canyon County :
: Idaho. :
:.....

Fred G. Mock,
Notary Public.

Filed May 6th, 1910, at 3:50 o'clock P. M., at request of F. A. Hardiman


Ex-Officio Recorder.

Fee, \$1.00

Chas. I. Hardiman et al.

to

Joseph W. Hardiman.

WARRANTY DEED

THIS INDENTURE, Made this 11th day of March, in the year of our Lord one thousand nine hundred and eighteen, between CHAS. I. HARDIMAN and E. A. HARDIMAN, both unmarried, of Castle Creek, County of Owyhee, State of Idaho, the parties of the first part, and JOSEPH W. HARDIMAN, of Castle Creek, County of Owyhee, State of Idaho, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of ONE HUNDRED (\$100.00) DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in the County of Owyhee, State of Idaho, to-wit:

An undivided two-thirds interest of, in and to the East half of the Northwest quarter, the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section twenty-one, Township five South, Range one East, of the Boise Meridian.

Also, an undivided two-thirds interest of, in and to the Northeast quarter of the Southwest quarter of Section twenty-one, Township five South, Range one East, of the Boise Meridian.

Together with a like interest of, in and to all water rights and water privileges thereunto belonging or in anywise appertaining, particularly all rights acquired under and by virtue of that certain notice of appropriation of the waters of Castle Creek, in Owyhee County, Idaho, as made by M. H. Presby on the 15th day of August, 1879, and recorded in Book 3 of Water Rights, at page 53, among the records of Owyhee County, Idaho.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part:

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set

their hands and seals the day and year first above written.

Signed, Sealed and	:	Chas. I. Hardiman	(SEAL)
Delivered in the Presence of	:	Eugene A. Hardiman	(SEAL)
Mrs. E. J. Toy	:		
Mrs. Susan Bruce	:		

(\$4.00 Documentary Revenue Stamps. J. W. H., 3/11/18.)

State of Idaho, :
:--ss.
County of Owyhee. :

On this 26 day of March, in the year 1918, before me,
Martha Henderson, a Notary Public in and for the State of Idaho, personally
appeared Chas. I. Hardiman and E. A. Hardiman, both unmarried, known to me
to be the persons whose names are subscribed to the within instrument, and
acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal, the day and year in this certificate first above written.

Martha Henderson

Notary Public, residing at	
Castle Creek, Idaho.	
.....	
MARTHA HENDERSON	:
Notary Public	:
State of Idaho	:
.....	

Filed April 23rd, A. D. 1918, at 9 o'clock A. M., at request of Joseph W.
Hardiman.

J. A. Chair
Ex-Officio Recorder.

Fees, \$1.20

their hands and seals the day and year first above written.

Signed, Sealed and	:	Chas. I. Hardiman	(SEAL)
Delivered in the Presence of	:	Eugene A. Hardiman	(SEAL)
Mrs. E. J. Toy	:		
Mrs. Susan Brice	:		

(\$4.00 Documentary Revenue Stamps, J. W. H., 3/11/18.)

State of Idaho, :
:--ss.
County of Owyhee. :

On this 25 day of March, in the year 1918, before me,
Martha Henderson, a Notary Public in and for the State of Idaho, personally
appeared Chas. I. Hardiman and E. A. Hardiman, both unmarried, known to me
to be the persons whose names are subscribed to the within instrument, and
acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal, the day and year in this certificate first above written.

Martha Henderson

.....
: MARTHA HENDERSON :
: Notary Public :
: State of Idaho :
:.....

Notary Public, residing at
Castle Creek, Idaho.

Filed April 23rd, A. D. 1918, at 9 o'clock A. M., at request of Joseph W.
Hardiman.

J. H. Clair
Ex-Officio Recorder.

Fees, \$1.20

William Hardiman et ux :
to : QUITCLAIM DEED
Joseph W. Hardiman :

THIS INDENTURE, Made this 23rd day of September in the year of our Lord one thousand nine hundred and Twenty-four, between WILLIAM HARDIMAN and MARY H. HARDIMAN, husband and wife, of Boise, County of Ada, State of Idaho, the parties of the first part, and JOSEPH W. HARDIMAN, of Boise, County of Ada, State of Idaho, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One Dollar and other good and valuable consideration, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to his heirs and assigns, all that certain lot, piece, or parcel of land, situate, lying and being in County of Owyhee, State of Idaho, bounded and particularly described as follows, to-wit:

The East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$), Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) North half (N $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$), Section Twenty One (21), Township Five (5) South of Range One (1) East of the Boise Meridian, Owyhee County, State of Idaho, containing Two-Hundred (200) acres, more or less excepting all rights of way thereon, together with all other water rights, ditch rights and canal rights thereunto belonging or in anywise appertaining.

This deed is given for the purpose of clearing that certain deed made and executed by Wm. Hardiman as Grantor and Joseph W. Hardiman, Chas. I. Hardiman and E. A. Hardiman as Grantees, which deed is dated February 21, 1907, and recorded in Book 5 of deeds at pages 363 and 364, records of Owyhee County, Idaho, in which deed the wife of the said Wm. Hardiman did not join

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof;

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the 30th day of September, 1924.

Signed, Sealed and :
Delivered in the Presence of : William Hardiman (SEAL)
Florence M. Ferguson : Mary H. Hardiman (SEAL)
I. L. Anislie :

State of California :
 : ss.
 County of San Francisco :

On this 30th day of September, in the year 1924, before me, Edwin G. Bath, a Notary Public in and for said County, personally appeared Mary H. Hardiman, wife of William Hardiman, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

.....	Edwin G. Bath,
: EDWIN G. BATH :	
: Notary Public :	
: City & County of :	Notary Public in and
: San Francisco :	for the City and
: California :	County of San Francisco,
.....	State of California.

State of Idaho, :
 : ss.
 County of Ada. :

On this 13th day of October in the year 1924, before me, A. J. Tracy, a Notary Public in and for said State, personally appeared William Hardiman, known to me to be the person whose name is subscribed to the annexed instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal, the day and year in this certificate first above written.

.....	A. J. Tracy,
: A. J. TRACY :	
: Notary Public :	
: State of Idaho :	Notary Public residing at
.....	Boise, Idaho.

State of Idaho, :
 : ss.
 County of Owyhee. :

I hereby certify that this instrument was filed for record at the request of Owyhee County Abstract Co., at 25 minutes past 9 o'clock A. M., this 22nd day of October, 1924, in my office, and duly recorded in Book 18 of Deeds, at page 177.

W. A. LEWIS,
 Ex-Officio Recorder.

Fees, \$1.20.

STATE OF IDAHO DEED

Number 10967

Certificate No. 20745

Loan No. 4302, Joseph
& Mary E. Hardiman

All to Whom These Presents Shall Come, Greetings:

Verres, on the 15th day of MARCH 1940 all that tract or parcel of PUBLIC SCHOOL FORECLOSED
of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to

- WILLIAM HARDIMAN -

12 Thatcher Street, Boise....., State of.....IDAHO..... for the aggregate price of
-----THREE THOUSAND SIX HUNDRED FIFTY & NO/100-----DOLLARS

id Whereas, the said sum of -----THREE THOUSAND SIX HUNDRED FIFTY & NO/100-----DOLLARS

was fully paid to the proper receiving officer for the State of Idaho by...ELMER D. JOHNSTON, of Oregan, Idaho: who
red full interest by Assignment from Mary E. Hardiman, February 11, 1950, recorded March 7, 1974; who
red her interest by Assignment from William Hardiman, February 20, 1944, recorded February 26, 1945.

on by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase
or the said tract or parcel of land hereinafter described:

no, Know Ye, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the prem-
sented, and of the aforesaid sum of

-----THREE THOUSAND SIX HUNDRED FIFTY & NO/100-----DOLLARS

said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm, in fee, unto the said

- ELMER D. JOHNSTON -

.....heirs and assigns, all of the said tract and parcel of land situated in the County of.....OWYHEE
ate of Idaho, and described as follows, to-wit:

The Northeast Quarter of the Northwest Quarter (NE1/4), the South Half of the Northwest
Quarter (SW1/4), the North Half of the Southwest Quarter (NW1/4), in Section Twenty-One
(21), Township Five (5) South, Range One (1) East, Boise Meridian, containing Two Hundred
(200.0) acres, more or less.

Together with all water rights, ditch and canal rights, thereto belonging or in anywise
appertaining.

To Have and to hold the said premises and parcel of land above particularly described, with the appurtenances there:

- ELMER D. JOHNSTON -

His..... heirs and assigns, in fee simple forever, subject to the provisions of Section 58-604, Idaho Code, as amended
1951 Session Laws; which grants over all lands belonging to the State a right of way for ditches constructed by:
United States; and to the provisions of Section 47-701, Idaho Code, reserving to the State all Mineral rights in lands so
the 8th day of May, 1923. ~~WHEREAS, said land was purchased~~

In Witness Whereof, I,

Cecil D. ANDRUS

the Governor of th

have hereunto signed my name and caused the Great Seal of the State of Idaho and
Board of Land Commissioners to be hereunto affixed, this 15th day of March,

Countersigned:

[Signature] Secretary of State
[Signature] Cecil D. Andrus
Governor of Idaho
State Board of Land

Countersigned:

[Signature]
State Land Commissioner

STATE OF IDAHO,
County of Ada,

On this 12th day of MARCH, in the year 19

me, a Notary Public in and for said State, personally appeared Cecil D. Andrus
known to me to be the Governor of the State of Idaho, and
known to me to be the Secretary of the State of Idaho, and
known to me to be the Land Commissioner of the State of Idaho, who executed said
acknowledged to me that such State of Idaho executed the same.

In Witness Whereof, I have hereunto set my hand and seal on the day and year last

[Signature]
Notary Public



State of Idaho

LAND SALE CERTIFICATE

Nº 20745 ✓

THIS IS TO CERTIFY, That on the _____ day of March, 19_____, the State of Idaho sold unto William Hardiman, 612 Thatcher St., Boise, Idaho upon terms and conditions hereinafter set forth, the following described State Public School Foreclosed lands, lying, situate and being in the County of Owyhee

No. ____
Sec. ____
Twp. 5 S.
Rg. 1 E.

Acreage
 200

Consideration Thirty-six hundred fifty and no/100 (\$ 3650.00) Dollars to be paid as follows, to-wit: Three hundred sixty-five and no/100 (\$ 365.00) Dollars the receipt whereof is hereby acknowledged and the balance of Thirty-two hundred eighty-five and no/100 (\$ 3255.00) Dollars in annual installments with interest at the rate of four per cent. per annum, payable in advance on the first day of January, of each year, as a herewith to-wit:

RECORD OF ASSIGNMENTS			PAYMENTS INDOSENED AS FOLLOWS			
ASSIGNEE	DATE	WHEN DUE	PRINCIPAL	INTEREST	AMT. PAID	RECEIPT NO.
(1) Mary S. Hardington	2-2-94	March 15, 1940.	365.00	104.02	469.02	Y 4-3 8 7
John J. Hardington	2-2-94	Jan. 1, 1941	82.13	128.11		5-7-40
		Jan. 1, 1942	82.13	124.82		9-15-40
		Jan. 1, 1943	82.13	121.54		
		Jan. 1, 1944	82.13	118.25		
		Jan. 1, 1945	82.13	114.97		
		Jan. 1, 1946	82.13	111.68		
		Jan. 1, 1947	82.13	108.40		
		Jan. 1, 1948	82.13	105.11		
		Jan. 1, 1949	82.13	101.83		
		Jan. 1, 1950	82.13	98.54		
		Jan. 1, 1951	82.13	95.26		
		Jan. 1, 1952	82.13	91.97		
		Jan. 1, 1953	82.13	88.69		
		Jan. 1, 1954	82.13	85.40		
		Jan. 1, 1955	82.13	82.12		
		Jan. 1, 1956	82.13	78.83		
		Jan. 1, 1957	82.13	75.55		
		Jan. 1, 1958	82.13	72.26		
		Jan. 1, 1959	82.13	68.98		
		Jan. 1, 1960	82.13	65.69		
		Jan. 1, 1961	82.12	62.41		
		Jan. 1, 1962	82.12	59.12		
		Jan. 1, 1963	82.12	55.84		
		Jan. 1, 1964	82.12	52.55		
		Jan. 1, 1965	82.12	49.27		
		Jan. 1, 1966	82.12	45.98		
		Jan. 1, 1967	82.12	42.70		
		Jan. 1, 1968	82.12	39.41		
		Jan. 1, 1969	82.12	36.13		
		Jan. 1, 1970	82.12	32.84		

The State reserves the right to all coal, oil, shale, gas, phosphate, sodium and other mineral deposits contained in this land, as required by Chapter 96 of the 1923 Statutes of Idaho. No prescriptive right shall be acquired to any water appurtenant to this land through use of said water upon any other land during the life of this contract.

IN WITNESS WHEREOF, The State Board of Land Commissioners of the State of Idaho has caused these presents to be executed to duplicate by its President, the Governor of the State of Idaho, and countersigned by its Commissioner this 4th day of April, 1940.

State Board of Land Commissioners of the State of Idaho
 By: *[Signature]*
 President of the State Board of Land Commissioners and Governor of the State of Idaho

Countersigned: *[Signature]*
 Secretary of State of Idaho

Countersigned: *[Signature]*
 State Land Commissioner

Good No. 10967
 This date of 3-2-24
 to Elmer D. Johnston

2246

WARRANTY DEED

Handwritten: 2000 3 20 PM

218315

FOR VALUE RECEIVED, EVA M. JOHNSTON, a single person,
The Grantor, does hereby grant, bargain, sell and convey
unto

MICHAEL W. RANDALL and CHARLIENE R. RANDALL, husband and
wife, the Grantees, whose current address is

7761 Murphy Rd, Melba. ID 83641

the following described real property, located in Owyhee
County, Idaho, to-wit:

IN TOWNSHIP 5 SOUTH, RANGE 1 EAST, B. M., OWYHEE COUNTY,
IDAHO

Section 21: NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$, LESS THE FOLLOWING
DESCRIBED PARCEL:

A parcel of land situate in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.
21, T5S, R1E, B. M., more particularly
described as follows:

COMMENCING at the Southwest corner of Sec. 21,
T5S, R1E, B. M. thence North on the West section line of
said Sec. 21, a distance of 1753 feet, more or less to a
point being the REAL POINT OF BEGINNING; thence continue
North along said West section line, a distance of 417 feet;
thence East on a line perpendicular to said West line a
distance of 417 feet; thence South a a line parallel to said
West line a distance of 417 feet; thence West a distance of
417 feet to the REAL POINT OF BEGINNING.

Together with all and singular the tenements, hereditaments
and appurtenances thereunto belonging or in anywise
appertaining, including all water and ditch rights and
rights of way for water and ditches.

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto said Grantees, their heirs and assigns
forever. And the said Grantor does hereby covenant to and
with the said Grantees. that she is the owner in fee simple
of said premises; that said premises are free from all
encumbrances except: NONE

Subject to such rights, easements, covenants, restrictions
and zoning regulations as appear of record or by use upon
the premises.

RECEIVED OF
Handwritten: 2/18/00
FILE

Taxes and assessments of all taxing units not yet due and payable.

Reservations in patents or state grants or in acts authorizing the issuance thereof.

All repayment contracts between any irrigation district within which the premises are situated and any government or agency.

The bonded debt of all taxing units within which said premises are located.

Restrictions imposed by law, ordinance, or regulation imposed by any governmental entity, department or agency.

Restrictions contained in any covenants of record affecting the premises.

All rights of way or easements affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not.

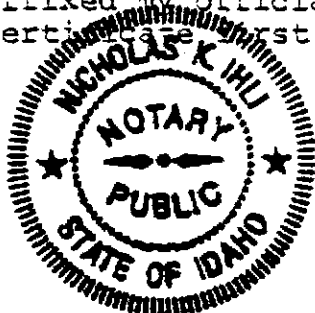
DATED: March 8th 1996

Eva M. Johnston
Eva M. Johnston

STATE OF IDAHO, COUNTY OF OWYHEE

On this 8th day of March, 1996, before me, a Notary Public in and for the State, personally appeared Eva M. Johnston, a single person, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date and year in this certificate first above written.



Nicholas K. Ishli
Notary Public for Idaho
Residing at Meridian, Idaho
Commission Expires: 1/31/2000

to whom it may concern:

I have farmed the place on Carthage Creek now owned by Mike and Char Randall for over 40 years.

Several different years I have flooded water on the piece of ground that seems to be in dispute. The brush land just east of the house.

I have also cleared that land and irrigated it before. The last time I flooded water on it to help raise a little cow feed was 1995.

It is land that takes quite a little time and patience to farm and with the past owner was not to economically feasible.

The new owners and I do plan to establish it in crops again.

Bob D. Collett

June 30, 1997

D. V. STEENSON
RINGERT CLARK CHARTERED
455 S. Third St., P.O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591

RECEIVED

JUL 18 1997

Department of Water Resources

Attorneys for Michael and Charlene Randall

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	)	Subcase No. 57-00084
	)	
	)	
Case 39576	)	STANDARD FORM 4
	)	
	)	MOTION TO FILE:
	)	LATE NOTICE OF CLAIM
	)	X AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-numbered pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a separate form for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of the litigation.

☒ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is: _____

My address is: _____

My phone number is: Work _____ Home _____

I am an attorney representing Michael and Charlene Randall

My name is: Daniel V. Steenson

My address is: 455 South Third Street, P.O. Box 2773,
Boise, Idaho, 83701

My phone number is: (208) 342-4591

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☐ I did not file a Notice of Claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you must attach a copy of your Notice of Claim.

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee and a late claim fee. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine the amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$_____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$_____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☒ I must amend my Notice of Claim to the use of water in the SRBA because:

Please see Attachment 1, Reasons for Amending Notice of Claim.

☒ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

Attachment 1: Reasons for Amending Notice of Claim.
Attachment 2: Davey v. Brown ("Castle Creek Decree")
Attachment 3: Deeds in chain of title
Attachment 4: Bob Collett letter dated June 30, 1997

☒ I have attached:

☒ An amended Notice of Claim (available from IDWR)

☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Ada

Daniel V. Steenson, being first duly sworn, upon Oath,
(Insert name of person filing form)
deposes and says:

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Signature of person filing motion

Daniel Steenson

Attorney signing in representative capacity

Subscribed and sworn to before me on: July 17, 1997

(Insert date)

Esther Lipkin

Notary Public for Idaho

Residing at: Boise

My Commission expires: 7/10/2001

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the SRBA Clerk of the Court. You must also send a copy to all the parties listed below in the Certificate of Mailing.

