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Department of Water Resources
Adjudication Bureau

1993 SEP -9 AM 8:21

DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO

FILED

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

In Re the General Adjudication)
of Rights to the Use of Water)
From the Snake River)
Basin Water System)

Case No. 39576

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

ORDER GRANTING THE MOTIONS
OF JOSEPH L. PARKINSON TO
AMEND NOTICE OF CLAIM NOS.
57-00166, 57-00167,
57-00168, 57-00169
57-00170, AND 57-00171

Petitioner,)

vs.)

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

57-00166 -0001
57-00167 -0001
57-00168 -0001
57-00169 -0001
57-00170 -0001
57-00171 -0001/
93-09-0056

Respondents.)

Joseph L. Parkinson, Boise, Idaho

David J. Barber, Deputy Attorney General, on behalf of the
Idaho Department of Water Resources.

The Motions to Amend Notice of Claim Nos. 57-00166,
57-00167, 57-00168, 57-00169, 57-00170, and 57-00171 and the
Director's Report for Reporting Area 2 by Joseph L. Parkinson
came on for hearing and determination on August 24, 1993 at 1:30
p.m. Based on the hearing and record in this

ORDER GRANTING THE MOTIONS OF JOSEPH L. PARKINSON TO AMEND NOTICE
OF CLAIM NOS. 57-00166, 57-00167, 57-00168, 57-00169, 57-00170,
and 57-00171 -- PAGE 1

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JUL 13 1993

matter, the court makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. Mr. Joseph L. Parkinson filed motions to amend Notice of Claim Nos. 57-00166, 57-00167, 57-00168, 57-00169, 57-00170, and 57-00171 and the Director's Report for Reporting Area 2. The motions ask that the changes described in paragraph 3 be made in each of these water rights. Mr. Parkinson represented that he would pay any necessary fee.

2. Mr. Parkinson served the following persons with copies of his motions:

- a. Chief, Natural Resources Division, Office of the Attorney General, State of Idaho;
- b. The United States Department of Justice; and
- c. The United States Department of the Interior, Bureau of Land Management.

The Motion to Amend Notice of Claim also appeared on the Docket Sheet for the month of July 1993.

3. The Idaho Department of Water Resources (IDWR) filed a *Response of the Idaho Department of Water Resources to Motion to Amend Notice of Claim No. 57-00166* and identical responses for Notices of Claim Nos. 57-00167, 57-00168, 57-00169, 57-00170, and 57-00171. This response admitted and denied the proposed changes as follows:

"1. Delete T06S R01W S12 SWSW 8.0 acres as being on public land."

IDWR RESPONSE: Admitted.

ORDER GRANTING THE MOTIONS OF JOSEPH L. PARKINSON TO AMEND NOTICE OF CLAIM NOS. 57-00166, 57-00167, 57-00168, 57-00169, 57-00170, and 57-00171 -- PAGE 2

"2. Change the legal description for 'Place of Use: Irrigation' from T06S R01W S14 SWNE 6 acres to T06S R01W S14 SENE 6 acres."

IDWR RESPONSE: Admitted.

"3. Change the legal description for 'Place or [sic] Use: Stockwater' from T06S R01W S14 SWNE to T06S R01W S14 SENE."

IDWR RESPONSE: Admitted.

"4. Add Point of Diversion: T06S R01W S14 SENE. This picks up a P/D shown on IDWR map but inadvertently omitted. (See maps attached to my Response to Objection.)"

IDWR RESPONSE: Denied. This point of diversion is not a currently existing point of diversion that may be claimed in the SRBA pursuant to Idaho Code § 42-1416(b). Rather, it is a proposed change in point of diversion that can be accomplished only by filing an application for transfer with the IDWR pursuant to Idaho Code § 42-222.

"5. Change total acres from 110 to 102 to reflect the deletion in paragraph 1 (paragraph 2 and 3 result in no net change) in Place of Use: Irrigation and Remarks."

IDWR RESPONSE: Admitted.

"6. Reduce the Directors Report Total Combined Annual Consumptive Volume and Records from 275 AF to 255 AF to reflect reduced acreage."

IDWR RESPONSE: Admitted.

