

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

51-00132

414 Sharp Ave
Idaho Falls 83402



Not Deliverable As Addressed
Unable To Forward

JUSTIN SEAMONS
1201 FALLS AVE E STE 30
TWIN FALLS ID 83301



RECEIVED
JUL 17 2002

Department of Water Resources



83301X3463



2002 JUL 12 PM 4:18

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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 51-00132
)

On May 20, 2002, 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.

Therefore, IT IS ORDERED that water right 51-00132 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED July 12, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

RECEIVED

JUL 22 2002

1
WATER RESOURCES
WESTERN REGION

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 51-00132

2002 JUL 12 PM 4:18

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: DEVIL CREEK RANCH INC
C/O RANDALL BREWER
ROGERSON, ID 83302

SOURCE: DEADWOOD CREEK TRIBUTARY: CLOVER CREEK

QUANTITY: 3.00 CFS

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

PRIORITY DATE: 04/01/1886

POINT OF DIVERSION: T15S R12E S19 SWNE Within Owyhee County
S20 NESW
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.00 CFS
	Stockwater	01-01 TO 12-31	0.04 CFS

PLACE OF USE:	Irrigation		Within Owyhee County
	T15S R12E S18	SESW 8.3	SWSE 16.0
	S19	NWNE 18.0	SWNE 10.0
		NESE 25.0	NWSE 28.0
		SESE 7.0	
	S20	NESW 25.0	NWSW 31.0
		SWSW 7.3	SESW 7.6
	183.2 Acres Total		
	Stockwater		Within Owyhee County
	Same as Irrigation		

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

THE DIVERSION OF 3.0 CFS OF WATER FOR IRRIGATION UNDER THIS
RIGHT, AS IT RELATES TO RIGHT NOS. 51-00137 & 51-00138,
RECOMMENDED TO CEDAR MESA RESERVOIR & CANAL COMPANY, SHALL BEGIN
ON APRIL 15TH AND END ON OCTOBER 15TH FOR EACH IRRIGATION SEASON.
THE QUANTITY OF WATER DECREED FOR THIS RIGHT FOR STOCKWATER USE
IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

2002 JUL 12 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

)
)
)
)

CERTIFICATE OF MAILING

Water Right(s): 51-00132

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 51-00132 was mailed
on July 12, 2002, with sufficient first-class postage prepaid
to the following:

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

CEDAR MESA RESERVOIR & CANAL

Represented by:
JOHN R COLEMAN
PO BOX 525
TWIN FALLS, ID 83303
Phone: 208-734-1224

DEVIL CREEK RANCH INC

Represented by:
JUSTIN R. SEAMONS
1201 FALLS AVENUE E STE 30
TWIN FALLS, ID 83301
Phone: 208-736-0075

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
07/12/02

RECEIVED

APR 01 1999

Department of Water Resources

RECEIVED

APR 06 1999

WATER RESOURCES
WESTERN REGION

1999 MAR 31 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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

In Re SRBA

Case No. 39576

A Subcase 51-00132

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B NAME AND ADDRESS OF PERSON OBJECTING

Name: Cedar Mesa Reservoir & Canal Company

Address: P. O. Box 525

Twin Falls, ID 83303-0525

Daytime Phone: (208) 734-1224

Name & Address of Attorney, if any:

Coleman, Ritchie & Robertson

P. O. Box 525

Twin Falls, ID 83303-0525

C

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Devil Creek Ranch, Incorporated

Address: c/o Randall Brewer

Rogerson, ID 83302

1. ☐ Name and Address

1. ☐ Name and Address

CRF Should be:

2. ☐ Source

Should be:

3. ☐ Quantity

Should be:

4. ☐ Priority Date

Should be:

5. ☐ Point(s) of Diversion

Should be:

6. ☐ Instream Flow Description

Should be:

7. ☐ Purpose(s) of Use

Should be:

8. ☒ Period of Year Period of use from April 15, to October 15, if
Should be: the water can be put to a beneficial use by Devil Creek Ranch,
Inc., or its successors.

9. ☐ ^{Inc. or} Place of Use

Should be:

11. I object because:

☐ This water right should not exist.

☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): Period of use of this right 51-00132 as

it relates to the storage rights of Cedar Mesa Reservoir & Canal Company, 51-00137

and 51-00138 were the subject of the Judgment in Case No. 5032 dated August 20, 1993,

in the case of Devil Creek Ranch Incorporated vs. Cedar Mesa Reservoir and Canal

Company in the District Court of the Third Judicial District of the State of Idaho,

Owyhee County.

F:

VERIFICATION (Must be Completed)

State of Idaho)

)ss. ss.

County of Twin Falls)

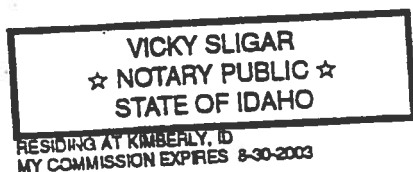
John R. Coleman, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

(Signature of person filing objection)

John R. Coleman
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: March 31, 1999



Vicky Sligar
Notary Public for Idaho
Residing at: Twin Falls, Idaho
My Commission Expires: _____

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

G.

I certify that on March 31, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

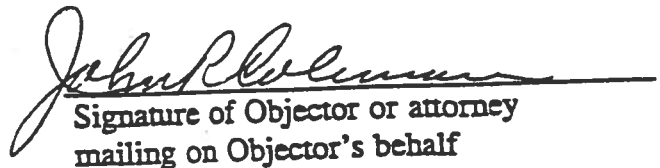
Name: Devil Creek Ranch Incorporated
Address: c/o Randall Brewer
Rogerson, ID 83302

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

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


Signature of Objector or attorney
mailing on Objector's behalf

DATE: 07/13/98
PAGE: 1

TOTAL DIVERSION: 3.00 CFS

Tributary to: CLOVER CREEK

OWYHEE County
OWYHEE County

TOTAL ACRES

ion as described for: IRRIGATION

A51-10192

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION

- USE.

Updated Date:

Option Flag:

AJ0749NP
No. RS1-00132

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

DATE: 07/13/98
PAGE: 2

Audit: 07/13/98 MSCHULTE

CLAIM NUMBER: A51-00132

ROGERSON ID 83302
(208) 857-2226

Stage: DECREED

OWYHEE County
OWYHEE County

名

[illegible]

See GIS Table

EX 3

range cattle

~~NONE~~

Verified Date:

Field Inspection Flag:
Presumption Flag:

03 05

Nov 2 ~~11~~ 15

In-Office

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	9-27-93			N	6	MS 7-13-98	MS 7-13-98	
POINT OF DIV	(Y)			N	1,6,4			
SOURCE			tributary	N	6			
PLACE OF USE	(Y)			N	1,6,4			
DIV. AMOUNT CFS/VOLUME	Y			N	6.			
CONSUMPTIVE USE	-			NH	NH			
PURPOSES	Y			N	6			
PERIOD OF USE	Y			N	6.			
BASIS OF CLAIM				N	6			
REMARKS				N	6			

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
MAP 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.

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

COPY INCLUDED
IN FILE?

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

☒ ORTHOPHOGRAPH

DATE OF PHOTO

1979

IDNR ID NO. 2068

Y ☒ N ☐ 56

☒ TOPOGRAPHIC

DATE FIELD CHECKED

7-13-98

IDNR ID NO. 2068

Y ☒ N ☐ 56

☒ MAP *GTS maps*

DATE OF PHOTO

7-13-98

IDNR ID NO.

