

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: A72-10220

Date Received: 12/21/1989

Receipt No: S010743

Received By: *OJC AB*

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JOHN ABATTI 208-838-2684
Address: HC 68 BOX 290
CLAYTON ID 83227
AND
Name: CAROL ABATTI 208-838-2684
Address: HC 68 BOX 290
CLAYTON ID 83227

2. Date of Priority: MAY 10, 1880

3. Source: SALMON RIVER, EAST FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	18E	1	NW	NW	NW	4	CUSTER
11N	18E	35	SW	SW	NE		CUSTER

5. Description of diverting works:
TWO DITCHES FROM RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.000		

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

8. Total consumptive use is 780.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIG.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11N	18E	26	SW		NW		IRR	21.0
			SE		NW		IRR	5.0
			NE		SW		IRR	40.0
			NW		SW		IRR	32.0
			SW		SW		IRR	24.0
			SE		SW		IRR	30.0
			NW		SE		IRR	9.0
			SW		SE		IRR	6.0
							Section Acres	167.0
		27	SE		NE		IRR	27.0
			NE		SE		IRR	29.0
			SE		SE		IRR	5.0
							Section Acres	61.0
		35	NW		NE		IRR	1.0
			SW		NE		IRR	6.0
			NE		NW		IRR	34.0
			NW		NW		IRR	14.0
			SW		NW		IRR	1.0
			SE		NW		IRR	28.0
							Section Acres	84.0
							Total Acres	312.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

A72-10220 THRU A72-10222, A72-10237

14. Remarks:

THIS CLAIM IS BASED ON A COMBINATION OF DECREES AS FOLLOWS:

72-00220 3.00 CFS

72-00222 3.00 CFS

TOTAL 6.00 CFS

OWNERSHIP CHANGE MADE 2/28/97 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GOSSI, ET. AL.
Decree Plaintiff

GIAMPEDRAGLIA, ET. AL.
vs Decree Defendant

Water Right Number - R72-10220

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

ABATTI

CAROL

1 - HC 68 BOX 290
2 -
3 -

State- ID Zip- 83227

ABATTI

JOHN

City- CLAYTON
Phone - 208-838-2684
1 - HC 68 BOX 290
2 -
3 -

State- ID Zip- 83227

*** O - ORIGINAL OWNER ***
GIAMPEDRAGLIA

1 -
2 -
3 -
City- XXX
Phone - 208-000-0000
1 - HC 67 BOX 2095
2 -
3 -

State- ID Zip- 000

J-P RANCH INC

State- ID Zip- 83226

GIAMPEDRAGLIA

City- CHALLIS
Phone - 208-838-2291
1 -
2 -
3 -
City- XXX
Phone - 208-000-0000

State- ID Zip- 000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/10/1880 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SALMON RIVER, EAST FORK SALMON RIVER

TwN	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
10N	18E	1	NW NW NW	4		(37) CUSTER	
11N	18E	35	SW SW NE			(37) CUSTER	

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01		6.000	
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +						
6.000 780.0						

Water right number - R72-10220

Prefix Translation: RESEARCH

Trn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
11N	18E	26	SW NW		21.0	01	IRRIGATION	(37) CUSTER
11N	18E	26	SE NW		5.0	01	IRRIGATION	(37) CUSTER
11N	18E	26	NE SW		40.0	01	IRRIGATION	(37) CUSTER
11N	18E	26	NW SW		32.0	01	IRRIGATION	(37) CUSTER
11N	18E	26	SW SW		24.0	01	IRRIGATION	(37) CUSTER
11N	18E	26	SE SW		30.0	01	IRRIGATION	(37) CUSTER
11N	18E	26	NW SE		9.0	01	IRRIGATION	(37) CUSTER
11N	18E	26	SW SE		6.0	01	IRRIGATION	(37) CUSTER
11N	18E	27	SE NE		27.0	01	IRRIGATION	(37) CUSTER
11N	18E	27	NE SE		29.0	01	IRRIGATION	(37) CUSTER
11N	18E	27	SE SE		5.0	01	IRRIGATION	(37) CUSTER
11N	18E	35	NW NE		1.0	01	IRRIGATION	(37) CUSTER
11N	18E	35	SW NE		6.0	01	IRRIGATION	(37) CUSTER
11N	18E	35	NE NW		34.0	01	IRRIGATION	(37) CUSTER
11N	18E	35	NW NW		14.0	01	IRRIGATION	(37) CUSTER
11N	18E	35	SW NW		1.0	01	IRRIGATION	(37) CUSTER
11N	18E	35	SE NW		28.0	01	IRRIGATION	(37) CUSTER
Total Acres:					312.0			

+ - - Diversion Means - TWO DITCHES FROM RIVER

+ - - Non-Irrigation Use - STOCKWATER INCIDENTAL TO IRRIG.

+ - - Other Rights for Same Use - A72-10220 THRU A72-10237

GEN THIS CLAIM IS BASED ON A COMBINATION OF DECREES AS FOLLOWS:

72-00220 3.00 CFS
72-00222 3.00 CFS

TOTAL 6.00 CFS

A7200220
A7200222

Old Water Right Numbers

Conditions of Approval
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +
GOSSI, ET. AL.

+ - - - Decree Defendant - - - +
GIAMPEDRAGLIA, ET. AL.

+ - Decree Date - +
00/00/0000

Water right number - R72-10220

Prefix Translation: RESEARCH

Date: 02/28/1997 User Id: TBACKLUN Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGE MADE WITH 42-1409(6).

Audit Fields - - +
00/00/00

Adjudication Rights Dates and Flags Area	
Court Report Filing	00/00/0000
Objection Filed Date	00/00/0000
Response Filed Date	00/00/0000
Claim Received Date	12/21/1989
Field Inspection Made	00/00/0000
Field Inspection Flag	00/00/0000
Verified Date	00/00/0000
Last Amended Date	00/00/0000
Receipt Number	S010743
POU Ownership Flag	Y
Name Connector	AND
Civil Case Number	39576
Old Case Number	
Old Judicial District	
Temporary Right	P
Water District	
Federal/State Indicator	S
Presumption Flag	D
Notice of Error Flag	



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

APR 8, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREIER
DIRECTOR

JOHN & CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227

RE: SRBA CLAIM(S): SEE ENCLOSED
J-P RANCH

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THESE COPIES ARE FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund".

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES

SEP 25 1996

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) A72-10210; A72-10212; A72-10213; A72-10214;
A72-10215; A72-10220; A72-10221; A72-10222; A72-10237;
A72-10441
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): J-P Ranch, Inc. an Idaho corporation
5230 West Canyon Creek Road
Idaho Falls, Idaho 83402
4. New Owner/Claimant(s) John Abatti and Carol Abatti, husband and wife
Name connector (check one): ☒ AND [] OR, [] AND OR
New Mailing Address: HC 68 Box 290
City, State and ZIP Code: Clayton, Idaho 83227
New Telephone Number: (208) 838-2684
5. Date you acquired the property September 13, 1996

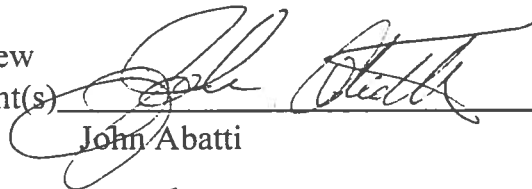
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

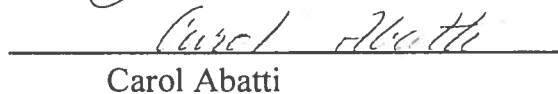
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____

Cubic Feet per second

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)

 Date 9-13-96
John Abatti

 Date 9-13-96
Carol Abatti

(Corporations or other organizations must submit 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 attached a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides the new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water right for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than ½ acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you.

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Ste. 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Ste. A, Idaho Falls, ID 83402-1718 (208) 525-7161

CORPORATION WARRANTY DEED

THIS INDENTURE is made this 13th day of September, 1996, by J-P RANCH, INC., an Idaho corporation, the "Grantor", and JOHN ABATTI and CAROL ABATTI, husband and wife, whose mailing address is HC 68 Box 290, Clayton, Idaho 83227, the "Grantee".

WITNESSETH, that the Grantor having been duly authorized by resolution of its Board of Directors, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to it in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee and to Grantee's heirs and assigns forever, all the following described property in the County of Custer, State of Idaho, to-wit:

TOWNSHIP 11 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO:

SECTION 26: The SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NW $\frac{1}{4}$. EXCEPTING THEREFROM, that portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying South and West of the East Fork County Road.

SECTION 27: The SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

SECTION 35: The SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

TOGETHER WITH AN EASEMENT, FOR INGRESS AND EGRESS, SAID EASEMENT BEING TEN (10) FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTER LINE OF AN IRRIGATION DITCH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest corner of Section 35, Township 11 North, Range 18 East, of the Boise Meridian, Custer County, Idaho; thence North 89°56'30" East, 1320.05 feet on and along the North line of said Section 35 to the Northwest 1/16th corner; thence South 0°00'20" West, 1322.62 feet to the center NW 1/16th corner; thence South 89°57'59" West, 294.05 feet to the center of said irrigation ditch and the Point of Beginning of this description; thence South 13°00' East, approximately 30.0 feet to a bend in said ditch;

thence South 67°00' East, approximately 210.0 feet to the center of an existing road and the terminus of this description.

Together with all irrigation equipment, pumping plants and sprinkler systems situate on the above described real property.

EXCEPTING THEREFROM the following three (3) described tracts:

TRACT NO. 1:

A fractional parcel of land in the NW¼ of Section 35, Township 11 North, Range 18, East, Boise Meridian, Custer County, Idaho, and more particularly described as: Commencing at the Northwest corner of said Section 35; thence North 89°56'30" East, 1320.05 feet on and along the North line of said Section to the NW 1/16th corner; thence South 0°00'20" West, 1322.62 feet to the NW center 1/16th corner; thence South 89°57'59" West, 141.87 feet to the Point of Beginning of this description and the center of a County Road; thence continuing South 89°57'59" West, 188.18 feet to a ½" rebar marked L.S. 4107; thence South 0°00'20" West, 330.66 feet to another ½" rebar; thence North 89°57'59" East, 330.05 feet to another ½" rebar marked L.S. 4107; thence South 0°00'20" West, 249.93 feet to another ½" rebar and the Northwest corner of Tract No. 2; thence North 84°57'26" East, 239.04 feet to the Northeast corner of Tract 2 and the center of said County Road; thence the following 5 courses on and along said County Road North 45°56'56" West, 127.68 feet; thence North 43°51'20" West, 107.48 feet; thence North 35°29'15" West, 59.49 feet; thence North 28°40'37" West, 77.75 feet; thence North 27°09'10" West, 310.81 feet to the Point of Beginning.

TRACT NO. 2:

A fractional part of the NW¼ of Section 35, Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho, and more particularly described as: Commencing at the Northwest corner of said Section 35; thence North 89°56'30" East, 1320.05 feet on and along the North line of said Section to the NW 1/16th corner; thence South 0°00'20" West, 1903.21 feet to the Point of Beginning of this description; thence continuing South 0°00'20" West, 316.07 feet to the Southwest corner of this Tract and a ½" rebar marked L.S. 4107; thence North 68°30'12" East, 445.85 feet to the center of a County Road; thence North 45°29'27" West, 247.77 feet on and along the center of said Road; thence South 84°57'26" West, 239.04 feet to the Point of Beginning.

TRACT NO. 3:

A fractional parcel of land in the NW¼ of Section 35, Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho, and more particularly described as: Commencing at the Northwest corner of said Section 35; thence North 89°56'30" East, 1320.05 feet on and along the North line of said Section to the NW 1/16th corner; thence South 0°00'20" West, 2219.28 feet to the Point of Beginning of this description; thence continuing South 0°00'20" West, 425.96 feet to the center W 1/16th corner; thence North 89°59'28" East, 715.30 feet on and along the East-West center of said Section to the center of a County Road; thence the following 8 courses on and along the center of said road, North 3°29'31" East, 37.63 feet; thence North 1°02'19" East, 89.98 feet; thence North 9°24'42" West, 79.76 feet; thence North 22°40'39" West, 72.07 feet; thence North 32°31'30" West, 89.27 feet; thence North 37°00'50" West, 65.63 feet; thence North 40°30'04" West, 99.61 feet; thence North 44°32'31" West, 158.70 feet to the Northeast corner of this Tract; thence South 68°30'12" West, 445.85 feet to the Point of Beginning.

ALSO EXCEPTING COUNTY ROAD RIGHT-OF-WAY.

SUBJECT TO THE FOLLOWING:

1. All existing easements or claims of easements, patent reservations, rights-of-way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.
2. Right-of-Way Deed from Louie Giampedraglia and Viola Giampedraglia, to County of Custer, dated April 6, 1952, conveying a 50' right-of-way across the NW¼NW¼ of Section 35, Township 11 North, Range 18 East, Boise Meridian, as described in Deed recorded April 6, 1953, in Book 30 of Deeds at page 204 under Recorder's Reception Number 105604, records of Custer County, Idaho.
3. Fish and Game Easement as shown in Deed from C. A. Polson and Alice Polson, husband and wife, and Louie Giampedraglia and Viola Giampedraglia, to State of Idaho, Department of Fish and Game, dated December 17, 1959, and recorded June 22, 1960, in Book 33 of Deeds at page 362, under Recorder's Reception Number 114146, records of Custer County, Idaho.