ORDER GRANTING THE MOTIONS OF JOSEPH L. PARKINSON TO AMEND NOTICE OF CLAIM NOS. 57-00166, 57-00167, 57-00168, 57-00169, 57-00170, and 57-00171 -- PAGE 3

"7. Delete James W. and Annetta J. Garrett as owners, since I bought out their 1/2 interest."

IDWR RESPONSE: The IDWR has not received a completed copy of Standard Form 3, *Notice of Change in Address or Consent to Substitution of Party*. Consequently, the IDWR lacks sufficient information to form a belief as to the allegations of paragraph 7 and, therefore, denies the same.

6. Mr. Parkinson appeared at the hearing by telephone conference call. He agreed to stipulate to the changes of the State of Idaho in its response.

7. Mr. Barber argued on behalf of the Idaho Department of Water Resources.

CONCLUSIONS OF LAW

1. Adequate notice of this proceeding was provided.

2. Mr. Parkinson's Motions to Amend Notice of Claim Nos. 57-00166, 57-00167, 57-00168, 57-00169, 57-00170, and 57-00171 should be granted in accordance with the changes described by the Idaho Department of Water Resources.

IT IS ORDERED that Mr. Parkinson's Motions to Amend Notice of Claim Nos. 57-00166, 57-00167, 57-00168, 57-00169, 57-00170, and 57-00171 are granted, in part. Attachment I contains the revised Notices of Claim.

DATED this 9 day of September, 1993.



DANIEL C. HURLBUTT JR.
Presiding Judge
Snake River Basin Adjudication

ORDER GRANTING THE MOTIONS OF JOSEPH L. PARKINSON TO AMEND NOTICE
OF CLAIM NOS. 57-00166, 57-00167, 57-00168, 57-00169, 57-00170,
and 57-00171 -- PAGE 5

ATTACHMENT 1

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00166
Date Received: 1/19/1989
Receipt No: C005201
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JOSEPH L PARKINSON
Address: 123 WEST HIGHLAND VIEW DRIVE
BOISE ID 83702
OR
Name: JAMES W GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE ID 83702
OR
Name: ANNETTA J GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE ID 83702

2. Date of Priority: APR 1, 1870

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	01W	14	SW	SW	NE		OWYHEE

5. Description of diverting works: CONCRETE DAM WITH TURN VALVE HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.500		
STOCKWATER	04/01	10/15	0.160		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 700 HD CATTLE, 30 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	01W	12	SE	SW		IRR	8.0
			SE	SW		STOCK	
			SW	SE		IRR	8.0
			SW	SE		STOCK	
			Section Acres				16.0
		13	NW	NE		IRR	7.0
			NW	NE		STOCK	
			NE	NW		IRR	30.0
			NE	NW		STOCK	
			NW	NW		STOCK	
			NW	NW		IRR	36.0
			Section Acres				73.0
		14	NE	NE		IRR	7.0
			NE	NE		STOCK	
			SE	NE		IRR	6.0
			SE	NE		STOCK	
			Section Acres				13.0
			Total Acres				102.0

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:

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00167, 57-00168, 57-00169, 57-00170, 57-00171 AND 57-02102.

USE OF THIS RIGHT WITH RIGHT NO. 57-00167, 57-00168, 57-00169, 57-00170, 57-00171 AND 57-02102 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE VOLUME OF 255 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 102 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO.S 57-00167, 57-00168, 57-00169, 57-00170, AND 57-00171 IS LIMITED TO THE WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JAMES L. DAVEY

Decree Plaintiff

GEORGE F. BROWN ET. AL.

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00167
Date Received: 1/19/1989
Receipt No: C005201
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name:	JAMES W GARRETT	208-338-1412
Address:	4492 KELDOON	
	BOISE ID	83702
OR		
Name:	ANNETTA J GARRETT	208-338-1412
Address:	4492 KELDOON	
	BOISE ID	83702
OR		
Name:	JOSEPH L PARKINSON	208-338-1412
Address:	123 WEST HIGHLAND VIEW DRIVE	
	BOISE ID	83702

