

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

POST CLASS

ADDRESS SERVICE
REQUESTED



UNITED STATES
02 1A
0004310839
MAILED FROM ZIP CODE 83702
\$01.06
NOV 18 2005
FITNEY BOWES

2-2305, 2-7002, 2-10011
2-2144

Preliminary Report

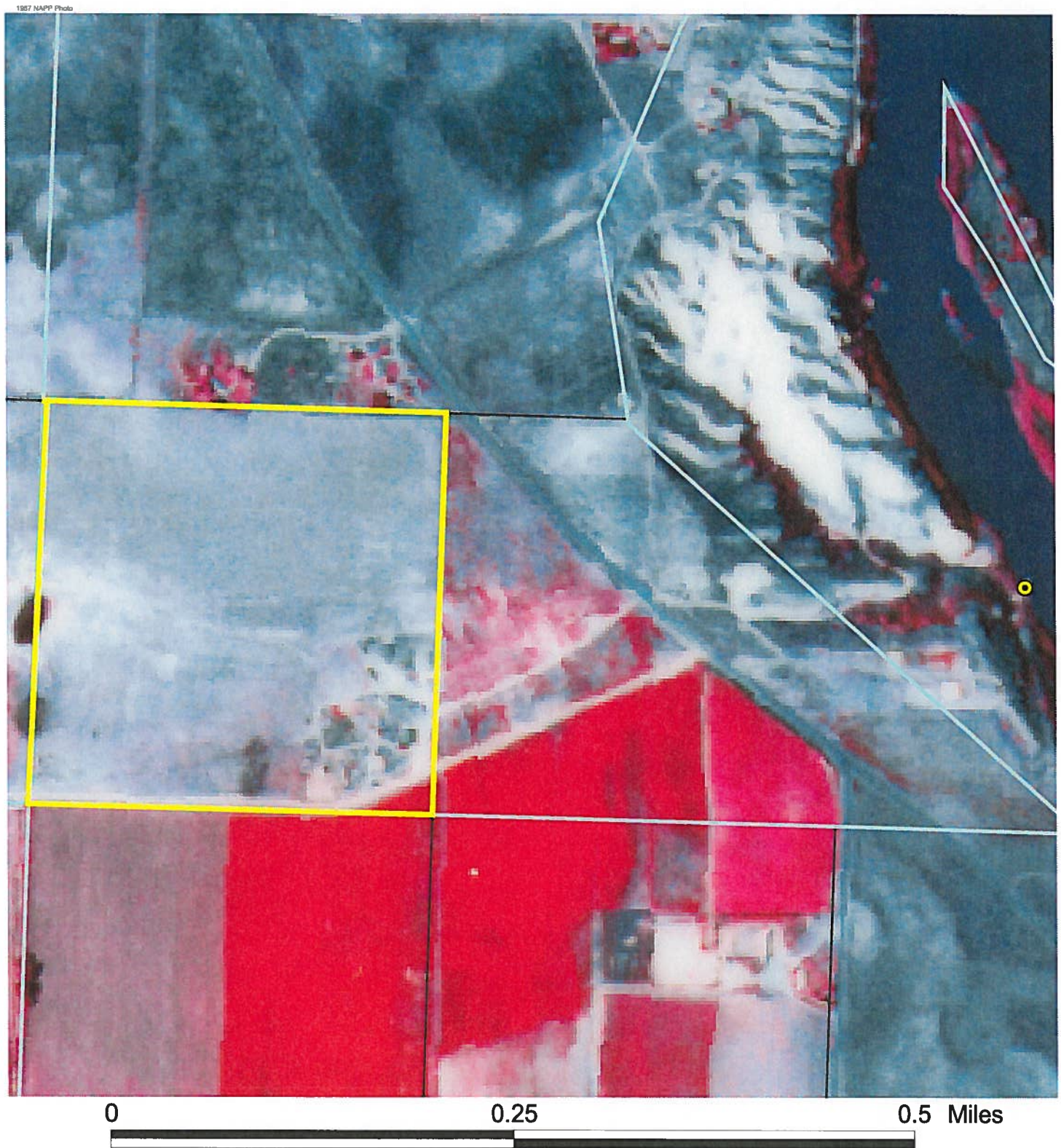


RODNEY D ST CLAIR

VIRGINIA ST CLAIR
RT 1 BOX 772
MARSING ID 83639



Idaho Department of Water Resources

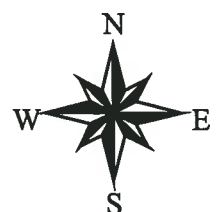


Claim Number: 02-07002

Legal: T02N, R04W, S26

Reviewed By: SJR 3/24/05

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



*new
also see 7305
10011*

03/24/2005

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

RIGHT NUMBER: 2-7002

NAME AND ADDRESS: RODNEY D ST CLAIR
RT 1 BOX 772
MARSING ID 83639

VIRGINIA ST CLAIR
RT 1 BOX 772
MARSING ID 83639

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.540 CFS
195.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 2-10011 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.78 CFS.