4. Fish and Game Easement as shown in Deed from C. A. Polson and Alice Polson, husband and wife, and Louie Giampedraglia and Viola Giampedraglia, to State of Idaho, Department of Fish and Game, dated October 15, 1959, and recorded June 22, 1960, in Book 33 of Deeds at page 367, under Recorder's Reception Number 114149, records of Custer County, Idaho.
5. Memorandum of Agreement dated June 23, 1987, by and between Salmon River Electric Cooperative, Inc., and Judd and Pauline Cramer, recorded June 24, 1987, as Instrument Number 185320, records of Custer County, Idaho.
6. The right, title and interest of the public in and to those portions of the above described premises falling within the bounds of roads or highways, dedicated and/or otherwise used by the public, and subject to all easements and restrictions attendant and pertinent to said highways.

TOGETHER with all water rights and mineral rights appurtenant to such property and all other the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, any reversions, any remainders, rents, issues and profits therefrom, and all estate, right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD, the above described premises and appurtenances unto the Grantee and to the Grantee's heirs and assigns forever. The Grantor shall warrant and defend the premises in the quiet and peaceable possession of the Grantee against the Grantor and the Grantor's successors, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has set its corporate name by its duly authorized officer.

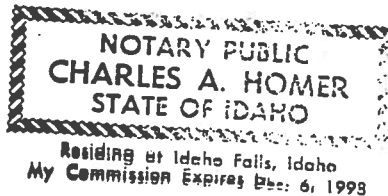
J-P RANCH, INC.

By: JP Ranch Inc. by Judd G. Cramer
Judd G. Cramer
Its: President

STATE OF IDAHO)
)
County of Bonneville)

On this 13th day of September, 1996, before me, a Notary Public, in and for the State of Idaho, personally appeared **Judd G. Cramer**, known or identified to me to be the President for **J-P Ranch, Inc.**, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year first above written.



[Signature]
Notary Public for Idaho
Residing at: Idaho Falls, Idaho
Commission expires: 12/6/98

G:\WPDATA\CAH9927\ABAT0911 CWD:jht

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS, P.A.
DALE W. STORER
MARIE T. TYLER
JOHN G. SIMMONS
ROBERT M. FOLLETT
FREDERICK J. HAHN, III

U.S. BANK OF IDAHO BUILDING
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518
E-MAIL HOLDNLAW@SRV.NET

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

September 24, 1996

RECEIVED

SEP 25 1996

Department of Water Resources
Southern Region

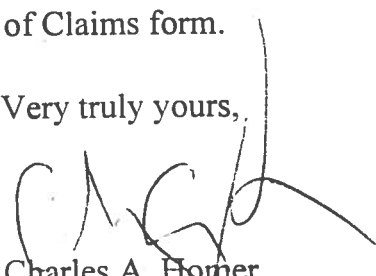
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

Re: J-P Ranch, Inc. — Abatti Real Estate Sale

Gentlemen:

Our office was recently involved in a real estate closing on the sale of certain property located in Custer County, Idaho, from J-P Ranch, Inc. to Mr. and Mrs. John Abatti. In connection with such sale we are enclosing for your information an executed Notice of Change of Water Right Ownership form with attached thereto a copy of the Warranty Deed together with an executed Assignment of Notice of Claims form.

Very truly yours,


Charles A. Homer

Enclosures

cc: Keith Tyler
Judd Cramer

G:\WPDATA\CAH\9927JDWR0918 LTR.jht

RECEIVED

SEP 25 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF NOTICE OF CLAIMS

Department of Water Resources
SOUTHERN REGION

The undersigned, **J-P RANCH, INC.**, an Idaho corporation, hereby assign to **JOHN ABATTI and CAROL ABATTI**, husband and wife, or their successors, whose mailing address is HC 68 Box 290, Clayton, Idaho 83227, the following:

All our right, title, and interest in and to Notice of Claim Nos.
A72-10210; A72-10212; A72-10213; A72-10214; A72-10215;
A72-10220; A72-10221; A72-10222; A72-10237; A72-10441
to a Water Right Acquired Under State Law.

Made this 13th day of September, 1996.

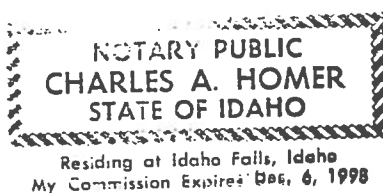
J-P RANCH, INC.

J-P Ranch Inc. by: Judd G. Cramer
By: Judd G. Cramer
Its: President

STATE OF IDAHO)
)
County of Bonneville)

On this 13th day of Sept, 1996, before me, a Notary Public, in and for the State of Idaho, personally appeared **Judd G. Cramer**, known or identified to me to be the President for **J-P Ranch, Inc.**, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year first above written.



[Signature]
Notary Public for Idaho
Residing at: Idaho Falls, Idaho
Commission expires: 12/6/98

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: A72-10220
Date Received: 12/06/1989
Receipt No: _____
Received By: _____

Department of Water Resources
Southern Region Office

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

1. Name: J-P RANCH INC. 208-838-2291
Address: H.C. 67 BOX 2095
CHALLIS, ID 83226

2. Date of Priority: MAY 10, 1880

3. Source: SALMON RIVER, EAST FORK. Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	18E	1	NW	NW	NW	4	CUSTER
11N	18E	35	SW	SW	NE		CUSTER

5. Description of diverting works:
TWO DITCHES FROM RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.000		

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

8. Total consumptive use is 780.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIG.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11N	18E	26	SW	NW		IRR	21.0
			SE	NW		IRR	5.0

A72-10220

Page 1

Date: 12/06/89

COPY

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	18E	26	NE	SW		IRR	40.0
			NW	SW		IRR	32.0
			SW	SW		IRR	24.0
			SE	SW		IRR	30.0
			NW	SE		IRR	9.0
			SW	SE		IRR	6.0
						Section Acres	167.0
		27	SE	NE		IRR	27.0
			NE	SE		IRR	29.0
			SE	SE		IRR	5.0
						Section Acres	61.0
		35	NW	NE		IRR	1.0
			SW	NE		IRR	6.0
			NE	NW		IRR	34.0
			NW	NW		IRR	14.0
			SW	NW		IRR	1.0
			SE	NW		IRR	28.0
						Section Acres	84.0
						Total Acres	312.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-10220 THRU A72-10222, A72-10237

14. Remarks:
THIS CLAIM IS BASED ON A COMBINATION OF DECREES AS FOLLOWS:

72-00220	3.00 CFS
72-00222	3.00 CFS

TOTAL	6.00 CFS

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

GOSSI, ET. AL.
Decree Plaintiff
A72-10220

vs
2

GIAMPEDRAGLIA, ET. AL.
Decree Defendant
Date: 12/06/89

FILED
12/06/89

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 ~~But~~ President of _____
Title

JP Ranch, Inc., that I have signed the foregoing
Organization
document in the space below as President of
Title

JP Ranch, Inc. and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

President JP Ranch, Inc.
Title and Organization

12-13-89
Date

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of Dec 19 89

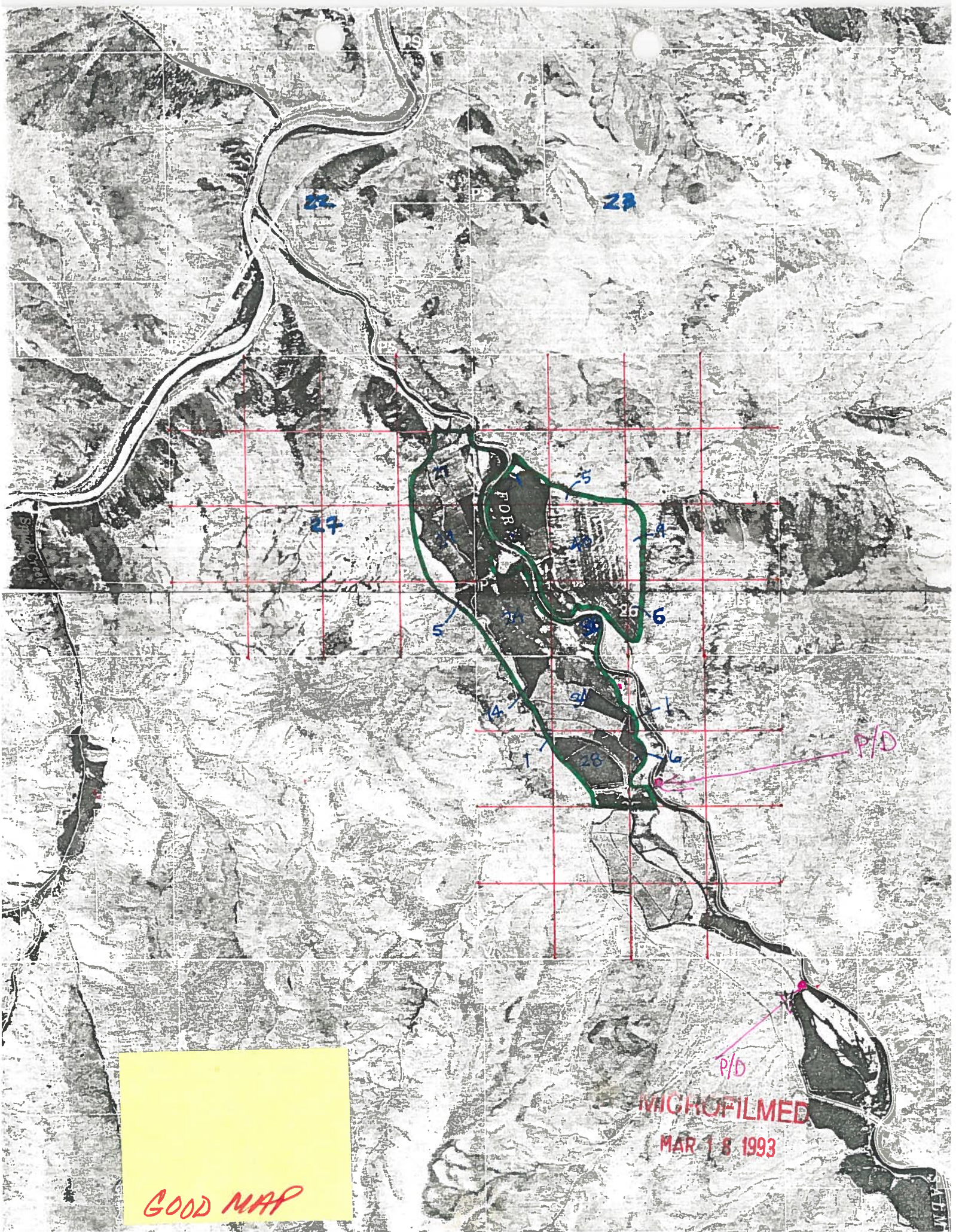
[Signature]
Notary Public

Seal

Residing at Custer, Idaho

My Commission Expires Dec 10, 1992

FILED
DEC 10 1989



GOOD MAP

MICROFILMED
MAR 18 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Dec. 22, 1989

J-P RANCH INC
HC 67 BOX 2095
CHALLIS ID 83226

Dear Claimant(s):

A72-10220
A72-10221
A72-10222
A72-10237
Re: A72-10210
A72-10212
A72-10213
A72-10214
A72-10215
A72-10223
A72-10224

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 18 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

December 15, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

John and Carol Abatti
HC 68 Box 290
Clayton, Idaho 83227

RE: Snake River Basin Adjudication (SRBA)
Claim Numbers: A72-10220, A72-10221, A72-10237, A72-10222

Dear Mr. And Mrs. Abatti:

I attempted to contact you by telephone, and hoped that you would be available to attend the meeting in Challis December 8th to discuss your Adjudication Claims, but I know that it was short notice, and apologize for that.

The Department has completed its initial investigation of your water right claims in the SRBA. Enclosed please find copies of your claims as I propose to recommend them to the SRBA Court. Please review these preliminary recommendations carefully. I have also provided a computer generated GIS image of your place of use produced from 1988 aerial photography, and instructions for using our Notice of Error process.

Of particular mention, are the changes in your adjudication claim number A72-10222, in which 1.6 cfs was claimed based upon decreed water right number 72-00236, and a statutory claim number 72-04176. I recommended the 0.3 cfs allocated to land in the SWNE Section 35, with a priority date of 5-1-1885 as decreed on February 14, 1938. I did not recommend the balance of the claim - 1.3 cfs allocated to the NWNE, NENW, NWNW, and SENW of section 35 based upon the statutory claim dated 6-27-1983.

A statutory claim for water rights is based upon a statement of beneficial use. There has been no prior investigation or court proceeding to substantiate the claim, therefore, as part of the adjudication process, we require proof that the water claimed has been put to beneficial use, and the date that it was first put to such beneficial use. Simply filing the claim, as was done in 1983, does not prove that the water is being used for the stated purpose, nor does it prove the date that it was first put to use.

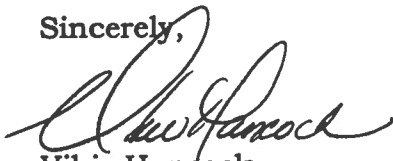
It can be assumed that the 1.3 cfs of water based on the statutory claim had not been appropriated on, or before, February 14, 1938, because it is not included in the decree appurtenant to the property involved. It is possible that more water was needed at a later date, and appropriated in addition to the water previously decreed to that tract of land. It is also possible that, at the time the statutory claim was filed, the owners of the property were unaware of the previously decreed water. The water decreed in 1938, for the tract of land

covered by statutory claim 72-04176, is included in your adjudication claims number 72-10220 and 72-10221.

If you wish to claim the balance of water currently disallowed from right number A72-10222, you will need to file a new claim, based on beneficial use, and provide the information necessary to substantiate that use. For your convenience, I have enclosed a booklet that explains evidence of priority, and a Notice of Claim to a Water Right, which you will need to complete if filing an additional claim, and submit along with a \$50.00 filing fee. Please be aware that soil and climate data indicate that this additional water may not be necessary to adequately irrigate your land using your current method of sprinkler irrigation.

