



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 8, 2002

RECEIVED

DEC 03 2002

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC 10 2002

Department of Water Resources

DAVE BLOXHAM
BELL RAPIDS MUTUAL IRRIGATION CO
388 E 5900 N
HAGERMAN ID 83332

**RE: PAYMENT NO. 1 FOR RENTAL OF WATER FROM HIGH-LIFT PUMPERS
FROM THE SNAKE RIVER TO THE WATER SUPPLY BANK**

Dear Mr. Bloxham:

On September 5, 2002, the Department of Water Resources ("department") requested confirmation of the payment schedule preferred by the High-Lift Pumpers leasing water to the Water Supply Bank ("bank"). Bell Rapids Mutual Irrigation Company ("Bell Rapids") identified Option 2, which provides for one partial payment of up to 75% of the total potential payment to be issued prior to final review, and a second payment for the remaining sum to be issued after eligibility findings are finalized by the department.

Enclosed is a state warrant in the amount of \$340,223.93 for the first payment for rental of water from High-Lift Pumpers from the Snake River to the Water Supply Bank. Also enclosed is a map identifying the lands that qualified for the first payment, and a list of those lands broken out per land unit as identified in the Bell Rapids application to the Water Supply Bank.

Estimates of lands eligible for payment are based on review of associated water rights, satellite imagery interpretations, field visits, and flow measurements in accordance with the criteria delineated in Memorandum of Agreement ("MOA") No. 1425-02-MA-10-3460 between the U.S. Bureau of Reclamation ("USBR") and the Idaho Department of Water Resources. As specified in the MOA, the rental rate is \$45.45 per acre-foot, and the annual diversion volume was determined using US Geological Service and IDWR data (up to a maximum of 3 acre-feet per acre). Based on the available data, the annual diversion volume for Bell Rapids is 2.49 acre-feet per acre (afa). Additional information has been submitted by the irrigation company to establish a current diversion volume of 3.0 afa. However, Bell Rapids agreed to allow a diversion volume of 2.49 afa to be used as the basis for the first payment pending review by the department.

The first payment has been calculated based on 75% of the *estimated eligible acres only*. Lands that will be recommended for denial or whose eligibility is in question, have not been included in the total estimated eligible acres. Please note, that the total acres are based on those measured using available satellite imagery, and may differ

from the totals specified on the applications to the bank. The maximum number of acres eligible for payment shall not exceed the total number of acres identified on the entity's application. Additionally, please note that the eligibility status is yet to be finalized and may change pending final review.

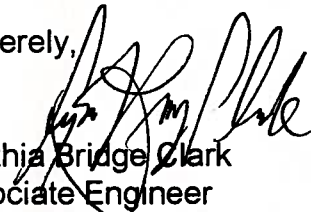
The attached map identifies the eligibility status of lands based on the review to date. It indicates whether the lands are eligible, ineligible or whether there are questions surrounding their eligibility at this time. For your reference, an eligibility status list has also been enclosed identifying the land unit numbers provided by Bell Rapids, and the corresponding number of acres considered in the eligibility review based on information provided by the applicant and available satellite imagery.

Below is a total summary for the first payment:

Acres Requested on App.	Estimated Eligible Acres	Acre-feet per acre	Estimated Eligible Acre-feet	Estimated Payment(s) @ \$45.45 per acre-foot		
				1st Payment (75%)	2nd Payment (25% or remainder)	Estimated Total Payment
4386.9	4008.4	2.49	9980.9	\$340,223.93	\$113,407.98	\$453,631.91

If you have questions, please feel free to contact the department.

Sincerely,


Cynthia Bridge Clark
Associate Engineer
Water Allocation Bureau

RECEIVED

DEC 10 2002

Department of Water Resources

Enclosures

c: IDWR Western Regional Office,
IDWR Southern Regional Office
Water right no. 2-10194, SRBA Claim 2-10203

Rich Rigby, ESA Coordinator
Bureau of Reclamation
1150 N Curtis, PN 3030
Boise ID 83706-1234

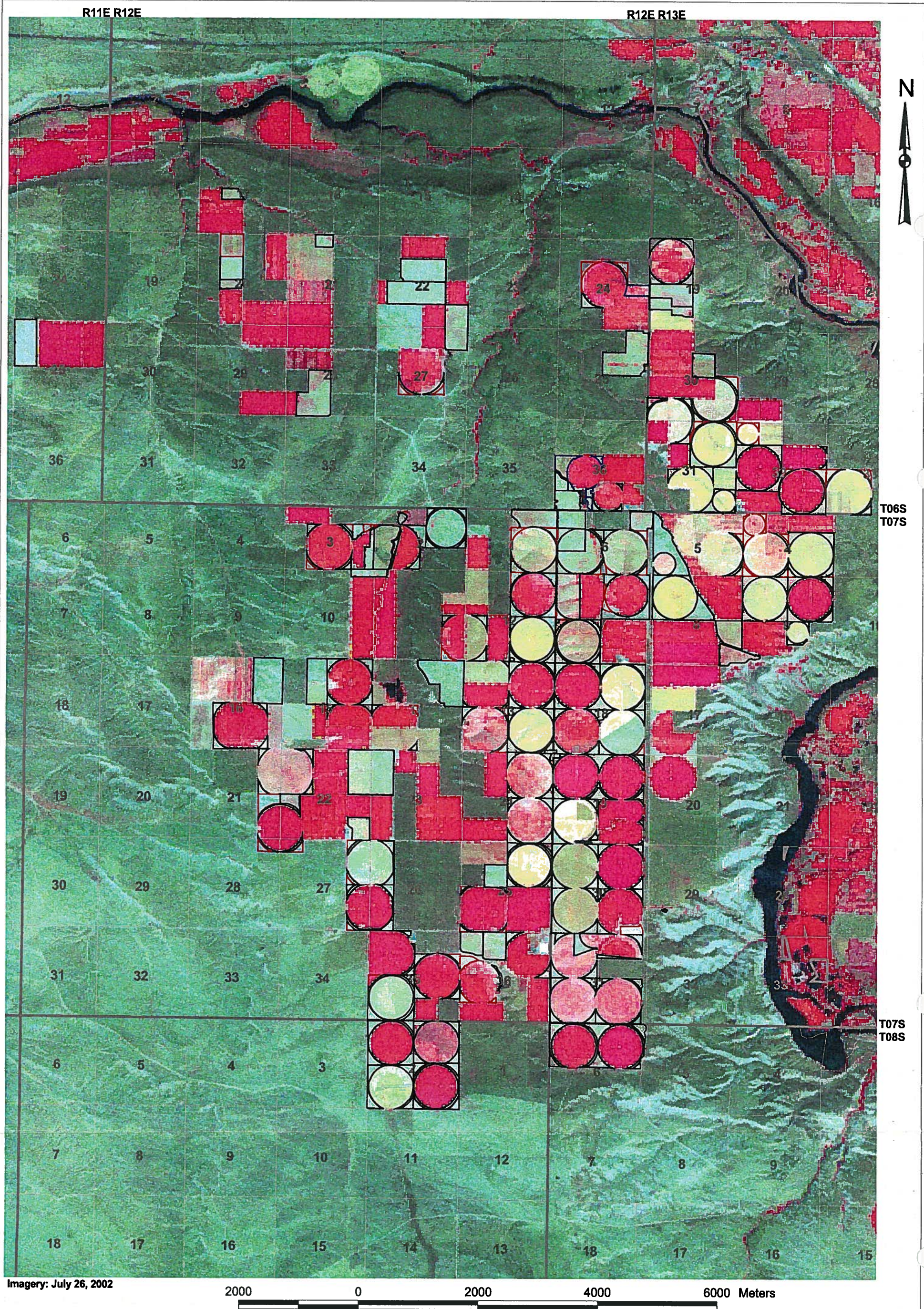
Travis L. Thompson
Barker, Rosholt, & Simpson, LLP
PO Box 2139
Boise ID 83701-2139