2. Date of Priority: APR 1, 1873

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	01W	14	SW	SW	NE		OWYHEE

5. Description of diverting works:
CONCRETE DAM WITH TURN VALVE HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.100		
STOCKWATER	04/01	10/15	0.100		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 700 HD CATTLE, 30 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	01W	12	SE	SW		IRR	8.0
			SE	SW		STOCK	
			SW	SE		IRR	8.0
			SW	SE		STOCK	
					Section Acres		16.0
		13	NW	NE		IRR	7.0
			NW	NE		STOCK	
			NE	NW		IRR	30.0
			NE	NW		STOCK	
			NW	NW		STOCK	
			NW	NW		IRR	36.0
					Section Acres		73.0
		14	NE	NE		IRR	7.0
			NE	NE		STOCK	
			SE	NE		STOCK	
			SE	NE		IRR	6.0
					Section Acres		13.0
					Total Acres		102.0

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:

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00166, 57-00168, 57-00169, 57-00170, 57-00171 AND 57-02102.
USE OF THIS RIGHT WITH RIGHT NO. 57-00166, 57-00168, 57-00169, 57-00170, 57-00171 AND 57-02102 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE VOLUME OF 255 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 102 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO.S 57-00166, 57-00168, 57-00169, 57-00170 AND 57-00171 IS LIMITED TO THE WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JAMES L. DAVEY

Decree Plaintiff

GEORGE F. BROWN ET. AL.

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00168
Date Received: 1/19/1989
Receipt No: _____
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JAMES W GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE ID 83702
OR
Name: ANNETTA J GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE ID 83702
OR
Name: JOSEPH L PARKINSON
Address: 123 WEST HIGHLAND VIEW DRIVE
BOISE ID 83702

2. Date of Priority: APR 1, 1874

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	01W	14	SW	SW	NE		OWYHEE

5. Description of diverting works:
CONCRETE DAM WITH TURN VALVE HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.200		
STOCKWATER	04/01	10/15	0.160		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 700 HD CATTLE, 30 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	01W	12	SE	SW		IRR	8.0
			SE	SW		STOCK	
			SW	SE		STOCK	
			SW	SE		IRR	8.0
			Section Acres				16.0
		13	NW	NE		IRR	7.0
			NW	NE		STOCK	
			NE	NW		IRR	30.0
			NE	NW		STOCK	
			NW	NW		IRR	36.0
			NW	NW		STOCK	
			Section Acres				73.0
		14	NE	NE		IRR	7.0
			NE	NE		STOCK	
			SE	NE		IRR	6.0
			SE	NE		STOCK	
			Section Acres				13.0
			Total Acres				102.0

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:

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00166, 57-00167, 57-00169, 57-00170, 57-00171 AND 57-02102.
 USE OF THIS RIGHT WITH RIGHT NO. 57-00166, 57-00167, 57-00169, 57-00170, 57-00171 AND 57-02102 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE VOLUME OF 255 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 102 ACRES IN A SINGLE IRRIGATION SEASON.
 USE OF THIS RIGHT WITH RIGHT NO.S 57-00166, 57-00167, 57-00169, 57-00170 AND 57-00171 IS LIMITED TO THE WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

15. Basis of Claim: DECREE

Case Number:

Court :

Decree date: / /

JAMES L. DAVEY
Decree Plaintiff

GEORGE F. BROWN ET. AL.
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00169
Date Received: 1/19/1989
Receipt No: _____
Received By: _____

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

1. Name: JAMES W GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE ID 83702
OR
Name: ANNETTA J GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE ID 83702
OR
Name: JOSEPH L PARKINSON
Address: 123 WEST HIGHLAND VIEW DRIVE
BOISE ID 83702

2. Date of Priority: APR 1, 1885

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	01W	14	SW	SW	NE		OWYHEE

5. Description of diverting works:
CONCRETE DAM WITH TURN VALVE HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.200		
STOCKWATER	04/01	10/15	0.160		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 700 HD CATTLE, 30 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	01W	12	SE	SW		IRR	8.0
			SE	SW		STOCK	
			SW	SE		IRR	8.0
			SW	SE		STOCK	
					Section Acres		16.0
		13	NW	NE		STOCK	
			NW	NE		IRR	7.0
			NE	NW		IRR	30.0
			NE	NW		STOCK	
			NW	NW		IRR	36.0
			NW	NW		STOCK	
					Section Acres		73.0
		14	NE	NE		STOCK	
			NE	NE		IRR	7.0
			SE	NE		IRR	6.0
			SE	NE		STOCK	
					Section Acres		13.0
					Total Acres		102.0

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:

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00166, 57-00167, 57-00168, 57-00170, 57-00171 AND 57-02102.
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 USE OF THIS RIGHT WITH RIGHT NO.S 57-00166, 57-00167, 57-00168, 57-00170 AND 57-00171 IS LIMITED TO THE WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JAMES L. DAVEY

Decree Plaintiff

GEORGE F. BROWN ET. AL.