Please call if you have any questions about how your rights have been recommended. I encourage you to contact the Department and discuss the matter further, should you decide to file an additional claim.

Sincerely,

A handwritten signature in black ink, appearing to read 'Vikie Hancock', written in a cursive style.

Vikie Hancock
Water Resource Agent

TELEPHONE CONVERSATION

MEMORANDUM

INCOMING CALL

✓ OUTGOING CALL

RETURNING CALL

934 / 10 03

TO: BOB FOSTER

DATE: 01-30-98

FROM: FH

FILE: JP RANCH INC to ABATTI, JOHN + CAREN.

FILE NO:

SUBJECT: CRP to transfer PODS / IF + G. R. P. U. N.
diversity to P. U. N. (5) in. N. U. N. w/ pilots.
Wants to do for this season...

REMARKS: 312 AC / 10.54 CFS totals - go over
- has plane already ASCS - image...

Bob has ASCS - w/ N. R. S. drawing in:
1997 flight

SEND: W. D. E. F. D.
w/ pilots shown

ROUTING INSTRUCTIONS: mailed W. D. E. D. CC & Assign.
CALENDAR DATES: of name from 10.45 AM.

FH/ABH

From: DWR03::BFOSTER 30-JAN-1998 08:28:00.35
To: DWR60::FHITCHCO
CC:
Subj: John Abatti

Good Morning Frank, I hope things are well with you and yours. Things are fine here. I'm working on a transfer with John Abatti to change the point(s) on the water rights diverted from EF-1 & EF-2. The fish screens would be eliminated and he would pump directly from the river and put all ground under sprinkler irrigation. Give me a call if there are any quirks invloved with these claims. Thanks, Bob.

INTER-DEPARTMENT MEMO

TO: SHELLEY KEEN

SUBJECT: J.P. BARKH INC.

FROM: H-50.

DATE: 03-23-1995

As promised in phone conversation 02-23-95,
renew will begin MON 03-27-95.

Still trying to get change done per.

I thank you as usual for your interest.

WJK

7

☒ For your information

☐ Response required

signature

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

CUSTOMER

June 9, 1995 9:28am **LYNN STEVENSON** **SALMON RIVER REALTY**

SUBJECT: FAX PROFILE REPORTS ON J-P RANCH, INC. CLAIMS

A72-10210, A72-10212, A72-10213,

A72-10214, A72-10215, A72-10220,

A72-10221, A72-10222, A72-10237

phone call (X) walk-in (.)

He called to have me check on the claims for J-P Ranch, Inc. with the legal description of T11N, R18E, Sections 26, 27, and 35.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-10220

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent 7H

Date 02-23-95

Contact Person(s) Shelly Keen

Nature of Contact

reviewing this/other SRBA claims
- w/ complete shortly re: his license review.

Substance of Communication

w/ get to JP Ranch claim by end of
mo.
w/ contact w/ recommendation.

A72-10220

-00220 N⁸⁰1/2SW, SWNW⁴⁰ \$26 11N18E
SENE⁴⁰, NESE⁴⁰ \$27 200AC/300"
3 CFS 05-10-1880 @ 1 1/2"

-00222 S1/2SW⁸⁰ \$26 11N18E
N1/2NW⁸⁰ \$25 200AC/300"
SE NW⁴⁰ @ 1 1/2"
3 CFS 05-10-1880

Pods NWNW \$1 10N18E
NWSE \$35 11N18E

$3 \text{ CFS} = 150 \text{ miner's inches} \div 200 \text{ AC} = .75$

FILE JP RANCHES
AGENT: 71
DATE: 10-01-93

RE:

review field data

NAME OF PARTY:

- 1) review pix
- 2) review map
- 3) review measurement
- 4) - 07285 done in 73
- 07284 exam in 87
License in 90
- 5) volume v total diversion ^{meter} Bunker
conveyance loss?
how much diversion to get amt
claimed?

FILE JP RANCHES
AGENT: H
DATE: 09-30-93

RE:

Field Mem

NAME OF PARTY:

JUDD KRAMER

145 PM CLAYTON CAFE:

ran into claimant

he suggested 830 AM

then stepped back in - call me @ 7 AM

FI JP RANCHES
AGENT: 7H
DATE: 08-18-1993

RE:

Field Exam

NAME OF PARTY:

Todd Kramer

ran into him in cafe - asked me about
status of his exam -

told him end of month to review w/him.
noted calendar.

08-31-93

per CW TOM MACOMELLA - the expansion
arrangement is the match up the hills on E
side of place circa 1948-1952 by Worley.

FILE JP RANCHES INC

AGENT: 7H

DATE: 07-28-93

RE:

JP RANCHES

NAME OF PARTY:

TUDD KRAMER

introduced self - left card w/ MRS KRAMER -
mentioned phone msg - they have been on
vacation - husband back next week -
explained need to review claims (4).
Call 1st of week 08-02-93.

08-03-93

130 CN MR. KRAMER - reviewed claims review
process - he took ocs of claims - went
over the forms w/ him - gave him a
conversion card - he asked about how one
would return to flooding under a sprinkler
usage - discussed that.
Reviewed Bill's Report process - w/ return
to measure - explained - he wants to observe.
Has owned 10 years - under sprinkler al-
most entire time.

SPRINKLER DATE

TELEPHONE MEMORANDUM

Incoming Call

Outgoing Call

842

Returning Call

TO:

JUDD KRAMER

DATE:

08-02-1993

FROM:

H

FILE:

FILE NO:

SUBJECT:

Field Exam

REMARKS:

asked for MR: 1-2 PM

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

TELEPHONE MEMORANDUM

Incoming Call

Outgoing Call

Returning Call

TO:

DATE:

FROM:

FILE:

FILE NO:

SUBJECT:

REMARKS:

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

✓
JP RANCHES

07-20-93

7

-10220, 221, 222, 237

FISH SCREEN (EF1) full name

msg in recorder

COPY

700 OCT 19 PM 4:09

SRBA
FALLS, IDAHO
FILED

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

In Re SRBA

Case No. 39576

) SUBCASE NO. 72-10220A,
) 72-10221A, 72-10222A, 72-10237A
)
)

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING
)

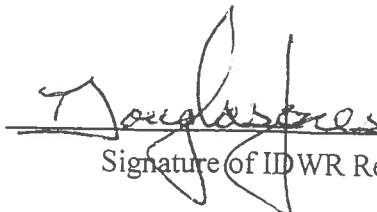
IDWR has completed the following Administrative proceeding: SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

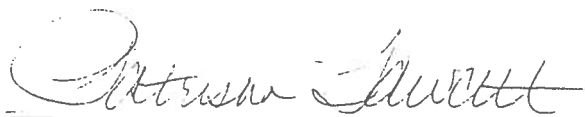
Dated: 10/16/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/19, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Carol Abatti
HC 68 Box 290
Clayton ID 83227
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Valley Sun LLC
PO Box 844
Sun Valley ID 83353
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

09/26/2000

RIGHT NUMBER: 72-10220A
NAME AND ADDRESS: VALLEY SUN LLC
PO BOX 844
SUN VALLEY, ID 83353
SOURCE: SALMON RIVER, East Fork
TRIBUTARY: Salmon River
QUANTITY: 5.88 CFS
929.6 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1015.3 AF. COMBINED RIGHT NOS.: 72-10220A, 72-10221A, 72-10222A AND 72-10237A
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.40 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1064.0 AF. COMBINED RIGHT NOS. 72-07505A, 72-10220A, 72-10221A, 72-10222A, 72-10237A, 72-07505B, 72-10220B, 72-10221B, 72-10222B AND 72-10237B

PRIORITY DATE: 05/10/1880

POINT OF DIVERSION: T11N R18E S26 SWNW Within CUSTER County
T11N R18E S26 SESW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 10-31	5.88 CFS 929.6 AFY

PLACE OF USE:

IRRIGATION Within CUSTER County			
T11N R18E S26	SWNW	21	T11N R18E S26 NESW 40
T11N R18E S26	NWSW	28	T11N R18E S26 SWSW 31
T11N R18E S26	SESW	28.8	T11N R18E S27 SENE 24
T11N R18E S27	NESE	27	T11N R18E S27 SESE 5
T11N R18E S35	SWNE	12	T11N R18E S35 NENW 35
T11N R18E S35	NWNW	14	T11N R18E S35 SWNW 0.3
T11N R18E S35	SENW	28	
294.1 ACRES TOTAL			

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 265.6 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 290.1 ACRES IN A SINGLE IRRIGATION SEASON COMBINED RIGHTS NOS.: 72-10220A, 72-10221A, 72-10222A AND 72-10237A

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: BASIS OF CLAIM - Decreed

Water Right 72-10220A

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

09/26/2000

RIGHT NUMBER: 72-10221A

NAME AND ADDRESS: VALLEY SUN LLC
PO BOX 844
SUN VALLEY, ID 83353

SOURCE: SALMON RIVER, East Fork

TRIBUTARY: Salmon River

QUANTITY: 0.79 CFS
333.8 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1015.3 AF. COMBINED RIGHT NOS.: 72-10220A, 72-10221A, 72-10222A AND 72-10237A

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.40 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1064.0 AF. COMBINED RIGHT NOS. 72-07505A, 72-10220A, 72-10221A, 72-10222A, 72-10237A, 72-07505B, 72-10220B, 72-10221B, 72-10222B AND 72-10237B

PRIORITY DATE: 05/01/1936

POINT OF DIVERSION: T11N R18E S26 SWNW Within CUSTER County
T11N R18E S26 SESW Within CUSTER County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 10-31	0.79 CFS 333.8 AFY

PLACE OF USE:

IRRIGATION Within CUSTER County					
T11N R18E S26	SWNW	21	T11N R18E S26	NESW	40
T11N R18E S26	NWSW	28	T11N R18E S26	SWSW	31
T11N R18E S26	SESW	28.8	T11N R18E S27	SENE	24
T11N R18E S27	NESE	27	T11N R18E S27	SESE	5
T11N R18E S35	SWNE	12	T11N R18E S35	NENW	35
T11N R18E S35	NWNW	14	T11N R18E S35	SWNW	0.3
T11N R18E S35	SENW	28			
294.1 ACRES TOTAL					

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 265.1 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 290.1 ACRES IN A SINGLE IRRIGATION SEASON COMBINED RIGHTS NOS.: 72-10220A, 72-10221A, 72-10222A AND 72-10237A

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: BASIS OF CLAIM - Decreed

Water Right 72-10221A

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

09/26/2000

RIGHT NUMBER: 72-10222A

NAME AND ADDRESS: VALLEY SUN LLC
PO BOX 844
SUN VALLEY, ID 83353

SOURCE: SALMON RIVER, East Fork
TRIBUTARY: Salmon River

QUANTITY: 0.29 CFS
40.6 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1015.3 AF. COMBINED RIGHT NOS.: 72-10220A, 72-10221A, 72-10222A AND 72-10237A

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.40 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1064.0 AF. COMBINED RIGHT NOS. 72-07505A, 72-10220A, 72-10221A, 72-10222A, 72-10237A, 72-07505B, 72-10220B, 72-10221B, 72-10222B AND 72-10237B

PRIORITY DATE: 05/01/1885

POINT OF DIVERSION: T11N R18E S26 SWNW Within CUSTER County
T11N R18E S26 SESW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 10-31	0.29 CFS 40.6 AFY

PLACE OF USE:

IRRIGATION Within CUSTER County			
T11N R18E S26	SWNW	21	T11N R18E S26 NESW 40
T11N R18E S26	NWSW	28	T11N R18E S26 SWSW 31
T11N R18E S26	SESW	28.8	T11N R18E S27 SENE 24
T11N R18E S27	NESE	27	T11N R18E S27 SESE 5
T11N R18E S35	SWNE	12	T11N R18E S35 NENW 35
T11N R18E S35	NWNW	14	T11N R18E S35 SENW 0.3
T11N R18E S35	SENW	28	
294.1 ACRES TOTAL			

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 11.6 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 290.1 ACRES IN A SINGLE IRRIGATION SEASON COMBINED RIGHTS NOS.: 72-10220A, 72-10221A, 72-10222A AND 72-10237A

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: BASIS OF CLAIM - Decreed

Water Right 72-10222A

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

09/26/2000

RIGHT NUMBER: 72-10237A
NAME AND ADDRESS: VALLEY SUN LLC
PO BOX 844
SUN VALLEY, ID 83353
SOURCE: SALMON RIVER, East Fork
TRIBUTARY: Salmon River
QUANTITY: 2.1 CFS
367.5 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1015.3 AF. COMBINED RIGHT NOS.: 72-10220A, 72-10221A, 72-10222A AND 72-10237A
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.40 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1064.0 AF. COMBINED RIGHT NOS. 72-07505A, 72-10220A, 72-10221A, 72-10222A, 72-10237A, 72-07505B, 72-10220B, 72-10221B, 72-10222B AND 72-10237B

PRIORITY DATE: 06/28/1983

POINT OF DIVERSION: T11N R18E S26 SWNW Within CUSTER County
T11N R18E S26 SESW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 10-31	2.10 CFS 367.5 AFY

PLACE OF USE:

IRRIGATION Within CUSTER County					
T11N R18E S26	SWNW	21	T11N R18E S26	NESW	40
T11N R18E S26	NWSW	28	T11N R18E S26	SWSW	31
T11N R18E S26	SESW	28.8	T11N R18E S27	SENE	24
T11N R18E S27	NESE	27	T11N R18E S27	SESE	5
T11N R18E S35	SWNE	12	T11N R18E S35	NENW	35
T11N R18E S35	NWNW	14	T11N R18E S35	SWNW	0.3
T11N R18E S35	SENW	28			
294.1 ACRES TOTAL					