Debbie Allen
IDWR, Fiscal Section

BELL RAPIDS MUTUAL IRRIGATION COMPANY
PAYMENT NO. 1 ACREAGE ESTIMATES FOR RENTAL OF WATER FROM
HIGH-LIFT PUMPERS FROM THE SNAKE RIVER TO THE WATER SUPPLY BANK

Land Unit	Cert	Current Eligibility Status	Total Measured Acres
U11	C367	ELIGIBLE	45.7
U11	C367	INELIGIBLE	10
U13	C396	ELIGIBLE	44.7
U13	C396	INELIGIBLE	5
U14	C348	ELIGIBLE	36.2
U15	C279	ELIGIBLE	50.3
U15	C280	ELIGIBLE	51.7
U15	C280	INELIGIBLE	14.3
U17	C409	ELIGIBLE	29.5
U17	C409	INELIGIBLE	32.4
U18	C349	ELIGIBLE	193.6
U21	C275	ELIGIBLE	46.1
U22	C420	ELIGIBLE	29.3
U24	C273	ELIGIBLE	18.4
U25	C323	ELIGIBLE	11.8
U25	C323	INELIGIBLE	8.5
U26	C373	ELIGIBLE	57.8
U28	C403	ELIGIBLE	124.6
U30	C383	ELIGIBLE	11.3
U30	C383	INELIGIBLE	2.5
U31	C278	ELIGIBLE	60.6
U32A	C419	ELIGIBLE	46.8
U32A	C419	INELIGIBLE	3.2
U32B	C268	ELIGIBLE	60.9
U33	C401	ELIGIBLE	99.8
U34	C337	ELIGIBLE	120.1
U34	C337	INELIGIBLE	6.4
U34	C338	ELIGIBLE	12.6
U36	C395	ELIGIBLE	21.9
U37	C320	ELIGIBLE	67.5
U37	C320	INELIGIBLE	7.2
U38A	C429	ELIGIBLE	124.6
U38A	C429	INELIGIBLE	10.8
U38	C288	ELIGIBLE	153.9
U39 U63	C290	ELIGIBLE	86
U3	C414 C415	ELIGIBLE	185.6
U3	C414 C415	INELIGIBLE	12.2
U40 U46	C385	ELIGIBLE	7.1
U40 U46	C386	ELIGIBLE	70
U40 U46	C387	ELIGIBLE	46.7
U40 U46	C387	INELIGIBLE	10.4
U40 U46	C388	ELIGIBLE	33.6
U40 U46	C388	INELIGIBLE	24.2

Land Unit	Cert	Current Eligibility Status	Total Measured Acres
U40 U46	C389	ELIGIBLE	40.2
U40 U46	C389	INELIGIBLE	6.4
U40 U46	C390	ELIGIBLE	71.7
U40 U46	C391	ELIGIBLE	6.3
U40 U46	C391	INELIGIBLE	26.8
U41	C283	ELIGIBLE	51.2
U42	C369	ELIGIBLE	54.1
U42	C369	INELIGIBLE	12.1
U42	C370	ELIGIBLE	222.7
U43	C371	ELIGIBLE	168.2
U43	C371	INELIGIBLE	13.1
U43	C372	ELIGIBLE	150.2
U43	C372	INELIGIBLE	19.2
U44	C362 C363	ELIGIBLE	58.8
U44	C362 C363	QUESTIONABLE	38.1
U45	C384	ELIGIBLE	53.4
U45	C384	INELIGIBLE	10.8
U47	C347	ELIGIBLE	39
U47	C347	INELIGIBLE	8.8
U48 U49	C394	ELIGIBLE	293.8
U48 U49	C394	INELIGIBLE	14.9
U48 U49	C394	QUESTIONABLE	19.5
U51	C326	ELIGIBLE	100.7
U52	C380	ELIGIBLE	7.9
U52	C380	INELIGIBLE	9
U53	C311	ELIGIBLE	79.5
U56	C314	ELIGIBLE	16.8
U56	C315	ELIGIBLE	73.7
U56	C315	INELIGIBLE	40.2
U57	C382	ELIGIBLE	79.3
U5	C418	ELIGIBLE	27
U60	C339	ELIGIBLE	180.2
U64	C327	ELIGIBLE	0.6
U6	C392	ELIGIBLE	78.2
U7	C364 C366	ELIGIBLE	105.2
U7	C364 C366	INELIGIBLE	17.3
U8	C300	ELIGIBLE	48.6
U8	C302	ELIGIBLE	52.3
TOTAL ESTIMATED ELIGIBLE ACRES:			4008.4



Prepared by:
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83709
(208) 327-7900