I certify that on July 17, 1997, I mailed the original and copies of this form, 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, Idaho 83303-2707

2. Copies to:

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

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

Andrew Helmlinger (BY HAND DELIVERY)
Office of Attorney General
Natural Resources Division
1301 N. Orchard
P.O. Box 83720
Boise, Idaho 83270-0098

Director of IDWR
P.O. Box 83720
Boise, Idaho 83720-0098

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



Signature of person or attorney mailing the form

ATTACHMENT 1. REASONS FOR AMENDING NOTICE OF CLAIM

1. The original Notice of Claim was prepared by Eva Johnston, the Randalls' predecessor in interest, with the assistance and consultation of IDWR. Mrs. Johnston failed to claim all lands to which this water right is appurtenant by the Decree issued in Davey v. Brown (the "Castle Creek Decree," (copy attached)) dated May 15, 1923. This water right is identified at page 7 of the Castle Creek Decree under the name of the Johnstons' predecessor, Joseph W. Hardimen, by the priority date 1870 for 25 miners inches. The Decree makes this water right, together with the four others listed at page 7, appurtenant to the lands owned by Joseph Hardimen as generally identified by five quarter sections in Section 21 of Township 5 South, Range 1 East, Boise Meridian. A more precise legal description and quantification of acreage is not described in the Decree. However, the Decree allocates the waters of Castle Creek to each party, including Joseph Hardimen:

in the amount, priorities and for the lands, hereinafter set forth, for the irrigation of the lands owned by them respectively at the date [of the Decree], and for domestic use and for live stock according to the date of priority on which the said waters were first diverted and used upon said lands and in the quantity so diverted as hereinafter specifically set forth.

As of the date of the decree, Joseph Hardimen owned 200 acres within the lands identified in the decree. These lands were subsequently transferred to Mrs. Johnston, who transferred these lands to the Randalls in 1996 (see attached deeds). Pursuant to the SRBA District Court's decisions relating to partial forfeiture and reductions of decreed water rights based on IDWR's beneficial use determinations, currently before the Idaho Supreme Court, this water right is not subject to partial forfeiture or reduction, and should be confirmed in this proceeding as decreed in the Castle Creek Decree.

2. The Notice of Claim filed by Eva Johnston for this water right claims only 16 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and only 28 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, Township 5 South, Range 1 East, B.M. The Directors' Report recommends only 13 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and only 22 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21, Township 5 South, Range 1 East, B.M. As discussed above, the License entitles the Randalls to apply this water right to irrigate all the land identified in the License (i.e. 67 acres) within these quarter sections. Attached hereto is a letter written by Bob Collett, who leases the Randalls' land within these quarter sections. Mr. Collett identifies 20 acres, more or less, within these quarter sections (Mr. Collett circled this area on the map attached to his letter), all or part of which were not claimed in Mrs. Johnston's Notices of claims, and not recommended by IDWR. Mr. Collett's letter establishes that this water right has been beneficially used on these acres, and that this water right should be confirmed to include irrigation of these acres within the place of use.

①
5/11/1933

IN THE DISTRICT COURT OF THE THIRD JUDICIAL
DISTRICT OF THE STATE OF IDAHO,
IN AND FOR AND A COUNTY.

JAMES L. DAVEY,

Plaintiff,

vs.

George F. Brown, James E.
Murphy, William Gordy, William
Toy, Joseph W. Hardiman, Andrew
T. Evans, William D. Evans,
Lillian L. Evans, William Hender-
son, Martha Henderson, Urcilla
McDonough, John J. Evans, Thomas
A. Foreman, Victor Foreman,
Donald (Fred D.) Henderson, Thomas
R. Henderson, John Henderson, Charles
H. Hershhouse, Maggie Devine, Robert
J. Kelley, James L. Dees, John M. (James H.)
Boegan, Arsey Grill, Elft Carothers,
Alva Reed, Etta Bethel, Charles
Johnson, James Henderson, Belos
Foreman, John H. Munger, Edna
Munger, his wife, James Torrence,
Mina B. Torrence, his wife, Alex
Belap; Thomas Payne, John Kidd,
John Skillern, John Lee Echevarria,
Will T. Skillern, Victor Dabica,
J. S. Fincher, Della Bethel, John
Bethel, her husband, Richard McCumber,
Harry Holan, John Volberg, and the
Castle Lake Mining Company, a cor-
poration, (whose charter was forfeited
November 30, 1914) and J. L. Kenley,
R. F. Moss, P. L. Bloom, A. F. Garber,
and S. L. Kennedy, as directors and
statutory trustees of said the Castle
Lake Mining Company, Walter M. Jones
and Anna Joyce,

Defendants.

DIC EE

The above entitled cause came on regularly
for trial on November 14th, 1922, in open court be-
fore Honorable Charles F. Seddock, Judge of said Court.

-17-

RECEIVED
JUN 19 1996

The plaintiff appeared by his attorneys, Perky & Brinck, Esquires; Hawley & Hawley, Esquires, and R. H. Johnson, Esquire, appeared as attorneys for defendants, George F. Brown, James H. Murphy, William Toy, Joseph W. Hardiman, Andrew T. Evans, William D. Evans, Lillian I. Evans, Urcilla McDonough, John J. Evans, Thomas A. Foreman, Victor Foreman, John Henderson, James L. Boos, William Gaddy and Amsey Crill; R. H. Johnson, Esquire, appeared as attorney for James H. Morgan, James Henderson, John H. Munger, Edna Munger, James Torrence, Nina B. Torrence, James L. Boos, Robert A. Henderson and Anna Joyce (who has been duly substituted for Harry Delap and Iox Delap, defendants); Hawley & Hawley, Esquires, appeared as attorneys for defendant Charles Johnson; Martin & Martin, Esquires, appeared as attorneys for defendant Walter B. Jones who was substituted for defendants, Maggie Devine and Robert J. Colley; Wright Stacey, Esquire, appeared as attorney for defendant Hilt Carothers; Frank T. Lyman, Esquire, appeared as attorney for defendants, Martha Henderson, Donald Henderson, Thomas D. Henderson and John Malmberg; and Frawley & Koolsch, Esquires, appeared as attorneys for defendants, Pedro Echevarria and W. T. Skillern.

It appearing that the true name of the defendant named in the amended complaint as John Doe Echevarria is Pedro Echevarria, it was ordered that the amended complaint be amended by substituting the true name of said defendant, Pedro Echevarria for said John Doe Echevarria; and it is ~~apparent~~ ^{therefore} that the true name of the cross-complainant named in his cross-com-

JUN 19 1936

plaint as John Mullenberg is John Malmberg, it was ordered that said cross complaint be amended by substituting the true name of said defendant, John Malmberg, for said John Mullenberg.

It appearing to the satisfaction of the court that defendants, Charles H. Horsehouse, Alva Reed, Delos Foreman, Thomas Payne, John Kidd, John Skillern, The Castle Falls Mining Company, a corporation, and J. L. Conloy, H. P. Ross, P. H. Bloom, A. S. Garber, and G. L. Kennedy, as directors and statutory trustees of said Castle Falls Mining Company, a corporation, (whose charter has been forfeited), have been regularly served with summons herein and with the complaint and amended complaints of plaintiff, and with the cross-complaints filed herein, and that their time for answering each of said complaints and cross-complaints has expired, and that they and each of them have failed to answer the same, or any of them, or to make other appearance in said cause, the default of each of said defendants was duly entered; and that defendants, Della Pethel and John Pethel having appeared by their attorney, C. S. Hunter, Esquire, and having demurred to the complaint and their demurrer having been overruled, and they having refused to plead further, the default of said Della Pethel and John Pethel was duly entered.

Whereupon, the following stipulation was made by and between all of the aforesaid parties appearing by counsel in open court, to-wit:

"It is stipulated as between the parties to this action that, whereas, a decree was heretofore, on May 18th, 1914, entered in the District Court of the Third Judicial District of the State of Idaho, in and for Owyhee County, in the cause wherein

D. Evans, et al, were plaintiffs and William Toy, et al, were defendants, adjudicating the rights in the waters of Castle Creek as between the parties hereto who were parties to said former action and their successors in interest respectively, the parties to this action have agreed that the respective priorities as specified in said former decree shall remain in full force and effect except that the plaintiff herein shall be decreed the right to the use of 20 inches of the waters of said Castle Creek, with priorities as follows:

57	0168	1870-----	25 inches,
57	0167	1873-----	5 inches,
57	0167	1874-----	10 inches,
57	0168	1883-----	10 inches,
57	0171	1887-----	20 inches,
57	0171	1900-----	20 inches,

and providing, that where more than one right is by said priorities and by this stipulation fixed for the same year, they will all take equal rank as to priority.

"The said water rights of a B. J. L. Harvey shall be decreed for his land described in said complaint.

"The rights of all parties hereto in the waters of said creek which they respectively claimed at a prior date later than the date of said former decree, or which are not adjudicated by the former decree, or which were not completed at the date of said former decree, shall be subject of a further stipulation among the respective parties, or trial, if no stipulation is made, and shall be included in any decree made herein; provided, that if said further stipulation, or trial, shall not be completed within 30 days from the date hereof, or final decision in said matter had within said time, the court shall enter a final decree as to the respective water rights governed by this stipulation, and such may be stipulated within said time, and that subsequent decree may further be entered, settling the rights of the parties not settled by the decree just referred to."

And it appearing that a decree was heretofore, on May 13, 1914, entered in this court in an action wherein William L. Evans, et al, were plaintiffs, and William Toy, et al, were defendants, adjudicating to the

JUN 1 9 1915

parties thereto the waters of Castle Creek in Owyhee County, Idaho, as therein set forth, being the decree referred to in aforesaid stipulation, and that since the entry of said decree, the defendant herein, Joseph A. Hardiman, has succeeded to the water rights awarded to Hardiman Brothers, consisting of Charles I. Hardiman, Joseph W. Hardiman and Eugene A. Hardiman, described in said former decree; that Walter L. Jones, since the said former decree, has succeeded to the water rights awarded to Maggie Levine, described in said former decree; that Thomas A. Foreman, since the said former decree, has succeeded to the water rights awarded to Charles H. Forehouse, described in said former decree; that Amsey Grill, since said former decree, has succeeded to the water rights awarded to Elbur Foreman, described in said former decree; that George F. Brown and James M. Murphy, since said former decree, have succeeded to the water rights awarded to Victor Gebler, described in said former decree; that George L. Brown, since said former decree, has succeeded to the water rights awarded to Harlan Clark, described in said former decree; that William Gordy, since said former decree, has succeeded to the water rights awarded to M. F. Dunham, described in said former decree; that H. C. Carothers, since said former decree, has succeeded to the water rights awarded to Fred T. Smith, described in said former decree; that John Halberg, since said former decree, has succeeded to the water rights awarded to Martha Henderson, described in said former decree, so far as the land therein des-

JUN 19 1906

cribed as her homestead entry and the water right thereto decreed is involved; and agreement having been reached pursuant to said stipulation; and findings of fact and conclusions of law having been specifically waived by all parties in open court,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED:

1. That the waters of Castle Creek, Owyhee County, Idaho, be and the same are hereby allotted and decreed to the several parties to this suit in the amount, priorities and for the lands, hereinafter set forth, for the irrigating of the lands owned by them respectively at the date hereof and described in the complaint, answers and cross-complaints of the parties hereto and for domestic use and for live stock according to the date of priority on which the said waters were first diverted and used upon said lands and in the quantity so diverted as hereinafter specifically set forth. That where more than one right is fixed upon the same date, they will all take equal rank as to priority. That the various rights so decreed and allotted, with the date of the right, the party to whom allotted and decreed, and the amount of water allotted, and the lands for which allotted, are as follows:

RECORDED

JUN 19 1996

Name of Party	Source of Water	Date of Priority.	Amt. in Inches.	Res. of All Land.	Sec.	Twp.	Range
William Roy	Castle Creek	1870	25	(ould)			
		1885	20	NE 1/4			
		1887	20	SE 1/4			
		1895	30	NE 1/4	29	5	15
		1903	15	SW 1/4	21		
		1908	20	NE 1/4	28	5	15
Joseph B. Hardiman (successor to Hardiman Bros. consisting of Joseph Hardiman, Charles L. Hardiman and Eugene A. Hardiman)	Castle Creek	1870	25	(ould)			
		1897	5	NE 1/4			
		1890	30	NE 1/4			
		1902	10	NE 1/4	21	5	15
		1906	15	NE 1/4			
William L. Evans & William D. Evans	Castle Creek	1870	25	(ould)			
		1871	20	NE 1/4	10		
		1887	20	SE 1/4			
		1890	25	NE 1/4	9		
		1895	20	SE 1/4			
		1902	12			5	15
		1906	9				
Andrew T. Evans	Castle Creek	1870	25	(ould)			
		1890	18	NE 1/4			
		1901	15	NE 1/4	16	5	15
James L. Invey	Castle Creek	1870	25	(ould)			
		1873	5	NE 1/4	13		
		1874	10	NE 1/4	14		
		1885	10	NE 1/4	12		
		1887	20	NE 1/4	13	5	15
		1890	20	NE 1/4			
Urcilla McEnough	Castle Creek	1874	5	(ould)			
		1885	15	NE 1/4			
		1887	4	NE 1/4	3	5	15
		1890	5	NE 1/4			
		1896	14	NE 1/4			
		1906	10	NE 1/4			
		1908	17	NE 1/4			
John J. Evans	Castle Creek #3390	1874	12	(ould)			
		1885	18	NE 1/4	34	4	15
		1887	10	NE 1/4	35	4	15
		1896	5	NE 1/4	3	5	15
		1896	15	NE 1/4	2		
		1899	20	NE 1/4	35	4	15
		1906	10	NE 1/4			

Name of Party	Source of Water	Date of Priority.	Amt. in inches.	Des of All Owyhee County Land. Sec. Twp. Range.	
J. H. Morgan	Castle Creek	1874 11 11 1906 11 11 1908 11 11	1 6 34	{ Lot 3 } { Lot 4 } { Lot 4 } { Lot 5 }	6 4 S 2E B.M. 31 3 S 2E B.M.
Thomas A. Foreman	Castle Creek	1874 11 10 1885 11 20 1887 11 10 1895 11 5 1896 11 15 1899 11 20 1902 11 10 1906 11 10 1908 11 10	10 20 10 5 15 20 10 10 10	{ SE 1/4 } { E 1/2 } { E 1/2 } { SE 1/4 } { NE 1/4 }	27 26 35 4 S 1E B.M.
Thomas A. Foreman (successor to Charles A. Fore- house)	Castle Creek	1897 11 50	50	{ E 1/2 } { E 1/2 } { E 1/2 }	26 4 S 1E B.M.
Amsey Grill (successor to Wilbur Monahan)	Castle Creek	1878 11 3 1900 11 7	3 7	{ E. Sparks Ranch in SW 1/4 Sec. 9; SE 1/4 NE 1/4, Sec. 10	7 S 1E B.M.
Amsey Grill	Castle Creek	1884 11 8 1904 11 2 1911 11 2	8 2 2	{ Formerly F. Wicher Ranch in NE 1/4, Sec. 9 SW 1/4, Sec. 10	7 S 1E B.M.
Amsey Grill	Castle Creek	1913 11 22	8	{ E 1/2 }	16 7 S 1E B.M.
Amsey Grill	Pixley Creek	1918 11 11	11	{ SW 1/4 }	10 7 S 1E B.M.
Thomas D. Henderson & Donald Henderson	Castle Creek	1885 11 20 1887 11 35	20 35	{ E 1/2 } { E 1/2 }	24 4 S 1E B.M.
Walter B. Jones (successor to Maggie Devine & Robert J. Kelley.)	Castle Creek	1885 11 15 1887 11 20 1906 11 6 1908 11 20	15 20 6 20	{ E 1/2 } { E 1/2 }	24 4 S 1E B.M.

JUN 1 9 1906

Name of Party	Source of Water.	Date of Priority	Amt. in inches.	Sec. of Land (Subd.)	All Owyhee County			
					Sec.	Twp.	Range.	
John Munger (water license #602) 57-2046	Castle Creek	Aug. 10, 1912	25 (.5 sec. ft.)	{ SW 1/4 } { NE 1/4 }	34	4 S	1E	B.M.
Edna Munger (water license #2776) 11494 57-2090	Castle Creek	Sept. 2, 1915	20 (.4 sec. foot)	{ SW 1/4 }	34	4 S	1E	B.M.
Charles John- son.	Alder Cr. and John- son River- voir. Mar 31, 1921	1894 1908 1913 1921	{ 10 32 25 54 (1.08 sec. ft. water license #15125.) } 57-2430	{ NE 1/4 } { SE 1/4 } { SW 1/4 }	15	6 S	1E	B.M.
Thomas E. Hon- derson. (water license #6161) 57-2036	Castle Creek	May 23, 1910	50	{ SW 1/4 } { SE 1/4 } { NE 1/4 } { NW 1/4 }	13 } 24 }	4 S	1E	B.M.
Fred P. Hon- derson and Thomas E. Henderson. (water license #9895) 57-2064	Castle Creek	Nov. 11, 1913	75	{ NE 1/4 } { SE 1/4 } { SW 1/4 } { NW 1/4 }	23 } 24 }	4 S	1E	B.M.
James L. Lees (water license #3301) 57-2021	Castle Creek	Dec. 10, 1907	55	{ SW 1/4 } { SE 1/4 }	35	3 S	1E	B.M.
Mina E Torrence (water license #3301) 57-2021	Castle Creek	Dec. 10, 1907	55	{ Lot 4 } { SW 1/4 } { NE 1/4 }	1	4 S	1E	B.M.

That the water so decreed to the said parties shall be appurtenant to the lands owned by them respectively and which are described above.

The water above decreed is the amount above stated

measured under a four-inch pressure.

The several parties to this action whose rights in the use of the waters of said streams are of even date, are entitled, whenever the amount of water flowing in the channel of said streams is insufficient in quantity to sup-

JUN 1 9 43 AM '28

ply all of said parties with the amounts herein decreed, to share in the use of the available supply in the proportion that the several quantities awarded as of the same date, bear to the total available supply for said rights, but subject to the prior rights awarded hereby.

Each and every party hereto is, and his agents, attorneys, employees, privies and successors in interest, are, hereby enjoined and restrained from interfering, in any manner, with the rights of prior appropriators, as herein decreed, and from obstructing, using and wasting the waters of said streams to the injury of such prior appropriators.