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 105.0 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 290.1 ACRES IN A SINGLE IRRIGATION SEASON COMBINED RIGHTS NOS.: 72-10220A, 72-10221A, 72-10222A AND 72-10237A

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: BASIS OF CLAIM - License

Water Right 72-10237A



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

October 18, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

VALLEY SUN LLC
PO BOX 844
SUN VALLEY ID 83353

RE: SRBA Claim(s) 72-10220A, 72-10221A, 72-10222A, 72-10237A

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Carol Abatti

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
not fees
AUG - 4 2000
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Transfer NO. 5305 - see attached

1. Water Right Number(s) 72-07505A / 73-10230A / 73-10331A / 73-10222A / 73-10237A
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) John & Carol ABATTI

H/c 68 Box 290 Clayton, ID 83337

4. New Owner/Claimant(s) x Valley Sun LLC - Ann M. Down

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

New Mailing Address x PO Box 844

City, State and ZIP Code x Sun Valley, Id 83353

New Telephone Number 208) 622 - 8403

5. Date you acquired the property 7-13-00

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 _____ Number of homes _____ Other uses _____
cubic feet per second

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) Ann M. Down Date 7/13/00

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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5305
WATER RIGHT NO(S). 72-07505A/72-10220A/72-10221A
72-10222A/72-10237A

This is to certify that: JOHN ABATTI
CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 72-10220A : IRRIGATION Priority: 05/10/1880	04/01 to 10/31	5.88 CFS	929.6 AF
Right No. 72-10221A : IRRIGATION Priority: 05/01/1936	04/01 to 10/31	0.79 CFS	333.8 AF
Right No. 72-10222A : IRRIGATION Priority: 05/01/1885	04/01 to 10/31	0.29 CFS	40.6 AF
Right No. 72-10237A : IRRIGATION Priority: 06/28/1983	04/01 to 10/31	2.10 CFS	367.5 AF
	SUBTOTAL:	* 9.06 CFS	* 1015.3 AF
Right No. 72-07505A : IRRIGATION Priority: 08/18/1992	04/15 to 10/15	0.08 CFS	14.0 AF
	TOTAL:	** 9.14 CFS	** 1029.3 AF

SOURCE

SALMON RIVER, EAST FORK

TRIBUTARY OF

SALMON RIVER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 26, Township 11N, Range 18E
SESW , Sec. 26, Township 11N, Range 18E
CUSTER County

TRANSFER NO. 5305
WATER RIGHT NO(S). 72-07505A/72-10220A/72-10221A
72-10222A/72-10237A

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11N	18E	26	SWNW 21.0	NESW 40.0	NWSW 28.0	
			SWSW 31.0	SESW 28.8		148.8
		27	SENE 24.0	NESE 27.0	SESE 5.0	56.0
		35	SWNE 12.0	NENW 35.0	NWNW 14.0	
			SWNW 0.3	SENW 28.0		89.3
Total number of acres irrigated:						* 294.1 ***

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- ** 6. The total instantaneous diversion of water from all points of diversion under Transfer 5305 shall not exceed 9.14 cfs, nor a total combined annual volume of 1029.3 af.
7. These rights when combined with all other rights shall provide no more than 0.02 cfs per acre when water is applied through a sprinkler system.
8. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- *** 9. Right 72-07505A is limited to the irrigation of 4.0 acres in the place of use described above in a single irrigation season.
- *** 10. Right 72-10220A is limited to the irrigation of 265.6 acres in the place of use described above in a single irrigation season.
- *** 11. Right 72-10221A is limited to the irrigation of 265.1 acres in the place of use described above in a single irrigation season.
- *** 12. Right 72-10222A is limited to the irrigation of 11.6 acres in the place of use described above in a single irrigation season.

TRANSFER NO. 5305
WATER RIGHT NO(S). 72-07505A/72-10220A/72-10221A
72-10222A/72-10237A

CONDITIONS OF APPROVAL AND REMARKS

- *** 13. Right 72-10237A is limited to the irrigation of 105.0 acres in the place of use described above in a single irrigation season.
- * 14. Rights 72-10220A, 72-10221A, 72-10222A and 72-10237A when combined shall not exceed a total diversion rate of 9.06 cfs, a total annual maximum diversion volume of 1015.3 af at the field headgate, and the irrigation of 290.1 acres.
12. The period of use for the irrigation under Right 72-07505A may be extended to a beginning date of 04-01 and an ending date of 10-31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 04-15 and after 10-15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Dated this 6th day of March, 2000.


Chief, Water Allocation Bureau

WARRANTY DEED

THIS INDENTURE is made this 13th day July, 2000, by Carol A. Abatti, as an individual, as the Trustee of John P. Abatti Family Trust and as Trustee of Carol A. Abatti Living Trust ("Seller") "Grantor", and Valley Sun, LLC ("Buyer") "Grantee".

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration, to it in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee and to the Grantee's heirs and assigns forever, all the following described property in the County of Custer, State of Idaho, to-wit:

SEE EXHIBIT A, attached hereto

SUBJECT TO THE FOLLOWING:

1. All existing easements or claims of easements, patent reservations, right-of-way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes, and other matters which would be disclosed by an accurate survey or inspection of the premises.
2. Right-of-Way Deed from Louie Giampedraglia and Viola Giampedraglia, to County of Custer, dated April 6, 1952, conveying a 50' right-of-way across the NW¼NW¼ of Section 35, Township 11 North, Range 18 East, Boise Meridian, as described in Deed recorded April 6, 1953, in Book 30 of Deeds page 204 under Recorder's Reception Number 105604, records of Custer County, Idaho.
3. Fish and Game Easement as Shown in Deed from C. A. Polson and Alice Polson, husband and wife and Louie Giampedraglia and Viola Giampedraglia, to State of Idaho, Department of Fish and Game, dated December 17, 1959 and recorded June 22, 1960 in Book 33 of Deeds at page 362, under Recorder's Reception Number 114146, records of Custer County, Idaho.
4. Fish and Game Easement as shown in Deed from C. A. Polson and Alice Polson, husband and wife, and Louie Giampedraglia and Viola Giampedraglia, to the State of Idaho, Department of Fish and Game, dated October 15, 1959, and recorded June 22, 1960, in Book 33 of Deeds at page 367, under Recorder's Reception Number 114149, records of Custer County, Idaho.
5. Memorandum of Agreement dated June 23, 1987, by and between Salmon River Electric Cooperative, Inc., and Judd and Pauline Cramer, recorded June 24, 1987, as Instrument

Number 185329, records of Custer County, Idaho.

6. The right, title and interest of the public in and to those portions of the above-described premises falling within the bounds of roads or highways, dedicated and or otherwise used by the public, and subject to ~~all easements and restrictions attendant and pertinent to said highways.~~

TOGETHER with all water rights and mineral rights appurtenant to such property and all other tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, any reversions, ~~any remainders, rents, issues and profits therefrom, and all estate,~~ right, title and interest in and to the property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD, the above described premises and appurtenances unto the Grantee and to the Grantee's heirs and assigns forever. The Grantor shall warrant and defend the premises in the quiet and peaceable possession of the Grantee against the Grantor and the Grantor's successors and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF,

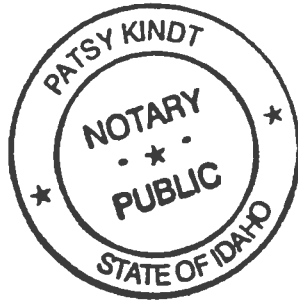
Carol A. Abatti, as an Individual, as the Trustee of
John P. Abatti Family Trust and as Trustee of
Carol A. Abatti Living Trust

By: Carol A. Abatti
Carol A. Abatti, Trustee

STATE OF IDAHO)
 :
County of Custer)

On this 13 day of July, 2000 before me, a Notary Public, in and for the State of Idaho, personally appeared **Carol A. Abatti**, known or identified to me as an Individual and as the Trustee of the **John P. Abatti Family Trust** and the **Carol A. Abatti Living Trust**, the Trusts that executed the instrument or the person who executed the instrument on behalf of said ~~corporation and acknowledged to me that such~~ Trusts executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand the day and year first above written.



Patsy Kindt
Notary Public for Idaho
Residing at: Challis
My Commission Expires: 3/12/04

RECORDING:

221307
Custer County Req. of
Custer County title

Time 2:40 P.M.

7/13 192000

Ethel M Peck, Clerk

Janet Dangis
-3- Deputy

\$ 15.00

EXHIBIT "A"

TOWNSHIP 11 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO:

SECTION 26: The SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NW $\frac{1}{4}$. EXCEPTING THEREFROM, that portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying South and West of the East Fork County Road.

SECTION 27: The SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

SECTION 35: The SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

EXCEPTING THEREFROM the following (3) three described tracts:

TRACT NO.1

A fractional parcel of land in the NW $\frac{1}{4}$ of Section 35, Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho, and more particularly described as: Commencing at the Northwest corner of said Section 35; thence North 89°56'30" East, 1320.05 feet on and along the North line of said Section to the NW 1/16th corner; thence South 0°00'20" West, 1322.62 feet to the NW center 1/16th corner; thence South 89°57'59" West, 141.87 feet to the Point of Beginning of this description and the center of a County Road; thence continuing South 89°57'59" West, 188.18 feet to a $\frac{1}{2}$ " rebar marked L.S. 4107; thence South 0°00'20" West, 330.66 feet to another $\frac{1}{2}$ " rebar; thence North 89°57'59" East, 330.05 feet to another $\frac{1}{2}$ " rebar marked L.S. 4107; thence South 0°00'20" West, 249.93 feet to another $\frac{1}{2}$ " rebar and the Northwest corner of Tract No. 2; thence North 84°57'26" East, 239.04 feet to the Northeast corner of Tract 2 and the center of said County Road; thence the following 5 courses on and along said County Road North 45°56'56" West, 127.68 feet; thence North 43°51'20" West, 107.48 feet; thence North 35°29'15" West, 59.49 feet; thence North 28°40'37" West, 77.75 feet; thence North 27°09'10" West, 310.81 feet to the Point of Beginning.

TRACT NO.2

A fractional part of the NW $\frac{1}{4}$ of Section 35, Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho, and more particularly described as: Commencing at the Northwest corner of said Section 35; thence North 89°56'30" East, 1320.05 feet on and along the North line of said Section to the NW 1/16th corner; thence South 0°00'20" West, 1903.21 feet to the Point of Beginning of this description; thence continuing South 0°00'20" West, 316.07 feet to the Southwest corner of this Tract and a $\frac{1}{2}$ " rebar marked L.S. 4107; thence North 68°30'12" East, 445.85 feet to the center of a County Road; thence North 45°29'27" West, 247.77 feet on and along the center of said Road; thence South 84°57'26" West, 239.04 feet to the Point of Beginning.

TRACT NO.3

A fractional parcel of land in the NW¼ of Section 35, Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho, and more particularly described as: Commencing at the Northwest corner of said Section 35; thence North 89°56'30" East, 1320.05 feet on and along the North line of said Section to the NW 1/16th corner; thence South 0°00'20" West, 2219.28 feet to the Point of Beginning of this description; thence continuing South 0°00'20" West, 425.96 feet to the center W 1/16th corner; thence North 89°59'28" East, 715.30 feet on and along the East-West center of said Section to the center of a County Road; thence the following 8 courses on and along the center of said road, North 3°29'31" East, 37.63 feet; thence North 1°02'19" East, 89.98 feet; thence North 9°24'42" West, 79.76 feet; thence North 22°40'39" West, 72.07 feet; thence North 32°31'30" West, 89.27 feet; thence North 37°00'50" West, 65.63 feet; thence North 40°30'04" West, 99.61 feet; thence North 44°32'31" West, 158.70 feet to the Northeast corner of this Tract; thence South 68°30'12" West, 445.85 feet to the Point of Beginning.

SUBJECT TO A RETAINED EASEMENT RIGHT IN FAVOR OF J-P RANCH, INC., FOR INGRESS AND EGRESS, SAID EASEMENT BEING TEN (10) FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTER LINE OF AN IRRIGATION DITCH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest corner of Section 35, Township 11 North, Range 18 East, of the Boise Meridian, Custer County, Idaho; thence North 89°56'30" East, 1320.05 feet on and along the North line of said Section 35 to the Northwest 1/16th corner; thence South 0°00'20" West, 1322.62 feet to the center NW 1/16th corner; thence South 89°57'59" West, 294.05 feet to the center of said irrigation ditch and the Point of Beginning of this description; thence South 13°00' East, approximately 30.0 feet to a bend in said ditch; thence South 67°00' East, approximately 210.0 feet to the center of an existing road and the terminus of this description.

ALSO EXCEPTING COUNTY ROAD RIGHT OF WAY.

SCHOOL DIST. # 181
SCHOOL DIST. # 181

John Abatti
Living Trust
1801
165661
170365
32-281
211969

John Abatti Living Trust
1801
165661
170365
32-281
211969

J. V. 30
Abatti
211969

J. Abatti
170365
143743
165661
217244

See Back
Inside
Sheet

W. W. Baker
193232
13-675
36-40
31-45
Baker
Baker
1170

Baker
Baker
1170

**CUSTER COUNTY TITLE, INC.
P.O. Box 370
8th & Main
Challis, ID 83226 208 879-4424**

RECEIVED
AUG - 4 2000
Department of Water Resources
Southern Region

August 3, 2000

Re: 10309: Abatti - Valley Sun LLC

IDWR Southern Region
1341 Fillmore Street
Suite 200
Twin Falls, ID 83301-3380

Dear Sirs,

Please find enclosed the original Notice of Change of Water Right Ownership, a copy of the last Transfer of Water Right and a copy of the Warranty Deed.

Please send all future correspondence to the new owner.

Please call with any questions.

Respectfully,



Mindy Bruno
Secretary

enc.