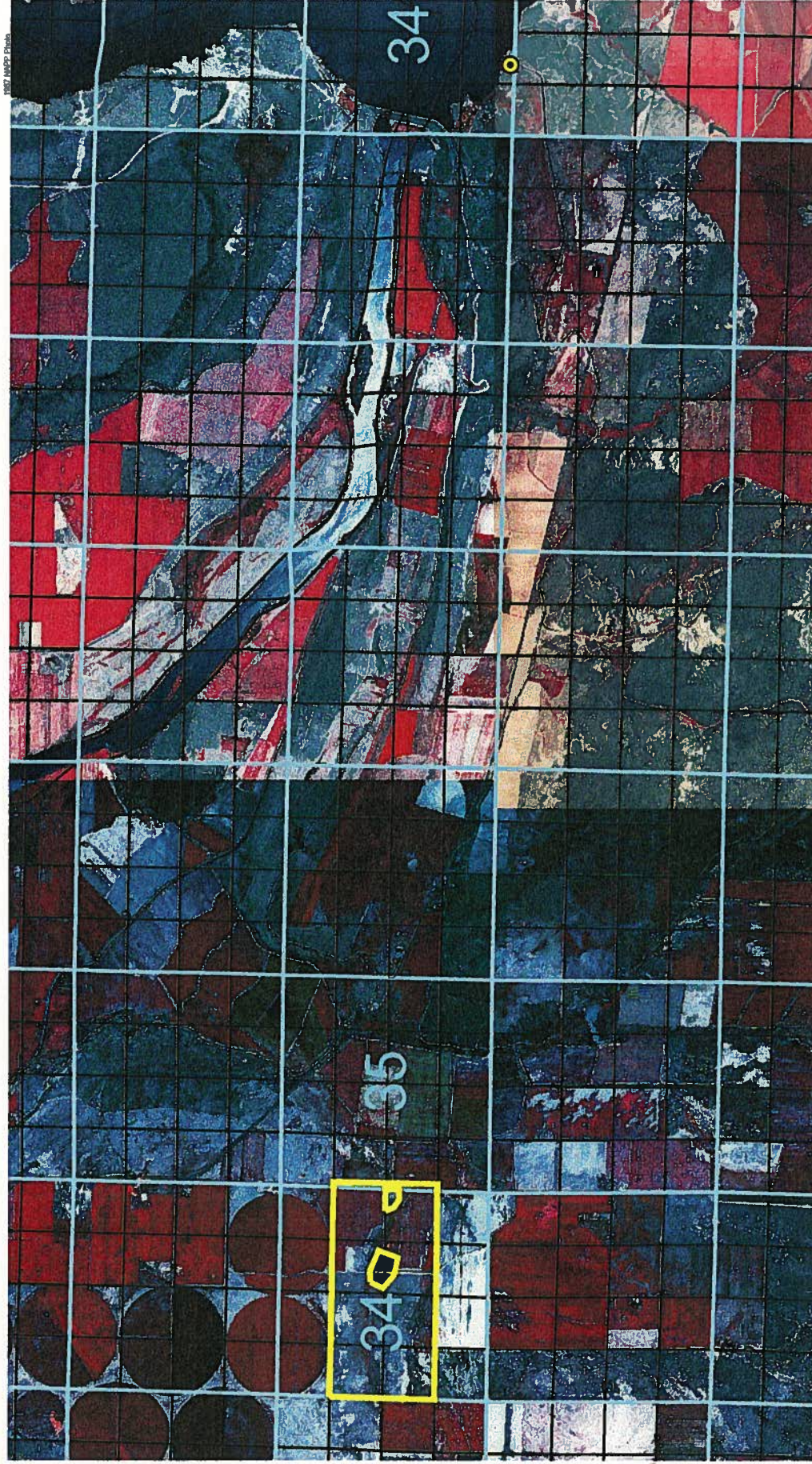
Bell Rapids Mutual Irrigation Company

Payment No.1 Acreage Estimates for Rental of Water
from High-Lift Pumpers from the Snake River
to the Water Supply Bank

Prepared: October 1, 2002

☐ ELIGIBLE
☐ INELIGIBLE
☐ QUESTIONABLE
☐ Township/Range Lines
☐ Section Lines

Idaho Department of Water Resources



0 1 2 3 4 5 Miles



- Place of Use
- Point of Diversion
- Section Lines
- Quarter Quarter Lines

Claim Number: 02-02242
Legal: T05S, R04E, S34 &
T05S, R03E, S34 & S35
Reviewed By: JLD 7/8/05

07/08/2005

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

RIGHT NUMBER: 2-2242

NAME AND ADDRESS: JACK POST
PO BOX 298
MOUNTAIN HOME ID 83647

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 6.380 CFS
1,595.000 AFY

The rights listed below are limited to a total combined diversion rate of 14.4 cfs and to a total combined annual diversion volume of 3600 AF. Combined Right Nos.: 57-02304C, 57-02327, 57-04000, 57-04106, 57-07226, & 57-07449.

PRIORITY DATE: 11/18/1963

POINT OF DIVERSION:

T05S R04E S34 SESW Lot 9 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	6.380 CFS 1,595.00 AFY

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 31 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.

PLACE OF USE: IRRIGATION Within OWYHEE County

T05S R03E S34	SWNE	36.0	T05S R03E S34	SENE	38.0
T05S R03E S34	SWNW	40.0	T05S R03E S34	SENW	39.0
T05S R03E S34	NESW	39.0	T05S R03E S34	NWSW	39.0
T05S R03E S34	NESE	38.0	T05S R03E S34	NWSE	39.0
T05S R03E S35	SWNW	5.0	T05S R03E S35	NWSW	6.0

319 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 720 acres in a single irrigation season. Combined Right Nos.: 57-02304C, 57-02327, 57-04000, 57-04106, 57-07226, & 57-07449.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

State of Idaho

WATER LICENSE

Water License No. 31535 Priority November 18, 1963 Amount 6.38 c.f.s.

THIS IS TO CERTIFY, that CLINTON W. GINGRICH
 of Nampa, Idaho, made application for a permit to appropriate the public waters of
 the State of Idaho, dated November 18, 1963; that Permit 31535 was issued pursuant
 to said application; that the proposed works were completed on or about April 1967
 with a storage/or carrying capacity of 7.34 c.f.s., said works consisting of pump,
motor and earth canal; and that on November 6, 1967
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1595
 acre feet per season, with a maximum rate of diversion of 6.38 cubic feet per second of the waters
 of Snake River, tributary of Columbia River,
 for the purpose of irrigation from April 1 to October 31;
 and for _____ from _____ to _____; and for
 _____ from _____ to _____; and that the use
 of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
 mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
 located in Lot 9 ~~xx~~ Sec. 34, T. 5 S, R. 4 E, B.M., and
 other additional points _____, in the County of
Owyhee; and that the amount of water to which such right is
 entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
 used for said purposes and shall not exceed 1595 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>5 S</u>	<u>3 E</u>	<u>34</u>			<u>36</u>	<u>38</u>			<u>40</u>	<u>39</u>	<u>39</u>	<u>39</u>			<u>38</u>	<u>39</u>			<u>308</u>
		<u>35</u>							<u>5</u>			<u>6</u>							<u>11</u>

Total number of acres irrigated 319

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
 as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
18th day of October, 19 68.

[Signature]
 State Reclamation Engineer

2-2290

31535

2-00071

Seems that the agreement doesn't show beneficial use on the land, therefore, unless the agreement (Book 57, page 344, 23 Sept 1964) gives evidence of irrigation the claim must be disallowed due to no lawful appropriation found

Owner: Same as taxlot info

Priority date: agreement of said date as per claim in old 02 adjudication (7/1/1964)

POD: agreement to use pump at said POD

Source: POD on Snake River

POU: as per 1974 orthophoto quad of Grand View

Use: irrigation (as per 1974 photo)

Period: can be recommended as standard

Quantity: as per 1964 agreement for 0.5 cfs

No mention of this water in affidavits for 2-4027 signed in 1978.