That the defendants hereinafter named are the holders of certain water permits issued by the State of Idaho as hereinafter designated, and this decree is not intended to, nor does it, interfere with or prevent the acquiring of such licenses or further licenses under the said permits upon performance of the requirements of law relating to the securing of such licenses or further licenses, notwithstanding that such licenses or further licenses may grant rights or priorities earlier than the date of this decree or of rights herein decreed:

James Henderson ~~(successor to James Henderson)~~ and John Henderson, Permit No. 6258, in ()

Amsey Spill, Permit No. 15652 (Castle Creek and Pixley Creek),

Charles Johnson, Permit No. 15135, (Older Creek and Johnson Reservoir),

Lillian C. Evans, Permit No. 16427, ✓

~~W. H. Evans~~ and Lillian C. Evans, Permit No. 16418.

JUN 1 9 1936

James L. Davey, Permits No. 12842⁵⁷⁻²¹⁰⁰
and No. 15712,

Pedro Schevarria and William T.
Skillern, Permit No. 5906,

A. T. Evans, Permit No. 15112,

John J. Evans, Permit No. 12871,

Donald F. Henderson, Permit No. 9901,

Thomas F. Henderson, Permit No. 6151, *in decree*

Robert F. Henderson (successor to Robert
F. Henderson and James Henderson) Per-
mit No. 11266,

Edna Manger, Permit No. 11494, *also #2776 in decree*

John H. Manger, Permit No. 8602, *in decree*

Anna Joyce. (successor to Alex
Belapp) Permit no 7743. *in decree*

IT IS FURTHER ORDERED, ADJUDGED AND DECREED:

That the foregoing rights are established and shall
be in operation during the irrigation season from the
1st day of April to and until the 15th day of October
of each year. It is further adjudged that the average
amount of water required each year for the irrigation
of the lands hereinbefore described during such season
is one inch of water to the acre. It is further ad-
judged that the waters hereinbefore decreed shall be
diverted and applied to the respective lands to which
they are made appurtenant as aforesaid, by means of the
headgates, ditches and laterals owned by the respective
parties at the date of this decree. It is further
adjudged and decreed that each party shall pay his
own costs herein.

Done in open court this 15th day of May,
1923.

MAJESTY

JUN 1 9 1926

M. J. Church

District Judge.

William Hardiman

to

WARRANTY DEED.

Jos. W. Hardiman et al

THIS INDENTURE, Made this 21st day of February in the year of our Lord one thousand nine hundred and seven between WILLIAM HARDIMAN of Oreana County of Owyhee State of Idaho the party of the first part, and JOS. W. HARDIMAN, CHAS. I. HARDIMAN and R. A. HARDIMAN of Oreana County of Owyhee State of Idaho the parties of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of ONE HUNDRED \$ DOLLARS, lawful money of the United States of America, to him in hand paid by the said parties of the second part, the ~~the~~ receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate, situated in Owyhee County, State of Idaho, to-wit:

The East half of the Northwest quarter, the Southwest quarter of the North west quarter and the North west quarter of the Southwest quarter of Section twenty one Township five South Range one East and also the North East quarter of the South west quarter of Section twenty one Township five South Range One East all in Owyhee County Idaho and containing 200 acres. Together with all water rights and water privileges thereunto belonging or in anywise appertaining to said lands, particularly all rights under water right notice recorded in book 3 of water rights page 53 Owyhee County records.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said party of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said party of the first part his heirs and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents DEFEND.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and

William Hardiman (SEAL)

Delivered in Presence of

Fred G. Muck

C. R. Hickey

State of Idaho, :
 :--ss.
 County of Canyon. :

On this 23rd day of February 1907 before me Fred G. Mock, a Notary Public in and for said County, personally appeared William Hardiman, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Seal, the day and year in this certificate first above written.

.....
 : FRED G. MOCK :
 : NOTARY PUBLIC :
 : Canyon County :
 : Idaho. :
 :.....

Fred G. Mock,
 Notary Public.

Filed May 6th, 1910, at 3:50 o'clock P. M., at request of F. A. Hardiman

F. A. Hardiman
 Ex-Officio Recorder.

Fee, \$1.60

Chas. I. Hardiman et al. :
to :
Joseph W. Hardiman. :

WARRANTY DEED

THIS INDENTURE, Made this 11th day of March, in the year of our Lord one thousand nine hundred and eighteen, between CHAS. I. HARDIMAN and E. A. HARDIMAN, both unmarried, of Castle Creek, County of Owyhee, State of Idaho, the parties of the first part, and JOSEPH W. HARDIMAN, of Castle Creek, County of Owyhee, State of Idaho, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of ONE HUNDRED (\$100.00) DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in the County of Owyhee, State of Idaho, to-wit:

An undivided two-thirds interest of, in and to the East half of the Northwest quarter, the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section twenty-one, Township five South, Range one East, of the Boise Meridian.

Also, an undivided two-thirds interest of, in and to the Northeast quarter of the Southwest quarter of Section twenty-one, Township five South, Range one East, of the Boise Meridian.

Together with a like interest of, in and to all water rights and water privileges thereunto belonging or in anywise appertaining, particularly all rights acquired under and by virtue of that certain notice of appropriation of the waters of Castle Creek, in Owyhee County, Idaho, as made by M. H. Presby on the 15th day of August, 1879, and recorded in Book 3 of Water Rights, at page 53, among the records of Owyhee County, Idaho.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part:

TO HAVE AND TO HOLD. All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF. The said parties of the first part have hereunto set

their hands and seals the day and year first above written.

Signed, Sealed and	:	Chas. I. Hardiman	(SEAL)
Delivered in the Presence of	:	Eugene A. Hardiman	(SEAL)
Mrs. E. J. Toy	:		
Mrs. Susan Bruce	:		

(\$4.00 Documentary Revenue Stamps, J. W. R., 3/11/18.)

State of Idaho, :
:--ss.
County of Owyhee. :

On this 26 day of March, in the year 1918, before me, Martha Henderson, a Notary Public in and for the State of Idaho, personally appeared Chas. I. Hardiman and E. A. Hardiman, both unmarried, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Martha Henderson

Notary Public, residing at	
Castle Creek, Idaho.	
.....	
MARTHA HENDERSON	:
Notary Public	:
State of Idaho	:
.....	

Filed April 23rd, A. D. 1918, at 9 o'clock A. M., at request of Joseph W. Hardiman.

J. H. Clair

Ex-Officio Recorder.

Fees, \$1.20

their hands and seals the day and year first above written.

Signed, Sealed and	:	Chas. I. Hardiman	(SEAL)
Delivered in the Presence of	:	Eugene A. Hardiman	(SEAL)
Mrs. E. J. Toy	:		
Mrs. Susan Bruce	:		

(\$4.00 Documentary Revenue Stamps, J. W. H., 3/11/18.)

State of Idaho. :
 :--ss.
 County of Owyhee. :

On this 26 day of March, in the year 1918, before me, Martha Henderson, a Notary Public in and for the State of Idaho, personally appeared Chas. I. Hardiman and E. A. Hardiman, both unmarried, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Martha Henderson

Notary Public, residing at	
Castle Creek, Idaho.	
.....	
: MARTHA HENDERSON :	
: Notary Public :	
: State of Idaho :	
.....	

Filed April 23rd, A. D. 1918, at 9 o'clock A. M., at request of Joseph W. Hardiman.

J. A. Clair
 Ex-Officio Recorder.

Fees, \$1.20

William Hardiman et ux :

to :

QUITCLAIM DEED

Joseph W. Hardiman :

THIS INDENTURE, Made this 23rd day of September in the year of our Lord one thousand nine hundred and Twenty-four, between WILLIAM HARDIMAN and MARY H. HARDIMAN, husband and wife, of Boise, County of Ada, State of Idaho, the parties of the first part, and JOSEPH W. HARDIMAN, of Boise, County of Ada, State of Idaho, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One Dollar and other good and valuable consideration, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to his heirs and assigns, all that certain lot, piece, or parcel of land, situate, lying and being in County of Owyhee, State of Idaho, bounded and particularly described as follows, to-wit:

The East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$), Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) North half (N $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$), Section Twenty One (21), Township Five (5) South of Range One (1) East of the Boise Meridian, Owyhee County, State of Idaho, containing Two-Hundred (200) acres, more or less excepting all rights of way thereon, together with all other water rights, ditch rights and canal rights thereunto belonging or in anywise appertaining.

This deed is given for the purpose of clearing that certain deed made and executed by Wm. Hardiman as Grantor and Joseph W. Hardiman, Chas. I. Hardiman and E. A. Hardiman as Grantees, which deed is dated February 21, 1907, and recorded in Book 5 of deeds at pages 353 and 354, records of Owyhee County, Idaho, in which deed the wife of the said Wm. Hardiman did not join

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issue and profits thereof;

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the 30th day of September, 1924.

Signed, Sealed and :

Delivered in the Presence of :

Florence M. Ferguson :

I. L. Anslie :

William Hardiman (SEAL)

Mary H. Hardiman (SEAL)

State of California :
 : ss.
 County of San Francisco :

On this 30th day of September, in the year 1924, before me, Edwin G. Bath, a Notary Public in and for said County, personally appeared Mary H. Hardiman, wife of William Hardiman, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

EDWIN G. BATH	Edwin G. Bath,
Notary Public	Notary Public in and
City & County of	for the City and
San Francisco	County of San Francisco,
California	State of California.

State of Idaho, :
 : ss.
 County of Ada. :

On this 13th day of October in the year 1924, before me, A. J. Tracy, a Notary Public in and for said State, personally appeared William Hardiman, known to me to be the person whose name is subscribed to the annexed instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal, the day and year in this certificate first above written.

A. J. TRACY	A. J. Tracy,
Notary Public	Notary Public residing at
State of Idaho	Boise, Idaho.

State of Idaho, :
 : ss.
 County of Owyhee. :

I hereby certify that this instrument was filed for record at the request of Owyhee County Abstract Co., at 25 minutes past 9 o'clock A. M., this 22nd day of October, 1924, in my office, and duly recorded in Book 18 of Deeds, at page 177.

W. A. LEWIS,
 Ex-Officio Recorder.

Fees, \$1.20.

STATE OF IDAHO DEED

Number 10967

Certificate No. 20745

Loan No. 4302, Joseph
& Mary E. Hardiman

All to Whom These Presents Shall Come, Greetings:

Whereas, on the 15th day of MARCH 1940, all that tract or parcel of PUBLIC SCHOOL FORECLOSED
in the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to

- WILLIAM HARDIMAN -

12 Thatcher Street, Boise..... State of..... IDAHO..... for the aggregate price of
-----THREE THOUSAND SIX HUNDRED FIFTY & NO/100-----DOLLARS

and Whereas, the said sum of -----THREE THOUSAND SIX HUNDRED FIFTY & NO/100-----DOLLARS

was fully paid to the proper receiving officer for the State of Idaho, by...ELMER O. JOHNSTON, of Orem, Idaho; who
received full interest by Assignment from Mary E. Hardiman, February 11, 1950, recorded March 7, 1974; who
received her interest by Assignment from William Hardiman, February 20, 1944, recorded February 26, 1945.

and by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase
of the said tract or parcel of land hereinafter described:

Now, Know Ye, That the said State of Idaho, in pursuance of law in such case made and provided, and in consideration of the prom-
ised, and of the aforesaid sum of

-----THREE THOUSAND SIX HUNDRED FIFTY & NO/100-----DOLLARS

said State of Idaho paid, doth by these presents grant, bargain, sell, convey and confirm, in fee, unto the said

- ELMER O. JOHNSTON -

..... heirs and assigns, all of the said tract and parcel of land situated in the County of..... Owyhee
State of Idaho, and described as follows, to-wit:

The Northeast Quarter of the Northwest Quarter (NE1/4), the South Half of the Northwest
Quarter (SW1/4), the North Half of the Southwest Quarter (NW1/4), in Section Twenty-One
(21), Township Five (5) South, Range One (1) East, Boise Meridian, containing Two Hundred
(200.0) acres, more or less.

Together with all water rights, ditch and canal rights, thereto belonging or in anywise
appertaining.

To have and to hold the said premises and parcel of land above particularly described, with the appurtenances there-
to, unto the said

- ELMER O. JOHNSTON -

his..... heirs and assigns, in fee simple forever, subject to the provisions of Section 58-604, Idaho Code, as amended
1991 Session Laws; which grants over all lands belonging to the State a right of way for ditches constructed by:
United States; and to the provisions of Section 47-701, Idaho Code, reserving to the State all Mineral rights in lands so
the 8th day of May, 1921, ~~reserving to the State all Mineral rights in lands so~~

In Witness Whereof, I, CECIL O. ANDRUS, the Governor of the
have hereunto signed my name and caused the Great Seal of the State of Idaho and
Board of Land Commissioners to be hereunto affixed, this 12th day of March.

Countersigned:

[Signature] Secretary of State
State Board of Land

Countersigned:

[Signature]
State Land Commissioner

STATE OF IDAHO,
County of Ada.

On this 12th day of MARCH, in the year 19

me, a Notary Public in and for said State, personally appeared Cecil O. Andrus
known to me to be the Governor of the State of Idaho, and
known to me to be the Secretary of the State of Idaho, and
known to me to be the Land Commissioner of the State of Idaho, who executed said
acknowledged to me that such State of Idaho executed the same.

In Witness Whereof, I have hereunto set my hand and seal on the day and year last

[Signature]
Notary Public



Loan No. 4302-Joseph W. & Mary E. Hardiman

State of Idaho
LAND SALE CERTIFICATE

No 20745

THIS IS TO CERTIFY, That on the 15th day of March, 1940, the State of Idaho sold unto William Hardiman, 612 Thatcher St. Boise, Idaho upon terms and conditions hereinafter set forth, the following described State Public School Foreclosed lands, lying, situate and being in the County of Owyhee, State of Idaho: NE 1/4, SE 1/4, SW 1/4, NW 1/4, NE 1/4, NW 1/4, Section 21, Twp. 5 S., Rg. 1 E., B. M., containing 200 Acres. Consideration Thirty-six hundred fifty and no/100 (\$ 3650.00.) Dollars to be paid as follows, to-wit: Three hundred sixty-five and no/100 (\$ 365.00) Dollars, the receipt whereof is hereby acknowledged and the balance of Thirty-two hundred eighty-five and no/100 (\$ 3285.00) Dollars in annual installments with interest at the rate of four per cent. per annum, payable in advance on the first day of January, of each year, as follows herewith to-wit:

RECORD OF ASSIGNMENTS				PAYMENTS INDORSED AS FOLLOWS			
ASSIGNEE	DATE	WHEN DUE	PRINCIPAL	INTEREST	BALANCE PRINCIPAL	AMT. PAID	RECEIPT NO. DATE PAID
(1) Mary E. Hardiman	2-2-40	March 15, 1940	365.00	104.02	3285.00	469.02	Y-1-387 3-15-40
(2) Elmer D. Johnston, Greenna, Idaho	2-11-50	Jan. 1, 1941	82.13	128.11	3202.87		
	3-7-74	Jan. 1, 1942	82.13	124.82	3120.74		
		Jan. 1, 1943	82.13	121.54	3038.61		
		Jan. 1, 1944	82.13	118.25	2956.48		
		Jan. 1, 1945	82.13	114.97	2874.35		
		Jan. 1, 1946	82.13	111.68	2792.22		
		Jan. 1, 1947	82.13	108.40	2710.09		
		Jan. 1, 1948	82.13	105.11	2627.96		
		Jan. 1, 1949	82.13	101.83	2545.83		
		Jan. 1, 1950	82.13	98.54	2463.70		
		Jan. 1, 1951	82.13	95.26	2381.57		
		Jan. 1, 1952	82.13	91.97	2299.44		
		Jan. 1, 1953	82.13	88.69	2217.31		
		Jan. 1, 1954	82.13	85.40	2135.18		
		Jan. 1, 1955	82.13	82.12	2053.05		
		Jan. 1, 1956	82.13	78.83	1970.92		
		Jan. 1, 1957	82.13	75.55	1888.79		
		Jan. 1, 1958	82.13	72.26	1806.66		
		Jan. 1, 1959	82.13	68.98	1724.53		
		Jan. 1, 1960	82.13	65.69	1642.40		
		Jan. 1, 1961	82.12	62.41	1560.28		
		Jan. 1, 1962	82.12	59.12	1478.16		
		Jan. 1, 1963	82.12	55.84	1396.04		
		Jan. 1, 1964	82.12	52.55	1313.92		
		Jan. 1, 1965	82.12	49.27	1231.80		
		Jan. 1, 1966	82.12	45.98	1149.68		
		Jan. 1, 1967	82.12	42.70	1067.56		
		Jan. 1, 1968	82.12	39.41	985.44		
		Jan. 1, 1969	82.12	36.13	903.32		
		Jan. 1, 1970	82.12	32.84	821.20		

The State reserves the right to all coal, oil, oil shale, gas, phosphate, sodium and other mineral deposits contained in this land, as required by Chapter 86 of the 1923 Session Laws.

No prescriptive right shall be acquired to any water appurtenant to this land through use of said water upon any other land during the life of this contract.

IN WITNESS WHEREOF, The State Board of Land Commissioners of the State of Idaho has caused these presents to be executed in duplicate by its President, the Governor of the State of Idaho, and countersigned by its

Commissioner this 4th day of April, 1940

State Board of Land Commissioners of the State of Idaho

By Edw. J. Johnston
President of the State Board of Land Commissioners,
and Governor of the State of Idaho.

Countersigned: Leah K. Smith

Secretary of State of Idaho.

Countersigned: E. J. Johnston

State Land Commissioner.

Good No. 10967

this date of 3-7-74

By Elmer D. Johnston

2246

Handwritten signature

Handwritten text

218315

WARRANTY DEED

FOR VALUE RECEIVED, EVA M. JOHNSTON, a single person,
The Grantor, does hereby grant, bargain, sell and convey
unto

MICHAEL W. RANDALL and CHARLIENE R. RANDALL, husband and
wife, the Grantees, whose current address is

7761 Murphy Rd, Melba. ID 83641

the following described real property, located in Owyhee
County, Idaho, to-wit:

IN TOWNSHIP 5 SOUTH. RANGE 1 EAST, B. M., OWYHEE COUNTY,
IDAHO

Section 21: NE1NW1, S1NW1, N1SW1, LESS THE FOLLOWING
DESCRIBED PARCEL:

A parcel of land situate in the NW1SW1, Sec.
21, T5S, R1E, B. M., more particularly
described as follows:

COMMENCING at the Southwest corner of Sec. 21,
T5S, R1E, B. M. thence North on the West section line of
said Sec. 21, a distance of 1753 feet, more or less to a
point being the REAL POINT OF BEGINNING; thence continue
North along said West section line, a distance of 417 feet;
thence East on a line perpendicular to said West line a
distance of 417 feet; thence South a a line parallel to said
West line a distance of 417 feet; thence West a distance of
417 feet to the REAL POINT OF BEGINNING.