Y ☒ N ☐ 56

☐ ASCS AERIAL PHOTO

DATE OF PHOTO

Y ☐ N ☐

☐ ASCS COLOR SLIDE

DATE OF PHOTO

Y ☐ N ☐

☐ BLN OR USFS AERIAL PHOTO

DATE OF PHOTO

Y ☐ N ☐

☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)

DATE OF SURVEY

Y ☐ N ☐

☐ SCS SOIL SURVEY MAP

DATE ISSUED

Y ☐ N ☐

☐ SUBDIVISION PLAT MAP

DATE OF MAP

Y ☐ N ☐

☒ OTHER *GTS table*

DATE

7-13-98

Y ☒ N ☐ 56

☐ OTHER

DATE

Y ☐ N ☐

☐ OTHER

DATE

Y ☐ N ☐

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

☐ IDNR APPROVED TRANSFER

DATE TRANSFER APPROVED

☐ SYSTEM DESCRIPTION

DATE DRAIN

☐ PHOTOGRAPHS

DATE(S) PHOTOS TAKEN

☐ SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

☐ MIBBLE ANALYSIS

DATE ANALYSIS COMPLETED

☐ CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

☐ FLOW MEASUREMENT CALCULATIONS

DATE SYSTEM MEASURED

☒ OTHER *Page from above*

DATE

1

☐ OTHER

DATE

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A51-00132

LAST: DEVIL CREEK RANCH INC.

FIRST:

ADDRESS:

CITY: ROGERSON

STATE: ID

ZIP: 83302

PHONE NUMBER: 208-857-2226

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE

N

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

Richard Patrick

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 10/26/93

APPOINTMENT MADE: Y() N(X)

TIME: : A() P()

ACCOMPANIED BY:

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

I stopped at claimants house on a road date in response to note regarding letter dated 10-6-93. At that time he permitted the division agents. He stated all P.O.D.'s have been used since he was about 3 yrs. old. Since about 1916 he was in agreement with the area shown on map in green and place of use. Also permitted 3 divisions which are located in Owyhee county but in Southern region. I will send copy to Southern only.

A. AJ CLAIM: # A51-00132 PRIORITY DATE: 04-01-1886 STAGE: D
B. WR RECORD: # 51-00132 PRIORITY DATE: 04-01-1886 STAGE: D

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

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

NOTES: _____

RECOMMENDED PRIORITY DATE: 04-01-1886 Michael Schulte
REVIEWED BY Shonda Brown DATE 7-13-98
9-27-93

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A51-00132	15S	12E	19		SW	NE		OMYHIEE
A51-00132	15S	12E	20		NE	SW		OMYHIEE
A51-00132	15S	12E	20		SE	SE		OMYHIEE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
A51-10012 R PREFIX
R51-10012

WR RECORDS IN SAME 40 ACRE TRACT

51-00139

Love Creek.
TRIB: BRUNEAU RIVER, EAST FORK

SOURCE: DEADWOOD CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
51-00132	15S	12E	20		SE	SE		OMYHIEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

51-00139

NONE NONE

SOURCE: DEADWOOD CREEK

TRIB: BRUNEAU RIVER, EAST FORK

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	<i>YD</i>

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:		1/4		LOT	COUNTY	DIVERSION NAME
TWP.	RGE.	SEC.	1/4	1/4		
155	12E	19	SW	NE	110	
		20	NE	SW	11	
		20	SW	SE		
SOURCE: DEADWOOD CREEK			Close Creek			
			TRIBE: BRUNEAL RIVER, EAST FORK			
REVIEWED BY: <i>Michael Schulte</i>			DATE: 7-13-98			
SYSTEM DESCRIPTION:						

A. ROOT WATER RIGHT NUMBERS: A51-00132

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
15S	12E	18	SE	SW		DEVIL CREEK RANCH INC. HELSELEY, JEROME N.	A51-00132 /40.0	51-00132 /40.0			8.3
15S	12E	18	SW	SE		DEVIL CREEK RANCH INC. HELSELEY, JEROME N.	A51-00132 /40.0	51-00132 /40.0			14.0
15S	12E	19	NW	NE		DEVIL CREEK RANCH INC. HELSELEY, JEROME N.	A51-00132 /40.0	51-00132 /40.0			19.0
15S	12E	19	SW	NE		DEVIL CREEK RANCH INC. HELSELEY, JEROME N.	A51-00132 /40.0	51-00132 /40.0			12.0
15S	12E	19	SW	NE		DEVIL CREEK RANCH INC. HELSELEY, JEROME N.	A51-00132 /40.0	51-00132 /40.0			10
15S	12E	19	NE	SE		DEVIL CREEK RANCH INC. HELSELEY, JEROME N.	A51-00132 /40.0	51-00132 /40.0			25
15S	12E	19	NW	SE		DEVIL CREEK RANCH INC. HELSELEY, JEROME N.	A51-00132 /40.0	51-00132 /40.0			24.0
15S	12E	20	NW	SE		DEVIL CREEK RANCH INC. HELSELEY, JEROME N.	A51-00132 /40.0	51-00132 /40.0			28
15S	12E	20	NW	SE		DEVIL CREEK RANCH INC. HELSELEY, JEROME N.	A51-00132 /40.0	51-00132 /40.0			25
15S	12E	20	NW	SE		DEVIL CREEK RANCH INC. HELSELEY, JEROME N.	A51-00132 /40.0	51-00132 /40.0			33.0
15S	12E	20	NW	SE		DEVIL CREEK RANCH INC. HELSELEY, JEROME N.	A51-00132 /40.0	51-00132 /40.0			31
TOTAL ACRES							A51-00132	320.00	320.00		159.00

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()
IF YES SEE ATTACHED SHEET:

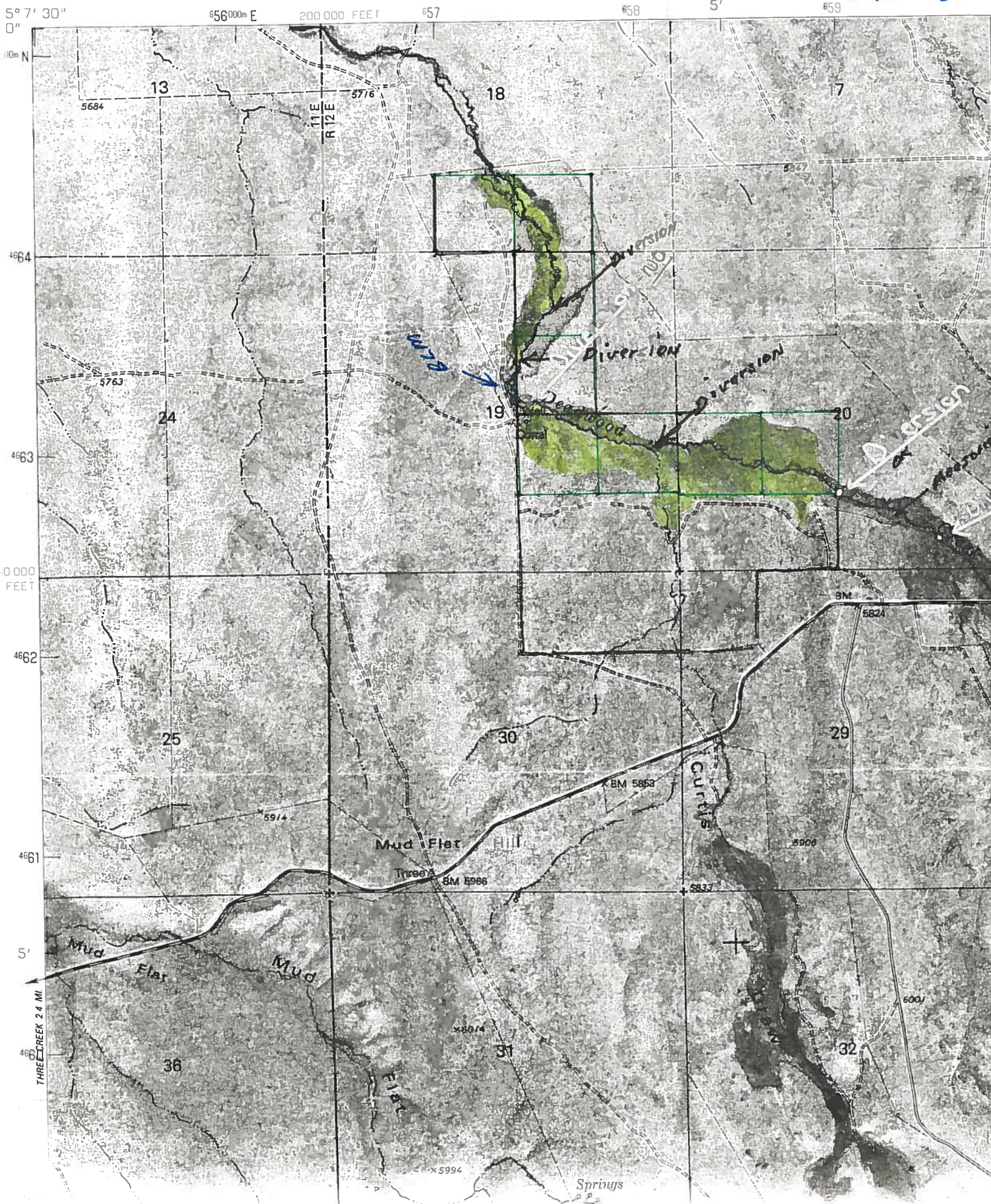
C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER POU COUNTY: OHYHEE
DUE TO POU DISCREPANCY? (Y/N) Y