PRIORITY DATE: 09/22/1967

POINT OF DIVERSION:

T02N R04W S26 SWSE Lot 4 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	02/01 12/01	0.540 CFS 195.00 AFY

PLACE OF USE: IRRIGATION Within OWYHEE County

T02N R04W S26 SWSW 39.0

39 ACRES TOTAL

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

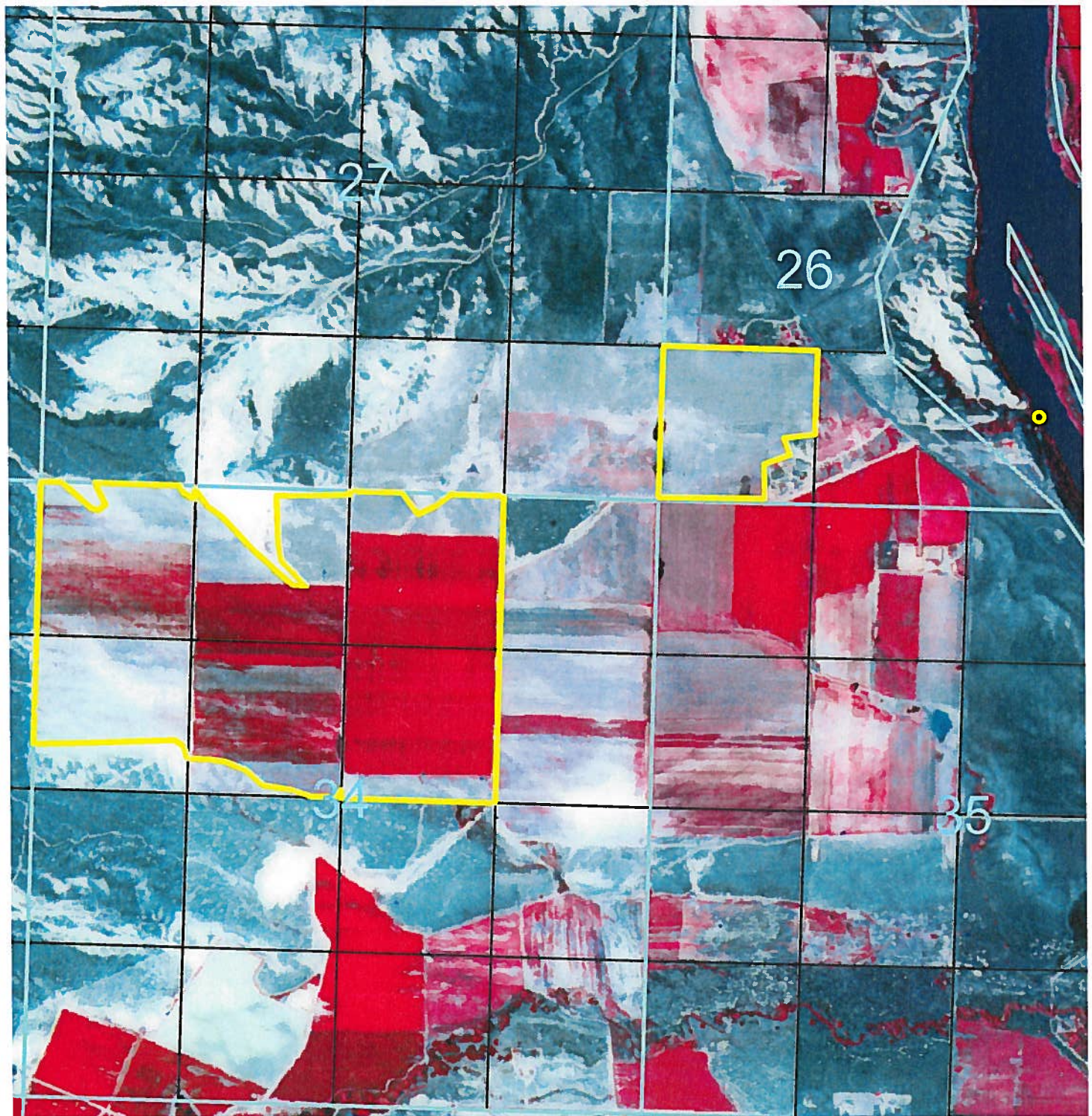
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

Rights 2-2305 and 2-10011 are also diverted through the point of diversion described above.

Idaho Department of Water Resources



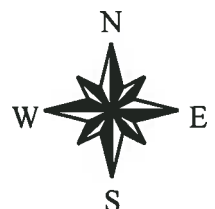
1987 IADPP Photo

0 0.25 0.5 0.75 1 Miles

Claim Number: 02-07002
Legal: T02N, R04W, S26 & 34
Reviewed By: SJR

[Handwritten signature]

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



02/01/2005

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

RIGHT NUMBER: 2-7002

NAME AND ADDRESS: RODNEY D ST CLAIR
RT 1 BOX 772
MARSING ID 83639

VIRGINIA ST CLAIR
RT 1 BOX 772
MARSING ID 83639

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.780 CFS
195.000 AFY

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

PRIORITY DATE: 09/22/1967

POINT OF DIVERSION:

T02N R04W S26 SWSE Lot 4 Within OWYHEE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

02/01 12/01

0.780 CFS
195.00 AFY

PLACE OF USE:

IRRIGATION Within OWYHEE County

T02N R04W S26	SWSW	35.0	T02N R04W S34	NWNE	39.0
T02N R04W S34	SWNE	40.0	T02N R04W S34	NENW	32.0
T02N R04W S34	NWNW	39.0	T02N R04W S34	SWNW	27.0
T02N R04W S34	SENE	36.0			

248 ACRES TOTAL

This right is limited to the irrigation of 39 acres within the place of use described above in a single irrigation season.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Water Right 2-7002

1

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 02-7002 Priority Sept. 22, 1967 Amount 0.78 cfs

THIS IS TO CERTIFY, that GORDON L. HARTLEY
of Marsing, Idaho, has complied with the terms and conditions of Permit
No. 02-7002 issued pursuant to Application for Permit dated September 22, 1967,
and has submitted proof to the Department of Water Administration on October 31, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.06 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>Feb. 1</u> to <u>Dec. 1</u>	at <u>0.78</u> cfs and	<u>195</u> acre feet or
	from <u></u> to <u></u>	at <u></u> cfs and	<u>5.0</u> af per acre
	from <u></u> to <u></u>	at <u></u> cfs and	<u></u>

(Both dates inclusive)

Subject, however, to the condition that no more than 0.78 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
195 acre feet per year, and waters to be diverted within the SE 1/4 of Sec. 26,
Twp. 2 N, R. 4 W, B. 1 E. in the County of Owyhee

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	
2 N	4 W	26											39					39	

Total number of acres irrigated 39

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3rd day of
January, 19 74.