200 JUN 23 PM 1:56

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

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

In Re SRBA	)	SUBCASE NO. 72-10220,
	)	72-10220A, 72-10220B
Case No. 39576	)	AMENDED
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

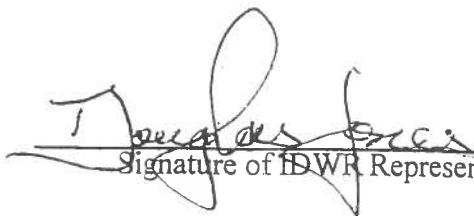
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ Change in Ownership	☒ Split of Water Right
☒ Point of Diversion	☒ Place of Use
☐ Period of Use	☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

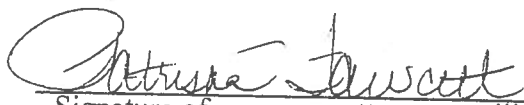
Dated: 6/22/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6/23, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
John Abatti
Carol Abatti
HC 68 Box 290
Clayton ID 83227
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
US Dept of Interior
Bureau of Land Management
Rt 2 Box 610
Salmon ID 83467
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

AJ5859NP

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

DATE: JUN-21-2000

PAGE: A-7

RIGHT NUMBER: 72-10220

SPLIT RIGHT: SEE RIGHT NOS. 72-10220A AND 72-10220B.

AJ5856NP

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

DATE: JUN-21-2000
PAGE: A-8

RIGHT NUMBER: 72-10220A

NAME & ADDRESS: JOHN ABATTI
CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 5.88 CFS
929.6 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 9.06 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1015.3 AF. COMBINED RIGHT NOS.: 72-10220A,
72-10221A, 72-10222A AND 72-10237A.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 9.40 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1064.0 AF. COMBINED RIGHT NOS. 72-07505A,
72-10220A, 72-10221A, 72-10222A, 72-10237A, 72-07505B, 72-10220B,
72-10221B, 72-10222B AND 72-10237B.

PRIORITY DATE: 05/10/1880

POINT OF DIVERSION: T11N R18E S26 SWNW Within CUSTER County
SESW

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	5.88 CFS
			929.6 AFY

PLACE OF USE:	IRRIGATION	Within CUSTER County			
	T11N R18E S26	SWNW 21	NESW 40	NWSW 28	SWSW 31
		SESW 28.8			
	S27	SENE 24	NESE 27	SESE 5	
	S35	SWNE 12	NENW 35	NWNW 14	SWNW 0.3
		SENW 28			
	294.1 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 265.6 ACRES IN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 290.1 ACRES IN A SINGLE IRRIGATION SEASON
COMBINED RIGHTS NOS.: 72-10220A, 72-10221A, 72-10222A AND
72-10237A.

AJ5856NP

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

DATE: JUN-21-2000

PAGE: A-9

RIGHT NUMBER: 72-10220A (CONT)

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: BASIS OF CLAIM - DECREE

AJ5856NP

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

DATE: JUN-21-2000

PAGE: A-10

RIGHT NUMBER: 72-10220B

NAME & ADDRESS: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON ID 83467

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.12 CFS
18.9 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.18 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 20.7 AF. COMBINED RIGHT NOS.: 72-10220B,
72-10221B, 72-10222B AND 72-10237B.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 9.40 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1064.0 AF. COMBINED RIGHT NOS. 72-07505A,
72-10220A, 72-10221A, 72-10222A, 72-10237A, 72-07505B, 72-10220B,
72-10221B, 72-10222B AND 72-10237B.

PRIORITY DATE: 05/10/1880

POINT OF DIVERSION: T11N R18E S26 SWNW Within CUSTER County
SESW

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.12 CFS
			18.9 AFY

PLACE OF USE: IRRIGATION Within CUSTER County
T11N R18E S26 NWSE 3.1 SWSE 4.8
S35 Lot 2 (NWNE) 2
9.9 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5.4 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 5.9 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-10220B, 72-10221B, 72-10222B AND
72-10237B.

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

AJ5856NP

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

DATE: JUN-21-2000

PAGE: A-11

RIGHT NUMBER: 72-102208 (CONT)

OTHER PROVISIONS: (CONT)

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: BASIS OF CLAIM - DECREE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227

RE: SRBA Claim(s) 72-10220, 72-10221, 72-10222, 72-10237

Dear Claimant:

Please find the enclosed copy of the Amended Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: Bureau of Land Management

RECEIVED

JUN 23 2000

Department of Water Resources
Northern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

AMENDED

TRANSFER NO. 5305

WATER RIGHT NO(S). 72-07505A/72-10220A/72-10221A/72-10222A
72-10237A/72-07505B/72-10220B/72-10221B/72-10222B/72-10237B

This is to certify that: JOHN ABATTI & US DEPT OF INTERIOR
CAROL ABATTI BUREAU OF LAND MANAGEMENT
HC 68 BOX 290 RT 2 BOX 610
CLAYTON ID 83227 SALMON ID 83467

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

JOHN & CAROL ABATTI

Right Nos. 72-07505A/72-10220A/72-10221A/72-10222A/72-10237A :

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 72-10220A :			
IRRIGATION	04/01 to 10/31	5.88 CFS	929.6 AF
Priority: 05/10/1880			
Right No. 72-10221A :			
IRRIGATION	04/01 to 10/31	0.79 CFS	333.8 AF
Priority: 05/01/1936			
Right No. 72-10222A :			
IRRIGATION	04/01 to 10/31	0.29 CFS	40.6 AF
Priority: 05/01/1885			
Right No. 72-10237A :			
IRRIGATION	04/01 to 10/31	2.10 CFS	367.5 AF
Priority: 06/28/1983			
		* 9.06 CFS	1015.3 AF *
Right No. 72-07505A :			
IRRIGATION	04/15 to 10/15	0.08 CFS	14.0 AF
Priority: 08/18/1992			
		9.14 CFS	1029.3 AF

50505

112

TRANSFER NO. 5305
 WATER RIGHT NO(S). 72-07505A/72-10220A/72-10221A/72-10222A
 72-10237A/72-07505B/72-10220B/72-10221B/72-10222B/72-10237B

US DEPT OF INTERIOR, BUREAU OF LAND MANAGEMENT

Right Nos. 72-07505B/72-10220B/72-10221B/72-10222B/72-10237B :

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 72-10220B :			
IRRIGATION	04/01 to 10/31	0.12 CFS	18.9 AF
Priority: 05/10/1880			
Right No. 72-10221B :			
IRRIGATION	04/01 to 10/31	0.01 CFS	4.2 AF
Priority: 05/01/1936			
Right No. 72-10222B :			
IRRIGATION	04/01 to 10/31	0.01 CFS	1.4 AF
Priority: 05/01/1885			
Right No. 72-10237B :			
IRRIGATION	04/01 to 10/31	0.04 CFS	7.0 AF
Priority: 06/28/1983			
		<u>** 0.18 CFS</u>	<u>20.7 AF **</u>
Right No. 72-07505B :			
IRRIGATION	04/15 to 10/15	0.08 CFS	14.0 AF
Priority: 08/18/1992			
		<u>0.26 CFS</u>	<u>34.7 AF</u>
TRANSFER TOTAL:		<u>*** 9.40 CFS</u>	<u>1064.0 AF ***</u>

SOURCE

SALMON RIVER, EAST FORK

TRIBUTARY OF

SALMON RIVER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 26, Township 11N, Range 18E
 SESW , Sec. 26, Township 11N, Range 18E
 CUSTER County

TRANSFER NO. 5305

WATER RIGHT NO(S). 72-07505A/72-10220A/72-10221A/72-10222A
72-10237A/72-07505B/72-10220B/72-10221B/72-10222B/72-10237B

JOHN & CAROL ABATTI

Right Nos. 72-07505A/72-10220A/72-10221A/72-10222A/72-10237A :

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11N	18E	26	SWNW 21.0	NESW 40.0	NWSW 28.0		
			SWSW 31.0	SESW 28.8			148.8
		27	SENE 24.0	NESE 27.0	SESE 5.0		56.0
		35	SWNE 12.0	NENW 35.0	NWNW 14.0		
			SWNW 0.3	SENW 28.0			89.3
Total number of acres irrigated:							294.1 (*A)

US DEPT OF INTERIOR, BUREAU OF LAND MANAGEMENT

Right Nos. 72-07505B/72-10220B/72-10221B/72-10222B/72-10237B :

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11N	18E	26	NWSE 3.1	SWSE 4.8		7.9
		35	Lot 2 (NWNE) 2.0			2.0
Total number of acres irrigated:						9.9 (*B)

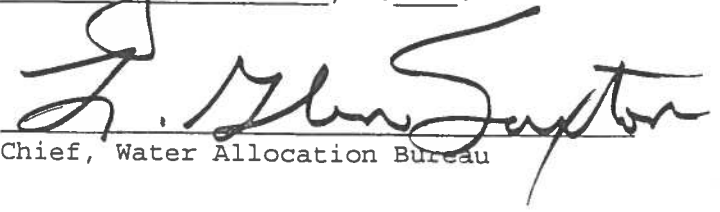
CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. The total instantaneous diversion of water from all points of diversion under Transfer 5305 shall not exceed 9.40 cfs, nor a total combined annual volume of 1064.0 af.
7. These rights when combined with all other rights shall provide no more than 0.02 cfs per acre when water is applied through a sprinkler system.
8. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

TRANSFER NO. 5305

WATER RIGHT NO(S). 72-07505A/72-10220A/72-10221A/72-10222A
72-10237A/72-07505B/72-10220B/72-10221B/72-10222B/72-10237BCONDITIONS OF APPROVAL AND REMARKS

- (*A) 9. Right 72-07505A is limited to the irrigation of 4.0 acres in the place of use described above in a single irrigation season.
- (*A) 10. Right 72-10220A is limited to the irrigation of 265.6 acres in the place of use described above in a single irrigation season.
- (*A) 11. Right 72-10221A is limited to the irrigation of 265.1 acres in the place of use described above in a single irrigation season.
- (*A) 12. Right 72-10222A is limited to the irrigation of 11.6 acres in the place of use described above in a single irrigation season.
- (*A) 13. Right 72-10237A is limited to the irrigation of 105.0 acres in the place of use described above in a single irrigation season.
- * 14. Rights 72-10220A, 72-10221A, 72-10222A and 72-10237A when combined shall not exceed a total diversion rate of 9.06 cfs, a total annual maximum diversion volume of 1015.3 af at the field headgate, and the irrigation of 290.1 acres.
- (*B) 15. Right 72-07505B is limited to the irrigation of 4.0 acres in the place of use described above in a single irrigation season.
- (*B) 16. Right 72-10220B is limited to the irrigation of 5.4 acres in the place of use described above in a single irrigation season.
- (*B) 17. Right 72-10221B is limited to the irrigation of 5.9 acres in the place of use described above in a single irrigation season.
- (*B) 18. Right 72-10222B is limited to the irrigation of 0.4 acres in the place of use described above in a single irrigation season.
- (*B) 19. Right 72-10237B is limited to the irrigation of 2.0 acres in the place of use described above in a single irrigation season.
- ** 20. Rights 72-10220B, 72-10221B, 72-10222B and 72-10237B when combined shall not exceed a total diversion rate of 0.18 cfs, a total annual maximum diversion volume of 20.7 af at the field headgate, and the irrigation of 5.9 acres.
21. The period of use for the irrigation under Right 72-07505A and 72-07505B may be extended to a beginning date of 04-01 and an ending date of 10-31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 04-15 and after 10-15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Dated this 18th day of May, 2000.
Chief, Water Allocation Bureau

2000 MAR 22 PM 2: 58

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA)
Case No. 39576) NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS
Water Rights 72-10220, 72-10220A
and 72-10220B

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☒ Substitution of Party
☒ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☒ Yes ☐ No

If yes, does the split involve an I.C. 42-222 transfer? ☒ Yes ☐ No

Water Right(s): 72-10220, 72-10220A and 72-10220B

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
3/21/2000

72-10220, 72-10220A and 72-10220B

PAGE 1

From (Claimant/Seller):

Water Right Number: 72-10220

Name of Claimant: JOHN ABATTI
CAROL ABATTI
Address: HC 68 BOX 290
CLAYTON ID 83227
Phone: (208) 838-2684

To (Claimant/Purchaser):

Water Right Number: 72-10220A

Name of Claimant: JOHN ABATTI
CAROL ABATTI
Address: HC 68 BOX 290
CLAYTON ID 83227
Phone: (208) 838-2684

Water Right Number: 72-10220B

Name of Claimant: US DEPT OF INTERIOR
Address: BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON ID 83467
Phone: (208) 756-5400

I.C. 42-422 TRANSFERS

An Administrative Proceeding pursuant to I.C. 42-222 has been completed for water rights 72-10220, 72-10220A and 72-10220B and all appeal times have run. The following changes have been made to the water rights:

X	Point of Diversion	X	Place of Use
_	Period of Use	_	Nature of Use

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
3/21/2000

72-10220, 72-10220A and 72-10220B

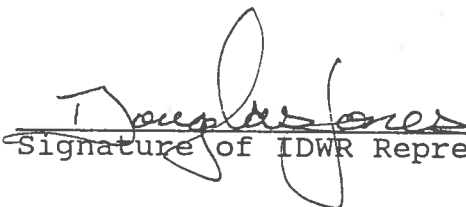
PAGE 2

COPI

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 21, 2000



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3/22/2000 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

JOHN ABATTI
CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

JOHN ABATTI
CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON ID 83467
4. One Copy to:
Each party in the subcase, or attorney of record:

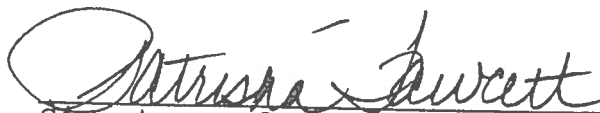
R LEE LEININGER
550 W FORT ST MSC 033
BOISE ID 83724
5. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
3/21/2000

72-10220, 72-10220A and 72-10220B

PAGE 4

6. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the fo

AJ5859NP

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

DATE: MAR-21-2000

PAGE: A-1

RIGHT NUMBER: 72-10220

SPLIT RIGHT: SEE RIGHT NOS. 72-10220A AND 72-10220B.