20, SW SW
SE SW
7.3
7.6
183.2.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

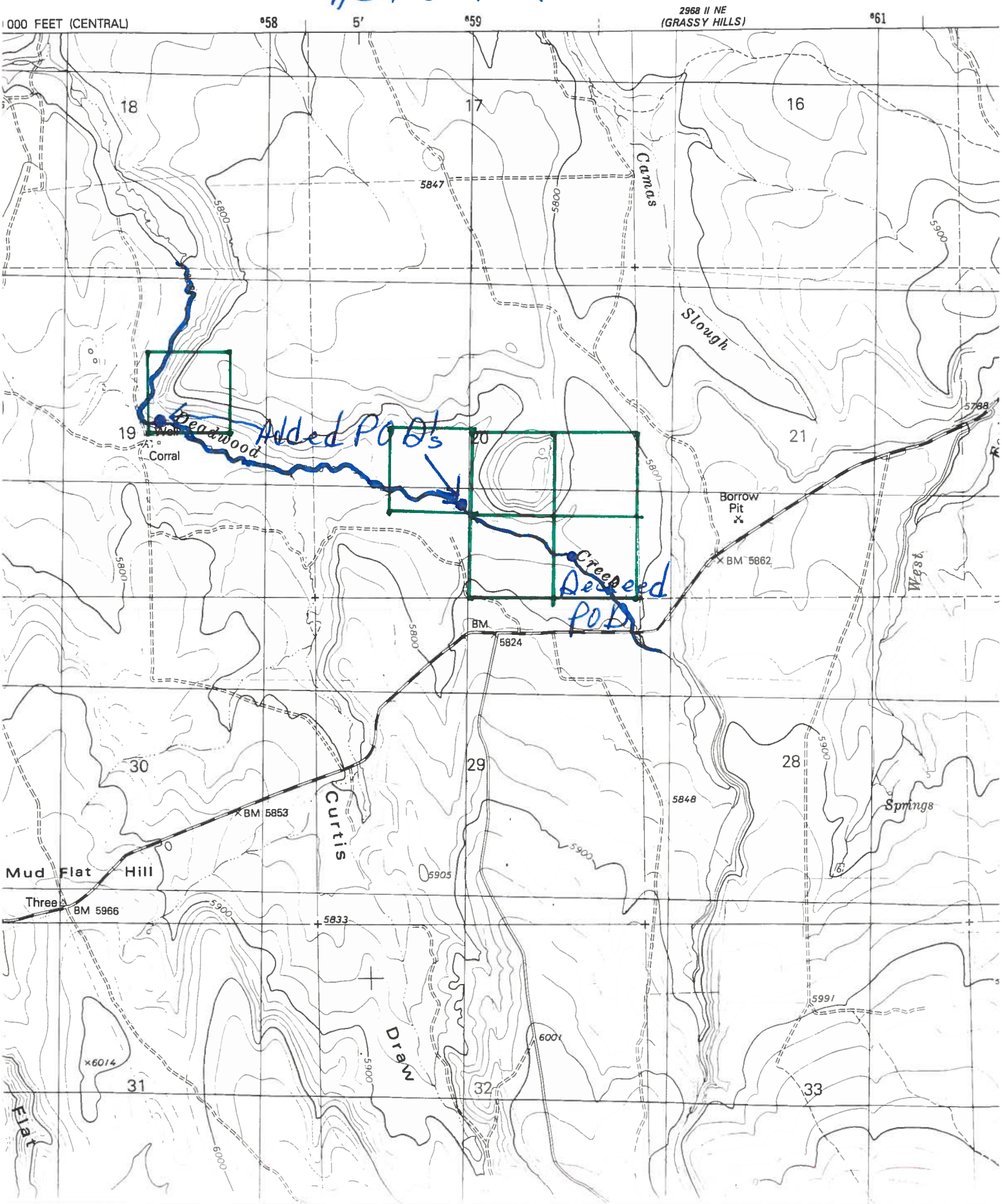
T15S, R12E
Sec. 18, 19, 20

5a
0068



DPB 8

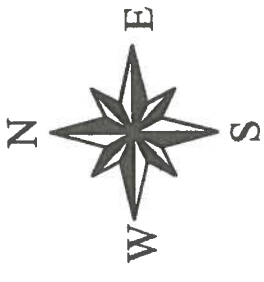
A51-00132



5c

IDAHO DEPARTMENT OF WATER RESOURCES

T15S, R12E, S18, S19 & S20



1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

ACRES

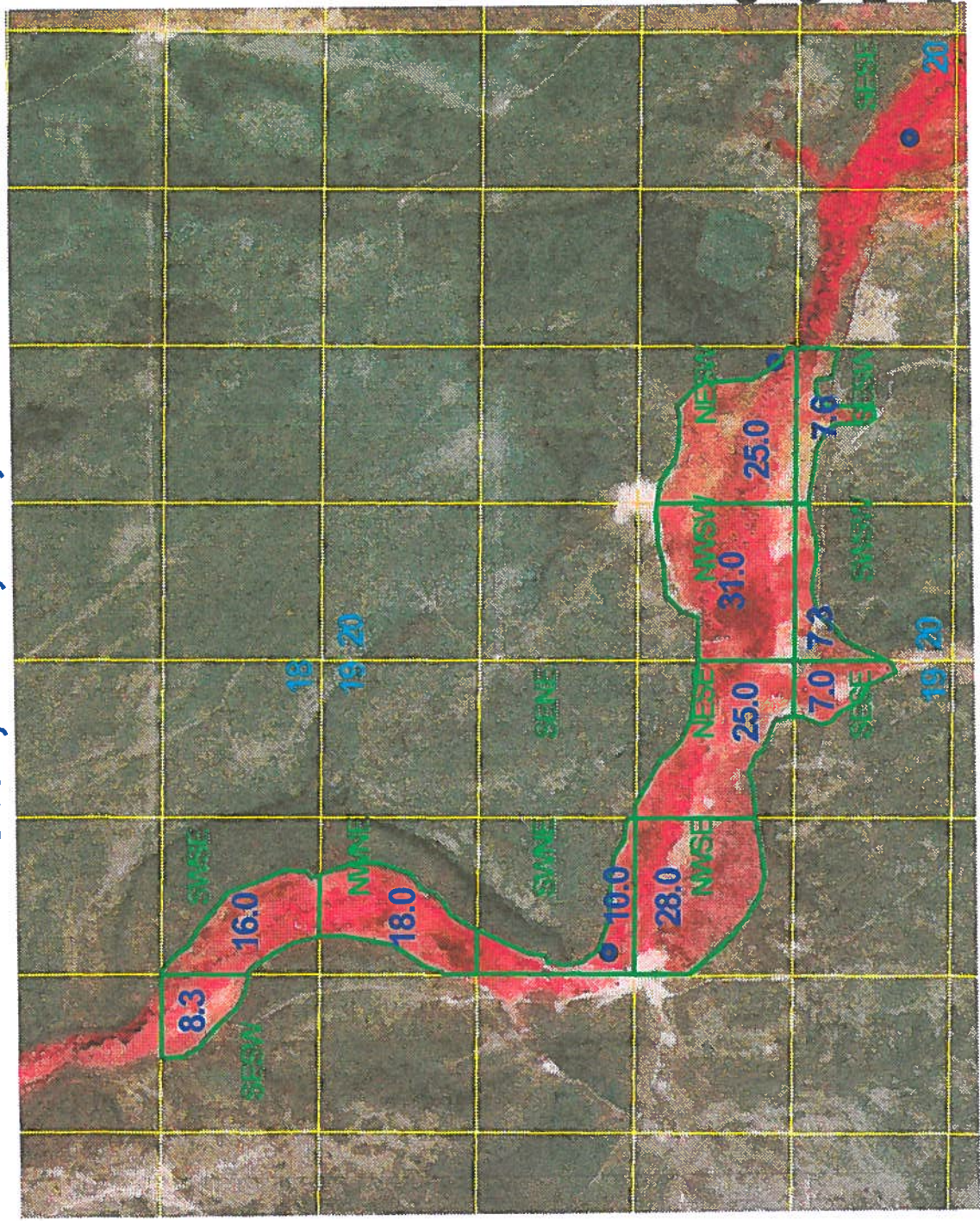
SECTION NUMBER

CLAIM(S) : 51-00132

OWNER(S): DEVIL CREEK RANCH

Prepared by: Mel Schulte

Date: 7/13/1998



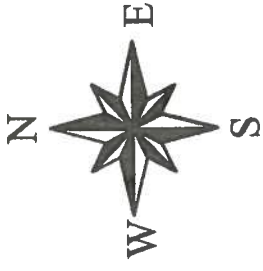
1.25 Miles



5d

IDAHO DEPARTMENT OF WATER RESOURCES

T15S, R12E, S18, S19 & S20



1987 NAPP PHOTO

SECTION LINES

POD

POU

1/4 1/4 LINES

6 ACRES

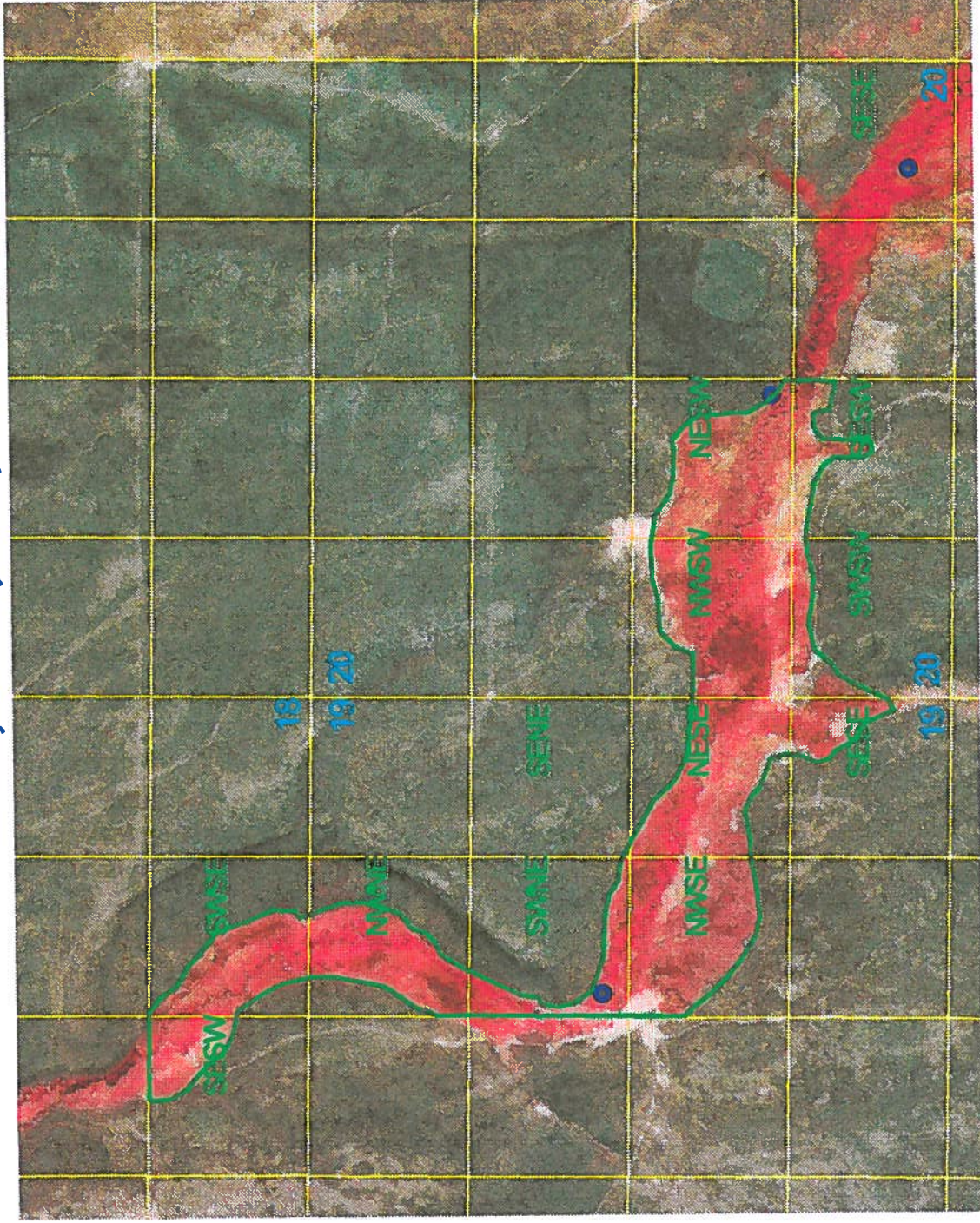
6 SECTION NUMBER

CLAIM(S) : 51-00132

OWNER(S): DEVIL CREEK RANCH

Prepared by: Mel Schulte

Date: 7/13/1998



0 0.25 0.5 0.75 1 1.25 Miles

WESTERN REGION

CLAIM NUMBERS A51-00132

AGENT MS DATE 7-13-98

TOTAL ACRES FROM RECOMMENDATION 183.3

GEOGRAPHIC INFO SYSTEM ACRES 183.3

READY FOR DECREE ____ (YES) SENT FOR DECREE ____ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	155	12E	18												8.3			16	24.
GIS			19		18	10	4									25	28		7 88
			20									25	31	7.3	7.6				70.
RECOM																			18.
GIS																			

POLYGON CREATED ON 80 330

POLYGON # () () () () _____ UPDATED BY

ATTRIBUTES OF B51-POU.SHP (161) () () () ()

ATTRIBUTES OF B51-POD.SHP (156) (157) (158) () ()

B51-DBPOU.DBF 7-30-98 UPDATED BY MS

B51-DBPOD.DBF 7-30-98 UPDATED BY MS

PRESUMPTION FLAG:

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: 183.21
REVIEWED BY: [Signature]

DATE: 7-13-98

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY		DIVERSION QUANTITY
	FROM	TO	
A51-00132 IRRIGATION	04-01	10-15	3.000 CFS
A51-00132 STOCKWATER	01-01	12-31	.040 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			3.000 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY		DIVERSION QUANTITY
	FROM	TO	
51-00132 IRRIGATION	FROM	TO	3.000 CFS
51-00132 STOCKWATER	FROM	TO	3.000 CFS
51-00132 DOMESTIC	FROM	TO	3.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			3.000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(X) Y(X) N() Explain in notes, below.

NOTES:

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

AJ TOTAL CLAIMED DIVERSION RATE: 3.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.000 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 notes. **

FLOW MEASUREMENT REQUIRED?