[Signature]
Director

02-7002

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-07002

Date: 6-3-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	2N	4W	26											39						39
GIS														35						35
Claim			34		39	39		28	39	27	37									209
GIS					39	40		32	39	27	36									213
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 248

Overlapping POU Claim #'s:

Total GIS Acres: 248

02-02305

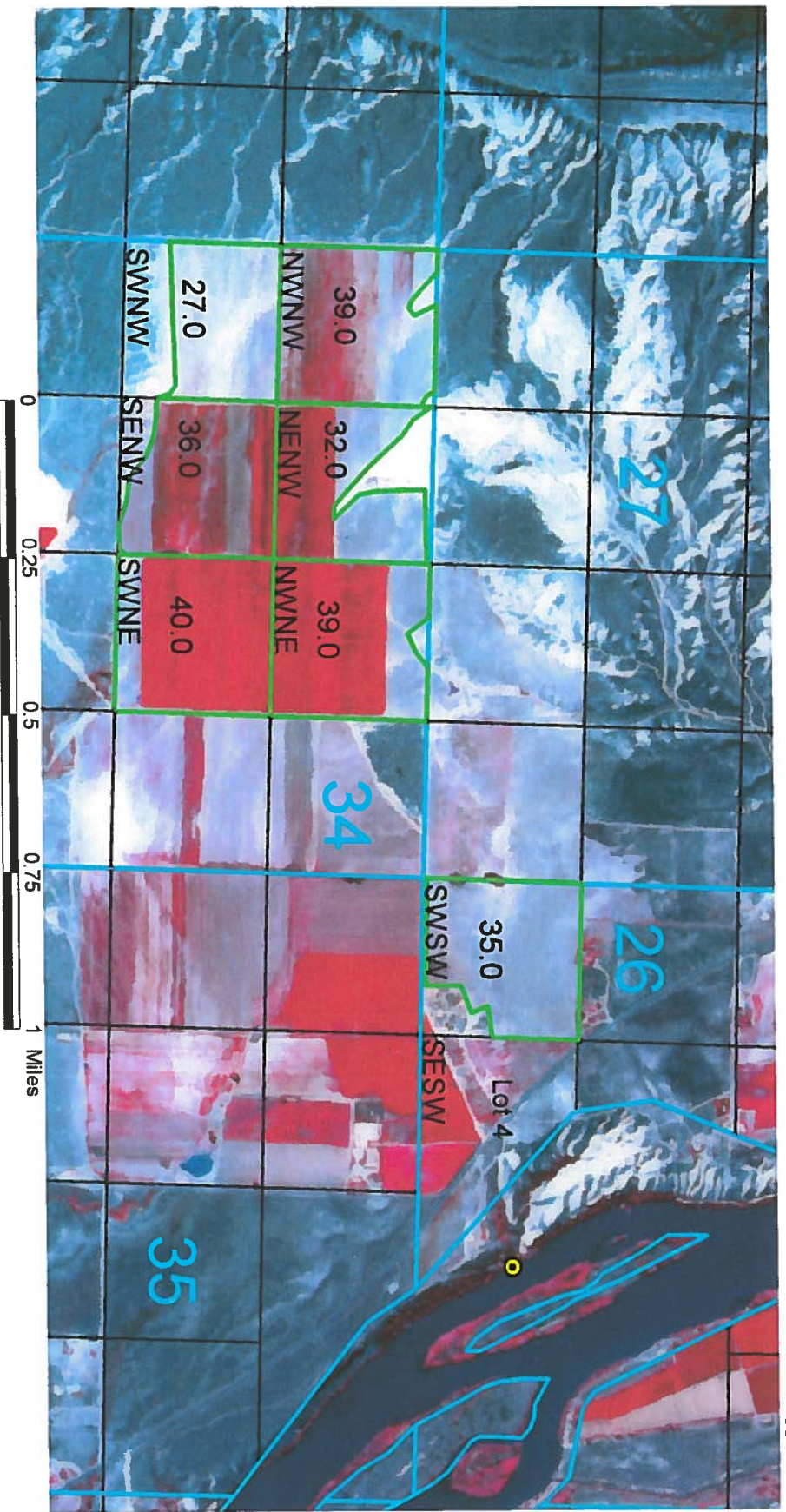
COMMENTS:

POU per claim + license maps + image inters.

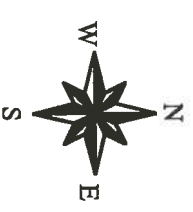
POD per claim map.