Together with all and singular the tenements, hereditaments
and appurtenances thereunto belonging or in anywise
appertaining, including all water and ditch rights and
rights of way for water and ditches.

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto said Grantees, their heirs and assigns
forever. And the said Grantor does hereby covenant to and
with the said Grantees. that she is the owner in fee simple
of said premises; that said premises are free from all
encumbrances except: NONE

Subject to such rights, easements, covenants, restrictions
and zoning regulations as appear of record or by use upon
the premises.

RECEIVED
FILED
6.10

Taxes and assessments of all taxing units not yet due and payable.

Reservations in patents or state grants or in acts authorizing the issuance thereof.

All repayment contracts between any irrigation district within which the premises are situated and any government or agency.

The bonded debt of all taxing units within which said premises are located.

Restrictions imposed by law, ordinance, or regulation imposed by any governmental entity, department or agency.

Restrictions contained in any covenants of record affecting the premises.

All rights of way or easements affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not.

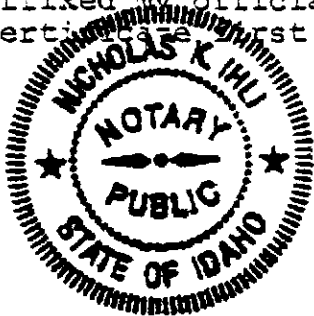
DATED: March 8th 1996

Eva M. Johnston
Eva M. Johnston

STATE OF IDAHO, COUNTY OF OWYHEE

On this 8th day of March, 1996, before me, a Notary Public in and for the State, personally appeared Eva M. Johnston, a single person, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the date and year in this certificate first above written.



Nicholas K. Ihl
Notary Public for Idaho
Residing at Murphy, Idaho
Commission Expires: 1/31/2000

To whom it may concern,

I have farmed the place on Castle Creek now owned by Mike and Char Randall for over 40 years.

Several different years I have flooded water on the piece of ground that seems to be in dispute. The brushland just east of the house.

I have also cleared that land and irrigated it before. The last time I flooded water on it to help raise a little cow feed was 1995.

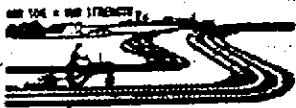
It is land that takes quite a little time and patience to farm and with the past owner was not to economically feasible.

The new owners and I do plan to establish it in crops again.

Bob D Collett

June 30, 1997

CONSERVATION PLAN MAP



Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with

Bruneau River

OWNER Elmer D. Johnston

FARM NO.

DATE 8-31

OPERATOR SANS

SCALE 8" = 1/4 ACRES 200

Bruneau

Tidaho

PHOTO NO. 678 - 57-19



57-84, 57-111,
+ 57-2210A - HAVE
SHAPEFILES THAT ARE
NOT NOMINAL, HOWEVER,
THEY DO NEED FIXED
PER THE STIPULATION
& PARTIAL DECREE ISSUED.
ASK DON WHAT TO DO.

BECAUSE I DON'T HAVE
ANYONE HERE TO FIX
THEM.

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 57-00084

2001 SEP 10 PM 3:28

DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
FILED *[Signature]*

NAME AND ADDRESS: MICHAEL W RANDALL
CHARLENE R RANDALL
7761 MURPHY ROAD
MELBA, ID 83641-5141

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.50 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111,
57-00133, 57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.18 CFS

PRIORITY DATE: 04/01/1870

POINT OF DIVERSION: T05S R01E S21 SESENW Within Owyhee County
S29 NWSESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-15	0.50 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER THIS
RIGHT IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Owyhee County
	T05S R01E S21	SWNW 16.0
		SESW 30.0
		NESW 12.0
		NWSW 28.0
	109.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111,
57-00133, 57-00146 AND 57-02210A IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 109.0 ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE
ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN
ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING
THE CHANGE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

SEP 11 2001

2001 SEP 10 PM 3:28

Department of Water Resources

FILED
TWIN FALLS, IDAHO
SRBA

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

ORDER OF PARTIAL DECREE

For Water Right 57-00084

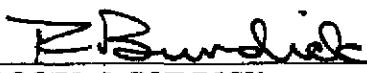
On April 22, 1998, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

On July 26, 1999, in response to the Idaho Supreme Court decision in *A&B Irrigation District v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), IDWR filed a *Supplemental Director's Report, Reporting Area 2, IDWR Basin 57, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions* which included a recommendation for the irrigation season of use for this water right. No objections to this Supplemental Report were filed and the time period for filing objections has now expired.

Therefore, IT IS ORDERED that water right 57-00084 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED 9-10-, 2001.


ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

2001 SEP 10 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *MS*

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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 57-00084

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 57-00084 was mailed
on September 10, 2001, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

MICHAEL W RANDALL
Represented by:
DANIEL V. STEENSON
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

CERTIFICATE OF MAILING

PAGE 1
09/10/01

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

EVA M. JOHNSTON
507 5TH AVENUE S
NAMPA, ID 83651



LETTIE MESSICK
Chief Deputy Clerk

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 57-84 V2

WATER RIGHT NUMBER: 57-84 V2

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	DANIEL V STEENSEN RINGERT CLARK CHARTERED PO BOX 2773 BOISE, ID 83701
Original Owner	JOSEPH W HARDIMAN , ID
Current Owner	MICHAEL W RANDALL 7761 MURPHY RD MELBA, ID 83641 (208)495-2801
Current Owner	CHARLIENE R RANDALL 7761 MURPHY RD MELBA, ID 83641 (208)495-2801
Original Owner	EVA M JOHNSTON 507 5TH AVE SOUTH NAMPA, ID 83651 (208)467-3582

Priority Date: 04/01/1870

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CASTLE CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/15	0.500 CFS	
	<u>Total Diversion:</u>	0.500 CFS	

Location of Point(s) of Diversion

CASTLE CREEK OWYHEE County	SE1/4SE1/4NW1/4	Sec. 21, Twp 05S, Rge 01E, B.M.
CASTLE CREEK OWYHEE County	NW1/4SE1/4SE1/4	Sec. 29, Twp 05S, Rge 01E, B.M.

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	
05S	01E	21					23.0			16.0	30.0	12.0	28.0						109.0

Total Acres: 109

LATEST VERSION - 57-00084
(NOW SPLIT INTO 57-84A & B)
- SEE NOTE ON 84A & B - 11/26/2002

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 57-84 V2

Conditions of Approval:

1. A04 THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111, 57-00133, 57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.18 CFS.
USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111, 57-00133, 57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 490.5 AF.
2. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00101, 57-00111, 57-00133 & 57-00146.
4. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111, 57-00133, 57-00146 AND 57-02210A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 109.0 ACRES IN A SINGLE IRRIGATION SEASON.

Comments:

1. SSHERMAN 8/8/1997 NOTICE OF APPEARANCE
Comment: NOTICE OF APPEARANCE FROM D V STEENSON APPEARING FOR MICHAEL AND CHARLIENE RANDALL.
2. RBROWN 10/14/1997 OBJECTION RESOLUTION
Comment: 14 ACRES WERE ADDED TO RESOLVE OBJECTION

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: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number: 57C
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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 57-84 V2

SubCase:

SubCase Number: 57-84
Class: 1
SF5 Filed Date: 4/14/1998
Special Master Recom Signed Date: 4/22/1998
Attorney Assigned: SUSAN E HAMLIN-NYGARD
Adjudication Agent:
Basis of Claim:
Date Filed: 2/26/1993 Objection Status: Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 57-84A V1

WATER RIGHT NUMBER: 57-84A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLIENE R RANDALL 7761 MURPHY RD MELBA, ID 83651
Current Owner	MICHAEL W RANDALL 7761 MURPHY RD MELBA, ID 83651
Original Owner	JOSEPH W HARDIMAN , ID
Original Owner	EVA M JOHNSTON 507 5TH AVE S NAMPA, ID 83651 (208)467-3582
Attorney	DANIEL V STEENSON RINGERT CLARK CHARTERED PO BOX 2773 BOISE, ID 83701 (208)342-4591

Priority Date: 04/01/1870

Basis: Beneficial Use

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
CASTLE CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/15	0.480 CFS	
	<u>Total Diversion:</u>	0.480 CFS	

Location of Point(s) of Diversion

CASTLE CREEK	NW1/4SE1/4SE1/4	Sec. 29, Twp 05S, Rge 01E, B.M.
OWYHEE County		
CASTLE CREEK	SE1/4SE1/4NW1/4	Sec. 21, Twp 05S, Rge 01E, B.M.
OWYHEE County		

Place of UseIRRIGATION Within OWYHEE County

T05S R01E S21	NENW 23.0	T05S R01E S21	SWNW 12.0
T05S R01E S21	SE1/4 30.0	T05S R01E S21	NESW 12.0
T05S R01E S21	NWSW 28.0		

Total Acres: 105

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 57-84A V1

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NOS. 57-00101A, 57-00111A, 57-00133A, 57-00146A AND 57-02210C IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 105.0 ACRES IN A SINGLE IRRIGATION SEASON.
2. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00101A, 57-00111A, 57-00133A & 57-00146A.
3. Quantity USE OF THIS RIGHT WITH RIGHT NOS. 57-00101A, 57-00111A, 57-00133A, 57-00146A AND 57-02210C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.10 CFS.

Comments:

1. SSHERMAN 8/8/1997 NOTICE OF APPEARANCE

Comment: NOTICE OF APPEARANCE FROM D V STEENSON APPEARING FOR MICHAEL AND CHARLIENE RANDALL.

2. RBROWN 10/14/1997 OBJECTION RESOLUTION

Comment: ACRES WERE ADDED AND RIGHTS SPLIT TO RESOLVE OBJECTION

3. jshurte 7/10/2003 Right Not Decreed

Comment: Objection resolution - splits were not recommended - right was recombined into 57-84. See 57-84 for water right.

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: NONE RECEIVED

State or Federal: S

Owner Name Connector:

Water District Number: 57C

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

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 57-84B V1

WATER RIGHT NUMBER: 57-84B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WY BOISE, ID 83709-1657 (208)373-4000

Priority Date: 04/01/1870

Basis: Beneficial Use

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
CASTLE CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/15	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

CASTLE CREEK	SE1/4SE1/4NW1/4	Sec. 21, Twp 05S, Rge 01E, B.M.
OWYHEE County		
CASTLE CREEK	NW1/4SE1/4SE1/4	Sec. 29, Twp 05S, Rge 01E, B.M.
OWYHEE County		

Place of UseIRRIGATION Within OWYHEE County

T05S R01E S21 NWNE 4.0

Total Acres: 4

Conditions of Approval:Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NOS. 57-00101B, 57-00111B, 57-00133B, 57-00146B AND 57-02210D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4.0 ACRES IN A SINGLE IRRIGATION SEASON.
2. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00101B, 57-00111B, 57-00133B & 57-00146B.
3. Quantity USE OF THIS RIGHT WITH RIGHT NOS. 57-00101B, 57-00111B, 57-00133B, 57-00146B AND 57-02210D IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.08 CFS.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 57-84B V1

Comments:

1. SSHERMAN 8/8/1997 NOTICE OF APPEARANCE

Comment: NOTICE OF APPEARANCE FROM D V STEENSON APPEARING FOR MICHAEL AND CHARLIENE RANDALL.

2. RBROWN 10/14/1997 OBJECTION RESOLUTION

Comment: 14 ACRES WERE ADDED TO RESOLVE OBJECTION

3. jshurte 7/10/2003 Right Not Decreed

Comment: This split was not decreed - during settlement splits were recombined and decreed as 57-84 only.

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: NONE RECEIVED

State or Federal: S

Owner Name Connector:

Water District Number: 57C

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

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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AJ0749NP
No. R57-00084

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

DATE: 08/01/97
PAGE: 2

Audit: 08/01/97 MSCHULTE

OPTION: GET ALL USES

ADJUDICATION CLAIM NUMBER: A57-00084

PAGE: 1

A. ROOT WATER RIGHT NUMBERS: A57-00084
57-00084

R57-00084

B. PQJ LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
05S	01E	21	NE	NW		RANDALL, MICHAEL W	A57-00084 /01/16.0	57-00084 /01/	33.0
			NE	NW		RANDALL, MICHAEL W	57-00084 /01/13.0	- / /	
			NE	NW		RANDALL, MICHAEL W	57-00111 /01/13.0	57-00111 /01/	
			NE	NW		RANDALL, MICHAEL W	A57-00111 /01/16.0	- / /	
			NE	NW		JOHNSTON, EVA M	57-00101 /01/13.0	57-00101 /01/	
			NE	NW		JOHNSTON, EVA M	57-00133 /01/13.0	57-00133 /01/	
			NE	NW		JOHNSTON, EVA M	57-00146 /01/13.0	57-00146 /01/	
			NE	NW		JOHNSTON, EVA M	57-02210A /01/13.0	57-02210A /01/32.0	
			NE	NW		RANDALL, MICHAEL W	A57-00101 /01/16.0	- / /	
			NE	NW		RANDALL, MICHAEL W	A57-00133 /01/16.0	- / /	
			NE	NW		RANDALL, MICHAEL W	A57-00146 /01/16.0	- / /	
			NE	NW		RANDALL, MICHAEL W	A57-02210A /01/16.0	- / /	
			NE	NW		RANDALL, MICHAEL W	R57-00084 /01/13.0	- / /	
			NE	NW		RANDALL, MICHAEL W	R57-00101 /01/13.0	- / /	
			NE	NW		RANDALL, MICHAEL W	R57-00111 /01/13.0	- / /	
			NE	NW		RANDALL, MICHAEL W	R57-00133 /01/13.0	- / /	
			NE	NW		RANDALL, MICHAEL W	R57-00146 /01/13.0	- / /	
			NE	NW		RANDALL, MICHAEL W	R57-02210A /01/13.0	- / /	
05S	01E	21	SW	NW		RANDALL, MICHAEL W	A57-00084 /01/12.0	57-00084 /01/	24.0
			SW	NW		RANDALL, MICHAEL W	57-00084 /01/12.0	- / /	
			SW	NW		JOHNSTON, EVA M	57-00133 /01/12.0	57-00133 /01/	
			SW	NW		JOHNSTON, EVA M	57-00146 /01/12.0	57-00146 /01/	
			SW	NW		RANDALL, MICHAEL W	A57-02210A /01/12.0	57-02210A /01/ 5.0	
			SW	NW		JOHNSTON, EVA M	57-10516 /43/	- / /	
			SW	NW		JOHNSTON, EVA M	57-00101 /01/12.0	57-00101 /01/	
			SW	NW		RANDALL, MICHAEL W	57-00111 /01/12.0	57-00111 /01/	
			SW	NW		JOHNSTON, EVA M	57-02210A /01/ 7.0	- / /	
			SW	NW		RANDALL, MICHAEL W	A57-00101 /01/12.0	- / /	
			SW	NW		RANDALL, MICHAEL W	A57-00111 /01/12.0	- / /	
			SW	NW		RANDALL, MICHAEL W	A57-00133 /01/12.0	- / /	
			SW	NW		RANDALL, MICHAEL W	A57-00146 /01/12.0	- / /	
			SW	NW		RANDALL, MICHAEL W	R57-00133 /01/12.0	- / /	
			SW	NW		RANDALL, MICHAEL W	R57-00084 /01/12.0	- / /	
			SW	NW		RANDALL, MICHAEL W	R57-00101 /01/12.0	- / /	
			SW	NW		RANDALL, MICHAEL W	R57-00111 /01/12.0	- / /	
			SW	NW		RANDALL, MICHAEL W	R57-00146 /01/12.0	- / /	
			SW	NW		RANDALL, MICHAEL W	R57-02210A /01/ 7.0	- / /	
05S	01E	21	SE	NW		RANDALL, MICHAEL W	A57-00084 /01/28.0	57-00084 /01/	26.0

OPTION: GET ALL USES

ADJUDICATION CLAIM NUMBER: A57-00084

PAGE: 2

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
05S	01E	21	SE	NW		JOHNSTON, EVA M	A57-10517 /43/	- / /	
			SE	NW		JOHNSTON, EVA	A57-10516 /43/	- / /	
			SE	NW		RANDALL, MICHAEL W	- / /	- / /	
			SE	NW		JOHNSTON, EVA M	57-00101 /01/22.0	57-00101 /01/	
			SE	NW		JOHNSTON, EVA M	57-00133 /01/22.0	57-00133 /01/	
			SE	NW		JOHNSTON, EVA M	57-00146 /01/22.0	57-00146 /01/	
			SE	NW		RANDALL, MICHAEL W	A57-02210A /01/28.0	57-02210A /01/35.0	
			SE	NW		JOHNSTON, EVA M	57-10517 /43/	- / /	
			SE	NW		JOHNSTON, EVA	57-10516 /43/	- / /	
			SE	NW		RANDALL, MICHAEL W	57-00111 /01/22.0	57-00111 /01/	
			SE	NW		JOHNSTON, EVA M	57-02210A /01/22.0	- / /	
			SE	NW		RANDALL, MICHAEL W	A57-00101 /01/28.0	- / /	
			SE	NW		RANDALL, MICHAEL W	A57-00111 /01/28.0	- / /	
			SE	NW		RANDALL, MICHAEL W	A57-00133 /01/28.0	- / /	
			SE	NW		RANDALL, MICHAEL W	A57-00146 /01/28.0	- / /	
			SE	NW		RANDALL, MICHAEL W	R57-00084 /01/26.0	- / /	
			SE	NW		RANDALL, MICHAEL W	R57-00101 /01/26.0	- / /	
			SE	NW		RANDALL, MICHAEL W	R57-00111 /01/26.0	- / /	
			SE	NW		RANDALL, MICHAEL W	R57-00146 /01/26.0	- / /	
			SE	NW		RANDALL, MICHAEL W	R57-02210A /01/26.0	- / /	
			NE	SW		RANDALL, MICHAEL W	A57-00084 /01/15.0	57-00084 /01/	20.0
05S	01E	21	NE	SW		RANDALL, MICHAEL W	57-00084 /01/12.0	- / /	
			NE	SW		JOHNSTON, EVA M	57-00146 /01/12.0	57-00146 /01/	
			NE	SW		RANDALL, MICHAEL W	A57-00146 /01/15.0	- / /	
			NE	SW		JOHNSTON, EVA M	57-00101 /01/12.0	57-00101 /01/	
			NE	SW		RANDALL, MICHAEL W	57-00111 /01/12.0	57-00111 /01/	
			NE	SW		JOHNSTON, EVA M	57-00133 /01/12.0	57-00133 /01/	
			NE	SW		JOHNSTON, EVA M	57-02210A /01/12.0	57-02210A /01/35.0	
			NE	SW		RANDALL, MICHAEL W	A57-00101 /01/15.0	- / /	
			NE	SW		RANDALL, MICHAEL W	A57-00111 /01/15.0	- / /	
			NE	SW		RANDALL, MICHAEL W	A57-00133 /01/15.0	- / /	
			NE	SW		RANDALL, MICHAEL W	A57-02210A /01/15.0	- / /	
			NE	SW		RANDALL, MICHAEL W	R57-00133 /01/12.0	- / /	
			NE	SW		RANDALL, MICHAEL W	R57-00084 /01/12.0	- / /	
			NE	SW		RANDALL, MICHAEL W	R57-00101 /01/12.0	- / /	
			NE	SW		RANDALL, MICHAEL W	R57-00111 /01/12.0	- / /	
			NE	SW		RANDALL, MICHAEL W	R57-00146 /01/12.0	- / /	
			NE	SW		RANDALL, MICHAEL W	R57-02210A /01/12.0	- / /	
			NW	SW		RANDALL, MICHAEL W	A57-00084 /01/20.0	57-00084 /01/	41.0
			NW	SW		JOHNSTON, EVA M	57-02210A /01/14.0	57-02210A /01/20.0	
			NW	SW		RANDALL, MICHAEL W	A57-00146 /01/20.0	57-00146 /01/	
			NW	SW		RANDALL, MICHAEL W	57-00084 /01/28.0	- / /	
			NW	SW		JOHNSTON, EVA M	57-00101 /01/28.0	57-00101 /01/	
			NW	SW		RANDALL, MICHAEL W	57-00111 /01/28.0	57-00111 /01/	