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

B. MEASUREMENT METHOD None FLOW MEASUREMENT , SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POJ AND IRRIGATION USAGE

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A51-00132	STOCKWATER	DEVIL CREEK RANCH INC.	FROM 01-01 TO 12-31	.040 CFS	
R51-10012	DOMESTIC	DEVIL CREEK RANCH INC	FROM 01-01 TO 12-31	.040 CFS	
R51-10012	STOCKWATER	DEVIL CREEK RANCH INC	FROM 01-01 TO 12-31	.050 CFS	
A51-10012	DOMESTIC	DEVIL CREEK RANCH INC.	FROM 01-01 TO 12-31	.040 CFS	
A51-10012	STOCKWATER	DEVIL CREEK RANCH INC.	FROM 01-01 TO 12-31	.050 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 183.2 x 0.02 CFS/ACRE = 360 CFS
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 640.0 AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA N/A =

TOTAL CONSUMPTIVE USE 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(X)

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)
100 range cattle = .04 cfs.

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
<i>Augmentation</i>	<i>4-1 10-31</i>	<i>3.0</i>	<i>NA</i>	<i>NA</i>
<i>Stockwater</i>	<i>1-1 12-31</i>	<i>.04</i>		
TOTAL FOR THIS RIGHT		<i>3.0</i>		

REVIEWED BY: *McSchultz* DATE: *7-13-98*

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: 51-00132

TOTAL DIVERSION RATE OF WR SPLITS

DATA
3.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-00132	3.000	-		51-00132	3.000
TOTAL CFS		3.000				3.000

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)

FIELD
EXAMINER

NOTES:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

151
of the Bruneau River, said waters to be diverted at or near the subdivision of land above described:

✓ 51 0130 15 inches as of October 10, 1902

X J. E. HAWES, L. M. BUTTIS, JOSE UBERUAGA and

Dist #116
ROLAND J. HAWES:- SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 28, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, Township 15 South, Range 12 East, Boise Meridian, in Owyhee County, Idaho, out of the waters of Deadwood Creek, a tributary of the East Fork of the Bruneau River, a tributary of the Bruneau River, said waters to be diverted at the present point of diversion located South 20 degrees, 50 minutes East, 2350 feet from the section corner common to Sections 28, 29, 32 and 33, in Township 15 South, Range 12 East, Boise Meridian:

51 0131 47 inches as of September 1, 1902

X KARL D. PATRICK (Sometimes known as Carl Patrick):

#116
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 19, N $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 20, all in Township 15 South, Range 12 East, Boise Meridian, in Owyhee County, Idaho; out of the waters of Deadwood Creek, a tributary of the East Fork of the Bruneau River, a tributary of the Bruneau River; said waters to be diverted at the present point of diversion 1580 feet North, 68 degrees, 56 minutes East from the quarter corner on the South line of said Sec. 20, Township 15 South, Range 12 East, Boise Meridian:

51 0132 150 inches as of April 1, 1886.

A51-00132.

which have been used on occasion in other types of legal cases, are merited in this one, Brown said, because many water rights under adjudication will have statewide impact far beyond that of individuals who would have to pay for litigation costs.

Brown noted that the Idaho Supreme held, in a legislative reapportionment case (*Hellar v. Cenarrusa*), that "it is appropriate that the people of Idaho pay for services rendered in their behalf if there is a proper legal basis for their doing so." The bases, the Court indicated, centered around "the strength of the societal important of the public policy indicated by the litigation," the "necessity for private enforcement," the burden on the private party and the number of people who could benefit from the result.

Brown did acknowledge that, "in the other cases [involving the private attorney general concept] the request to award attorneys fees came after the litigation was concluded. Here, the objectors request relief at the outset." But he maintained legal precedent for this, too, was ample.

In an affidavit, John Hepworth, senior partner in the firm, said that meetings with the Hagerman group had convinced him of its "inability to pay the fees that would be involved in the complex issues involved." Neither, he said, would his firm. No response been forthcoming yet from the state. It can be expected to object strongly.

IDWR loses on discovery issue

In yet another Hagerman issue, that water rights owners group won on May 6 at SRBA Court on all counts in its effort to compel the Department of Water Resources to supply extensive documentation related to their water rights. See the last two editions of the Digest for more on this issue.

66-year-old water rights challenge at the Supreme Court

The Idaho Supreme Court rejected a trial court dismissal of an attempt to reverse a 1925 water adjudication, remanding it for further action. The case grew out of an 1886 appropriation by Jerome Helsey of 3 cfs from Deadwood

Creek, a Bruneau River tributary, in Owyhee County. In 1915, the right went to his successor, Karl Patrick. In the next few years, an irrigation district filed for water storage rights in the area, and in 1925 a court ruled for the irrigation company's request, although Patrick apparently had not been served a complaint during 1922 court action, and Patrick's lack of response. The district's rights now are held by Cedar Mesa Reservoir and Canal Co., and Patrick's by Devil Creek Ranch, Inc. In January 1991 Devil Creek filed to invalidate the 1925 ruling and get clear year-round access to 3 cfs from the creek. District Judge Jim Doolittle rejected the request in a summary judgement, suggesting that failure to enforce the claim in a timely manner (laches) was a factor. Devil Creek appealed.

The Supreme Court, in a decision written by Justice Byron Johnson, decided that the laches argument, as presented, was inadequate to support a summary judgement.

MAY 24, 1993

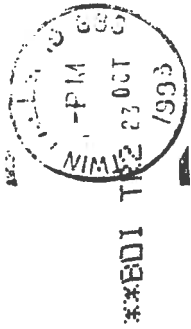
Adjudication goes on in 36

Two motions that would have had the effective of slowing – prospectively, for a long time – water adjudication action in Basin 36 were rejected by Judge Daniel Hurlbutt on Wednesday.

The judge did, however, provide for a special late objection procedure for Basin 36 water right parties. The basic schedule will not be delayed. But he told the Department of Water Resources to provide him, by May 26, a report on the time schedule of a study on Snake River aquifer hydrology. If the study later provides information useful to the Hagerman owners, and they can show a close connection (a nexus) between its findings and their cases, they would be allowed to file late objections.

Tuesday afternoon had been occupied by testimony, and some arguments, from attorneys on either side of the issue.

Edward K. Patrick
David Clark Randal
Logansport, Idaho
8302



Linda Werner
Sr. Water Resource Agent
Reproductive Section
2735 Airport Way
Boise, Idaho 83705



Linda Werner.
I have checked the map that you sent
and made a few corrections for Dead-
wood Creek and located 2 points of
dams on David Creek in Douglas
County. Hope this helps some and
wants like to visit with you - Come
if you can. Edward K. Patrick



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

April 11, 1996

PHILIP E. BATT
GOVERNOR

JUSTIN SEAMONS
1202 FALLS AVE E
TWIN FALLS ID 83301

KARL J. DREHER
DIRECTOR

RE: Attorney representation for claim A51-00132

Dear Justin:

Enclosed is a copy of the form authorizing you to represent the above referenced claim. To clarify that you individually are the claimant's authorized representative and not the firm of Rosholt, Robertson & Tucker, will you please have your clients execute a new authorization form. Enclosed is a new blank form to use.

We appreciate your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads 'Mel Schulte'.

Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Enc.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 3, 1994

CRYSTAL VINCENT
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303 1906

Dear Ms. Vincent;

I am writing in regard to Notice of Claim to a Water Right,
number A51-00132, for Devil Creek Ranch.

I have completed the requested amendments to this claim and am
sending you a copy for your records. If I can be of further
assistance, don't hesitate to contact me.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure

RECEIVED

DEC 30 1993

WATER RESOURCES
WESTERN REGION

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
THOMAS J. RYAN
GARY L. QUIGLEY
JUSTIN R. SEAMONS
JOHN K. SIMPSON
PATRICK D. MADIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

December 29, 1993

Linda Werner
Western Region
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RE: A51-00132, Devil Creek Ranch, Inc.

Dear Linda:

I discussed this claim with you in May of this year and advised that we would be filing an amendment for our client, Devil Creek Ranch, Inc. owned by Rolland Patrick.

Please find enclosed Claim A51-00132 marked "Amended" and the changes requested underlined in orange color. After this has been entered would you please send me a copy from your data base showing the changes.

I appreciate your assistance in this matter. Have a great New Year!