Same POD as 2-07344

2-04027

Affidavits from 1978 state that by "personal knowledge" these people know that irrigation on the land began in 1962. Seems reasonable, but the question "how do you know?" is never answered in the statement, are the affidavits sufficient?

As per conversation with Don Shaff 7/11/05 it is sufficient to show priority date, additional evidence needed to verify quantity, POD, POU

Owner: claimant matches taxlot data

Priority date: recommended as claimed due to 3 affidavits in the statutory claim file describing the pou, pod, and quantity

POD: recommended as per 2-2405 field report (supported by affidavits)

Source: recommended as per 2-2405 field report (same as POD)

POU: recommended as per 2-7344 field report (supported by affidavits)

Use: recommended as per 2-7344 field report (supported by affidavits)

Period: recommended as per standard

Quantity: recommended as per agreement for 5 cfs (supported by affidavits), ability to divert shown in 2-2405 field report

2-07344

Recommended as claimed, no volume limit added because license leads to combined use limits rather than volume limit on this water right.

Included minimum stream flow condition WB9, may need to be looked at, additional legal advice pending

44

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)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-04000

1998 APR 13 AM 10:26
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: REG MEAKER
HOLLY MEAKER
7314 SUNNYBROOK DR
BOISE ID 83709

02:57 over lap totals
438 acres = 8.76 cfs
= 2190 AFY

SOURCE: UNNAMED STREAM TRIBUTARY: TWENTY MILE CREEK

QUANTITY: 2.4 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 8.24 CFS. COMBINED RIGHT NOS.:
57-023048, 57-02327, 57-04106, 57-07226 & 57-07449.

PRIORITY DATE: 04/01/1961

POINT OF DIVERSION: T05S R03E S34 SWNE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.4 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County			
	T05S R03E S26	NWSW 4	SWSW 35	SESW 4	
	S35	NWNE 5	SWNE 29	SENE 2	NENW 29
		NWNW 39	SWNW 32	SENW 38	NESW 40
		NWSW 39	SWSW 32	SESW 38	NWSE 25
		SWSE 21			
	412 ACRES TOTAL				

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 412 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 57-023048, 57-02327,
57-04106, 57-07226 & 57-07449.

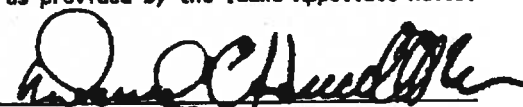
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPOR
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 02 RIGHTS.

No Partial Decree
for 57-4106
57-7226

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED 71 71
2002 OCT 23 PM 2 56

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 57-02304C

NAME AND ADDRESS: HOLLY MEAKER
REG MEAKER
7314 SUNNYBROOK DR
BOISE, ID 83709

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 4.31 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 8.24 CFS. COMBINED RIGHT NOS.:
57-02304D 57-02327, 57-04000, 57-04106, 57-07226 & 57-07449.

PRIORITY DATE: 10/12/1966

POINT OF DIVERSION: T05S R03E S35 NESWNE Within Owyhee County
T06S R03E S02 LOT 2 (SENWNE)

NO MORE WATER SHALL BE DIVERTED IN SECTION 35 UNDER THIS RIGHT
THAN IS AVAILABLE AT THE SAME TIME FOR DIVERSION UNDER THIS RIGHT
IN SECTION 2. TWO POINTS OF DIVERSION LOCATED IN T05S, R03E,
S35, NESWNE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.31 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 31 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.

PLACE OF USE:	Irrigation		Within Owyhee County
	T05S R03E S26	NWSW 4.0	SWSW 35.0
		SESW 4.0	
	S35	NWNE 5.0	SWNE 29.0
		NENW 29.0	NWNW 39.0
		SWNW 32.0	SENW 38.0
		NESW 40.0	NWSW 39.0
		SWSW 32.0	SESW 38.0
		NWSE 25.0	SWSE 21.0
	410.0 Acres Total		

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 410 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 57-02327, 57-04000,
57-04106, 57-07226 & 57-07449.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 284.6 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME
PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH
WILL BE INCLUDED IN A DIRECTORS REPORT TO BE FILLED AT A LATER

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE BASIN 02 RIGHTS.

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

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-02327

1998 APR 13 AM 10:26

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: REG MEAKER
HOLLY MEAKER
7314 SUNNYBROOK DR
BOISE ID 83709

SOURCE: TWENTYMILE GULCH TRIBUTARY: SHOOFLY CREEK

QUANTITY: 4.6 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 8.24 CFS. COMBINED RIGHT NOS.:
57-023048, 57-04000, 57-04106, 57-07226 & 57-07449.

USE OF THIS RIGHT WITH RIGHT NOS. 57-07226 & 57-07449 IS
LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 981 ACRE
FEET.

PRIORITY DATE: 01/18/1960

POINT OF DIVERSION: T05S R03E S35 NWSWS Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	4.6 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County				
	T05S R03E S26	NWSW 4	SWSW 35	SESW 4		
	S35	NWNE 5	SWNE 29	NENW 29	NWNW 39	
		SWNW 32	SENW 38	NESW 40	NWSW 39	
		SWSW 11	SESW 5	NWSE 25	SWSE 5	
	340 ACRES TOTAL					

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 412 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS. 57-023048, 57-04000,
57-04106, 57-07226 & 57-07449.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 218 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 02 RIGHT.

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.



DANIEL C. MURBOTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-07449

1998 APR 13 AM 10:26

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

NAME & ADDRESS: REG MEAKER
HOLLY MEAKER
7314 SUNNYBROOK DR
BOISE ID 83709

SOURCE: TWENTYMILE GULCH TRIBUTARY: SHOOFLY CREEK

QUANTITY: 1.41 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 8.24 CFS. COMBINED RIGHT NOS.:
57-023048, 57-02327, 57-04000, 57-04106 & 57-07226.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 981 AF. COMBINED RIGHT
NOS.: 57-02327 & 57-07226.

PRIORITY DATE: 06/20/1985

POINT OF DIVERSION: T05S R03E S35 NWSWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	1.41 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County			
	T05S R03E S26	NWSW 4	SWSW 35	SESW 4	
	S35	NWNE 5	SWNE 29	NENW 29	NNNW 39
		SNNW 32	SENN 38	NESW 40	NWSW 39
		SWSW 11	SESW 5	NWSE 25	SWSE 5
	340 ACRES TOTAL				

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 412 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 57-023048, 57-02327,
57-04000, 57-04106 & 57-07226.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 122 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 02 RIGHTS.