Idaho Department of Water Resources

1987 Napp Photo

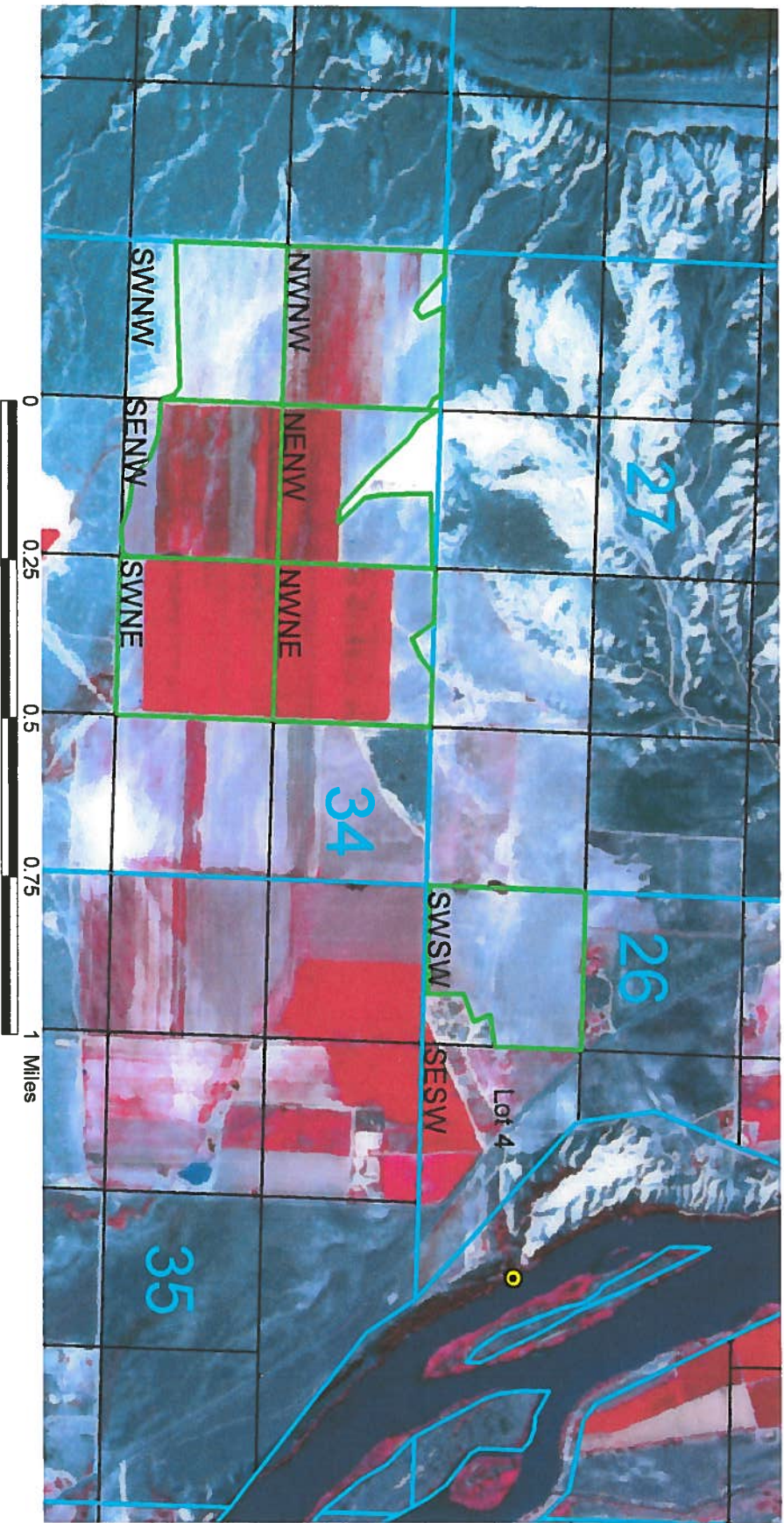


Claim Number: 02-07002
Legal: T02N, R04W, S26, 34
Reviewed By:



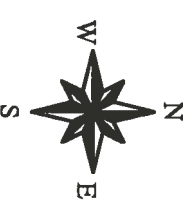
Idaho Department of Water Resources

1987 Napp Photo



Claim Number: 02-07002
Legal: T02N, R04W, S26, 34
Reviewed By:

-  Point of Diversion
-  Place of Use
-  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: **A02-07002**
Date Received: 12/13/1988
Receipt No: M002151
Received By: _____

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

1. Name: RODNEY D ST CLAIR 208-896-4352
Address: ROUTE 1 BOX 772
MARSING ID 83639

AND

Name: VIRGINIA ST CLAIR 208-896-4352
Address: ROUTE 1 BOX 772
MARSING ID 83639

2. Date of Priority: SEP 22, 1967

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
02N	04W	26	SW	SE		4	OWYHEE

5. Description of diverting works:
350HP MOTOR & SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.540		

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

8. Total consumptive use is 906.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	26	SW	SW		IRR	39.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	39.0
		34	NW	NE	IRR	39.0
			SW	NE	IRR	39.0
			NE	NW	IRR	28.0
			NW	NW	IRR	39.0
			SW	NW	IRR	27.0
			SE	NW	IRR	37.0
					Section Acres	209.0
					Total Acres	248.0

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:
A02-10011

14. Remarks:

THIS CLAIM HAS BEEN EXPANDED UPON. CLAIM NUMBER A02-10011 IS BASED ON THE PRESUMPTION CLAUSE AND IS IRRIGATING 10 ACRES. THEREFORE, THIS CLAIM, COMBINED WITH CLAIM NUMBER A02-10011 SHALL DIVERT NO MORE THAN 0.54 CFS.
*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 1/13/92.
OWNERSHIP CHANGED BY LH 1/9/95.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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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 _____

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JAN 05 1995

Department of Water Resources

DATE OF CLOSING: 12/16/94LEGAL DESCRIPTION OF PROPERTY: Township 2 North Range 4 WestSection 26, 27 & 34 1/4 of 1/4 of 1/4 Govt. Lot , BM.Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet. Copy of Deed attached.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

Claim #

☒ Water Right Number(s) 02-07002, 02-02305, A02-07002, A02-02305
Assigned by IDWR: A02-10011

Presently in name of Gordon L. Hartley

☒ Name and Address of Former Owner/Claimant(s)(Seller): Ronald J. Kinsey and Patricia Kinsey

Route 1, Box 768, Marsing, Idaho 83639

☒ New Owner/Claimant (Purchaser):

Rodney D. St. Clair and Virginia St. ClairRoute 1, Box 772, Marsing, Idaho 83639

☒ New Mailing Address:

Route 1, Box 772, Marsing, Idaho 83639

☒ New Telephone Number: (208) 896 - 4352

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

☐ Attach proof of ownership, describe proof attached: Warranty Deed

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

☐ Signature of New Owner/Claimant(s) *Rodney D. St. Clair* Date 12-16-94

☐ Signature of Former Owner/Claimant(s): *Ronald J. Kinsey* Date 12-16-94

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1-9-95 By: *KL*

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 1-9-95 By: *KL*

Claim Numbers of Split, if any:

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

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Irrigation Supplement

Department of Water Resources

The subject property has two original water rights filed with the Idaho Department of Water Resources. For the Snake River Adjudication, three filings have been claimed. The adjudication filings are a slight modification of the original water rights. A summary of the original licenses and the adjudication claims are as follows:

<u>Original License #</u>	<u>Priority Date</u>	<u>cfs/ac ft.</u>	<u>Acres</u>	<u>Use Period</u>	<u>POD</u>
02-07002	9/22/67	.78/195	39	2/1-12/1	SESW Sec 26
02-02305	5/14/64	<u>6.40/---</u>	<u>320</u>	Not shown	SESE Sec 26
	Totals	7.18 cfs	359 acres		

<u>Adjudication Claims #</u>	<u>Priority Date</u>	<u>cfs/ac ft.</u>	<u>Acres</u>	<u>Use Period</u>	<u>POD</u>
A02-07002	9/22/67	.54/906.5	248*	3/15-11/15	Lot 4 Sec 26
A02-02305	5/14/64	5.18/175	259*	3/15-11/15	Lot 4 Sec 26
A02-10011	4/1/82	<u>.20/35</u>	<u>10</u>	3/15-11/15	Lot 4 Sec 26
	Totals	5.92 cfs	507 acres		

*Includes 209 acres overlapping in Section 34.

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ATTACHMENT #2

IRRIGATION EQUIPMENT LIST

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Department of Water Resources

Pump #1:

Motor: US Hollow Shaft 100 HP
Serial #1278090
Frame #44 UP

Pump: Pipe & Power Co.
Serial #3877
Model #65-Floway

Pump #2:

Motor: GE 250 HP
Serial # None
Model #5K6326XA73

Pump: Cornell Dam Division
Serial # 454
Model #MK 5L101

Approximately 4,000 feet 22" and 16" steel mainline w/risers.

Approximately 3,280 feet 12" steel mainline w/risers.

Approximately 1,320 feet 8" PVC mainline w/risers.

5-1/4 mile Western wheel lines 5" tubes, 5' wheels.

5-1/4 mile 3" handlines end risers.

Approximately 1,300 feet 4" portable mainline w/risers.

Miscellaneous valves, fittings, etc.

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EXHIBIT "A"

PARCEL NO. 1:

IN TOWNSHIP 2 NORTH, RANGE 4 WEST, B. M., Owyhee County,
IDAHO

Section 26: SW $\frac{1}{4}$ SW $\frac{1}{4}$, LESS the following described parcel:
BEGINNING at the Section corner common to
Sections 26, 27, 34 and 35, T2N, R4W, B. M.;
thence East along the section line between
Sections 26 and 35, T2N, R4W, B. M., a distance
of 990 feet to the TRUE POINT OF BEGINNING;
thence North 65°59' East a distance of 361.2
feet to the East boundary line of SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence
South a distance of 147 feet to the Section line
between Sections 26 and 35; thence West along
the section line between Sections 26 and 35, a
distance of 330 feet to the TRUE POINT OF
BEGINNING.

Section 27: S $\frac{1}{2}$ S $\frac{1}{2}$ E $\frac{1}{2}$

Section 34: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$

PARCEL NO. 2:

A parcel of land in Government Lot 4, Section
26, Township 2 North, Range 4 West, B. M.,
Owyhee County, Idaho, more particularly
described as follows:
COMMENCING at the Northwest corner of Government
Lot 4; thence South 0°37'00" East along the West
boundary of said Government Lot 4, a distance of
273.00 feet to the TRUE POINT OF BEGINNING;
thence South 88°15'00" East, a distance of
219.85 feet to a point on the Southwesterly
right of way boundary of Highway 78; thence
Southeasterly following said right of way
boundary, a distance of 762.44 feet along the
arc of a curve to the left, having a radius
of 5829.58 feet, a central angle of 7°29'37"
and a long chord which bears South 47°37'15"
East, a distance of 761.90; thence South
64°13'10" West, a distance of 858.37 feet to a
point on said West boundary of Government Lot 4;
thence North 0°37'00" West, a distance of 893.63
feet along said West boundary of Government Lot
4 to the TRUE POINT OF BEGINNING.

PARCEL NO. 3:

A parcel of land in Lot 4, Section 26, Township
2 North, Range 4 West, B. M., Owyhee County,
Idaho, described as follows:
BEGINNING at the Northwest corner of Government
Lot 4, Sec. 26, T2N, R4W, B. M.; thence South a
distance of 273.0 feet to an iron pin; thence
East a distance of 275.3 feet, more or less, to
an iron pin on the Southwesterly side of the
State Highway; thence Northwesterly along a 1°
curve to the right, having a central angle of
35°32' and a radius of 5,729.58 feet, a distance
of 361.7 feet to an iron pin; thence West 38
feet to the POINT OF BEGINNING.