Sincerely,



Crystal W. Vincent
Legal Assistant

enclosure
12299301.CV.93



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 6, 1993

Roland Patrick
Devil Creek Ranch, Inc.
Rogerson, ID 83302

Dear Mr. Patrick;

As per our phone conversation of this morning, Wednesday, I have enclosed a map which shows the land irrigated from Deadwood creek. I have highlighted the irrigated acres in green and shown the diversion points in silver. To determine this information I used a 1974 ortho-photo quad and a 1987 satellite photo. Please review this information for accuracy, especially the placement of the diversion points. If it turns out that the map I enclosed is correct, there would be no need for me to conduct a field exam. If you should find that there is a discrepancy, please return the map to me with the corrections shown.

Also, I did some checking in our files for the Devil creek usage and found that there have been claims filed in the Snake River Basin Adjudication. They are numbered A47-00044A and A47-00196. I am enclosing profile reports for your information. Although some of the diversion points are located in Owyhee county, this area is in the southern region and they will be doing the review and/or field exam. However, if you have questions or comments in regard to these rights I will be glad to assist in any way possible.

Please advise me as to the status of the Deadwood creek right by October 20. Should an exam be necessary it will need to be completed as soon as possible.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

9-27-93

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

NAME OF CONTACT Roland Patrick
PHONE NUMBER 326-4291 ADJ. AGENT Lindsey
DATE SET FOR EXAM 10-6 AM
LOCATION/DIRECTIONS _____

Diverting at full rates? _____

Type of measuring devices? _____

Places to make measurements? _____

Type of System? (pipelines, 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 heads? _____

COMMENTS _____

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
451-00132	DEVIL CREEK RANCH, INCORPORATED ROGERSON ID 83302	04/01/1886	IRRIGATION STOCKWATER	04-01 10-15 01-01 12-31	3.00 CFS 0.04 CFS 3.00 CFS TOTAL 0.00 AFA TOTAL	DECREASED

Roland Patrick 857-2226

SOURCE: DEADWOOD CREEK
OTHER RIGHTS: NONE
CONDITIONS OF APPROVAL:

TRIBUTARY: BRUNEAU RIVER, EAST FORK 1/4 1/4

REMARKS:

POINT OF DIVERSION:
T155 R12E S19
S20

where I have it corrected in the same
SWNE
NESE

Also: Sec 19, NESE, NWNE

PLACE OF USE: IRRIGATION
T155 R12E S18
S19
S20
320.0 ACRES TOTAL

SESW 40.0
NWNE 40.0
NWSW 40.0

SWSE 40.0
SYNE 40.0
NWSW 40.0

NESE 40.0

NWSE 40.0

PLACE OF USE: STOCKWATER
SAME AS OTHER USE

Add. of POW - POW's been used since 1916.

Add - Field stream - 10-6, early am - Cancelled in office
stream sufficient.

Summers -
Also has Devil Cr. rights

A47-00044A
A47-00196

Call Southern
in SW in
POB's & Co.
1000m

DDG8NUU

Water Right Number - 51-00132

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
PATRICK
Last Name - + First Name - + Address - +
KARL D.
1 -
2 -
3 -
City-
Phone -
State- Zip-

Priority Date - + 04/01/1886 + Region - + 14 WESTERN + Stage - + D - DECREED + Status - +

Source - + DEADWOOD CREEK + Tributary - + BRUNEAU RIVER, EAST FORK +

Tw	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
15S	12E	20	SE SE		(73)	OHYHEE		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION						
04 - STOCKWATER						
43 - DOMESTIC						

Total Div. Rate - + 3.000 + Total Div. Volume - + 3.000 + Total Div. Capacity - +

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
15S	12E	18	SE SW		40.0	01 IRRIGATION		(73) OHYHEE	
15S	12E	18	SW SE		40.0	01 IRRIGATION		(73) OHYHEE	
15S	12E	19	NW NE		40.0	01 IRRIGATION		(73) OHYHEE	
15S	12E	19	SW NE		40.0	01 IRRIGATION		(73) OHYHEE	
15S	12E	19	NE SE		40.0	01 IRRIGATION		(73) OHYHEE	
15S	12E	19	NW SE		40.0	01 IRRIGATION		(73) OHYHEE	
15S	12E	20	NE SW		40.0	01 IRRIGATION		(73) OHYHEE	
15S	12E	20	NW SW		40.0	01 IRRIGATION		(73) OHYHEE	

Total Acres: 320.0

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -
+ - - Remarks -
No Remarks found.

Water right number - 51-00132

Prefix Translation:

WATER RIGHT

+ - - - - - Old Water Right Numbers - - - - - +

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - - Decree Plaintiff - - - + + - - - Decree Date - +
GRANDVIEW IRR. DIST. BRUNEAU BUCKAROO CO-OP DITCH CO. 02/14/1925

+ - - - - - Comments - - - - - +
No Comments Found

+ - - - - - Audit Fields - 02/11/86 04/30/88 CONVERT

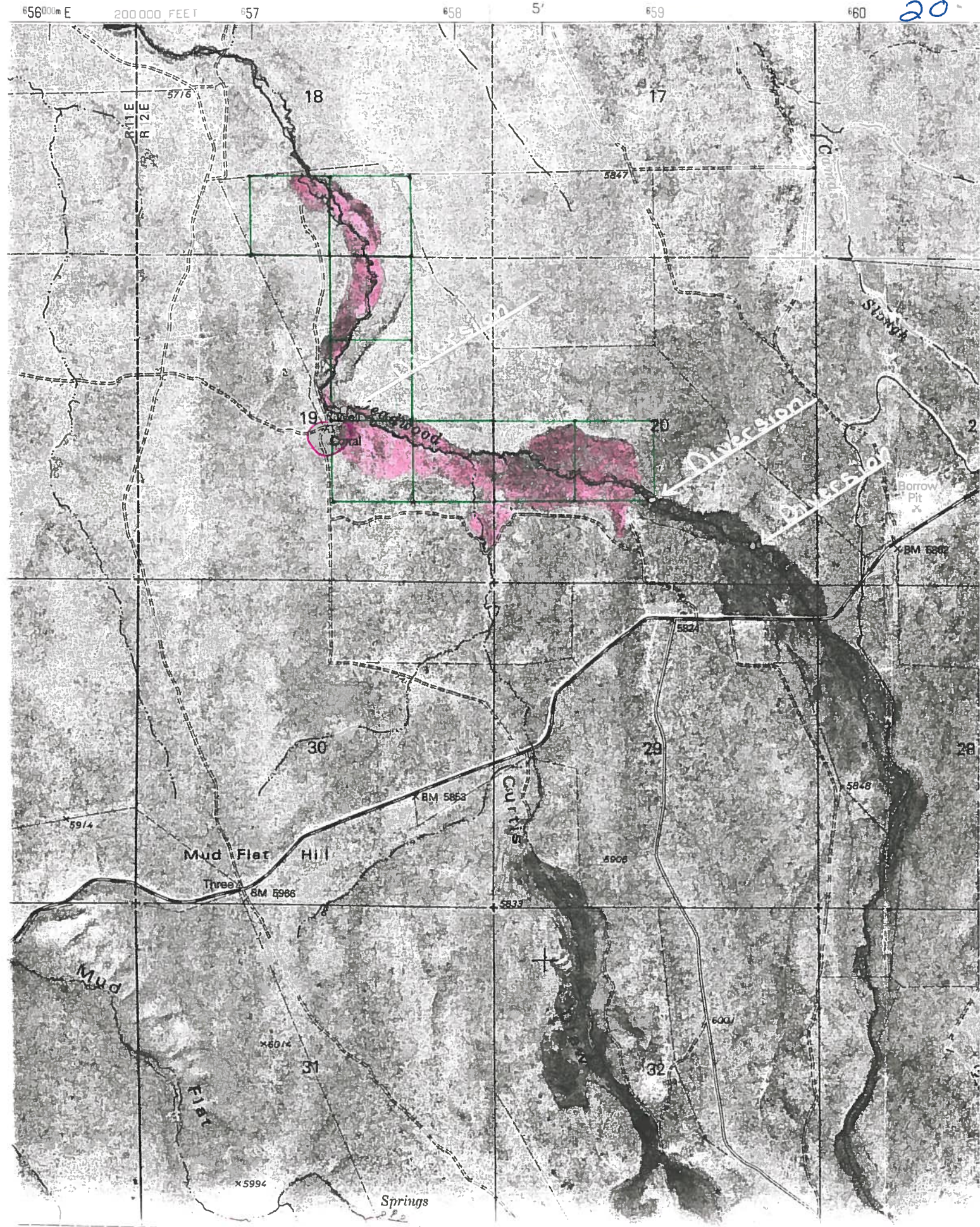
+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 51A
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 02/14/1925	Presumption Flag	-		