AJS815NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POJ REVIEW REPORT

DATE: 08/01/97

OPTION: GET ALL USES

ADJUDICATION CLAIM NUMBER: A57-00084

PAGE: 3

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
NW	SW					JOHNSTON, EVA M	57-00133 /01/28.0	57-00133 /01/	
NW	SW					JOHNSTON, EVA M	57-00146 /01/28.0	- / /	
NW	SW					RANDALL, MICHAEL W	A57-00101 /01/20.0	- / /	
NW	SW					RANDALL, MICHAEL W	A57-00111 /01/20.0	- / /	
NW	SW					RANDALL, MICHAEL W	A57-00133 /01/20.0	- / /	
NW	SW					RANDALL, MICHAEL W	A57-02210A /01/20.0	- / /	
NW	SW					RANDALL, MICHAEL W	R57-00084 /01/28.0	- / /	
NW	SW					RANDALL, MICHAEL W	R57-00101 /01/28.0	- / /	
NW	SW					RANDALL, MICHAEL W	R57-00111 /01/28.0	- / /	
NW	SW					RANDALL, MICHAEL W	R57-00133 /01/28.0	- / /	
NW	SW					RANDALL, MICHAEL W	R57-00146 /01/28.0	- / /	
NW	SW					RANDALL, MICHAEL W	R57-02210A /01/14.0	- / /	
TOTAL ACRES							A57-00084 91.00		144.00

POJ COUNTY: OMYHEE

A57-00084 etal

CONSERVATION PLAN MAP

FOR SOIL & WATER STUDIES



Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with
Bureau of Reclamation
U.S. DEPARTMENT OF THE INTERIOR

OWNER Elmer D. Johnston

OPERATOR SRS

FARM NO.

DATE 8-64

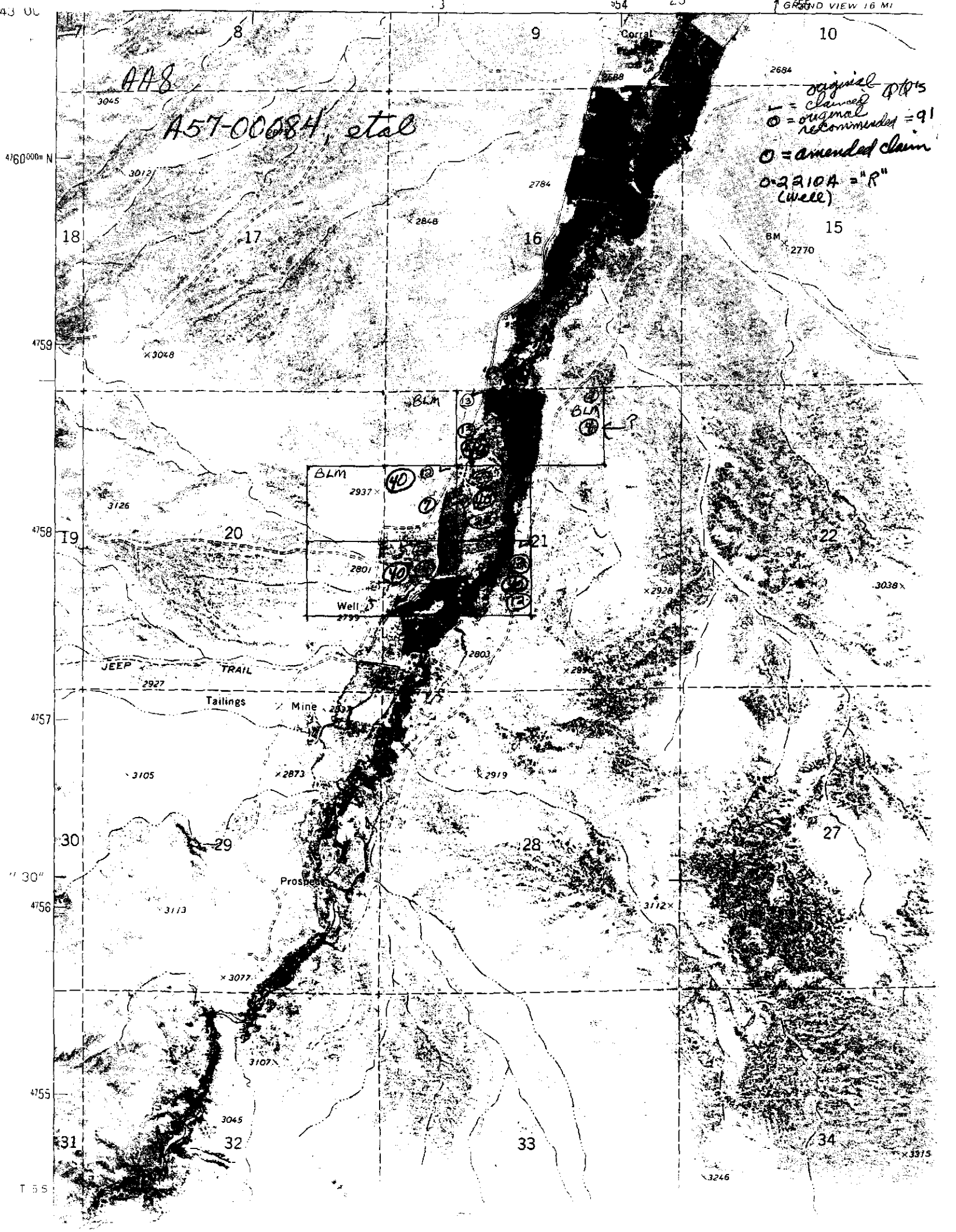
SCALE 5" = 1 mi ACRES 200

Reaches

Idaho

PHOTO NO. C-11 - 57-11





43 UL

4760000m N

4757

4756

4755

T 55

GROUND VIEW 16 MI

A48

A57-00084, etal

original 07015
L = changed
O = original recommended = 91
O = amended claim
0-2810A = "R" (well)

BLM
2937
2801
Well
2799

JEEP TRAIL

Tailings Mine

Prospect

Corral

3315

3246

DRAFT OF AFFIDAVIT INFORMATION

1. My name is Melvin T. Schulte. I reside in Boise, Idaho.
2. The following statements are based on my personal knowledge and I am competent to testify to the matters stated in the affidavit.
3. I am a Senior Water Right Agent for the Adjudication Bureau of the Western Region Office of the Idaho Department of Water Resources (IDWR). My work address is 2735 Airport Way, Boise, Idaho.
4. I have been employed by IDWR since 1990 in the following positions: Water Rights Examiner, Water Rights Agent and Senior Water Rights Agent.

During my tenure with IDWR, I have completed approximately 280 to 300 field examinations for water right permits and Snake River Basin Adjudication claims. These examinations generally included estimating surface and groundwater flow rates; interpreting aerial photographs, maps and survey plats; calculating field acres; investigating and diagraming water delivery systems and using global positioning equipment.

5. In my current position, in addition to conducting field examinations, I also perform the following tasks: review water right records, decrees and SRBA claims; use IDWR's electronic data bases; prepare claim verification records and provide claim recommendations for submittal to the SRBA court.

WHERE?

6. On July 29, 1997 I conducted a field investigation relating to the subcase No.s described above. I was accompanied by Andrew Hemlinger, Bob Collett and Charlene Randall. The purpose of this investigation was to determine if there was evidence to support the beneficial use of surface and groundwater on two specific fields consisting of approximately 16 to 18 acres total. SPECIFY LOCATION. REFER TO MAP/DIAGRAM

ATTACH
ORIG
OR
COLOR
COPY

7. Prior to walking through the fields mentioned in paragraph #6 above, I diagramed on an ASCS aerial map with the assistance of Bob Collett and Charlene Randall the ditch delivery system and the slope direction of all fields subject to the above claims. The delivery system we described indicates water can be delivered to all of the fields claimed.

*in. portion
of the road*
NO!
ONLY TO
THE TWO
FIELDS
IN #6

8. I walked through the two fields mentioned in paragraph #6 above and observed the following:

The most Southerly field had been cleared and the brush and weeds were stacked in three long stacks in the field. The only grass or crops observed in this field was a small strip of grass several feet wide adjacent to the irrigation ditch. The grass appeared to receive water by sub-irrigation from the ditch.

MEMORANDUM

To: Lynne Krogh
From: Roxanne McCarthy
Re: Castle Creek decree expansions
Date: March 28, 1996

The Castle Creek decree does not contain the number of acres actually irrigated by each party. As with many of the old decrees, the only description of the lands is by 40-acre tract. The duty of water is not specifically addressed, although on page 12 of the original document it does say, "...the average amount of water required each year for the irrigation of the lands...is one inch of water to the acre."

Given the above information, many of the Castle Creek claims were recommended with Condition C01, referring to §42-1416(1).

I am currently reviewing objections to rights in that area and have come across one that may be easily settled. The original recommendation included 4 acres of BLM ground for a total of 91 acres, served by 85" of decreed water from Castle Creek. The parties have agreed to the removal of the 4 acres from the recommendation, leaving 87 acres within the description given in the decree.

Can I assume that expansion is no longer an issue, given that 1" to the acre was merely considered "average" and all of the recommended acres are now within the 40 acre legal description given in the decree?

Dave Shaw has asked me to correspond with the new owner of this property in regards to the objection; I'd like an answer ASAP. Thanks!

*assuming we have no info
to indicate that 87 acres
were not the original acres,
YES.*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:19:16
07/29/97

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-00084

LAST: JOHNSTON
ADDRESS: 507 5TH AVE SOUTH
CITY: Nampa
PHONE NUMBER: 208-467-3582

FIRST: EVA M
STATE: ID ZIP: 83651

OWNER CODE: O

LAST: RANDALL
ADDRESS: 7761 MURPHY RD
CITY: MELBA
PHONE NUMBER: 208-000-0000

FIRST: MICHAEL W
STATE: ID ZIP: 83641

OWNER CODE: C

LAST: RANDALL
ADDRESS: 7761 MURPHY RD
CITY: MELBA
PHONE NUMBER: 208-000-0000

FIRST: CHARLENE R
STATE: ID ZIP: 83641

OWNER CODE: C

FIELD EXAM REQUIRED?

FIELD
EXAMINER
Y() N()

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

CLAIM REMARKS: GEN OWNERSHIP CHANGE - RMC - 3-28-96

CONTACT PERSON: Charlene Randall

PHONE NUMBER: 208, 495-2801

DATE OF FIELD EXAM: 7/29/97

APPOINTMENT MADE: Y() N()

TIME: 9:30 A() P()

ACCOMPANIED BY: Bob Collett, Andrew Heminger

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: Bob Collett = tenant

DIRECTIONS TO PROPERTY / NOTES:

South from Oceanus approx. 3 miles on paved road, turn right
at log house on to gravel road, proceed about 2 miles
to property.

A. AJ CLAIM: # A57-00084 PRIORITY DATE: 06-01-1870 STAGE: D
B. WR RECORD: # 57-00084 PRIORITY DATE: 06-01-1870 STAGE: D
C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N()
D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N()
E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) Y() N() *
F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?
PROOF OF BENEFICIAL USE SUBMITTED N/A() Y() N()
FIELD EXAM COMPLETED N/A() Y() N()
FIELD EXAM SENT TO STATE OFFICE N/A() Y() N()
LICENSE ISSUED N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A() Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y() N()
NOTES: The parcel shown as cross hatched (X) on the attached map consisting of about 16 acres appears to have not received a beneficial use of water for more than five years. It is covered with primarily 3' to 5' high grease wood brush and weeds. Very little grass or other crops were evident during our July 1997 inspection. The south 6 to 8 acres of the parcel had been partially cleared of brush and weeds but the remainder ~~was~~ appeared as described above.

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A57-00084	05S	01E	29		SE	SE		ONEHEE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
R PREFIX

A57-00083
A57-00096

A57-00101

A57-00105

A57-00111

A57-00117

A57-00133

A57-00146

A57-10518

** 17 R PREFIX CLAIMS WITH THIS POD

WR RECORDS IN SAME 40 ACRE TRACT

NONE

P/D's are the same as found during 1991 exam and initial recommendation.

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

5700084 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER

OTHER (DESCRIBE IN NOTES BELOW)

See CUR dated 10-24-91

A. ROOT WATER RIGHT NUMBERS: A57-00084
R57-00084

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
05S	01E	21	NE	NW		RANDALL, MICHAEL W	A57-00084 / 16.0	57-00084 /	33.0		
			NE	NW		RANDALL, MICHAEL W	57-00084 / 13.0	-			
			NE	NW		RANDALL, MICHAEL W	57-00111 / 13.0	57-00111 /			
			NE	NW		RANDALL, MICHAEL W	A57-00111 / 16.0	-			
			NE	NW		JOHNSTON, EVA M	57-00101 / 13.0	57-00101 /			
			NE	NW		JOHNSTON, EVA M	57-00133 / 13.0	57-00133 /			
			NE	NW		JOHNSTON, EVA M	57-00146 / 13.0	57-00146 /			
			NE	NW		JOHNSTON, EVA M	57-02210A / 13.0	57-02210A / 32.0			
			NE	NW		RANDALL, MICHAEL W	A57-00101 / 16.0	-			
			NE	NW		RANDALL, MICHAEL W	A57-00133 / 16.0	-			
			NE	NW		RANDALL, MICHAEL W	A57-00146 / 16.0	-			
			NE	NW		RANDALL, MICHAEL W	A57-02210A / 16.0	-			
			NE	NW		RANDALL, MICHAEL W	R57-00084 / 13.0	-			
			NE	NW		RANDALL, MICHAEL W	R57-00101 / 13.0	-			
			NE	NW		RANDALL, MICHAEL W	R57-00111 / 13.0	-			
			NE	NW		RANDALL, MICHAEL W	R57-00133 / 13.0	-			
			NE	NW		RANDALL, MICHAEL W	R57-00146 / 13.0	-			
			NE	NW		RANDALL, MICHAEL W	R57-02210A / 13.0	-			
05S	01E	21	SW	NW		RANDALL, MICHAEL W	A57-00084 / 12.0	57-00084 /	24.0		
			SW	NW		RANDALL, MICHAEL W	57-00084 / 12.0	-			
			SW	NW		JOHNSTON, EVA M	57-00133 / 12.0	57-00133 /			
			SW	NW		JOHNSTON, EVA M	57-00146 / 12.0	57-00146 /			
			SW	NW		RANDALL, MICHAEL W	A57-02210A / 12.0	57-02210A / 5.0			
			SW	NW		JOHNSTON, EVA	57-10516 /	-			
			SW	NW		JOHNSTON, EVA M	57-00101 / 12.0	57-00101 /			
			SW	NW		RANDALL, MICHAEL W	57-00111 / 12.0	57-00111 /			
			SW	NW		JOHNSTON, EVA M	57-02210A / 7.0	-			
			SW	NW		RANDALL, MICHAEL W	A57-00101 / 12.0	-			
			SW	NW		RANDALL, MICHAEL W	A57-00111 / 12.0	-			
			SW	NW		RANDALL, MICHAEL W	A57-00133 / 12.0	-			
			SW	NW		RANDALL, MICHAEL W	A57-00146 / 12.0	-			
			SW	NW		RANDALL, MICHAEL W	R57-00133 / 12.0	-			
			SW	NW		RANDALL, MICHAEL W	R57-00084 / 12.0	-			
			SW	NW		RANDALL, MICHAEL W	R57-00101 / 12.0	-			
			SW	NW		RANDALL, MICHAEL W	R57-00111 / 12.0	-			
			SW	NW		RANDALL, MICHAEL W	R57-00146 / 12.0	-			
			SW	NW		RANDALL, MICHAEL W	R57-02210A / 7.0	-			
05S	01E	21	SE	NW		RANDALL, MICHAEL W	A57-00084 / 28.0	57-00084 /	26.0		
			SE	NW		JOHNSTON, EVA M	A57-10517 /	-			
			SE	NW		JOHNSTON, EVA	A57-10516 /	-			