RECEIVED

JAN 05 1995

Department of Water Resources

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SEP 19 1996

RECEIVED

JAN 06 1995

WATER RESOURCES
WESTERN REGION

RECEIVED

JAN 05 1995

Department of Water Resources

WARRANTY DEED

FOR VALUE RECEIVED, RONALD J. KINSEY and PATRICIA M. KINSEY, husband and wife, The Grantors, do hereby grant, bargain, sell and convey unto

RODNEY D. ST.CLAIR and VIRGINIA A. ST.CLAIR, husband and wife, the Grantees, whose current address is

Rt. 1 Box 772, Marsing, Idaho 83639

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

Exhibit "A" attached hereto and made a part hereof

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

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

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

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

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

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SEP 19 1996

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

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

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

Restrictions contained in any covenants of record affecting the premises.

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

DATED: 12-16-94

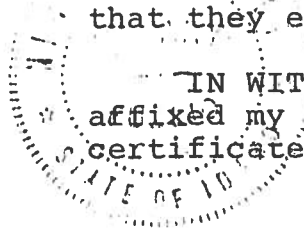
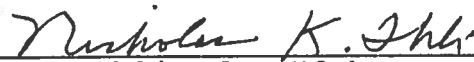

Ronald J. Kinsey


Patricia M. Kinsey

STATE OF IDAHO, COUNTY OF OWYHEE

On this 16th day of December, 1994 before me, a Notary Public in and for the State, personally appeared Ronald J. Kinsey and Patricia M. Kinsey, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Notary Public for Idaho
Residing at Murphy, Idaho
Commission Expires: 1/31/2000

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SEP 19 1996

Exhibit "A" Land Description
File No. 01856

PARCEL NO. 1:

IN TOWNSHIP 2 NORTH, RANGE 4 WEST, B. M., OWYHEE COUNTY,
IDAHO

Section 26: SW $\frac{1}{4}$ SW $\frac{1}{4}$, LESS the following described parcel:
BEGINNING at the Section corner common to
Sections 26, 27, 34 and 35, T2N, R4W, B. M.;
thence East along the section line between
Sections 26 and 35, T2N, R4W, B. M., a distance
of 990 feet to the TRUE POINT OF BEGINNING;
thence North 65°59' East a distance of 361.2
feet to the East boundary line of SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence
South a distance of 147 feet to the Section line
between Sections 26 and 35; thence West along
the section line between Sections 26 and 35, a
distance of 330 feet to the TRUE POINT OF
BEGINNING.

Section 27: S $\frac{1}{4}$ SE $\frac{1}{4}$

Section 34: W $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$

PARCEL NO. 2:

A parcel of land in Government Lot 4, Section
26, Township 2 North, Range 4 West, B. M.,
Owyhee County, Idaho, more particularly
described as follows:
COMMENCING at the Northwest corner of Government
Lot 4; thence South 0°37'00" East along the West
boundary of said Government Lot 4, a distance of
273.00 feet to the TRUE POINT OF BEGINNING;
thence South 88°15'00" East, a distance of
219.85 feet to a point on the Southwesterly
right of way boundary of Highway 78; thence
Southeasterly following said right of way
boundary, a distance of 762.44 feet along the
arc of a curve to the left, having a radius
of 5829.58 feet, a central angle of 7°29'37"
and a long chord which bears South 47°37'15"
East, a distance of 761.90; thence South
64°13'10" West, a distance of 858.37 feet to a
point on said West boundary of Government Lot 4;
thence North 0°37'00" West, a distance of 893.63
feet along said West boundary of Government Lot
4 to the TRUE POINT OF BEGINNING.

Exhibit "A" continued page 2

DRK
PILK
MICROFILMED
SEP 19 1996

Exhibit "A" Land Description
File No. 01856
Page 2

PARCEL NO. 3:

A parcel of land in Lot 4, Section 26, Township 2 North, Range 4 West, B. M., Owyhee County, Idaho, described as follows:

BEGINNING at the Northwest corner of Government Lot 4, Sec. 26, T2N, R4W, B. M.; thence South a distance of 273.0 feet to an iron pin; thence East a distance of 275.3 feet, more or less, to an iron pin on the Southwesterly side of the State Highway; thence Northwesterly along a 1° curve to the right, having a central angle of 35°32' and a radius of 5,729.58 feet, a distance of 361.7 feet to an iron pin; thence West 38 feet to the POINT OF BEGINNING.

PK

214405

FILED-RECORDED

91 DEC 21 AM 8 26

BASED ON

OWYHEE COUNTY RECORDS

BY *E. Shumway*

DEPUTY

REQUEST OF
John J. L. L. L.
FEE *12.00*

MICROFILMED
SEP 19 1996

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: A02-07002
Date Received: 12/13/1988
Receipt No: M002151
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RONALD J KINSEY 208-896-4852
Address: ROUTE 1 BOX 768
MARSING ID 83639

OR

Name: PATRICIA M KINSEY 208-896-4852
Address: ROUTE 1 BOX 768
MARSING ID 83639

2. Date of Priority: SEP 22, 1967

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
02N	04W	26	SW	SE		4	OWYHEE

5. Description of diverting works:
350HP MOTOR & SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.540		

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

8. Total consumptive use is 906.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	26	SW	SW		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	39.0
		34	NW	NE	IRR	39.0
			SW	NE	IRR	39.0
			NE	NW	IRR	28.0
			NW	NW	IRR	39.0
			SW	NW	IRR	27.0
			SE	NW	IRR	37.0
					Section Acres	209.0
					Total Acres	248.0

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:
A02-10011

14. Remarks:

THIS CLAIM HAS BEEN EXPANDED UPON. CLAIM NUMBER A02-10011 IS
BASED ON THE PRESUMPTION CLAUSE AND IS IRRIGATING 10 ACRES.
THEREFORE, THIS CLAIM, COMBINED WITH CLAIM NUMBER A02-10011 SHALL
DIVERT NO MORE THAN 0.54 CFS.
*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 1/13/92.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

MICROFILMED

AUG 07 1992

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
AUG 07 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDA
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: A02-07002