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.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

71+4027+7344 = .02 cfs/acre

APR - 2242

71 - Holly? Reg Weaker
7/1/1964
418 acres
.5 cfs
0.0012 cfs/acre
Beneficial Use

4027 - Holly? Reg Weaker
5/1/1962
418 acres
5 cfs
0.012 cfs/acre
Beneficial Use

56 - Alvin? Lajeau Dally? Lisa? Patrick Field
6/1/1912
412 acres
8.84 cfs
.0215 cfs/acre
Beneficial Use
102 cfs/acre = 8.24 cfs

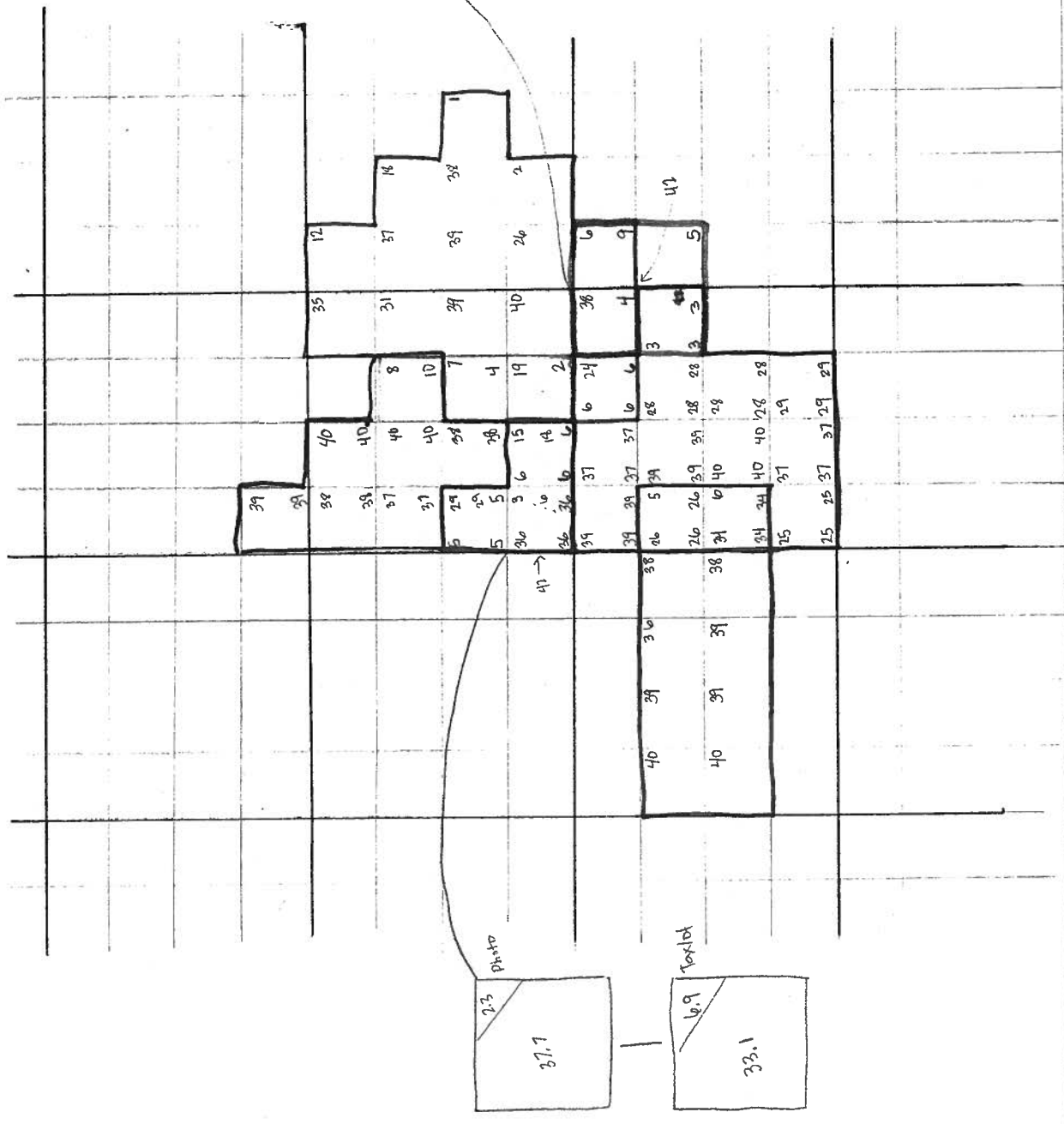
10031 - Kelly Darlington
6/1/1912
29 acres
.5 cfs
.0172 cfs/acre
Beneficial Use

7344 - Holly? Reg Weaker
5/6/1981
418 acres
2.86 cfs
0.0068 cfs/acre
License

10167 - Howard J Field
5/12/1967
287 acres
4.44 cfs
0.155 cfs/acre
Beneficial Use
Split from 2-00053 with 210168

2242 - Nice View Investors Farms
11/18/1963
320 acres
6.38 cfs
1595 AFY
.0199 cfs/acre
4.98 AFY/acre
License

10169 - Howard J Field
7/15/81
301 acres
6.02 cfs
1505 AFY
.02 cfs/acre
5 AFY/acre
License
Split from 2-07357 with 210170



See original in 2-71



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 2-2242
Date Received: 1/19/1989
Receipt No: S006094
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JACK POST Phone: (208)587-7197
PO BOX 298
MOUNTAIN HOME ID 83647

2. Date of Priority: 11/18/1963

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	04E	34	SE SW 9	OWYHEE	

5. Description of diverting works:

PUMPS, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	6.38	1595

7. Total Quantity Appropriated is:
6.38 C.F.S. and/or 1595 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
05S	03E	34	SW	NE		IRRIGATION	36
			SE	NE		IRRIGATION	38
			SW	NW		IRRIGATION	40
			SE	NW		IRRIGATION	39
			NE	SW		IRRIGATION	39
			NW	SW		IRRIGATION	40
			NE	SE		IRRIGATION	38
			NW	SE		IRRIGATION	39
						Section Acres	309
05S	03E	35	SW	NW		IRRIGATION	5
			NW	SW		IRRIGATION	6
						Section Acres	11
						Total Acres	320

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:

14. Remarks:

15. Basis of Claim: License

RECEIVED

STATE OF IDAHO

JAN 26 2000

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern Region

RECEIVED

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

JAN 24 2000

Incomplete forms will be returned.

RECEIVED

WATER RESOURCES
WESTERN REGION

AUG 20 2004

DEPARTMENT OF
WATER RESOURCES1. Water Right Number(s) A02-02242 11-18-63 6.38 CFS

Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s)

Lester and Leona Hatch

4. New Owner/Claimant(s)

Jack Post

Name connector (Check one): [] AND, [] OR, [] AND/OR

New Mailing Address

Box 298

City, State and ZIP Code

Mtn Home Idaho 83647

New Telephone Number

(208) 587-7197

5. Date you acquired the property

11-01-99

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS

cubic feet per second

Number of homes _____

Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)

Jackie P. PostDate 11-1-99Box 298, Mtn Home 83647

Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

RECEIVED

JAN 26 2000

RECEIVED

JAN 24 2000

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

Department of Water Resources
Southern Region

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

RECEIVED

AUG 20 2004

DEPARTMENT OF
WATER RESOURCES1. Water Right Number(s) A02-02242 11-18-63 6.38 CFS

Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) NICE VIEW INVESTORS, INC.