13

13

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
05S	01E	21	NE	SW		RANDALL, MICHAEL W	57-00084 / 22.0	-	20.0		22
						JOHNSTON, EVA M	57-00101 / 22.0	57-00101			
						JOHNSTON, EVA M	57-00133 / 22.0	57-00133			
						JOHNSTON, EVA M	57-00146 / 22.0	57-00146			
						RANDALL, MICHAEL W	57-02210A / 35.0	57-02210A			
						JOHNSTON, EVA M	57-10517 /	-			
						JOHNSTON, EVA	57-10516 /	-			
						RANDALL, MICHAEL W	57-00111 / 22.0	57-00111			
						JOHNSTON, EVA M	57-02210A / 22.0	-			
						RANDALL, MICHAEL W	57-00101 / 28.0	-			
						RANDALL, MICHAEL W	57-00111 / 28.0	-			
						RANDALL, MICHAEL W	57-00133 / 28.0	-			
						RANDALL, MICHAEL W	57-00146 / 28.0	-			
						RANDALL, MICHAEL W	57-00133 / 26.0	-			
						RANDALL, MICHAEL W	57-00084 / 26.0	-			
						RANDALL, MICHAEL W	57-00101 / 26.0	-			
						RANDALL, MICHAEL W	57-00111 / 26.0	-			
						RANDALL, MICHAEL W	57-00146 / 26.0	-			
						RANDALL, MICHAEL W	57-02210A / 26.0	-			
						RANDALL, MICHAEL W	57-00084 / 15.0	57-00084			
						RANDALL, MICHAEL W	57-00084 / 12.0	-			
						JOHNSTON, EVA M	57-00146 / 12.0	57-00146			
						RANDALL, MICHAEL W	57-00146 / 15.0	-			
						JOHNSTON, EVA M	57-00101 / 12.0	57-00101			
						RANDALL, MICHAEL W	57-00111 / 12.0	57-00111			
						JOHNSTON, EVA M	57-00133 / 12.0	57-00133			
						JOHNSTON, EVA M	57-02210A / 35.0	57-02210A			
						RANDALL, MICHAEL W	57-00101 / 15.0	-			
						RANDALL, MICHAEL W	57-00111 / 15.0	-			
						RANDALL, MICHAEL W	57-00133 / 15.0	-			
						RANDALL, MICHAEL W	57-02210A / 15.0	-			
						RANDALL, MICHAEL W	57-00133 / 12.0	-			
						RANDALL, MICHAEL W	57-00084 / 12.0	-			
						RANDALL, MICHAEL W	57-00101 / 12.0	-			
						RANDALL, MICHAEL W	57-00111 / 12.0	-			
						RANDALL, MICHAEL W	57-00146 / 12.0	-			
						RANDALL, MICHAEL W	57-02210A / 12.0	-			
05S	01E	21	NW	SW		RANDALL, MICHAEL W	57-00084 / 20.0	57-00084	41.0	12	
						JOHNSTON, EVA M	57-02210A / 14.0	57-02210A			
						RANDALL, MICHAEL W	57-00146 / 20.0	57-00146			
						RANDALL, MICHAEL W	57-00084 / 28.0	-			
						JOHNSTON, EVA M	57-00101 / 28.0	57-00101			
						RANDALL, MICHAEL W	57-00111 / 28.0	57-00111			
						JOHNSTON, EVA M	57-00133 / 28.0	57-00133			
						JOHNSTON, EVA M	57-00146 / 28.0	-			
						RANDALL, MICHAEL W	57-00101 / 20.0	-			
						RANDALL, MICHAEL W	57-00111 / 20.0	-			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
NW	SW					RANDALL, MICHAEL W	A57-00111 / 20.0	-	/		
NW	SW					RANDALL, MICHAEL W	A57-00133 / 20.0	-	/		
NW	SW					RANDALL, MICHAEL W	A57-02210A / 20.0	-	/		
NW	SW					RANDALL, MICHAEL W	R57-00084 / 28.0	-	/		
NW	SW					RANDALL, MICHAEL W	R57-00101 / 28.0	-	/		
NW	SW					RANDALL, MICHAEL W	R57-00111 / 28.0	-	/		
NW	SW					RANDALL, MICHAEL W	R57-00133 / 28.0	-	/		
NW	SW					RANDALL, MICHAEL W	R57-00146 / 28.0	-	/		
NW	SW					RANDALL, MICHAEL W	R57-02210A / 14.0	-	/		

ADDITIONAL POU FOUND

5.21 NWNE

28
4.0

TOTAL ACRES A57-00084

91.00

144.00

POU COUNTY: OMYHEE

87-91.0
RB 8-4-97

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

Y() N()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-00084	CASTLE CREEK	RANDALL, MICHAEL W	0.500	0.005		
57-00084	CASTLE CREEK	RANDALL, MICHAEL W	0.500	0.005		
57-00101	CASTLE CREEK	JOHNSTON, EVA M	0.100	0.001		
A57-00101	CASTLE CREEK	RANDALL, MICHAEL W	0.100	0.001		
A57-00111	CASTLE CREEK	RANDALL, MICHAEL W	0.600	0.006		
57-00111	CASTLE CREEK	RANDALL, MICHAEL W	0.600	0.006		
A57-00133	CASTLE CREEK	RANDALL, MICHAEL W	0.200	0.002		
57-00133	CASTLE CREEK	JOHNSTON, EVA M	0.200	0.002		
57-00146	CASTLE CREEK	JOHNSTON, EVA M	0.300	0.003		

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
R57-00146	CASTLE CREEK	RANDALL, MICHAEL W	0.300	0.003		
A57-00146	CASTLE CREEK	RANDALL, MICHAEL W	0.300	0.003		
R57-02210A	GROUNDWATER	RANDALL, MICHAEL W	1.360	0.018	306.00	4.25
A57-02210A	GROUNDWATER	RANDALL, MICHAEL W	1.800	0.019		
57-02210A	GROUNDWATER	JOHNSTON, EVA M	1.440	0.020	324.00	4.50

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
57-10516	DOMESTIC	JOHNSTON, EVA	FROM 09-01 TO 05-31	0.020 CFS	
57-10516	STOCKWATER	JOHNSTON, EVA	FROM 09-01 TO 05-31	0.140 CFS	
A57-10517	DOMESTIC	JOHNSTON, EVA M	FROM 01-01 TO 12-31	0.040 CFS	
A57-10516	DOMESTIC	JOHNSTON, EVA	FROM 09-01 TO 05-31	0.020 CFS	
A57-10516	STOCKWATER	JOHNSTON, EVA	FROM 09-01 TO 05-31	0.160 CFS	
57-10517	DOMESTIC	JOHNSTON, EVA M	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 57-00101, 57-00111, 57-00133, 57-00146, 57-02210A

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

See attached A SCS aerial map.

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES: *See page 3 above for an explanation of partial forfeiture and beneficial use.*

RECOMMENDATIONS:

TOTAL ACRES: *87* *91.0* N/A *70* *8-4-97*
REVIEWED BY: *Michael Schultz* DATE: *7-30-97*

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A57-00084 IRRIGATION	FROM 03-15 TO 11-15	0.500 CFS	
TOTAL DIVERSION RATE/VOLUME		0.500 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
57-00084 IRRIGATION	FROM 04-01 TO 10-15	0.500 CFS	
57-00084 DOMESTIC	FROM TO		
57-00084 STOCKWATER	FROM TO		
TOTAL DIVERSION RATE/VOLUME		0.500 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(✓) N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(✓) N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(✓) N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(✓) N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

Gottle Creek
decree =
4-1 to 10-15

NOTES:

Period of Use in Castle Creek Reservoir is 4-1 to 10-15

AJ CLAIM TOTAL DIVERSION RATE: 0.500 CFS
 WR ROOT RIGHT TOTAL DIVERSION RATE: 0.500 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(✓) Y() N()
 B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A(✓) Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(✓)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y(✓) N()

E. MEASUREMENT METHOD No measurements - recommended as decreed. FLOW MEASUREMENT
 MEASUREMENT METHOD No measurements - recommended, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE 8.7 x 0.02 CFS/ACRE = 7.74 CFS 1.83 1b. CALCULATIONS
 ACRES (Taken from pou review) RG 8-4-97

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(✓)
 IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME
 CLAIMED DIVERSION VOLUME = AF/A
 ACRES x DIVERSION VOL. AF/A FOR AREA N/A =
 TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE
 CLAIMED CONSUMPTIVE USE = AF/A
 ACRES x CONSUMPTIVE VOL. AF/A FOR AREA N/A =
 TOTAL CONSUMPTIVE USE AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

The five Castle Creek decreed rights, 57-00084, -00101, -00111, -00133, -00146 total 85%. They are supplemented by groundwater right 57-02210A.

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	4-1 10-15 03-15 44-15	DATABASE EXAMINER 0.500	DATABASE EXAMINER	DATABASE EXAMINER 0.0
TOTAL FOR THIS RIGHT				

NON-IRRIGATION USES CLAIMED: NONE

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: McDonald DATE: 7-30-94

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

EXP - F06
FOU - E14
QNT - E04

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED (✓) () ()
NEEDS REVIEW () (✓) ()

B. SPLIT WATER RIGHT REVIEW *NA*

ROOT WATER RIGHT NUMBER: 57-00084

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 0.500
EXAMINER _____
CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-00084	0.500	R57-00084	0.500	57-00084	0.500
TOTAL CFS		0.500		0.500		0.500

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N) *NA*
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW ()? OR SEE ATTACHMENT ()?

DATABASE Y
FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: *Mal Schultz* DATE: _____
NAME OF FIELD EXAMINER: *Dr. Agent* TITLE: _____

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. 457-00084

VR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*		MTS 7-29-97	6	N		8-1-97 MTS	
PT. OF DIV.			1,2,5	N			
SOURCE			1,2,5	N			
PL. OF USE			1,2,5	Y			
DIV. AMOUNT CFS/AF			6	N			
CONSUMPTIVE USE			NA	N			
NATURE OF USE			6	N			
PERIOD OF USE			6	Y as decreed			
BASIS OF CLAIM			6	N			
REMARKS			6	Y			

VERIFICATION CODES

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES NO

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

TOPO MAP/ORTHO PHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE COMMENTS) = 6 *

COMMENTS: Priority recommended as decreed. Diverison Note recommended as decreed.

* Field exams conducted in 1990 and 7-29-97. 1997 exam addressed only beneficial use and field in the NENW and SENW, S21.

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>1979</u> IDWR ID NO. <u>AA8</u>	Y(<u>✓</u>) N(<u> </u>)
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y(<u> </u>) N(<u> </u>)
☐ MAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y(<u> </u>) N(<u> </u>)
☒ ASCS AERIAL PHOTO	<u>1987</u>	Y(<u>✓</u>) N(<u> </u>)
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y(<u> </u>) N(<u> </u>)
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y(<u> </u>) N(<u> </u>)
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y(<u> </u>) N(<u> </u>)
☒ SCS SOIL SURVEY MAP	<u>8-64</u>	Y(<u>✓</u>) N(<u> </u>)
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y(<u> </u>) N(<u> </u>)
☐ OTHER _____	DATE _____	Y(<u> </u>) N(<u> </u>)
☐ OTHER _____	DATE _____	Y(<u> </u>) N(<u> </u>)
☐ OTHER _____	DATE _____	Y(<u> </u>) N(<u> </u>)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☒ SYSTEM DESCRIPTION	DATE DRAWN <u>7-29-97</u>	<u>1</u>	<u>See ASCS map</u>
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☒ OTHER <u>Poll Review</u>	DATE <u>8-1-97</u>	<u>3</u>	_____
☐ OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:19:16
07/29/97

PAGE: 18
QUICKLOOK INFORMATION

18
CLAIM NUMBER: A57-00084

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			MTS 7-29-97	N		MTS 8-1-97	MTS 8-1-97	
POINT OF DIV	Y			N				
SOURCE				N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			NA				
PURPOSES OF USE	Y			N				
PERIOD OF USE	Y			Y				
BASIS OF CLAIM				N				
REMARKS	Y			Y				

BARCODE UPDATED
WHOM/DATE

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

DATE: MAR-29-1996

PAGE: A-1

RIGHTS FROM: SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00084

NAME AND ADDRESS: EYA M JOHNSON
307 5TH AVE SOUTH
Nampa ID 83651

MICHAEL W RANDALL
CHARLENE R RANDALL
7761 MURPHY RD
MELBA ID 83651

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.5 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111, 57-00133, 57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.74 CFS.

PRIORITY DATE: 04/01/1870

POINT OF DIVERSION:

T05S R01E S21 SESENW
S29 NWSESE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00101, 57-00111, 57-00133 AND 57-00146.

PURPOSE OF USE:	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-15	0.5 CFS

PLACE OF USE: IRRIGATION

T05S R01E S21	NENW 13.0	SWNW 12.0	SENW 22.0	NESW 12.0
	NWSW 28.0	NWNE 14.0		

87.0 ACRES TOTAL

///9110 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111, 57-00133, 57-00146 AND 57-02210A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 87.0 ACRES IN A SINGLE IRRIGATION SEASON.

CONSUMPTIVE USE:

USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111, 57-00133, 57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 304.5 AF.

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111, 57-00133,

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

DATE: MAR-29-1996

PAGE: A-2

37/00146 AND 37/02210A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.82 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 318.3 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 91.0 ACRES IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 37/00101, 37/00111, 37/00133 AND 37/00146.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).

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

Case No. 39576

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as director
of the Idaho Department of
Water Resources,

Subcase No. 57-00084-0001

STIPULATION AND ORDER
TO RESOLVE OBJECTION

Petitioner,
v.

The United States;
the State of Idaho;
and all claimants to the use
of water from the Snake River
Basin Water System,

Respondents.

DESCRIPTIVE SUMMARY

This is a stipulation and order to resolve the United
States' objection to water right number 57 - 00084

STIPULATION

To resolve the dispute over the above-captioned water right,
the claimant, Eva M. Johnston, the objector, the United States
of America, and the Idaho Department of Water Resources (IDWR),
stipulate and agree as follows:

1. The place of use as recommended in the Director's Report
is incorrect. The following place of use should be deleted:
T05S R01E S21 NWNE 4.0 acres

2. In connection with the change of the place of use, the amount of water recommended shall be reduced proportionately with the reduction of acreage. The amount of water shall be reduced from _____ to _____.

3. The water right is accurately described in Exhibit 1, a revised page of the Director's report containing the changes described above showing specific changes made to the Director's original recommendation in an underline/overstrike format.

1 4. All decrees, whether partial or final, should describe the water right as modified and described in Exhibit 1.

5. Upon entry of partial and final decrees for this water right number describing the right as shown in Exhibit 1, including the modification indicated thereon, the objection of the United States shall be deemed withdrawn.

6. Because there are no remaining objections to this water right, a partial decree may be entered for it pursuant to I.C. 42-1412(8).

7. All parties agree to bear their own costs and attorneys' fees in connection with this matter.

8. This stipulation is entered into and executed voluntarily by all parties in good faith, and without any fraud, misunderstanding, overreaching, misrepresentation, duress, or undue influence, whatsoever.

Respectfully submitted,

CLAIMANT

Dated: _____

UNITED STATES OF AMERICA
on behalf of the BLM

Dated: _____

By: _____

Daria J. Zane
Attorney
General Litigation Section
Environment & Natural Resources Division
U.S. Department of Justice
P.O. Box 663
Washington, D.C. 20044
(202) 272-8351

Dated: _____

By: _____

David Brunner
District Manager
Bureau of Land Management
Boise, Idaho 83720

IDAHO DEPARTMENT OF WATER RESOURCES

Dated: _____

By: _____

Daniel L. Steckel
Deputy Attorney General
Department of Water Resources
Statehouse
Boise, Idaho 83720-9000
(208) 327-7900

Stipulation to Resolve Objection

ORDER

This matter having come before the Court upon stipulation of counsel, and good cause having been shown,

IT IS HEREBY ORDERED that the Court shall enter a partial decree for water right ____-____ as described in the attached Exhibit 1. The United States' objection shall be deemed withdrawn upon entry of the partial decree. Because no other objections have been raised to this water right, the hearing for entry of this partial decree is scheduled for _____, 199__, at the Snake River Basin Adjudication Courthouse, 253 Third Avenue North, Twin Falls, Idaho.

DATED and signed this ____ day of _____, 1994.

DANIEL C. HURLBUTT JR.
District Judge

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAR-22-1994
PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
-----------------	----------------	------------------	----------------	--------------------------	---------------------	----------------

SOURCE: CASTLE CREEK TRIBUTARY: SNAKE RIVER

57-00084	EVA M JOHNSTON 507 5TH AVE SOUTH Nampa ID 83651	04/01/1870	IRRIGATION	04-01 10-15	.5	CFS DECREE
----------	---	------------	------------	-------------	----	------------

POINT OF DIVERSION:

T05S R01E S21
S29SESENW
NWSESE

PLACE OF USE: IRRIGATION

T05S R01E S21

~~NAME~~ 4.0
NESW 12.0NEW 13.0
NWSW 28.0

SNW 12.0

SEW 22.0

TOTAL QUANTITY: .5 CFS

87.0 ~~91.0~~ ACRES TOTALREMARKS: THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
TO IDAHO CODE 42-1416(1).USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111, 57-00133,
57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 1.82 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME
OF 318.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 87.0
ACRES IN A SINGLE IRRIGATION SEASON.THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00101, 57-00111, 57-00133 AND 57-00146.1.74
304.5

DATE: 03/28/96
PAGE: 1

Dates:	Exam Made Date:	10/04/1990	Verified Date:
Misc:	Water District Number:	57C	Field Inspection Flag: Presumption Flag:

AJ0749NP
No. 57-00084

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

DATE: 03/28/96
PAGE: 2

Comments: Date: 03/28/1996 User-ID: RMCCARTH Subject: OWNERSHIP CHANGE
JOHNSTON TO RANDALL

Audit: 03/28/96 RMCCARTH

3/21/96

RECEIVED

MAR 25 1996

Department of Water Resources
Adjudication Bureau

Diana R Delaney
Chief Deputy Clerk
District Court, Snake River Basin Adjudication
253 Third Ave North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: Water Rights Nos. 57-00084, 57-00101, 57-00111, 57-00133, 57-00146 and 57-02210A

Dear Ms. Delaney,

Enclosed is the completed Standard Form 3 you sent us last week. I do have some questions regarding this matter.

Eva M Johnston the previous owner stated that she had been to the BLM office regarding the disputed 4 Acres and then she followed their instructions and went back to the Water Resources office in Boise, Idaho, Orchard Street site, and had the 4 acres in question removed from her water right. She believed an attorney was present at the Orchard Street address when this was done. Her understanding was that per that agreement, the dispute was settled on her water rights.

Can you please verify the above information or forward to the appropriate party as I would like to know just what this status is regarding this matter.

Thank you very much for your help. Being a new property owner in this area we are pretty much overwhelmed by all of this adjudication information and requirements. We don't want to neglect anything pertaining to the protection of these water rights. Thanks again.

Sincerely,

Charliene R Randall

cc: Jack Haugrud, US Dept of Justice

Chief, Natural Resources Division, Office of the Attorney General

United States Department of Justice, Environment & Natural Resource Division

RECEIVED
MAR 14 1996

Department of Water Resources
Adjudication Bureau

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



RECEIVED

MAR 14 1996

OFFICE OF THE
ATTORNEY GENERAL

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

March 12, 1996

Michael and Charlene Randall
7761 Murphy Road
Melba, ID 83641

RE: Water Right Nos. 57-00084, 57-00101, 57-00111, 57-00133, 57-00146 and 57-02210A

Dear Mr. and Mrs. Randall:

The court was recently notified that you purchased property from Mrs. Eva M. Johnston. The water rights appurtenant to that property are: 57-00084, 57-00101, 57-00111, 57-00133, 57-00146 and 57-02210A.