Date Received: 12/13/1988

Receipt No: M2151

Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GORDON L. HARTLEY 208-896-4585
Address: RT. 1 BOX 768
MARSING, ID 83639

2. Date of Priority: SEP 22, 1967

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	04W	26	SW	SE		4	OWYHEE

5. Description of diverting works:
350HP MOTOR & SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.540		

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

8. Total consumptive use is 906.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	04W	26	SW	SW		IRR	39.0
						Section Acres	39.0
		34	NW	NE		IRR	39.0

A02-07002

Page 1

Date: 12/13/88

MICROFILMED

AUG 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	34	SW	NE		IRR	39.0
			NE	NW		IRR	28.0
			NW	NW		IRR	39.0
			SW	NW		IRR	27.0
			SE	NW		IRR	37.0
					Section Acres		209.0
					Total Acres		248.0

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:
A02-10011

14. Remarks: THIS CLAIM HAS BEEN EXPANDED UPON. CLAIM NUMBER A02-10011 IS BASED ON THE PRESUMPTION CLAUSE AND IS IRRIGATING 10 ACRES. THEREFORE, THIS CLAIM, COMBINED WITH CLAIM NUMBER A02-10011 SHALL DIVERT NO MORE THAN 0.54 CFS.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and 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): Gordon L. Hartley Date: 12-13-88
_____ Date: _____

State of Idaho)
County of Owyhee) SS.

Subscribed and sworn (or affirmed) before me this 13 day

of Dec. 19 88

Linda Warner
Notary Public

Seal

Residing at Boise ID

My Commission Expires Dec 8, 1994

CALDWELL 16 MI.
MAHSAW 36 MI.

47' 30"

IDAHO
7.5 MINUTE SERIES (ORTHOPHOTOGRAPH)

230 000 FEET

520 1



A02-7002 2N 4W Sec 20

NOT FILMED
1984

WENSHOT SPRINGS 29 MI



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 9, 1994

Re: Notices of Claim to a Water Right Nos. A02-02305, A02-07002,
A02-10011

Rodney D. St. Clair
Virginia St. Clair
Route 1 Box 772
Marsing, ID 83639

Mr. & Mrs. St. Clair:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

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

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

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1

MICROFILMED
SEP 19 1996

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 ~~XXXXXXXXXXXXXXX~~
Border.

NOTICE OF CLAIM TO A WATER RIGHT

02-7002	
I.D. No.	Map No.
\$ 10 <u>Fee</u>	<u>363</u>
Fee Paid	Receipt No.

Notice is hereby given that Gordon L. &/or Barbara L. Hartley
(Name of Claimant)

Route 1, Marsing, ID 83639

(Mailing Address)

(Zip Code)

Telephone No. 896-4585

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) 9/22/1967

(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 .78 cfs .54 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) .78 cfs .54 TOTAL QUANTITY CLAIMED.

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE 1/4 SW 1/4 Sec. 26, Twp. 2N, Rge. 4W, B.M., Owyhee County
Additional Points: SCI: 2720(1) 429.5

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.

Gravity and sprinkler system 350 HP motor

(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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
<u>2N</u>	<u>4W</u>	<u>26</u>											<u>39</u>						<u>39 27</u>
													<u>27</u>						

Total no. of acres 39 27

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: none

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. 02-7002

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.

May 19, 1981
(Date)

Individual Gordon L. Hartley
(Signature of Claimant)

Organization _____
(Signature of Spouse)

State of Idaho

County of Owyhee ss. Organization _____

Seal

(Signature of Authorized Agent)

On this 19th day of May, in the year 1981 before me
a notary public, personally appeared Gordon L. Hartley

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 Life Notary Public residing at Boise

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by JKN

Date 1/18/83

Right No. 02-7002

Claimant Gordon Hartley

Recommendation differs from claim:
(Document any differences)

☒ Yes

☐ No

☐ Disallow

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☒ License

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☒ A.S.C.S. Records. Year & Photograph No. 1977 flight

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☐ Yes ☒ No Date _____

☐ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement ~~1.06~~ 1.06 cfs. Amount recommended .54 cfs.

Type of measuring device: meter Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. _____, _____, _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks 1977 aerial photo shows only 27 acres

APR 21 1983
MICROFILMED

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM
REPORT OF EXAMINERS

Claim No. 02-2002

1. Name of Applicant Gordon Hartley

2. Priority 9/22/67

3. Source of Water Snake

4. (Quantity) (Domestic, Irri., Stock Water, etc.) (Period of Use)
_____ cfs Use _____ From _____ to _____

.54 cfs Use irrigation From 3/15 to 11/15

_____ cfs Use _____ From _____ to _____

5. Location of Point of Diversion: NW 1/4 SW 1/4 of Section 26

Twp. 2N, Rge. 4W, County of Owyhee

6. Describe Diversion Works: 350 HP motor - gravity & sprinkler systems

7. Describe Location of Use:

TWP	RGE	SEC	NE 1/4				NW 1/4				SE 1/4 SW				SW 1/4 SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>2N</u>	<u>4W</u>	<u>26</u>											<u>27</u>						<u>27</u>