AJ5856NP

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

DATE: MAR-21-2001
PAGE: A-1

RIGHT NUMBER: 72-10220A

NAME & ADDRESS: JOHN ABATTI
CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 5.88 CFS
929.6 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 9.06 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1015.3 AF. COMBINED RIGHT NOS.: 72-10220A,
72-10221A, 72-10222A AND 72-10237A.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 9.14 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1029.3 AF. COMBINED RIGHT NOS. 72-07505A,
72-10220A, 72-10221A, 72-10222A AND 72-10237A.

PRIORITY DATE: 05/10/1880

POINT OF DIVERSION: T11N R18E S26 SWNW Within CUSTER County
SESW

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	5.88 CFS 929.6 AFY

PLACE OF USE:	IRRIGATION	Within CUSTER County		
	T11N R18E S26	SWNW 21	NESW 40	NWSW 28 SWSW 31
		SESW 28.8		
	S27	SENE 24	NESE 27	SESE 5
	S35	SWNE 12	NENW 35	NWNW 14 SWNW 0.3
		SENW 28		
	294.1 ACRES TOTAL			

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 265.6 ACRES IN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 290.1 ACRES IN A SINGLE IRRIGATION SEASON
COMBINED RIGHTS NOS.: 72-10220A, 72-10221A, 72-10222A AND
72-10237A.

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

AJ5856NP

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

DATE: MAR-21-2001

PAGE: A-2

RIGHT NUMBER: 72-10220A (CONT)

OTHER PROVISIONS (CONT)

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

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.

THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY
TRANSFER NO. 5350 BY MARCH 6, 2001.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

AJ5856NP

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

DATE: MAR-21-200
PAGE: A-3

RIGHT NUMBER: 72-10220B

NAME & ADDRESS: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON ID 83467

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.12 CFS

PRIORITY DATE: 05/10/1880

POINT OF DIVERSION: T10N R18E S01 LOT 4 (NWNWNW) Within CUSTER County
T11N R18E S35 SWSWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.12 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T11N R18E S26 NWSE 3.1 SWSE 0.8
S35 Lot 2 (NWNE) 2
5.9 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5.4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 5.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-10220B, 72-10221B, 72-10222B AND 72-10237B.

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: BASIS OF CLAIM - DECREE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE: 72-10220B, 72-10221B, 72-10222B AND 72-10237B.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

March 22, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CAROL ABATTI
JOHN ABATTI
HC 68 BOX 290
CLAYTON ID 83227

RE: SRBA Claim(s) 72-10220, 72-10221, 72-20222, 72-10237

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: BLM - Salmon
US Dept of Justice
Idaho Attorney General

Overview T5305

WR	AJ	
72-00220	72-10220	(A) Abatti
72-00222		(B) BLM
72-00221	72-10221	(A)
72-00222		(B)
72-00234	72-10222	(A)
72-04176		(B)
72-07284	72-10237	(A)
72-07285		(B)
	↑	As recommended to court
72-07505	NA	(A) (B)

Ownership splits each rt. Parts A+B.

(A)s = Abatti (B)s = BLM

Under "X" prefixes on WR database except
licensed rt. 72-7505 (no prefix).

Twice Amended app. proposed before split.

Transfer Approval prepared after split

* Send copies of both transfer approval &
Part (B)s to both Abatti & BLM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5305
WATER RIGHT NO(S). 72-07505A/72-10220A/72-10221A
72-10222A/72-10237A

This is to certify that: JOHN ABATTI
CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 72-10220A :			
IRRIGATION	04/01 to 10/31	5.88 CFS	929.6 AF
Priority: 05/10/1880			
Right No. 72-10221A :			
IRRIGATION	04/01 to 10/31	0.79 CFS	333.8 AF
Priority: 05/01/1936			
Right No. 72-10222A :			
IRRIGATION	04/01 to 10/31	0.29 CFS	40.6 AF
Priority: 05/01/1885			
Right No. 72-10237A :			
IRRIGATION	04/01 to 10/31	2.10 CFS	367.5 AF
Priority: 06/28/1983			
	SUBTOTAL:	* 9.06 CFS	* 1015.3 AF
Right No. 72-07505A :			
IRRIGATION	04/15 to 10/15	0.08 CFS	14.0 AF
Priority: 08/18/1992			
	TOTAL:	** 9.14 CFS	** 1029.3 AF

SOURCE

SALMON RIVER, EAST FORK

TRIBUTARY OF

SALMON RIVER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 26, Township 11N, Range 18E
SESW , Sec. 26, Township 11N, Range 18E
CUSTER County

TRANSFER NO. 5305
 WATER RIGHT NO(S) . 72-07505A/72-10220A/72-10221A
 72-10222A/72-10237A

PLACE OF USE: IRRIGATION

<u>TWN</u> <u>RGE</u> <u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11N 18E 26	SWNW 21.0	NESW 40.0	NWSW 28.0	
	SWSW 31.0	SESW 28.8		148.8
27	SENE 24.0	NESE 27.0	SESE 5.0	56.0
35	SWNE 12.0	NENW 35.0	NWNW 14.0	
	SWNW 0.3	SENW 28.0		89.3
	Total number of acres irrigated:			* 294.1 ***

CONDITIONS OF APPROVAL AND REMARKS

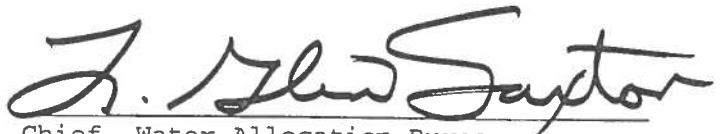
1. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- ** 6. The total instantaneous diversion of water from all points of diversion under Transfer 5305 shall not exceed 9.14 cfs, nor a total combined annual volume of 1029.3 af.
7. These rights when combined with all other rights shall provide no more than 0.02 cfs per acre when water is applied through a sprinkler system.
8. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- *** 9. Right 72-07505A is limited to the irrigation of 4.0 acres in the place of use described above in a single irrigation season.
- *** 10. Right 72-10220A is limited to the irrigation of 265.6 acres in the place of use described above in a single irrigation season.
- *** 11. Right 72-10221A is limited to the irrigation of 265.1 acres in the place of use described above in a single irrigation season.
- *** 12. Right 72-10222A is limited to the irrigation of 11.6 acres in the place of use described above in a single irrigation season.

TRANSFER NO. 5305
WATER RIGHT NO(S). 72-07505A/72-10220A/72-10221A
72-10222A/72-10237A

CONDITIONS OF APPROVAL AND REMARKS

- *** 13. Right 72-10237A is limited to the irrigation of 105.0 acres in the place of use described above in a single irrigation season.
- * 14. Rights 72-10220A, 72-10221A, 72-10222A and 72-10237A when combined shall not exceed a total diversion rate of 9.06 cfs, a total annual maximum diversion volume of 1015.3 af at the field headgate, and the irrigation of 290.1 acres.
12. The period of use for the irrigation under Right 72-07505A may be extended to a beginning date of 04-01 and an ending date of 10-31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 04-15 and after 10-15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Dated this 6th day of March, 2000.


Chief, Water Allocation Bureau

ACTION REQUIRED

FROM: Allen Mewitt

2/25/2000

TO: Pam SK255

This needs to be processed as
soon as possible per SRBA Special
master request or order.



MEMO

FROM: Allen Merritt 

DATE: February 25, 2000

TO: Transfer File No. 5305

SRBA Recommendations

Water Right(s):	72-00220	/	72-10220
	72-00222	\	
	72-00221	/	72-10221
	72-00223	\	
	72-00236	/	72-10222
	72-04176	\	
	72-07284	/	72-10237
	72-07285	\	
	72-07505		None required

In the Name of: John (deceased) &/or Carol Abatti

SUBJECT: Review and Recommendation

This transfer was first filed back in 3/3/1998 to create a 320 acre PPU and change the points of diversion to two pumps. The application was protested by BLM. Since the original transfer application the SRBA has reviewed the rights and reported to the court the above listed recommendations. These recommendations have been objected to by the BLM. The basis for the BLM protest and objection was that the place of use was on BLM property.

The SRBA had a hearing 12/2/1999 where it was decided to resolve the issues in the administrative process. ***** During that hearing SRBA staff discussed the administrative process and the Special Master concluded that IDWR would process the transfer within 60 days once filed.*** The transfer was amended for the last time 1/11/2000. On 1/25/2000 the BLM withdrew their protest based on the 1/11/2000 amendment and their change of ownership of 9.9 acres of the place of use into the name of the BLM. The amended application was processed without further protests. The last date of protest was 2/14/2000.

ANALYSIS

The transfer as amended acknowledges the number of acres recommended by SRBA (296 + 8 for license 72-07505) but it lists a total of 10.17 cfs. SRBA recommendations total 9.24 cfs + 0.17 cfs for 72-07505 makes the limit 9.41 cfs. The limit of the transfer should be 9.41 cfs for irrigation of 304 acres while irrigating by a flood system.

The transfer proposes moving the points of diversion to a delivery system incorporating pumps and sprinklers. If this change is made the excess flow (9.41 cfs for 304 acres) is no longer justified. (See Satterlee's memo dated 7/16/1998) She determined 0.017 cfs/acre was justified but this should be raise to 0.02 cfs. With 304 acres then 6.08 cfs is justified. In light of the direction of allowing old decreed rates based on historical flood irrigation even if current applications rates

justify much less it appears that a special condition should be applied to this transfer.

Ownership of certain parcels included in the place of use is in the name of the BLM (See enclosed change of ownership by BLM). In resolution of the protest by BLM they require the water on these tracts be changed into the BLM's name. The other historical overlap onto BLM property has been resolved by moving a small portion of the place of use in this transfer. It is my understanding that the remaining irrigated BLM property may be subject of future land trading or ownership change with the applicant. This process will take much longer to conclude. The issue that I have with all of this is how to accomplish the requested BLM ownership change for a portion of the tracts. Do we do it pre-transfer approval or after? I recommend after, with the transfer approve subject to a special condition acknowledging pending split of ownership. Otherwise the transfer should be approved in two parts.

The remaining issue is that the water right numbers are not the same as what has been recommended in the SRBA. I recommend that the transfer approval incorporate the new SRBA numbers.

Recommendation

I recommend that SRBA legal review this recommendation as well as the administration. I recommend that the preliminary order of approval be served on the BLM as well as the applicant. I recommend that the transfer be approved subject to the following conditions:

-When rights 72-10220, 72-10221, 72-10222, 72-10237 and 72-07505 are combined they are limited to irrigation of no more than a 304 acre PPU. Individually the rights are limited to:

72-10220 271 acres within 304 acre PPU.

72-10221 271 acres within 304 acre PPU.

72-10222 12 acres within 304 acre PPU.

72-10237 107 acres within 304 acre PPU.

72-07505 8 acres within 304 acre PPU.

-When the above listed rights are combined they are limited to 9.41 cfs or 0.031 cfs/ acre for flood irrigation of the subject property. If sprinklers are used to irrigate the subject lands, the rights are limited to 0.02 cfs for each acre sprinkled within the described PPU.

-The PPU is currently in joint ownership of the Carol Abatti (applicant) and the BLM. The rights involved and the PPU is subject to a pending change of ownership request which will split 9.9/304 share of rights into the BLM's name for the lands within the W1/2SE1/4 S26 and NW1/4NE1/4 S35 all T11N, R18E.

-The points of diversion shall be constructed in a manner to prevent takings of fish.

-The points of diversion shall have measuring devices and control works installed to allow regulation.

Hancock, Vikie

From: Spencer, Nick
Sent: Friday, February 18, 2000 3:15 PM
To: Hancock, Vikie
Subject: RE: Abatti claims, B72

Thanks, Vikie. I'll be discussing with Larry Brown who should set up the conference call (I think it's Uncle Sam's turn), and I'll just pass on her number to him in the event he agrees to make the arrangements. NBS

-----Original Message-----

From: Hancock, Vikie
Sent: Friday, February 18, 2000 3:05 PM
To: Spencer, Nick
Subject: RE: Abatti claims, B72

Nick,

Your understanding is correct as to the delay and the manner in which it was handled by Southern subsequent to the Special Master's discussion with Steve and Sara. I spoke with Mrs. Abatti and verified that the number she should be reached at for the teleconference is 208-838-2684, do I need to fwd that to BLM also? Thanks for the quick reply, and I got that gentle reminder off to Allen.