These water rights are currently being contested before the District Court in the Snake River Basin Adjudication. In order to substitute your names in place of Eva M. Johnston as claimants to these water rights, please complete pages 3-6 of the enclosed *Standard Form 3 Consent to Substitution of Party*. Because I have attached a copy of the letter the court received from Ms. Eva M. Johnston, you will not be required to obtain her signature on the Standard Form 3.

If you have questions about this Standard Form or about the status of these water rights, please give me a call at the Snake River Basin Adjudication District Court at 208-736-3011.

Sincerely,

A handwritten signature in dark ink, appearing to read "Diana R. Delaney", with a long horizontal flourish extending to the right.

Diana R. Delaney
Chief Deputy Clerk

DRD
Enclosure

cc: Chief Natural Resources Division
U S Department of Justice

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 the Rights to the Use of Water)
from the Snake River Basin)
Water System)

Case No. 57-00084 -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

MICROFILMED

JUL 20 1994

2. Person who filed objection:

Name: US BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706-2544

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
3. ☒ Quantity: I respond to the objection concerning:
- 3a. ☒ The total quantity of water used in cubic feet per second.
4. ☒ Priority Date: I respond to the objection concerning the priority date.
7. ☒ Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I respond to the objection concerning:
- 9a. ☒ The legal description of the place of use.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.
12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12a. ☒ This water right being recommended at all.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 3, 3a, 4, 7, 8, 9, 9a, 10, 11, 12, and 12a and all allegations of the objection regarding these items IDWR responds as follows: This is an ownership dispute between the claimant and the United States (objector). IDWR is informed and therefore believes that the parties have resolved the matters raised by the objection. The United States asserts ownership of four acres in the claimant's place of use and the claimant has agreed. In recognition of this agreement a revised description of the water right, deleting the four acres and including appropriate reductions in the amount of water (based on the reduced acreage), is attached to this response. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

See attached List of Recommended Water Rights Acquired under State Law.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

	No. of Pages
Notice of Claim No. A57-00084	4
Recommended Water Rights Acquired under State Law	1

(Over)

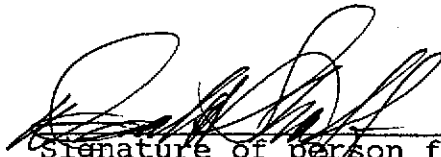
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



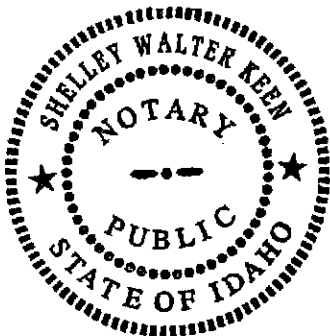
Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 27th day of May,
1993.



Shelley Walter Keen
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: July 31, 1997

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of May, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared 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, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Name: EVA M JOHNSTON
Address: 507 5TH AVE SOUTH
Nampa ID 83651

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: US DEPT OF JUSTICE
Address: K JACK HAUGRUD & DARIA J ZANE
550 W FORT ST
PO BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

MICROFILMED

JUL 20 1994

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

DATE: MAY-24-1993
PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: CASTLE CREEK						
57-00084	EVA M JOHNSTON 507 5TH AVE SOUTH NAMPA ID 83651	04/01/1870	IRRIGATION	04-01 10-15	.5	CFS DECREED

POINT OF DIVERSION:

T05S R01E S21
S29

SESENW
NWSESE

PLACE OF USE: IRRIGATION

T05S R01E S21

~~NWNE~~ 4-0
NESW 12.0

NENW 13.0
NWSW 28.0

SWNW 12.0

SESW 22.0

91-087.0 ACRES TOTAL

REMARKS: THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT

TO IDAHO CODE 42-1416(1).

USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111, 57-00133,

57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED DIVERSION

RATE OF 4-021.74 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME

OF 348-5304.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 91-087.0

ACRES IN A SINGLE IRRIGATION SEASON.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION

DESCRIBED ABOVE: 57-00101, 57-00111, 57-00133 AND 57-00146.

TOTAL QUANTITY: .5 CFS

MICROFILMED

JUL 20 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

Case No. 57-00084
(You must insert the
water right number you
are objecting to)

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

OBJECTION RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

MICROFILMED

(Over)

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: United States of America
Bureau of Land Management
U.S. Department of the Interior
Idaho State Office
Address: 3380 Americana Terrace
Boise, Idaho 83706

Briefly describe your interest in this water right:

The United States, through the Bureau of Land
Management (BLM), is the owner of the land
upon which this water right is claimed, and
claimant does not have a valid water right.

2. Owner of the water right:

Name: Claimant: Eva M. Johnston
Address: 507 5th Ave South
Nampa, Idaho 83651

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice
550 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: (202) 272-8351

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☒ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☒ Quantity: I object to:
 - a. ☒ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☒ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
 - a. ☒ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☒ Consumptive Use: I object to the annual volume of consumptive use.
11. ☒ Remarks: I object to the "remarks" listed with the water right.

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JUL 20 1994

(Over)

12. ☒ Water Right Recommendation: I object to:
- a. ☒ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____
- _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

The United States of America, acting through the Bureau of Land Management, objects to this water right recommendation because the claimant is a private individual claiming a water right on public domain lands. The BLM, on behalf of the United States, has managed and controlled this property for the beneficial use of the American public. The claimant has no property interest in the claimed water right or any other water right appurtenant to federally owned lands. The United States objects to all aspects of the right because of these facts, including the recommended name and address, source, quantity, priority date, points of diversion, purpose of use, period of use, place of use, and consumptive use. BLM also objects to the recommendation in its entirety because claimant has not been the exclusive beneficial user of this water given that other members of the public have had access to this land and water source.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The Director's Report should be changed to recommend disallowance of this claim.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

Map of claim showing federal parcel(s). _____

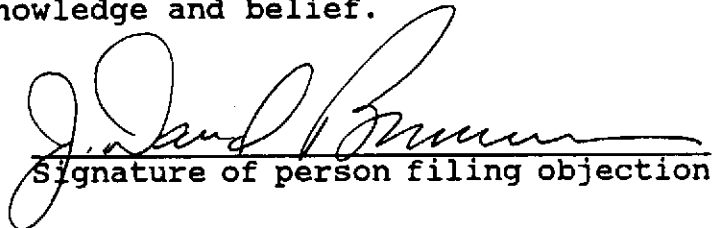
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

J. DAVID BRUNNER, BOISE DISTRICT MANAGER, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 23 day of February,
1993.

Clarence D. Bale
Notary Public for Ada County
Residing at: Boise Idaho
My Commission expires: April 26, 1992

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JUL 20 1994

(Over)

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

^{Served}~~mailed~~ I hereby certify that, on the 26th day of February, 1993, I ^{filed}~~mailed~~ the original and ³~~1~~ copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct 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, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: Eva M. Johnston

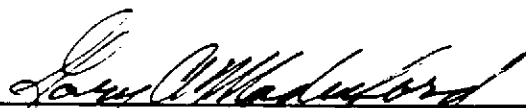
Owner's Address: 507 5th Ave South
Nampa, Idaho 83651

3. One copy to:

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

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

DIVERSION RATE DIVERSION VOLUME

04-01 10-15	0.50 CFS

TOTAL DIVERSION:	0.50 CFS

Tributary to: SNAKE RIVER

SESENW
NWSESE

Stage: DECEED
OWYHEE County
OWYHEE County

MS

MLA

T	R	S	NE				NW				SW				SE				SUM	
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NENE	NWSE	SWSE	SESE		
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
			---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
			---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
05S	01E	21		04			13		12	22		12	28						91.0	
																			TOTAL ACRES	91.0

Other Rights: SEE REMARKS

Conditions of Appeal:

THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).

Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111, 57-00133, 57-00116 AND 57-02210A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.82 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 313.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 91.0 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: 10/04/1990 Verified Date: 12/11/1991

Misc: Water District Number: 57C Field Inspection Flag: presumption Flag:

Audit:	11/18/91	MCCARTHY	12/11/91	MCCARTHY	07/29/92	PR-PRODM	10/13/92	CPSHAW
	12/05/92	ADT-SHAW						

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JUL 20 1964

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORTDATE: 12/11/91
PAGE: 1

OWNER

NAME & ADDRESS

C EVA M JOHNSTON
507 5TH AVE SOUTH
NAMPA ID 83651
(208) 467-3582

PRIORITY

DATE

04/01/1870

USE PERIOD

FROM TO
04-01 10-15

DIVERSION

RATE

0.50 CFS

DIVERSION

VOLUME

0.50 CFS

TOTAL DIVERSION:

Water Source: CASTLE CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T05S R01E S21

S29

SESENW

NWSESE

OWYHEE County

OWYHEE County

Place of use Legal Description for: IRRIGATION

NE

NW

SW

SE

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

: Lt Ac Lt Ac Lt Ac Lt Ac

: Lt Ac Lt Ac Lt Ac Lt Ac

SUM

05S 01E 21 : 04

: 13

: 12

: 22

: 28

05S 01E 21 : 04

: 13

: 12

: 22

: 28

TOTAL ACRES

91.0

91.0

Other Rights: SEE REMARKS

Non-Irrigation Use: NONE

Conditions of Approval:

C61 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO
C61 - IDAHO CODE 42-1416(1).

Remarks:

USE OF THIS RIGHT WITH RIGHT NOS. 57-00101, 57-00111, 57-00133,
57-00146 AND 57-02210A IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 1.82 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME
OF 318.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 91.0
ACRES IN A SINGLE IRRIGATION SEASON.THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00101, 57-00111, 57-00133 AND 57-00146.

Dates:

Exam Made Date: 10/04/1990

Verified Date:

Misc:

Water District Number: 57C

Field Inspection Flag:

Presumption Flag:

Roxanne M. Gortky
12-11-91

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OCT 07 1992

6-90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESStaff Analysis Sheet For
SRBA Claim Verification Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Claim Verification Report(CVR)
- ☒ Copy of Adjudication Claim
- ☒ Copies of pertinent files(prev. rts., exams, etc.)
- N/A Well Inspection Form (If Needed)
- ☒ Copy of U.S.G.S. Quad map, orthophotoquad, or NAPP photography
- ☒ Check P.D. & P.U. desc. for Govt. Lots(if a lot is found, a copy of the Govt. plat is needed to add the lot onto the R claim file later.)
- Check CVR for P.D. overlap(see page titled Pt. of Div. Review Sheet)
- Check AJ & WR P/D indexes(to ck. accuracy of CVR overlap ckd. above)
- Overlap yes no If yes: copy of claims & water rights incl?
- Type of Overlap? Add acres or uses to existing system
- Increase rate of flow or volume
- Other:
- Check CVR for P.U. overlaps(see page titled Pl. of Use Review Sheet)
- Check AJ & WR P/U indexes(to ck. accuracy of CVR overlap ckd. above)
- Overlap yes no If yes: copy of claims & water rights incl?
- Type of Overlap? Increase rate of flow or volume
- Add P/D's
- Increase number of acres within tracts
- Different source for same acres
- Other:
- ☒ Appointment Letter Sent? Bj RH 7/19/90 (initial & date)
- ☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- Fully Completed and Signed CVR Form
- ☒ Photographs of Point(s) of Diversion and Place of Use
- ☒ Completed map outlining Point(s) of Diversion and Place of Use.

*This file
contains copy
of orthophoto,
system description,
etc.*

C. Review and Processing:

- Claim No. submitted for weekly exam completed prog. report? ☒ Yes No
- Exam completed date data entered on claim _____ (initial & date)
- Claim Verification Report completed _____ (initial & date)
- Was CVR spot-checked by Supervisor? Yes No _____ (initial & date)
- R claim file created _____ (initial & date)
- Recommendations entered on R claim file _____ (initial & date)

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JUL 07 1992

A575 phts - for A57-00083 B10 ne collect

I.D. NUMBER A57-00084 2k
NAME OF CONTACT Gov Johnston 467-3582 OK to contact with
PHONE NO. Bob collect 834-2308 or Blaine collect 834-2304
ADJ. AGENT
DATE SET FOR EXAM Thurs. 10/4/90 0900
LOCATION Castle ck. b/w Bob's Blaine's places

COMMENTS

OCT 07 1992

CONTACT PERSON: _____ PHONE NUMBER: (____) ____-____
DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE: Y(____) N(____) TIME: ____:____ A(____) P(____)
ACCOMPANIED BY: _____ PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

See Memo.

A. AJ CLAIM: # A57-00084 PRIORITY DATE: 06-01-1870 STAGE: D
B. WR RECORD: # 57-00084 PRIORITY DATE: 06-01-1870 STAGE: D

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) FIELD EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS: *Decree shows 1870 only; 6-1 was assumed by date-
entry staff. Assume first day of local irrigation season: 4-1*

RECOMMENDED PRIORITY DATE:

06-01-1870

REVIEWED BY *AME*

DATE

10-24-91

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OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-00084	05S	01E	29		SE	SE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A57-00111 NONE
A57-00083
A57-00096
A57-00101
A57-00105
A57-00117
A57-00133
A57-00146
A57-10518

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

5700084 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
		Y	Y
		N	N

REMARKS:

Two PODs found; see map. Recommend both.

POD shared with - 101, - 111, - 133, - 146 (F06)

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OCT 07 1992

EVA Johnston
Exam 10/4/90 SL

EXAMS DONE with owner's
permission to consult BOB
& Blaine Collett about detail
of system. See exam tele. con-
memor.

SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. A57-00084 - 00101 - 00111 - 00133 - 00146 - 02210A

Stockwater - use assumed = irrig. plan

Domestic - no use from creek

Castle Creek irrigation

↑
See 02210A file for
system description

P10 #1 - This is the common pld shared with BOB Collett (A57-00086
etc.)

and Blaine Collett (A57-00083 etc) in NWSESE S. 29 and was the
"west side ditch". This diversion irrigates ~~very~~ all of the land on the
west side of Castle Creek. Since several small ditches leave the main
ditch it can deliver water into Castle Creek upstream from Castle Ck.

P10 #2, it can be argued that P10 #1 can also indirectly
deliver water to P10 #2 & thus to land east of creek.

P10 #2 - This is similar to BOB Collett's pld #2 situated. A
flood in the ~~last 5 years~~ ^{last 5 years} destroyed this checkdam*. The intention
is to restore the diversion works in near future. The land
on east side of creek has been irrigated within last 5 years.
Since no statutory reference specifically addresses abandonment of
just a pld, no purpose is served in eliminating this pld
from the system. No injury to other users is noted by
recommending this pld. Serves land on east side of creek only.

Irrigation is via gravity method only. Well water (A57-02210A)
can be combined with creek water from pld #1 at ditch
along southeast side of pond (cooling pond). See A57-02210A
File for more on well & pond.

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ASCS Photo - See A57-00083 Blaine Collett OCT 07 1992

* Not washed out in early 1980's flood - this survived
that major flood but was lost within last 5 yrs.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	LOT	COUNTY
55	1E	21	SE	NW		
		22	SE	SE		

SOURCE: CASTLE CREEK

TRIB: SNAKE RIVER

REVIEWED BY: RMCDATE: 10-24-91

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OCT 07 1992

A. ROOT WATER RIGHT NUMBERS: A57-00084

B. POU LISTING

TWP RING SEC 1/4 1/4 LOT NAME

TWP RING SEC 1/4 1/4 LOT NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
05S 01E 21 NE NW JOHNSTON, EVA M.	A57-00084 /16.0	57-00084 /	33.0		13.0
JOHNSTON, EVA M.	A57-00101 /16.0	57-00101 /			
JOHNSTON, EVA M.	A57-00133 /16.0	57-00133 /			
JOHNSTON, EVA M.	A57-00146 /16.0	57-00146 /			
JOHNSTON, EVA M.	A57-02210A /16.0	57-02210A /32.0			
JOHNSTON, EVA	A57-00111 /16.0	57-00111 /			
05S 01E 21 SW NW JOHNSTON, EVA M.	A57-00084 /12.0	57-00084 /	24.0		12.0
JOHNSTON, EVA M.	A57-00101 /12.0	57-00101 /			
JOHNSTON, EVA M.	A57-00133 /12.0	57-00133 /			
JOHNSTON, EVA M.	A57-00146 /12.0	57-00146 /			
JOHNSTON, EVA M.	A57-02210A /12.0	57-02210A / 5.0			
JOHNSTON, EVA	A57-00111 /12.0	57-00111 /			
05S 01E 21 SE NW JOHNSTON, EVA M.	A57-00084 /28.0	57-00084 /	26.0		22.0
JOHNSTON, EVA M.	A57-00101 /28.0	57-00101 /			
JOHNSTON, EVA M.	A57-00133 /28.0	57-00133 /			
JOHNSTON, EVA M.	A57-00146 /28.0	57-00146 /			
JOHNSTON, EVA M.	A57-02210A /28.0	57-02210A /35.0			
JOHNSTON, EVA	A57-00111 /28.0	57-00111 /			
JOHNSTON, EVA M.	A57-10517 /	- /			
JOHNSTON, EVA	A57-10516 /	- /			
05S 01E 21 NE SW JOHNSTON, EVA M.	A57-00084 /15.0	57-00084 /	20.0		12.0
JOHNSTON, EVA M.	A57-00101 /15.0	57-00101 /			
JOHNSTON, EVA M.	A57-00133 /15.0	57-00133 /			
JOHNSTON, EVA M.	A57-00146 /15.0	57-00146 /			
JOHNSTON, EVA M.	A57-02210A /15.0	57-02210A /35.0			
JOHNSTON, EVA	A57-00111 /15.0	57-00111 /			
05S 01E 21 NW SW JOHNSTON, EVA M.	A57-00084 /20.0	57-00084 /	41.0		28.0
JOHNSTON, EVA M.	A57-00101 /20.0	57-00101 /			
JOHNSTON, EVA M.	A57-00133 /20.0	57-00133 /			
JOHNSTON, EVA M.	A57-00146 /20.0	57-00146 /			
JOHNSTON, EVA M.	A57-02210A /20.0	57-02210A /20.0			
JOHNSTON, EVA	A57-00111 /20.0	57-00111 /			

TOTAL ACRES A57-00084 91.00 144.00
N/A NE
ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

FIELD EXAM REQUIRED?
DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y
FIELD EXAMINER Y

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OCT 07 1992

PRESUMPTION FLAG:

REMARKS:

See map in 57-00086 (Pop Collect); Pop not previously
decreed.