TWP. RGE. COUNTY SCALE: 1" = 1 MILE

8. Purpose other than irrigation: none

9. Remarks: Differ from license

APR 2 1984

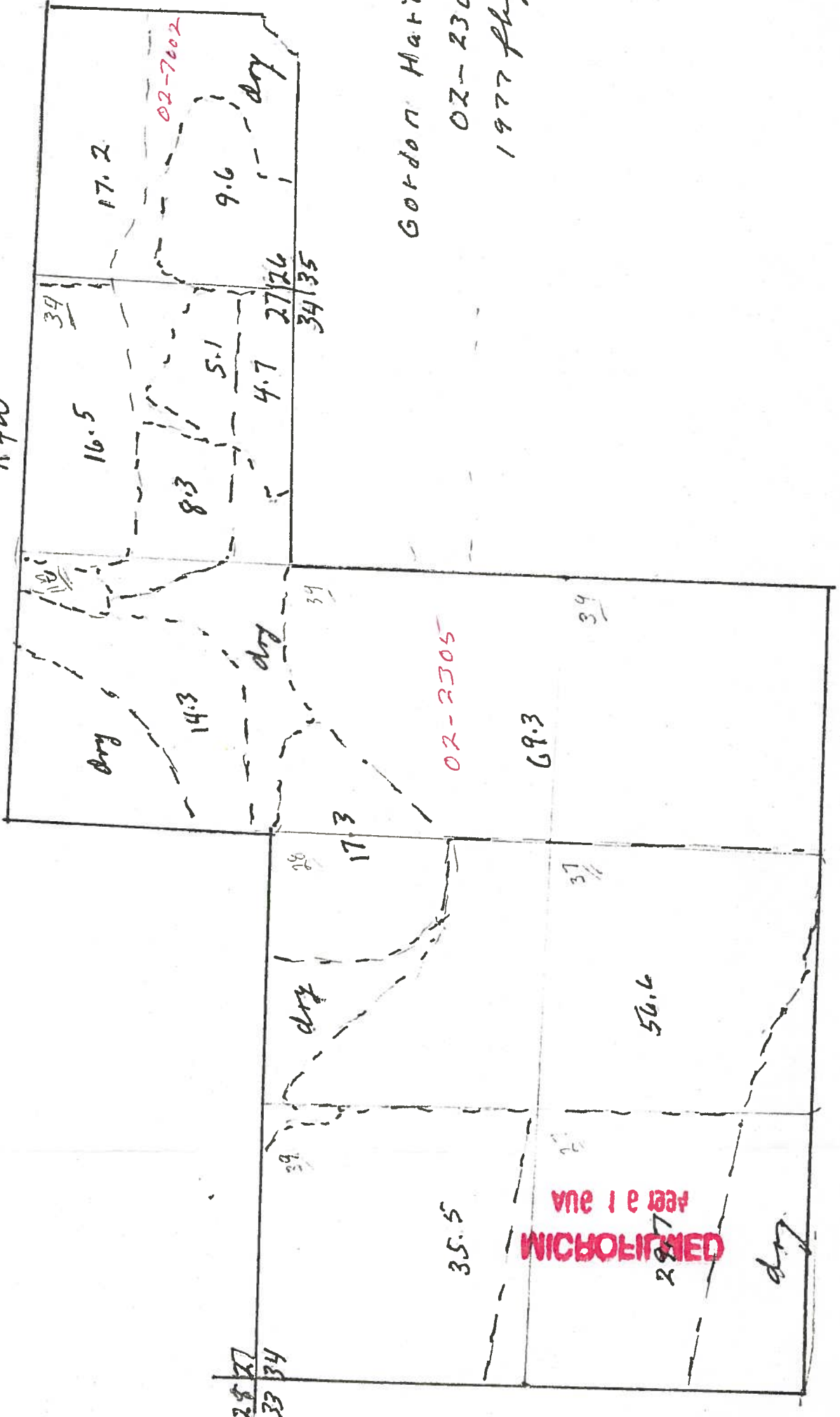
DEMOLITION

This examination was made on the 18 day of 1, 19 83.

(Signed) John H. Meyer
Examiner

POOR ORIGINAL

R4W



Gordon Hartley

02-2305 02-7002

1977 flight ASES.

T 2 N

State of Idaho
Department of Water Administration

POOR ORIGINAL

WATER RIGHT LICENSE

License of Water Right No. 02-7002 Priority Sept. 22, 1967 Amount 0.78 cfs

THIS IS TO CERTIFY, that GORDON L. HARTLEY
of Marsing, Idaho, has complied with the terms and conditions of Permit
No. 02-7002 issued pursuant to Application for Permit dated September 22, 1967,
and has submitted proof to the Department of Water Administration on October 31, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.06 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>Feb. 1</u> to <u>Dec. 1</u> at <u>0.78</u> cfs and			<u>195 acre feet or</u>
			<u>5.0 af per acre</u>
from to at cfs and			
from to at cfs and			

(both dates inclusive)

Subject, however, to the condition that no more than 0.78 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
195 acre feet per year, said waters to be diverted within the SE¹₄SW¹₄ of Sec. 26,
Twp. 2 N, Rge. 4 W, B.M. in the County of Owyhee

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	
2 N	4 W	26											39						39

Total number of acres irrigated 39

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3rd day of
January, 19 74.

Director

IN THE DISTRICT COURT OF THE JUDICIAL DISTRICT

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

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

NOTICE OF CLAIM TO A WATER RIGHT

02-7002
I.D. No. Map No.
\$ 10 Fee Paid 363 Receipt No.

Notice is hereby given that Gordon L. &/or Barbara L. Hartley

(Name of Claimant)

Route 1, Marsing, ID 83639

(Mailing Address)

(Zip Code)

Telephone No. 896-4585

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) 9/22/1967

(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 .78 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) .78 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 SW 1/4
Sec. 26, Twp. 2N, Rge. 4W, B.M., Owyhee County

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.
Gravity and sprinkler system 350 HP motor

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	4W	26											39						39

Total no. of acres 39

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: none

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.

JKN

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 02-7002

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 19, 1981

(Date)

Idaho

State of

Owyhee

County of

ss.

Organization

Seal

(Signature of Authorized Agent)

On this 19th day of May, 1981, before me

a notary public, personally appeared Gordon L. Hartley

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

Life

Notary Public residing at

Boise