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

Devil Cr. Ranch

T15S, R12E, S. 18, 19, 20



SD-0601-2		Last Name: DEVIL CREEK RANCH					STATE	
S		O						
E	First	W	Water	Priority		Total	Use	
L	Name	N	Right No.	Date	Source	Diversion	Code Desc	
-	-	-	-	-	-	-	-	-
-	DEVIL CREEK RANCH	INC						
-		C R51-10012	12/31/1960	GROUNDWATER	0.090	43	DOMES	
-						04	STOCK	
-		C R51-10173	03/01/1960	WASTEWATER	0.140	04	STOCK	
-		C R51-10172	03/01/1960	SPRING	0.230	04	STOCK	
-	DEVIL CREEK RANCH	INC.						
-		C A51-10012	12/31/1960	GROUNDWATER	0.090	43	DOMES	
-						04	STOCK	
-		C A51-10172	03/01/1960	SPRING (SEE	0.230	04	STOCK	
-		C A51-10173	03/01/1960	WASTEWATER	0.140	04	STOCK	
-		C A51-00132	04/01/1886	DEADWOOD CR	3.000	01	IRR	
-						04	STOCK	
-								
-								
-								
-								
-								

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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: **A51-00132**
Date Received: 11/ 1/1988
Receipt No: W001264
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DEVIL CREEK RANCH INC 208-857-2226
Address: ROGERSON ID 83302
2. Date of Priority: APR 1, 1886
3. Source: DEADWOOD CREEK Trib. to: BRUNEAU RIVER, EAST FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 15S | 12E | 19 | | SW | NE | | OWYHEE |
| | | 20 | | NE | SW | | OWYHEE |
| | | | | SE | SE | | OWYHEE |
5. Description of diverting works:
EARTHEN DAM, DITCHES, AND PARSCHELL FLUME FOR MEASURING DEVICE
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 3.000 | | |
| STOCKWATER | 01/01 | 12/31 | 0.040 | | |
7. Total Quantity Appropriated is:
3.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 640.0 Acre Feet Per Annum.
9. Non-irrigation uses:
S/100 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	12E	18	SE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	12E	18	SW	SE		IRR	40.0
			Section Acres				80.0
		19	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			Section Acres				160.0
		20	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			Section Acres				80.0
			Total Acres				320.0

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:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court : THIRD

Decree date: 8/14/1915

HELSEY

Decree Plaintiff

TURNER

vs

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

DEC 30 1993

WATER RESOURCES
WESTERN REGIONClaimant Acknowledgement of Change in Attorney
in Snake River Basin Adjudication (SRBA)Name(s) of Claimant (please print):

I/we acknowledge (check one):

☐ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.☒ I/we are now represented by the attorney at the address below.

JUSTIN R. SEAMONS
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 88303-1906
Attorney's Phone 208/734-0700

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

A51-00132 _____

For Individuals:

Authorized signature(s) Date _____

For Organizations:

I am PRESIDENT of DEVIL CREEK RANCH INC., and I

Title

Organization

have signed the foregoing document in the space below as

PRESIDENT of DEVIL CREEK RANCH INC.

Title

Organization

Signature of Authorized Agent *Justin R. Seamon*Title PRESIDENT Date May 16 - 1993Organization DEVIL CREEK RANCH INC.

IDWR Use:

Date Received _____

Data Entry _____

RECEIVED

DEC 30 1993

WATER RESOURCES
WESTERN REGION

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A51-00132

Date Received: 11/ 1/1988

Receipt No: W001264

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DEVIL CREEK RANCH INC. 208-857-2226
Address: ROGERSON ID 83302
2. Date of Priority: APR 1, 1886
3. Source: DEADWOOD CREEK Trib. to: BRUNEAU RIVER, EAST FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	12E	19		SW	NE		OWYHEE
		20		NE	SW		OWYHEE
				SE	SE		OWYHEE
5. Description of diverting works:
EARTHEN DAM, DITCHES, AND PARSCHELL FLUME FOR MEASURING DEVICE
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	~~10/15~~ 10/31	3.000		
STOCKWATER	01/01	12/31	0.040		
7. Total Quantity Appropriated is:
3.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 640.0 Acre Feet Per Annum.
9. Non-irrigation uses:
S/100 BEEF STOCK
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	12E	18	SE	SW		IRR	40.0

RECEIVED

DEC 30 1993

WATER RESOURCES
WESTERN REGION

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	12E	18	SW	SE		IRR	40.0
Section Acres							80.0
		19	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
Section Acres							160.0
		20	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
Section Acres							80.0
Total Acres							320.0

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:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court : THIRD JUDICIAL DISTRICT

Decree date: 08/14/1915

~~GRANDVIEW TRACT~~ HELSEY
Decree Plaintiff~~BERNESE BUCKAPOO CO-OP~~ TURNER
vs 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: _____

RECEIVED

DEC 30 1993

WATER RESOURCES
WESTERN REGION

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)

) SS.

County of _____)

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

DEC 30 1993

WATER RESOURCES
WESTERN REGION

For Organizations: I do solemnly swear or affirm that I am PRESIDENT
of DEVIL CREEK RANCH INC. , that I have signed the foregoing
document in the space below as PRESIDENT of DEVIL CREEK RANCH INC.
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Richard K. Patrick

Title and Organization PRESIDENT, DEVIL CREEK RANCH INC.

Date May 26-1993

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day of May 19 93

SEAL

Notary Public

Kathina Benkula

Residing at

Twin Falls

My Commission Expires

7-31-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, JUSTIN R. SEAMONS will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature

Justin Seamons

Address ROSHOLT, ROBERTSON & TUCKER, PO BOX 1906, TWIN FALLS ID 83302-1906

Date

May 26, 1993

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

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: A51-00132

Date Received: 11/01/1988

Receipt No: 4001264

Received By: Rdh

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: 2DO INC.
Address: C/O GILBERT DEKLOTZ
RT. 1
FILER, ID

208-326-4291

83328

2. Date of Priority: APR 01, 1886

3. Source: DEADWOOD CREEK

Trib. to: BRUNEAU RIVER, EAST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	12E	19	SW	NE			OWYHEE
		20	NE	SW			OWYHEE
			SE	SE			OWYHEE

5. Description of diverting works:

EARTHEN DAM, DITCHES, AND PARSCHELL FLUME FOR MEASURING DEVICE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	3.000		

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

A.F.A.

8. Total consumptive use is

640.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A51-00132

Page

1

Date: 11/01/88

MICROFILMED

AUG 10 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	12E	18	SE	SW		IRR	40.0
			SW	SE		IRR	40.0
			Section Acres				80.0
		19	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			Section Acres				160.0
		20	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			Section Acres				80.0
			Total Acres				320.0

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:
NONE

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

GRANDVIEW IRR. DIST.
Decree Plaintiff

vs

BRUNEAU BUCKAROO CO-OP DITCH C
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): Gilbert F. De Kret Date: 11/1/88
V.I.C.C. Pres. operation Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 1 day
of November 19 88.