All Cattle Creek rights combine for 91.0 cks; this appears
to be a full supply for 91.0 acres (0.019 cks/acre) but
an expansion of the Cattle Creek share. (C61)

RECOMMENDATIONS:

TOTAL ACRES:

91.0

REVIEWED BY:

JMK

DATE:

10-24-91

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OCT 07 1992

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-00084 IRRIGATION	FROM 03-15 TO 11-15	.500 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED	.500 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-00084 IRRIGATION	FROM 04-01 TO 10-15	.500 CFS
57-00084 DOMESTIC	FROM TO	.500 CFS
57-00084 STOCKWATER	FROM TO	.500 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED	.500 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DUE TO WATER-USE DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO DIVERSION RATE DISCREPANCY?	(Y/N)	Y	Y	Y
DUE TO PERIOD FROM/TO DISCREPANCY?	(Y/N)	Y	Y	N
				N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(✓)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(✓) N() Explain in remarks, below.

REMARKS:

*Recommend as previously decreed.**No domestic use from creek.*

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OCT 07 1992

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 0.500 CFS
 WR ROOT RIGHT TOTAL DIVERSION RATE: 0.500 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

** If an amount smaller than the original diversion rate is **

** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) N N/A FIELD
 DATABASE EXAMINER

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 57-00101, 57-00111, 57-00133, 57-00146, 57-02210A

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-00084	CASTLE CREEK	JOHNSTON, EVA M.	0.500	0.005		
A57-00101	CASTLE CREEK	JOHNSTON, EVA M.	0.100	0.001		
A57-00146	CASTLE CREEK	JOHNSTON, EVA M.	0.300	0.003		
A57-02210A	GROUNDWATER	JOHNSTON, EVA M.	1.800	0.019		
A57-00111	CASTLE CREEK	JOHNSTON, EVA	0.600	0.006		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A57-10517	DOMESTIC	JOHNSTON, EVA M.	FROM 01-01 TO 12-31	.040 CFS	
A57-10516	DOMESTIC	JOHNSTON, EVA	FROM 09-01 TO 05-31	.020 CFS	
A57-10516	STOCKWATER	JOHNSTON, EVA	FROM 09-01 TO 05-31	.160 CFS	

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OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:08:57
09/02/90

PAGE: 13

QUICKLOOK INFORMATION

CLAIM NUMBER: A57-00084

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		10/14/90	Y	4,5,6	10/14/90	10/14/90	10/14/90
POINT OF DIV	Y			Y				
SOURCE	Y			N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			N				
PURPOSES	Y			N				
PERIOD OF USE	Y			Y				
BASIS OF CLAIM	Y			N				
REMARKS	Y			Y				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

F06: 101, 111, 133, 146
E09: 101, 111, 133, 146, 2210A, 182, 318.5, 91.0

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP

FORFEIT/ABANDON

ADDITIONAL DIV. AMOUNT

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-00084

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	DATABASE	EXAMINER	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-00084	0.500	0.500	N		57-00084	0.500
TOTAL CFS		0.500					0.500

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)

IF NO, is the written review sheet attached? (Y/N)

REMARKS:

No splits

AUTHENTICATION:

SIGNATURE:

Dyanne McCarthy

DATE:

10-24-91

NAME OF FIELD EXAMINER:

TITLE:

Sr. Water Rights Agent

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
irrigation	4/1 10/15	0.50		

TOTAL FOR THIS RIGHT

REVIEWED BY:

RMC

DATE:

10-24-91

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 91.0 x 0.02 CFS/ACRE = 1.82 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 91.0 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =
TOTAL CONSUMPTIVE USE 318.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =
TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

all creek water used on all lands; GW on most lands.
EOG: 101, 111, 133, 144, 2210A, 1.82, 318.5, 91.0

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State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

EVA M. JOHNSTON
507 5th Ave South
Nampa, Id 83651

Date: 7-19-90

RE: Permit and/or Adjudication Claim No.s A57-00084-00101
-00111-00133-00146-02210A

Dear Claimant(s):

The Department of Water Resources will be conducting beneficial use examinations and water right adjudication claim verification examinations for Owyhee County from July thru November 1990. Once the beneficial use examination or claim verification is made, your water rights will be recommended for licencing by the department or decree by Judge Hurlbutt in the Fifth District Court. The recommendations will be based on our findings in the field.

Information on your permit or claim that may need to be verified, includes source(s) of water, uses and amounts, legal descriptions of point(s) of diversion, place of use and in some cases documentation verifying the date of priority as claimed in the Snake River Basin Adjudication. Some of your claims may only need a small amount of verification if there are no changes in the manner in which they were previously documented and examined in accordance with the State's permitting, licencing and/or decree process.

Although it is not mandatory that you accompany the field examiner, should questions arise during the exam, it would be most helpful for yourself or a knowledgeable representative to be available for a short time during the field exam. This would help speed up our findings and help collect information for your rights to be recommended to the court.

A field examiner will be calling or writing you for the scheduling of this (these) field exam(s). We can either meet you at the place of use or a place of your convenience. This may be determined at the time we contact you.

If you have questions regarding this letter or prior to scheduling, please call 334-2190 and ask for either Steve Lester or Ron Howerton.

Sincerely,

Ron Howerton
Senior Water Resource Agent

cc:RH:file

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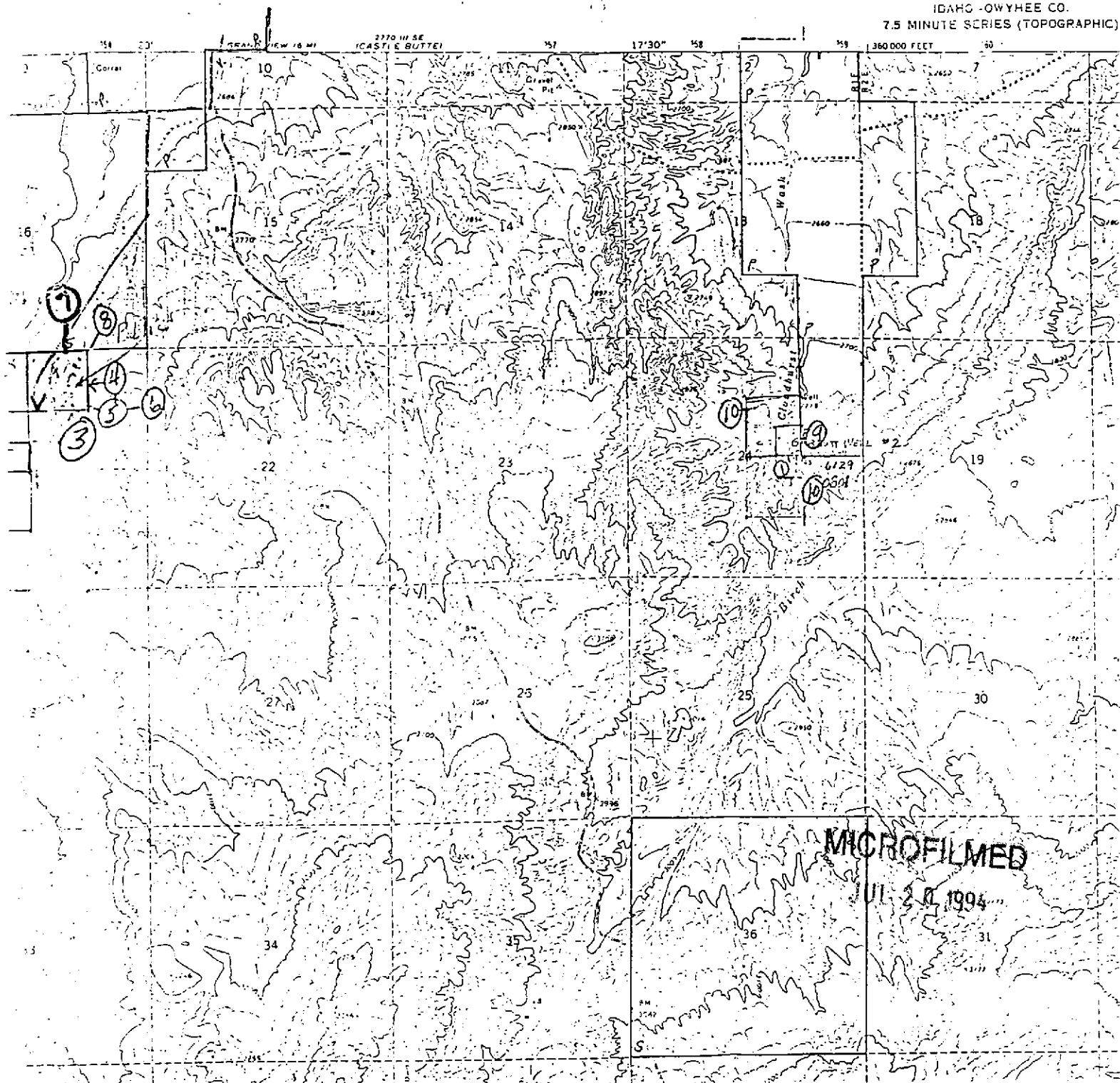
CLAIM NUMBER 5700084

☒ Denotes Public Land
Included in this Claim

POOR ORIGINAL

57-00084

ROUGH MOUNTAIN NE QUADRANG
IDAHO - OWYHEE CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:08:57
09/02/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-00084

LAST: HARDIMAN

FIRST: JOSEPH W.

ADDRESS:

CITY: XXXXXXXXX

STATE: ID ZIP: 0000000

PHONE NUMBER: 208-000-0000

OWNER CODE: 0

LAST: JOHNSTON

FIRST: EVA M.

ADDRESS: 507 5TH AVE. SOUTH

CITY: NAMPA

STATE: ID ZIP: 83651

PHONE NUMBER: 208-467-3582

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE Y
FIELD EXAMINER N

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS:

(WHEN THIS RIGHT AND ALL OTHER RIGHTS ARE COMBINED, THE RATE OF
DIVERSION SHALL NOT EXCEED 0.02 CFS/ACRE.) → out

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6-90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Staff Analysis Sheet For
SRBA Claim Verification Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Claim Verification Report(CVR)
- ☒ Copy of Adjudication Claim
- ☒ Copies of pertinent files(prev. rts., exams, etc.)
- N/A Well Inspection Form (If Needed)
- ☒ Copy of U.S.G.S. Quad map, orthophotoquad, or NAPP photography
- ☒ Check P.D. & P.U. desc. for Govt. Lots(if a lot is found, a copy of the Govt. plat is needed to add the lot onto the R claim file later.)
- ___ Check CVR for P.D. overlap(see page titled Pt. of Div. Review Sheet)
- ___ Check AJ & WR P/D indexes(to ck. accuracy of CVR overlap ckd. above)
- Overlap ___yes ___no If yes: ___copy of claims & water rights incl?
- Type of Overlap? ___ Add acres or uses to existing system
- ___ Increase rate of flow or volume
- ___ Other: _____
- ___ Check CVR for P.U. overlaps(see page titled Pl. of Use Review Sheet)
- ___ Check AJ & WR P/U indexes(to ck. accuracy of CVR overlap ckd. above)
- Overlap ___yes ___no If yes: ___copy of claims & water rights incl?
- Type of Overlap? ___ Increase rate of flow or volume
- ___ Add P/D's
- ___ Increase number of acres within tracts
- ___ Different source for same acres
- ___ Other: _____
- ☒ Appointment Letter Sent? Bj RH 7/19/90 (initial & date)
- ☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ___ Fully Completed and Signed CVR Form
- ☒ Photographs of Point(s) of Diversion and Place of Use
- ☒ Completed map outlining Point(s) of Diversion and Place of Use

C. Review and Processing:

- Claim No. submitted for weekly exam completed prog. report? ☒ Yes ___ No
- Exam completed date data entered on claim _____ (initial & date)
- Claim Verification Report completed _____ (initial & date)
- Was CVR spot-checked by Supervisor? ___ Yes ___ No _____ (initial & date)
- R claim file created _____ (initial & date)
- Recommendations entered on R claim file _____ (initial & date)

*This file
contains copy
of orthopho,
system description,
etc.*

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ASCS photo - for AS7-00083 BIPINE Allett

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER A57-00084 etc
NAME OF CONTACT Gov Johnston 467-3582 OK to conduct with
PHONE NO. Bob Collett 884-2306 or Blaine Collett 884-2304
ADJ. AGENT
DATE SET FOR EXAM Thurs. 10/4/90 0900 82
LOCATION Castle Ck. b/w Bob's Blaine's places

Diverting at full rates? _____

Type of measuring devices? _____

Places to make measurements? _____

Type of system? (pipeline, ditches) _____

How many laterals are used? _____

Length and size of mainline? _____

Size of Motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler head? _____

COMMENTS _____

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EVA Johnston
Exam 10/4/90 SL

EXAMS DONE with owner's
permission to consult BOB
& Blaine Collett about details
of system. See exam tele. conv.
memor.

SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. A57-00084 - 00101 - 00111 - 00133 - 00146 - 02210A

Stockwater - use assumed = irrig pld

Domestic - no use from creek

Castle Creek irrigation

↑
See 02210A file for
system description

P10 #1 - This is the common pld shared with BOB Collett (A57-00086
etc.)

and Blaine Collett (A57-00083 etc) in NWSE 5.29 and near the
"west side ditch". This diversion irrigates ~~very~~ all of the land on the
west side of Castle Creek. Since several small ditches leave the main
ditch it can deliver water into Castle Creek upstream from Castle Ck.

P10 #2, it can be argued that P10 #1 can also indirectly
deliver water to P10 #2 & thus to land east of creek.

P10 #2 - This is similar to BOB Collett's pld #2 situated. A
flood in the ^{last 5 years} ~~early 1980's~~ destroyed this checkdam*. The intention
is to restore the diversion works in near future. The land
on east side of creek has been irrigated within last 5 years.
Since no statutory reference specifically addresses abandonment of
just a pld, no purpose is served in eliminating this pld
from the system. No injury to other users is noted by
recommending this pld. Sever land on east side of creek only.

Irrigation is via gravity method only. Well water (A57-02210A)
can be commingled with creek water from pld #1 at ditch
along southeast side of pond (cooling pond). See A57-02210A
file for more on well & pond.

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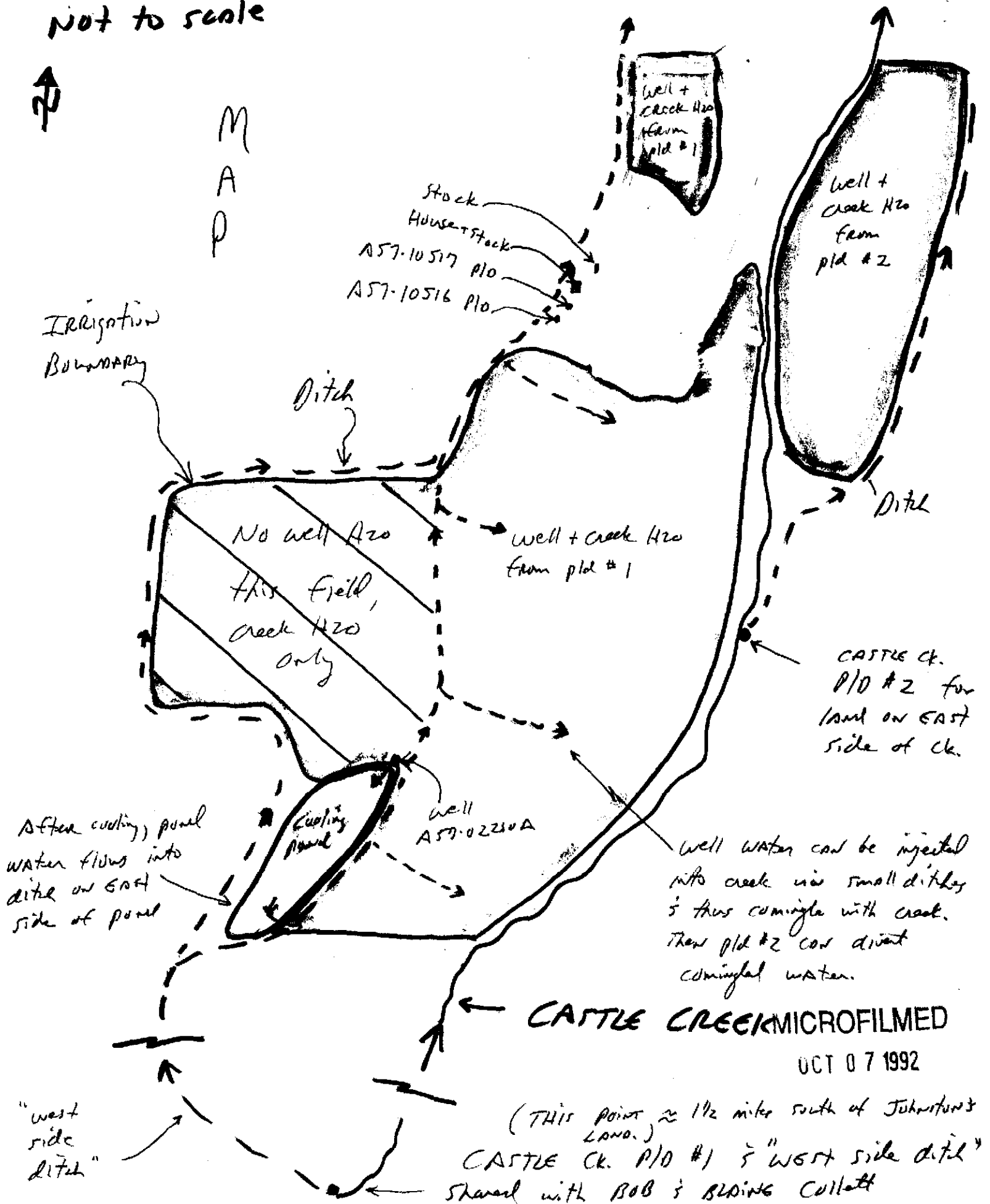
ASCS Photo - See A57-00083 Blaine Collett

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* NOT washed out in early 1980's flood - this survived
that major flood but was lost within last 5 yrs.

SYSTEM DIAGRAM - EVA JOHNSTON A57-00084 etc.

Not to scale



to whom it may concern,

I have farmed the place on Castle Creek now owned by Mike and Char Randall for over 40 years.

Several different years I have flooded water on the piece of ground that seems to be in dispute. The brush land just east of the house.

I have also cleared that land and irrigated it before. The last time I flooded water on it to help raise a little cow feed was 1995.

It is land that takes quite a little time and patience to farm and with the past owner was not to economically feasible.

The new owners and I do plan to establish it in crops again.

Bob W. Collett

June 30, 1997

2. 4. 4. 2. 4. 2. 4. 2.

FARM NO. _____ DATE 5-4-51

SCALE 1" = 1 ACRES 200

Idaho

PHOTO NO. 001 - 001