4. New Owner/Claimant(s)

ABRAM LESTER HATCH & ^{Lerna} LORNA RAE HATCH

Name connector (Check one): [] AND, [] OR, [] AND/OR

New Mailing Address _____

City, State and ZIP Code _____

New Telephone Number () _____

5. Date you acquired the property 11-01-99

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____

cubic feet per second

Number of homes _____

Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)

Abram Lester Hatch
Lerna R. Hatch

Date

11-1-99

Date

11-1-99

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

00-5816
AJ5816NP
SELECTION FILE: POST

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION SOURCE SUMMARY REPORT
BY WATER SOURCE/WATER RIGHT NUMBER

DATE: 01/12/99
TIME: 14:21:13
PAGE: 1

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	STG	POINT OF DIVERSION	POD FLAG TOTAL DIVERSION	TOTAL ACRES	WATER USES
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WATER SOURCE: SHOOFLY CREEK

A57-02274	DRAPER, CHARLES RAYMOND	05/26/1964	P	06S 03E 2	NWNE 2	6.000 CFS	366.0 01
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WATER SOURCE: TWENTY MILE CREEK, NORTH FORK

A57-02324	DRAPER, CHARLES RAYMOND	04/28/1964	P	05S 03E 34	SWNE	7.200 CFS	283.0 01
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WATER SOURCE: TWENTYMILE GULCH

57-02324	DRAPER, CHARLES RAYMOND	05/01/1964	D	05S 03E 34	NESW	22.000 AFA	360.0 02,03
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WATER SOURCE: UNNAMED STREAM

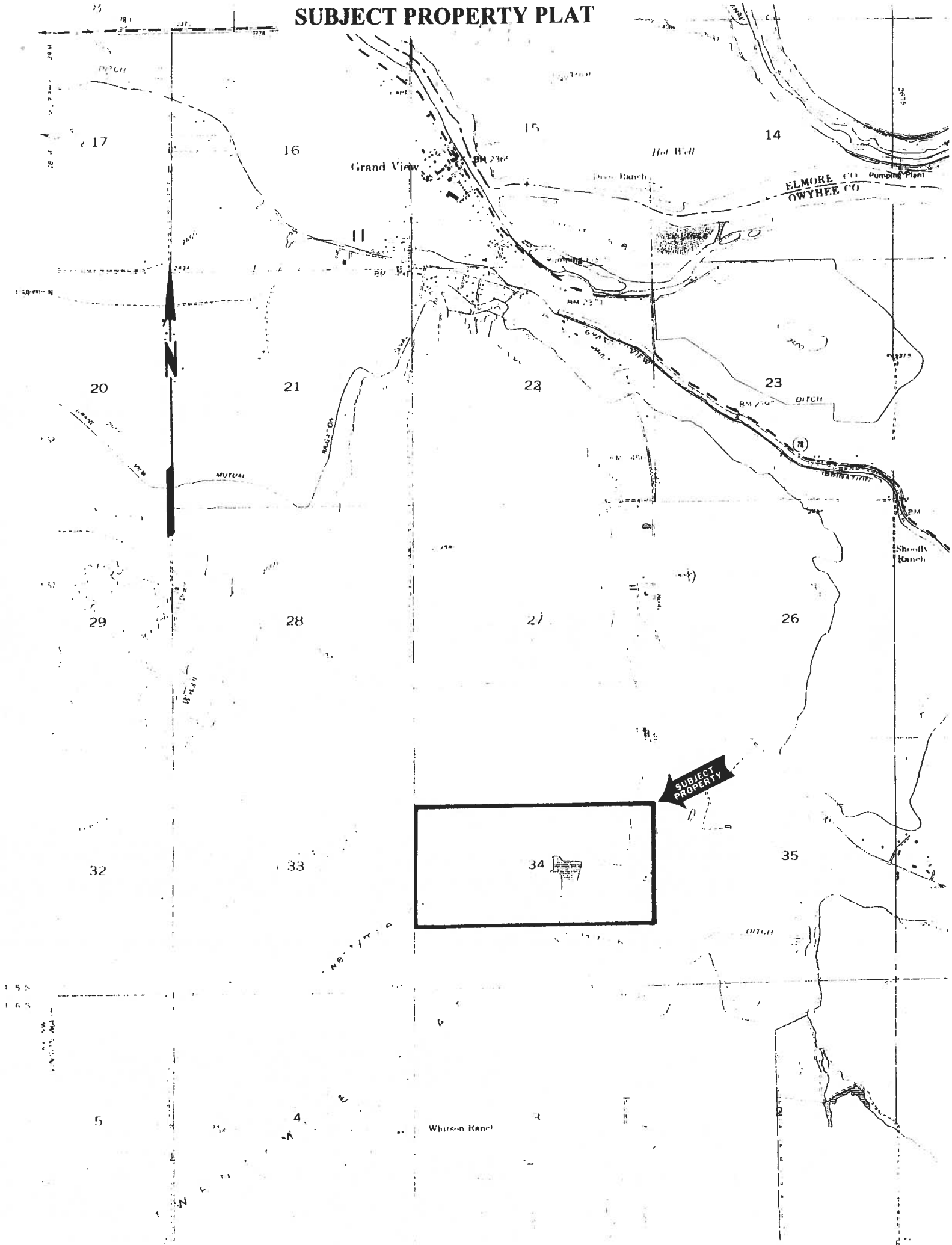
57-04000	MEAKER, REG	04/01/1961	J	05S 03E 34	SWNE	2.400 CFS	412.0 01
A57-02264	DRAPER, CHARLES RAYMOND	05/18/1967	P	06S 03E 2	NWNE 2	4.000 CFS	240.0 01
A57-04000	MEAKER, REG	04/01/1961	S	05S 03E 34	SWNE	2.400 CFS	337.0 01
R57-04000	MEAKER, REG	04/01/1961	J	05S 03E 34	SWNE	2.400 CFS	412.0 01

WATER SOURCE: SNAKE RIVER

A02-02241	J R SIMPLOT COMPANY	11/06/1963	L	05S 03E 15	SESW	16.120 CFS	1081.0 01
A02-02242	NICE VIEW INVESTORS FARMS	11/18/1963	L	05S 04E 34	SESW 9	6.380 CFS	320.0 01
A02-02279	DIRKS, ROBERT G	02/28/1964	L	05S 04E 34	SESW	6.180 CFS	309.0 01

Water rights

SUBJECT PROPERTY PLAT



QUITCLAIM DEED

FOR VALUE RECEIVED

Abram Lester Hatch and Leona R. Hatch, husband and wife

DO HEREBY CONVEY, RELEASE, REMISE AND FOREVER QUITCLAIM
UNTO Jackie P. Post, a married man

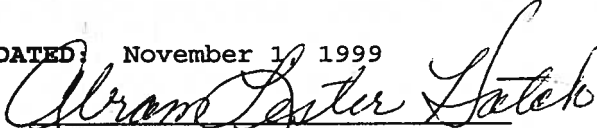
WHOSE ADDRESS IS:

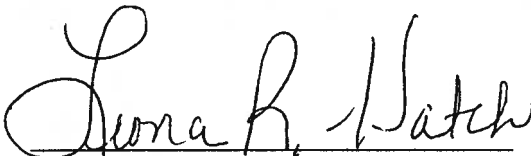
THE FOLLOWING DESCRIBED PREMISES, TO-WIT:

See attached Legal Description

TOGETHER WITH THEIR APPURTENANCES.