Vikie

-----Original Message-----

From: Spencer, Nick
Sent: Friday, February 18, 2000 2:24 PM
To: Hancock, Vikie
Subject: RE: Abatti claims, B72

Vikie, please let Ms. Abatti know that she won't have to drive to Twin. This will be a telephone status conference, and either IDWR or BLM will be originating the call. All we'll need from her is what phone number she'll want the conference telephone operator to contact her at. Also, you might want to give Allen a gentle reminder that the reason why the Special Master set 2-25 as the date for the transfer to be complete was Steve's representation--based on Allen's instruction--that we could complete a transfer within two months. What I intend to tell the Special Master is that there was some delay up front due to some confusion by BLM and claimant over the details of the amended transfer, but that once the amended transfer got filed with IDWR it has moved through like greased lightning and is nearly done. However, if you'd like, feel free to tell Allen that I intend to tell the Special Master that the reason the transfer isn't completed is because it has been gathering dust on Allen's desk for weeks, and that I intend to recommend to the Special Master that he order Allen to be skinned, fileted, and slowly cooked in boiling oil for violating his own 60 day rule. Anyway. . .please let me know if my understanding is correct about why there was delay in getting the amended transfer filed. Thanks. NBS

-----Original Message-----

From: Hancock, Vikie
Sent: Friday, February 18, 2000 1:34 PM
To: Spencer, Nick
Cc: Kelly, Vicki
Subject: Abatti claims, B72

Nick,

I see by the old Adj Atty Calendar that you're busy at the moment. When you have a minute, would you please get back to me re: 72-10220 etc. The four Abatti claims were objected to by the BLM and so was the pending transfer. The amended transfer has zoomed thru Southern and is now on Allen's desk, however it is unlikely that the transfer process will be completed by the date of the scheduled status conference on Feb 25th. She has called here wondering if she needs to make preparations for driving to Twin next Wednesday or not, and would of course like to avoid driving down here just to find the case needed to be rescheduled. I told her that I was attempting to contact you and would get back as soon as I knew how to advise her.

Vikie



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORN
GOVERNOR

KARL J. DREIER
DIRECTOR

January 14, 2000

ATTN ALAN BITTNER
WATER RIGHTS COORDINATOR
USDI-BUR LAND MGT
RT 2 BOX 610
SALMON ID 83467

*Tentative
Date
Viki*

Re: Amended Application for Transfer No. 5305 (John &/or Carol Abatti)

Dear Mr. Bittner:

Since you filed a protest against the initial application, the purpose of this letter is to inform you that the above referenced Application has been AMENDED and a copy is enclosed for your reference.

This office will be advertising the amended application in the Challis Messenger on 01/27 & 02/03/2000. A period of ten days following the second publication will be allowed for the submittal of protests.

You may withdraw your protest at any time by submitting a written statement to our Department. The protest must be resolved before the application is approved or denied.

If no additional protests are received and the matter cannot be voluntarily resolved between the parties, the Department will conduct a conference and/or hearing.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Allen D. Merritt, P.E.
Regional Manager

AM:MB

Enclosure

Hancock, Vikie

From: Hancock, Vikie
Sent: Wednesday, January 12, 2000 11:46 AM
To: Baldwin, Mary
Subject: FW: Amended Transfer #5305 (Abatti)

Mary,

Please let me know when this amended transfer has been advertised, so that I can keep the SRBA legal staff up to date on the status of this protest resolution.

Thanks, Vikie

-----Original Message-----

From: Hancock, Vikie
Sent: Wednesday, January 12, 2000 11:40 AM
To: Denniston, Sara
Subject: FW: Amended Transfer #5305 (Abatti)

Sara,

This is the latest on the Abatti transfer and protest. I have asked Mary to advise me when the advertisement has been submitted.

Vikie

-----Original Message-----

From: Skinner, Corey
Sent: Wednesday, January 12, 2000 11:22 AM
To: Hancock, Vikie
Cc: Baldwin, Mary
Subject: Amended Transfer #5305 (Abatti)

Vickie,

Just a little note to let you know that the latest amendment to the protested Abatti Transfer #5305 was received yesterday. I have gave the amended transfer to Mary, so that she can prepare the advertising. As you recall, the transfer involves the water rights under SRBA recommendations 72-10220, 72-10221, 72-10222, and 72-10237. The latest proposed transfer amendment is reflected in water right records T72-00220, T72-00221, T72-00222, T72-00223, T72-00236, T72-04176, T72-07284, T72-07285, AND T72-07505 (72-07505 not part of the SRBA). I am not sure exactly when this amended transfer will be advertised, but it will be advertised for two consecutive weeks, then a 10 day protest period will follow. However, the transfer is still protested, by the BLM, and processing beyond advertising will not occur unless the BLM withdraws their protest, or the protested matter is addressed through the transfer hearing process. Anyways, let me know if you have any questions, or if I can help out anymore on this one.

Corey

Hancock, Vikie

From: Denniston, Sara
To: Hancock, Vikie
Sent: Friday, January 07, 2000 1:22 PM
Subject: Read: Abatti 72-10220 10221 10222 10237

Your message

To: Denniston, Sara
Subject: RE: Abatti 72-10220 10221 10222 10237
Sent: 1/7/00 11:39 AM

was read on 1/7/00 1:22 PM.

Hancock, Vikie

From: Hancock, Vikie
Sent: Friday, January 07, 2000 11:39 AM
To: Denniston, Sara
Subject: RE: Abatti 72-10220 10221 10222 10237

Sara,

Trish filed an NAP with the court for all the above on Nov 19th. There should be copies at the state office. I have them in the claim files if you need a copy.

Vikie

-----Original Message-----

From: Denniston, Sara
Sent: Friday, January 07, 2000 11:18 AM
To: Hancock, Vikie
Subject: Abatti 72-10220 10221 10222 10237

Vikie

What's going on with Abatti? I see that a NAP has not been filed yet.



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Upper Columbia - Salmon Clearwater District

Challis Field Office

Route 2, Box 610

Salmon, Idaho 83467

<http://www.id.blm.gov>

In Reply Refer To:

7250 (085)

RECEIVED
JAN 25 2000
Department of Water Resources
Southern Region

JAN 21 2000

Idaho Department of Water Resources
206 Van Dreff
Salmon, ID 83467

Dear IDWR:

The Bureau of Land Management (BLM) is hereby withdrawing the protest of **Transfer No. 5305**, filed by **John and Carol Abatti** of Clayton, Idaho. The January 11, 2000 amendment to Transfer No. 5305 resolves the BLM's concerns by either removing Places of Use from BLM land or defining the legal land description more precisely.

Three tracts of BLM land are still mentioned as Place's of Use. A Change of Ownership document is being filed for these legal locations to put them in the name of the BLM.

Sincerely,

Renee Snyder
Field Manager

STATE OF IDAHO
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
JAN 25 2000
Department of Water Resources
Southern Region

1. Water Right or Adjudication Claim No(s): 72-10220 72-10221 72-10222 72-10237
2. The following REQUIRED information must be submitted with this form: 72-07505 (ALL PART OF TRANSFER # 5305)

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 attached to your deed or on file with the county.)

OR

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

3. Name and Address of Former Owner/Claimant Carol Abatti
HC-68 Box 290 Clayton ID 83227
4. New Owner/Claimant(s) Bureau of Land Management
New Mailing Address Route 2 ; Box 610
City, State and ZIP Code Salmon ID 83467
New Telephone Number (208) 756-5400

5. Date you acquired the property The land was the BLM's
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 you irrigate 9.9 Number and type of stock _____

Diversion rate in CFS _____ 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.

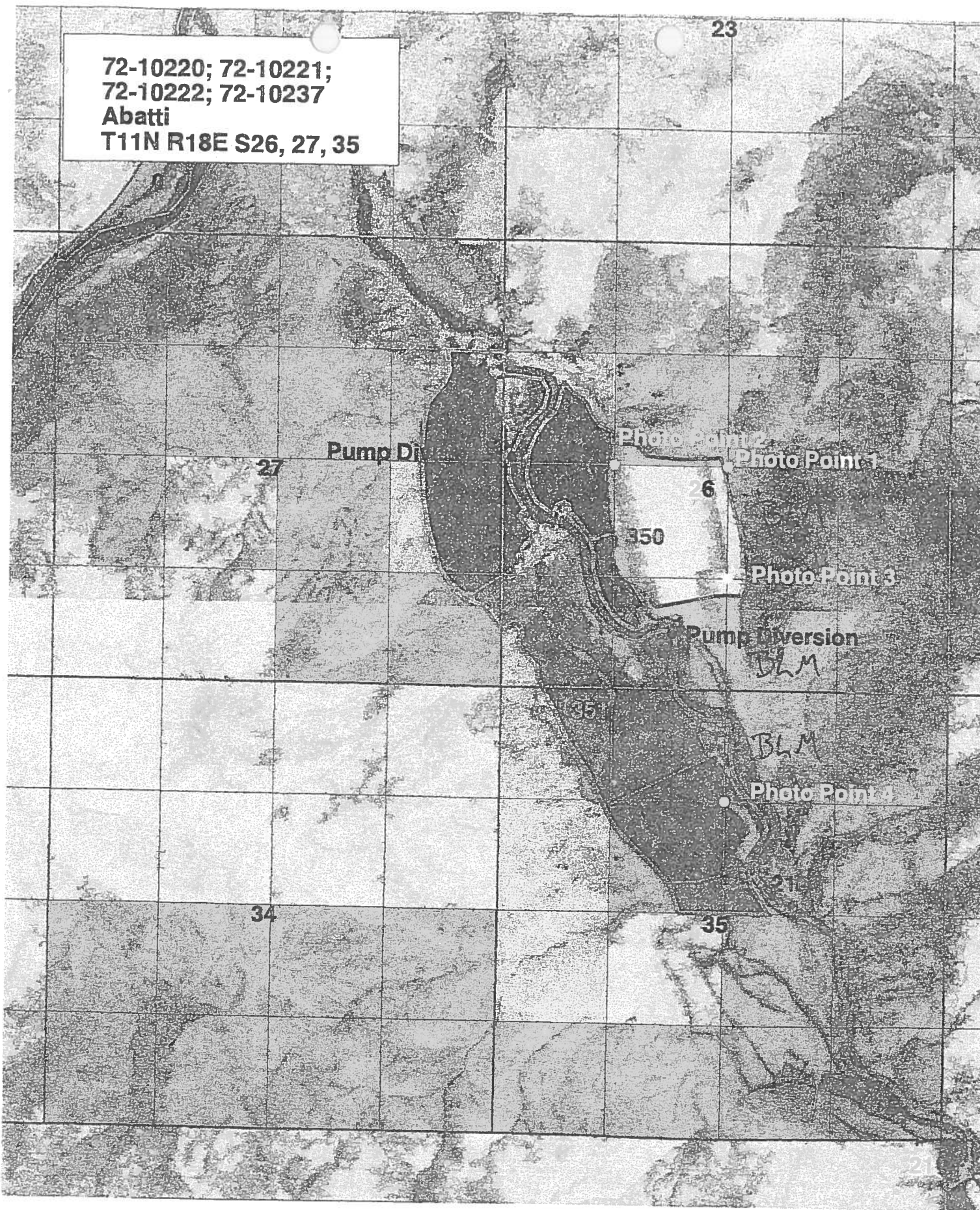
7. Signature of New Owner or Claimant(s) Alan Bittner

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

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

T11N R18E S26 NWSE 3.1 SWSE 4.8
T11N R18E S35 NWNE 2

72-10220; 72-10221;
72-10222; 72-10237
Abatti
T11N R18E S26, 27, 35



22

[illegible][illegible]

1961/11/25 16:30:01 122 000 5 30
97 205 01 1005 1000 01 0000 05/01/05 C A 7
97 205 01 1005 1000 01 0000 05/01/05 C A 7
97 205 01 1005 1000 01 0000 05/01/05 C A 7

11 101:32 1336

15561/72/L 5003 10 1341 181 74 183 00170

[illegible]

PA 900 5 601 223 [07/1/1913]
 9881 14: 1411 1567. 405561 Sac 15: Lot 1, 2

110 2427 1/10/1981 Open to entry Sub/ 10 Sec 24

Q. 2/21/1941. 11:42 a.m. 30 1/12/1941

Sec 2: 1012, 50101, 0151
J513M: 01 J51

[illegible]

SIC 21: 3 SE

SIC 22: 10 10 incl. MWD, WSE. SIC 23:

REC D: 8'NCI
REC D: 8'NCI SUBSE.

1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359</
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01 1981/01/11 0372 014 P-4 1981/11/16 1844 0

2631 BLVD CHICAGO IL 60640

A P S . . .
 similar County. See from Appap under HE.DLE.

Further Says from Appalo under guard of making news

Sec 22 Lot 3
Birth Creek Rec 3.
Sec 22 Lot 8

Spud Oak Rec S
Sec 2, Lot 11

Sec 27: Lots 1, 2
Sec 28: Lots 2, 3

Can I on Suppl #1 of Mo 11 -
9 ORDERS EFFECTING CANCEAL OR USE OF

UNIDENTIFIED LANDS REFER TO INDEX OF
SCCELLANEOUS DOCUMENTS.