Margaret M. Lindgren
Notary Public

Seal

Residing at Boise

My Commission Expires 1-15-1994

ICAL SURVEY

656000m E 200000 FEET 657 658 659 660

18 19 20 29 30 31 32

ADDITIONAL P/D

P/O

P/D

NE 1/4

15S 12E SEC 20 SE SE

Mud Flat Hill

Curtis

Borrow Pit

BM 5853

BM 5966

BM 5824

6001

6016

5974

5905

5824

5846

5977

5877

5876

5875

5874

5873

5872

5871

5870

5869

5868

5867

5866

5865

5864

5863

5862

5861

5860

5859

5858

5857

5856

5855

5854

5853

5852

5851

5850

5849

5848

5847

5846

5845

5844

5843

5842

5841

5840

5839

5838

5837

5836

5835

5834

5833

5832

5831

5830

5829

5828

5827

5826

5825

5824

5823

5822

5821

5820

5819

5818

5817

5816

5815

5814

5813

5812

5811

5810

5809

5808

5807

5806

5805

5804

5803

5802

5801

5800

5799

5798

5797

5796

5795

5794

5793

5792

5791

5790

5789

5788

5787

5786

5785

5784

5783

5782

5781

5780

5779

5778

5777

5776

5775

5774

5773

5772

5771

5770

5769

5768

5767

5766

5765

5764

5763

5762

5761

5760

5759

5758

5757

5756

5755

5754

5753

5752

5751

5750

5749

5748

5747

5746

5745

5744

5743

5742

5741

5740

5739

5738

5737

5736

5735

5734

5733

5732

5731

5730

5729

5728

5727

5726

5725

5724

5723

5722

5721

5720

5719

5718

5717

5716

5715

5714

5713

5712

5711

5710

5709

5708

5707

5706

5705

5704

5703

5702

5701

5700

5699

5698

5697

5696

5695

5694

5693

5692

5691

5690

5689

5688

5687

5686

5685

5684

5683

5682

5681

5680

5679

5678

5677

5676

5675

5674

5673

5672

5671

5670

5669

5668

5667

5666

5665

5664

5663

5662

5661

5660

5659

5658

5657

5656

5655

5654

5653

5652

5651

5650

5649

5648

5647

5646

5645

5644

5643

5642

5641

5640

5639

5638

5637

5636

5635

5634

5633

5632

5631

5630

5629

5628

5627

5626

5625

5624

5623

5622

5621

5620

5619

5618

5617

5616

5615

5614

5613

5612

5611

5610

5609

5608

5607

5606

5605

5604

5603

5602

5601

5600

5599

5598

5597

5596

5595

5594

5593

5592

5591

5590

5589

5588

5587

5586

5585

5584

5583

5582

5581

5580

5579

5578

5577

5576

5575

5574

5573

5572

5571

5570

5569

5568

5567

5566

5565

5564

5563

5562

5561

5560

5559

5558

5557

5556

5555

5554

5553

5552

5551

5550

5549

5548

5547

5546

5545

5544

5543

5542

5541

5540

5539

5538

5537

5536

5535

5534

5533

5532

5531

5530

5529

5528

5527

5526

5525

5524

5523

5522

5521

5520

5519

5518

5517

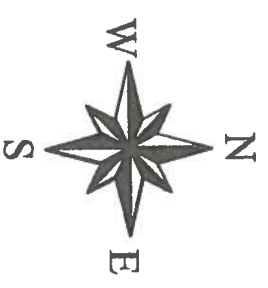
5516

5515

155
ME
DEC 20
JESSE

IDAHO DEPARTMENT OF WATER RESOURCES

T15S, R12E, S18, S19 & S20



1987 NAPP PHOTO

 SECTION LINES

 POD

 POI

 1/4 1/4 LINES

6 ACRES

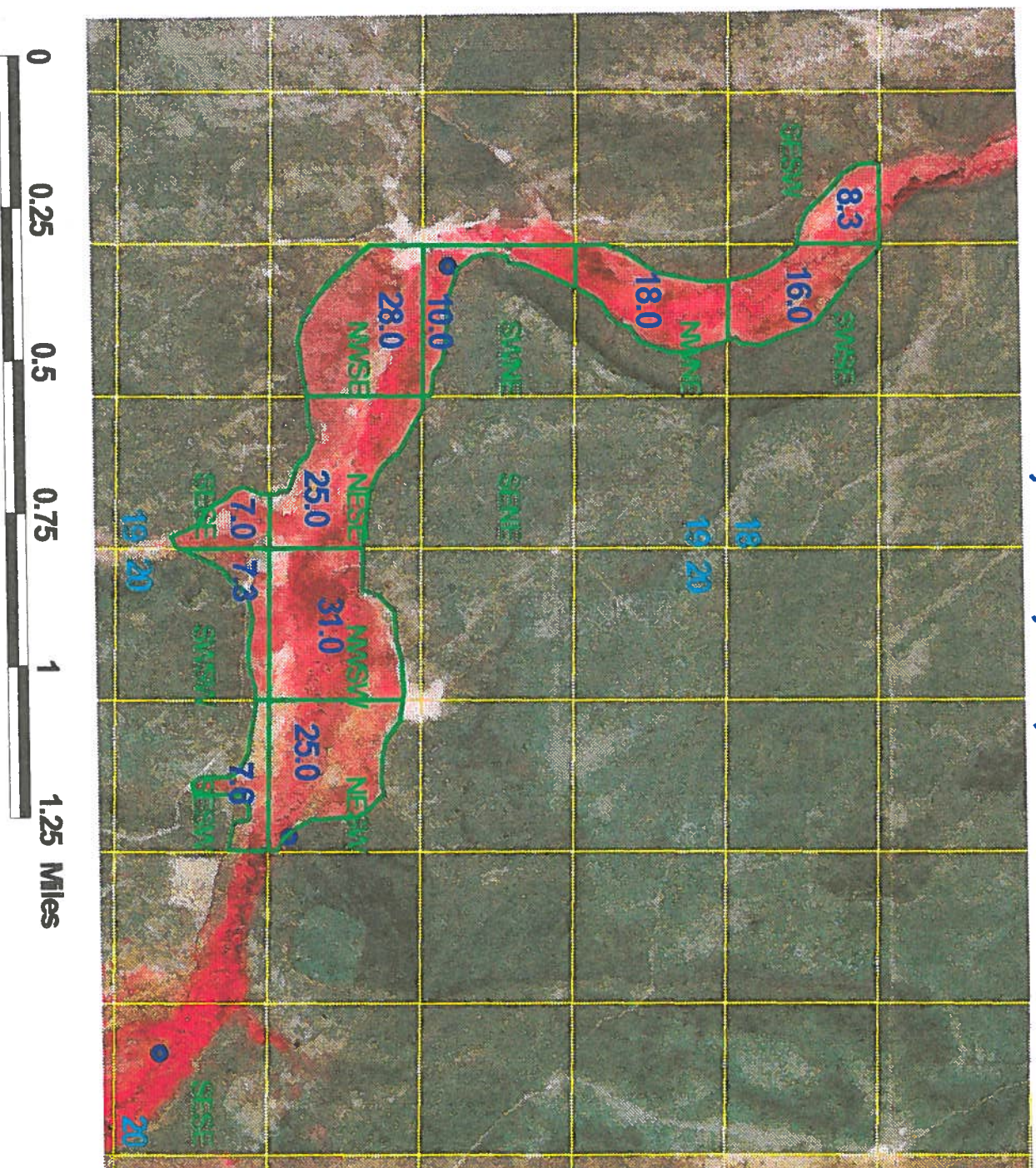
6 SECTION NUMBER

CLAIM(S) : 51-00132

OWNER(S): DEVIL CREEK RANCH

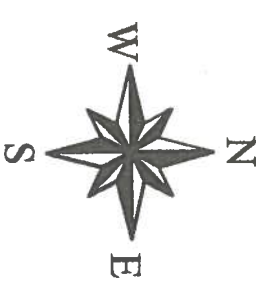
Prepared by: Mel Schulte

Date: 7/13/1998



IDAHO DEPARTMENT OF WATER RESOURCES

T15S, R12E, S18, S19 & S20



1987 NAAPP PHOTO

 **SECTION LINES**

 **POD**

 **POU**

 **1/4 1/4 LINES**

6 ACRES

6 SECTION NUMBER

CLAIM(S) : 51-00132

OWNER(S): DEVIL CREEK RANCH

Prepared by: Mel Schulte

Date: 7/13/1998