DATED: November 1, 1999


Abram Lester Hatch


Leona R. Hatch

=====

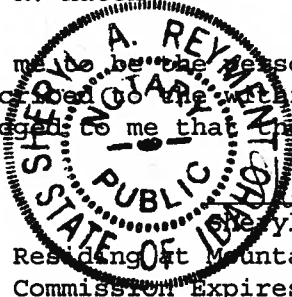
STATE OF IDAHO, COUNTY OF Elmore

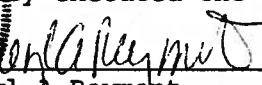
On this 1st day of November 1999,
before me, a notary public in and for said
State personally appeared

Abram Lester Hatch

Leona R. Hatch

known to me to be the person(s) whose name(s)
are subscribed to the within instrument and
acknowledged to me that they executed the same.




Cheryl A. Reymont
Residing at Mountain Home
Commission Expires December 27, 1999

PO 2924

Exhibit "A"

IN TOWNSHIP 5 SOUTH, RANGE 3 EAST, BOISE MERIDIAN, OWYHEE COUNTY, IDAHO

Section 34:

South Half of the North Half, North Half of the Southwest Quarter, Northwest Quarter of the Southeast Quarter, South Half of the Northeast Quarter of the Southeast Quarter, Northwest Quarter of the Northeast Quarter of the Southeast Quarter

Section 35:

That portion of Section 35, Township 5 South, Range 3 East, Boise Meridian, described as follows:

STARTING at a point on the dividing line between Sections 34 and 35, Township 5 South, Range 3 East, Boise Meridian, 1,320 feet South of the Northwest corner of the Northwest Quarter, Section 35; thence due

East 235.5. feet; thence due

South 2,715 feet; thence

West 235.5. feet; thence due

North 2,715 feet to the POINT OF BEGINNING.

Excepting therefrom "all mineral deposits in the lands so patented pursuant to the Act of October 21, 1976 (90 Stat. 2757:43 U.S.C. 1719), and to it or persons authorized by it, the right to prospect, mine, and remove such deposits from the same under applicable law and such regulations as the Secretary of the Interior may prescribe." Affects the Northeast Quarter of the Northeast Quarter of the Southeast Quarter of Section 34, Township 5 South, Range 3 East.

Idaho Department of Water Resources



Claim Number: 02-02242
Legal: T05S, R04E, S34 &
T05S, R03E, S34 & S35
Reviewed By: JLD 7/8/05

-  Place of Use
-  Point of Diversion
-  Section Lines
-  Quarter Quarter Lines

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: A02-02242
Date Received: 1/18/1989
Receipt No: 5006094
Received By: CLW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NICE VIEW INVESTORS FARMS 213-277-7200
Address: %ED PIERCE
2029 CENTURY PARK EAST
SUITE 3300
LOS ANGELES, CA 90067

2. Date of Priority: NOV 18, 1963

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	04E	34	SE	SW		9	OWYHEE

5. Description of diverting works:
PUMPS, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	6.380		1595.00

7. Total Quantity Appropriated is:
6.380 C.F.S. (and/or) 1595.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	03E	34	SW	NE		IRR	36.0
			SE	NE		IRR	38.0

A02-02242

Page 1

Date: 01/18/89

MICROFILMED

MAR 20 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	03E	34	SW		NW		IRR	40.0
			SE		NW		IRR	39.0
			NE		SW		IRR	39.0
			NW		SW		IRR	40.0
			NE		SE		IRR	38.0
			NW		SE		IRR	39.0
							Section Acres	309.0
		35	SW		NW		IRR	5.0
			NW		SW		IRR	6.0
							Section Acres	11.0
							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:

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 31535

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 Organizations:

I do solemnly swear or affirm that I am Owner of _____
Title

Nice View Investments Form that I have signed the foregoing
Organization

document in the space below as Owner of _____
Title

Nice View Investments Form and that the statements contained in the
Organization

foregoing document are true and correct.

Nice View Investments by Jack C. McCall
Signature of Authorized Agent

Owner
Title and Organization

1/18/89
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 18th day

of January 19 89

Seal

Christine L. Hinton
Notary Public

1115 11th Ave. E

Residing at Twin Falls, Idaho

My Commission Expires 1-3-95

ACQUISITION PROOF READING REPORT

09/19/84

WATER RIGHT NUMBER 02-2242

OWNER LAST NAME - LAYTON

FIRST NAME - D. C.

ORIG OWNER -

ADDRESS LINE 1 - STAR RT, BOX 57

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - MURKISTOWN

STATE - AZ ZIP CODE - 85342

SOURCE - SNAKE RIVER

TRIBUTARY OF - COLUMBIA RIVER

STATUS -

STATUS

PRIORITY - 11-18-1963

TOTAL DIV. RATE - 6.3800 CFS

TOTAL DIV. VOLUME - .00 AFR TRFR/AMEND -

DIVERSION POINT - SEC 34 T8S R4E LOT 09 REDIV -

WRITER DIST. - 02 DLE/CAREY ACT - RIGHT BASIS - E.

FROM - 03-15-10 - 11-15 USE - IRRIGATION

USE - IRRIGATION

USE DIV. RATE - 6.3800 CFS

PLACE OF USE - TUN 05S R03E SEC 34 TRACT SW1/4 LOT

USE - IRRIGATION

PLACE OF USE - TUN 05S R03E SEC 34 TRACT SW1/4 LOT

USE - IRRIGATION

PLACE OF USE - TUN 05S R03E SEC 34 TRACT SW1/4 LOT

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USE - IRRIGATION

PLACE OF USE - TUN 05S R03E SEC 34 TRACT SW1/4 LOT

USE - IRRIGATION

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USE - IRRIGATION

PLACE OF USE - TUN 05S R03E SEC 34 TRACT SW1/4 LOT

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USE - IRRIGATION

PLACE OF USE - TUN 05S R03E SEC 34 TRACT SW1/4 LOT

USE - IRRIGATION

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PLACE OF USE - TUN 05S R03E SEC 34 TRACT SW1/4 LOT

USE - IRRIGATION

PLACE OF USE - TUN 05S R03E SEC 34 TRACT SW1/4 LOT

IN THE DISTRICT COURT OF THE Fourth JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Ada

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF ____
Snake River from base of Milner
Dam to Oregon ~~DEPARTMENT OF BASINS~~
Border.