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00170

Date Received: 1/19/1989

Receipt No: _____

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ANNETTA J GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE ID 83702
OR
Name: JOSEPH L PARKINSON
Address: 123 WEST HIGHLAND VIEW DRIVE
BOISE ID 83702
OR
Name: JAMES W GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE ID 83702

2. Date of Priority: APR 1, 1887

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	01W	14	SW	SW	NE		OWYHEE

5. Description of diverting works: CONCRETE DAM WITH TURN VALVE HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.400		
STOCKWATER	04/01	10/15	0.160		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 700 HD CATTLE, 30 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	01W	12	SE	SW		IRR	8.0
			SE	SW		STOCK	
			SW	SE		IRR	8.0
			SW	SE		STOCK	
			Section Acres				16.0
		13	NW	NE		IRR	7.0
			NW	NE		STOCK	
			NE	NW		IRR	30.0
			NE	NW		STOCK	
			NW	NW		IRR	36.0
			NW	NW		STOCK	
			Section Acres				73.0
		14	NE	NE		STOCK	
			NE	NE		IRR	7.0
			SE	NE		IRR	6.0
			SE	NE		STOCK	
			Section Acres				13.0
			Total Acres				102.0

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:

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00166, 57-00167, 57-00168, 57-00169, 57-00171 AND 57-02102.
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USE OF THIS RIGHT WITH RIGHT NO.S 57-00166, 57-00167, 57-00168, 57-00169 AND 57-00171 IS LIMITED TO THE WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JAMES L. DAVEY

Decree Plaintiff

GEORGE F. BROWN ET. AL.

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00171
Date Received: 1/19/1989
Receipt No: _____
Received By: _____

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

1. Name: ANNETTA J GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE ID 83702
OR
Name: JOSEPH L PARKINSON
Address: 123 WEST HIGHLAND VIEW DRIVE
BOISE ID 83702
OR
Name: JAMES W GARRETT 208-338-1412
Address: 4492 KELDOON
BOISE ID 83702

2. Date of Priority: APR 1, 1890

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	01W	14	SW	SW	NE		OWYHEE

5. Description of diverting works: CONCRETE DAM WITH TURN VALVE HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.400		
STOCKWATER	04/01	10/15	0.160		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 700 HD CATTLE, 30 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	01W	12	SE	SW		STOCK	
			SE	SW		IRR	8.0
			SW	SE		IRR	8.0
			SW	SE		STOCK	
			Section Acres				16.0
		13	NW	NE		IRR	7.0
			NW	NE		STOCK	
			NE	NW		IRR	30.0
			NE	NW		STOCK	
			NW	NW		IRR	36.0
			NW	NW		STOCK	
			Section Acres				73.0
		14	NE	NE		IRR	7.0
			NE	NE		STOCK	
			SE	NE		STOCK	
			SE	NE		IRR	6.0
			Section Acres				13.0
			Total Acres				102.0

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:

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 57-00166, 57-00167, 57-00168, 57-00169, 57-00170 AND 57-02102.
USE OF THIS RIGHT WITH RIGHT NO. 57-00166, 57-00167, 57-00168, 57-00169, 57-00170 AND 57-02102 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 255 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 102 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO.S 57-00166, 57-00167, 57-00168, 57-00169 AND 57-00170 IS LIMITED TO THE WATERING OF A TOTAL OF 700 CATTLE & 30 HORSES.

15. Basis of Claim: DECREED

Case Number:

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JAMES L. DAVEY

Decree Plaintiff

GEORGE F. BROWN ET. AL.

vs

Decree Defendant

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County of _____) SS.

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of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____