NOTICE OF CLAIM TO A WATER RIGHT

02-2242	
I.D. No.	Map No.
\$10 ⁰⁰ / ₁₀₀	338
Fee Paid	Receipt No.

Notice is hereby given that D. C. Layton

Star Route, Box 57, Morristown, Oregon 95342 Arizona 85342 Telephone No. (602) 388-2386
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 11/18/1963
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | |
|--|--|--|-------------------------------|
| Quantity <u>6.38 cfs</u>
(CFS, GPD, AF) | Use <u>A Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u>
(Mo., Day) | To <u>11/15</u>
(Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____
(Mo., Day) | To _____
(Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____
(Mo., Day) | To _____
(Mo., Day) |
| | | (Both dates inclusive) | |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____
(Mo., Day) | To _____
(Mo., Day) |
| | | (Both dates inclusive) | |
- (4) 6.38 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source (SE 1/4 SE 1/4 SW 1/4) Sec. 34, Twp. 5S, Rge. 4E, B.M., Owyhee County
Additional Points: SCI: 2720(1) 492.5
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Sprinkler Irrigated
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total no. of acres ~~319~~ 310

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks _____

- (9) Basis of claim (Check one)
JKN
- ☐ A) Right based on diversion and beneficial use.
- ☐ B) Right decreed by court, cite title of case.
- ☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-2242
- 5-25-82 aje
- KEYDUNCHED

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual 188-217

~~May 5, 1981~~
(Date)

Individual

(Signature of Claimant)

(Signature of Spouse)

Organization

State of ~~Idaho~~

Organization

County of Owyhee

Seal

(Signature of Authorized Agent)

On this 5th th day of May MAY, in the year 1981 before me
a notary public, personally appeared D. C. Layton

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires _____

Notary Public residing at ~~Moise~~ Phoenix Arizona

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF
Snake River from base of Milner Dam to Oregon DRAINAGE BASIN Border.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-2242	
I.D. No.	Map No.
\$ 10.00	338
Fee Paid	Receipt No.

Notice is hereby given that D. C. Layton (Name of Claimant)

Star Route, Box 57, Morristown, Oregon 97132 (Mailing Address) Telephone No. (602) 388-1386 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:
(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 11/18/1963

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 6.38 cfs Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 6.38 cfs TOTAL QUANTITY CLAIMED. (Lot 9) 0

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE 1/4 SE 34 County
Sec. 34, Twp. 5S, Rge. 4E, B.M., Owyhee
Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Sprinkler Irrigated

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
6S	3E	34			36	38			40	39	39	39			38	39			308
		35							5			6							11

Total no. of acres 319

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-2242

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

May 5, 1981

(Date)

(Signature of Claimant)

Organization

(Signature of Spouse)

State of Idaho ss.

Organization

County of Owyhee

Seal

(Signature of Authorized Agent)

On this 5th day of May, 1981, before me a notary public, personally appeared D. C. Layton

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires 1981 Notary Public residing at Boise

WATER LICENSE

Water License No. 31535

Priority

November 16, 1963

Amount

6.38 c.f.s.

THIS IS TO CERTIFY that

CLINTON W. GINGRICH

of Nampa, Idaho

made application for a permit to appropriate the public waters of the State of Idaho, dated November 18, 1963; that Permit 31535 was issued pursuant

to said application; that the proposed works were completed on or about April 1967

with a storage or carrying capacity of 3.34 c.f.s.

said works consisting of pump,

motor and earth canal

and that on November 6, 1967

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1595

acre feet per season, with a maximum rate of diversion of 6.38 cubic feet per second of the waters

of Snake River

tributary of

Columbia River

for the purpose of Irrigation

from

April 1

to October 31

and for

from

to

and for

from

to

; and that the use

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-

mation Engineer and entered in the records of the Idaho Department of Reclamation; the point of diversion is

located in Lot 9

XX

XX Sec. 34

T. 5 S

R. 4 E

B.M., and

other additional points

in the County of

Owyhee

; and that the amount of water to which such right is

entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially

used for said purposes and shall not exceed 1595 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5 S	3 E	34			36	28			40	39	39	39			38	39			308
		35							5			6							11

Total number of acres irrigated 319

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho this

18th day of October, 1968.

E. Kirk Higin
State Reclamation Engineer

3-2272

31535

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 31535 702-2242

REPORT ON PROOF OF Completion of Works and Beneficial Use

02-2242

Form 43
2-1-4-45

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 31595/02-2242

This proof is for Completion of Works and Beneficial Use in Water District No. _____

1. Name of applicant Clinton W. Gingrich

2. Source of water supply: Snake River

3. Location of point of diversion: Is in the Lot 9 of Section 34

T. 5S R. 4E County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same:

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion:

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S. 1/4 NE 1/4, S. 1/4 NW 1/4, N. 1/4 SW 1/4, N. 1/4 SE 1/4, S. 1/4 C. 34, T. 5 S, R. 3 E, B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

This examination was made on the _____ day of _____ 19____

(Signed)

Examiner

WANT ... DOCS ... ~~SITE~~ ?

1 275 HP ELE WESTINGHOUSE # 1050072
F & M CENTRIFUGAL # 5872
14" CHECK VALVE - 14" CHECK VALVE
INTO 32" PWSOCK

2 60 HP WEST VERT TURNING # 1052738
CHECK VALVE - 8" DISCHARGE INTO
32" PWSOCK

OUT N.T. 2 DISCHARGE
INTO 32" PWSOCK

200 HP US VOLSCHAF # 1362726
BARKLEY V.T. # 71350 12" C.V.
INTO 24" PWSOCK

275 HP ELE WESTINGHOUSE # 1050072
F & M CENTRIFUGAL # 5872 14" DISCHARGE
INTO 24" PWSOCK - INTO 32" PWSOCK.
1/4 MILE * INTO EARTH AREA.
02-2242

R-4E

36-27-32-40
40-40

Idol-205

Q measured _____
Q recommended _____
Volume _____
Acreage _____
Found _____
recommended _____
Subdv. _____
Amendments _____
☐ None
☐ P.D.
☐ Place of Use
☐ _____

1961 1 18 1964

1962 1 18 1964

Rd 3 E.
Rd 4 E.

Twp 5 S
Twp 6 S

Stake River

Stake
Reservoir
Army
Plant
Pipeline

SCALE: 2 inches Equal 1 Mile. Draw Plan in Int.

12 31723



As approved FEB 18 1964
CARTER J. J. J.
State Geologist

Re 3E.
Re 4E.