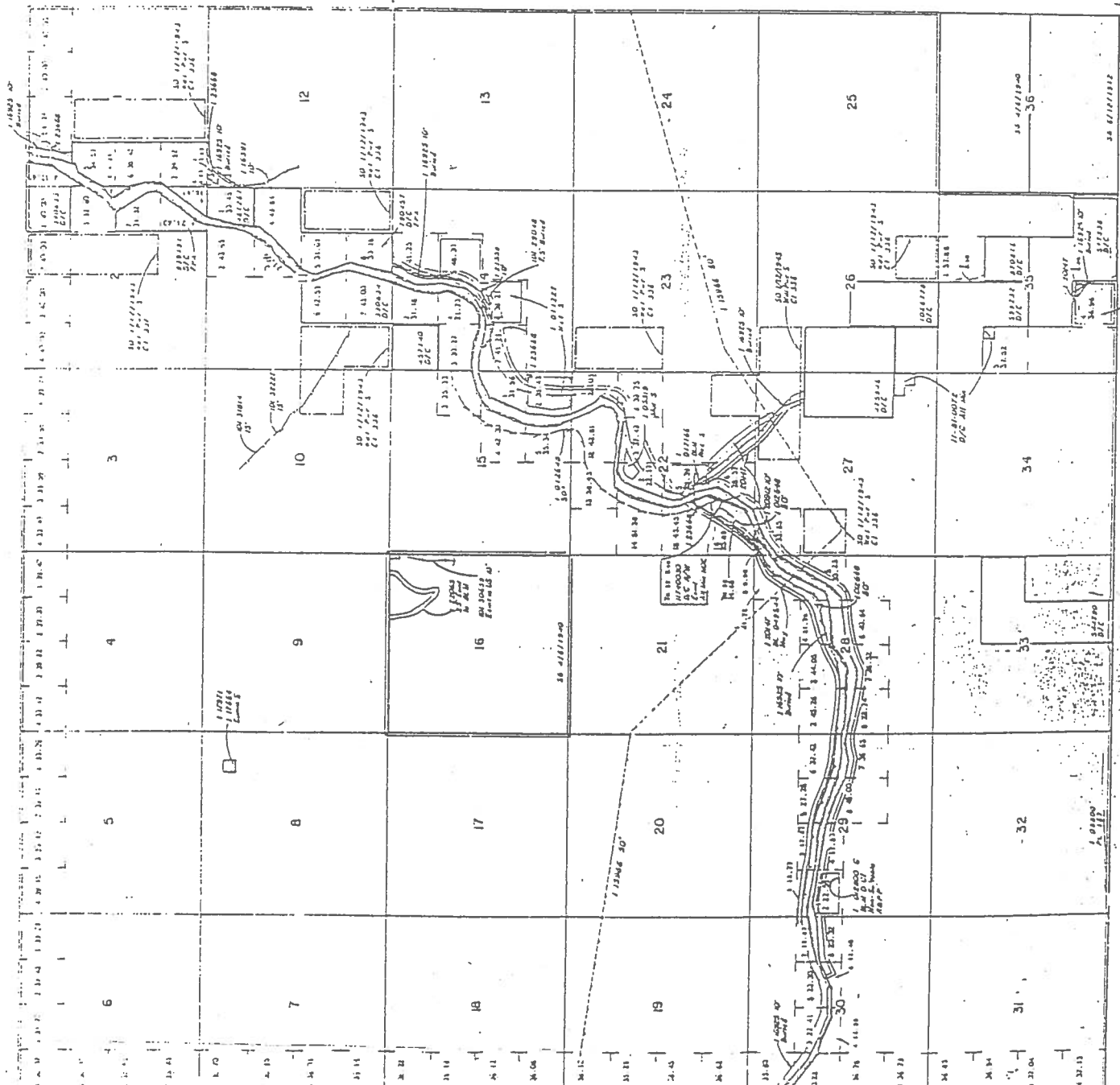
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[illegible]

PLATS:

ANIMALS REPRESENT THE LAST

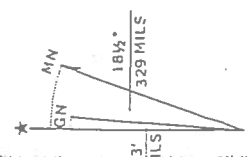
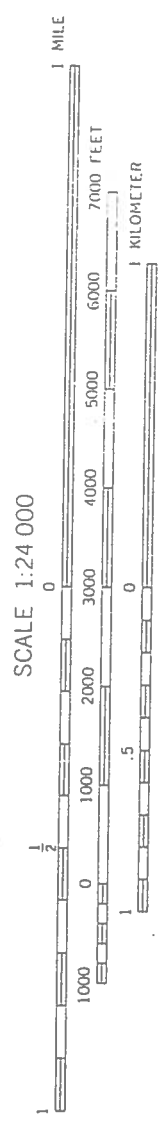
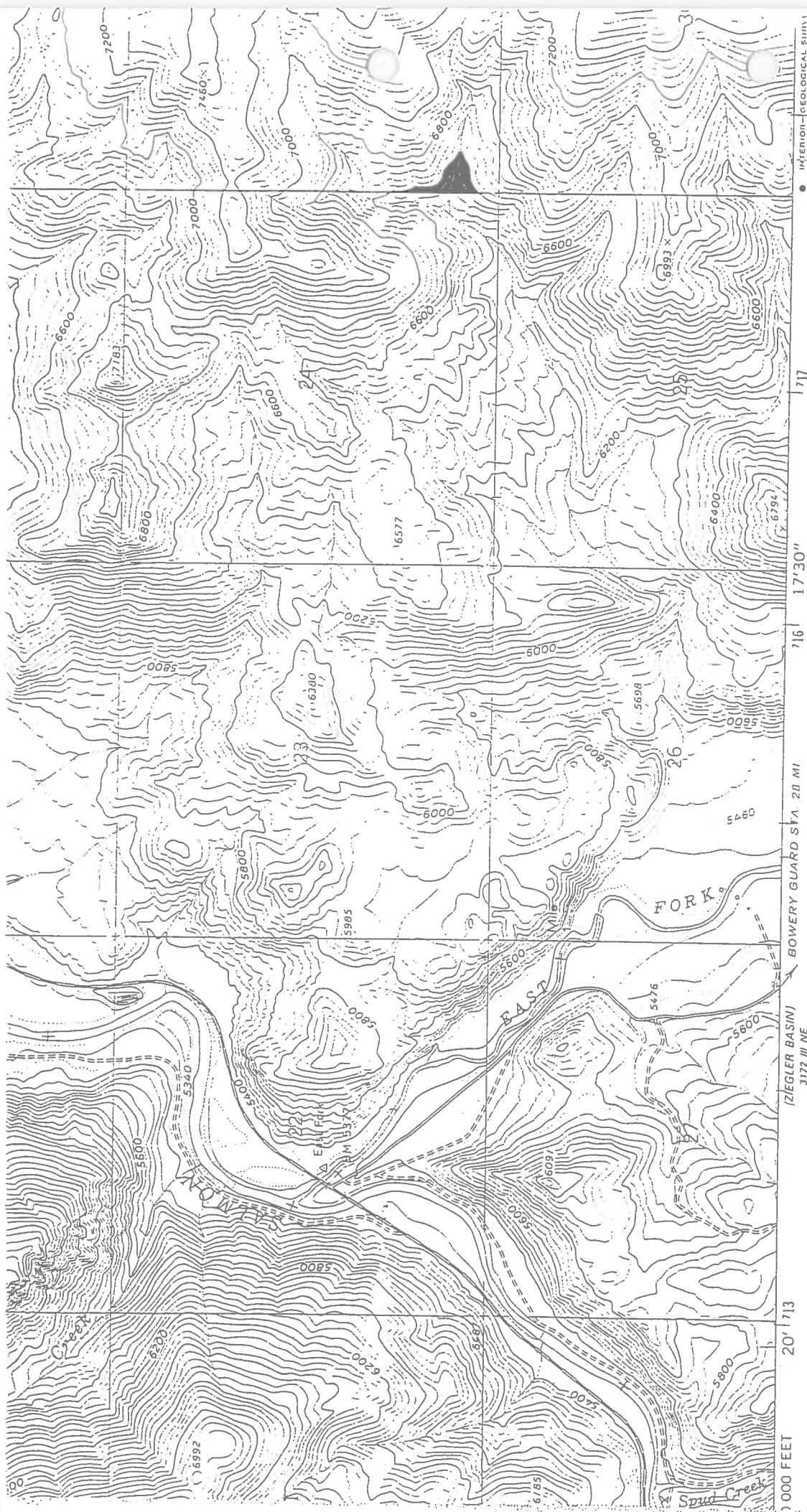
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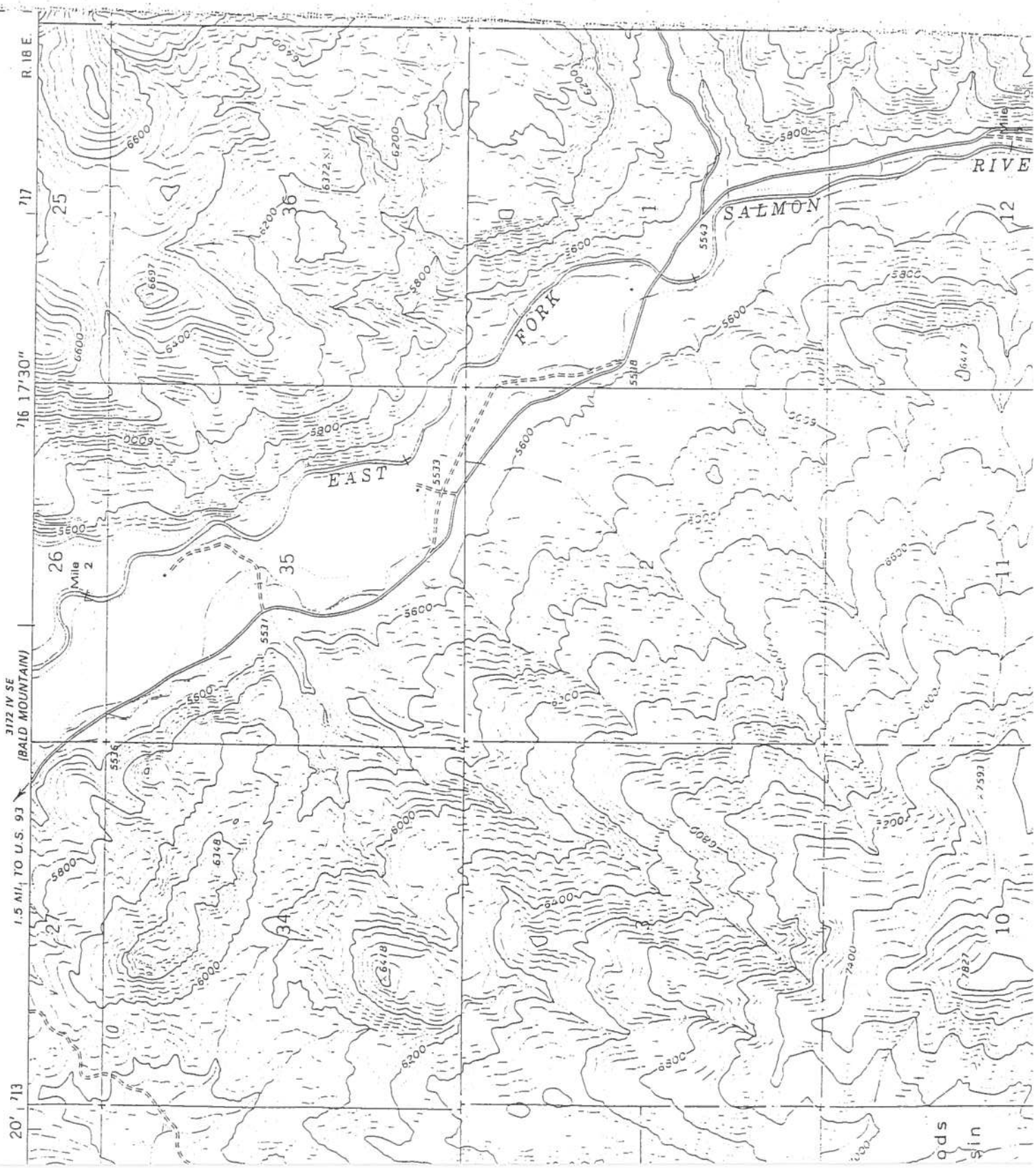
01 48' 43" N
093° 11' 30" W

... NO MORE ...

IT MAY NOT BE
INDEX FOR THE



THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND COMPARING IT AVAILABLE ON THE INTERNET



VH?
COPY

1999 NOV 19 PM 12: 44

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

In Re SRBA

Case No. 39576

Water Rights: 72-10220, 72-10221,
72-10222, 72-10237

**NOTICE OF ADMINISTRATIVE
PROCEEDING**

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

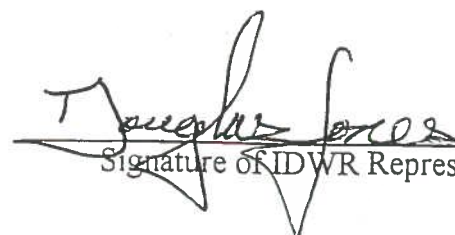
☒ I.C. § 42-222 transfer 5305

☒ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than:
September 22, 2000.

Dated 11/5/99



Signature of IDWR Representative

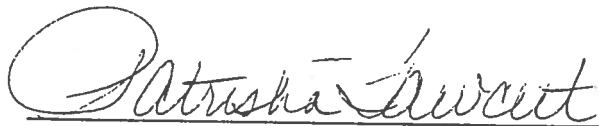
INSTRUCTIONS FOR MAILING

Mail this form to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

CERTIFICATE OF MAILING

I certify that on 11/19, 1999, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
John Abatti
Carol Abatti
HC 68 Box 290
Clayton ID 83227
3. One copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Larry Brown
c/o Boise Adjudication Team
380 Park Center Blvd Ste 330
Boise ID 83706
4. One copy to:
Each party in the subcase, or attorney of record:



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

November 17, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN ABATTI
CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227

RE: SRBA Claim(s) 72-10220, 72-10221, 72-10222, 72-10237

Dear Claimant:

Please find the enclosed copy of the Notice of Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

cc: Bureau of Land Management

Page 1 of 22STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES5305
RECEIVEDAPPLICATION FOR TRANSFER OF WATER RIGHT 03 1998
AMENDED 1/6/99 PART 1Department of Water Resource
Southern RegionName of applicant JOHN +/or CAROL ABATTI Phone (208) 838-2684Post Office address HC-68 Box 290 CLAYTON, IDAHO 83227

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other CREATE PPU
2. Describe the reason for the proposed changes to provide a more efficient means of irrigation by converting to pumps + sprinkler irrigation.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
72-00220	5-10-1880	3.0 cfs		
72-00221	5-01-1936	0.40 cfs	irrigation	04-01 to 11-01
72-00222	5-10-1880	3.00 cfs		
72-00223	5-01-1936	0.40 cfs	irrigation	04-01 to 11-01
72-00236	5-01-1885	0.30 cfs		
72-04176	5-01-1885	1.30 cfs	irrigation	04-01 to 11-01
72-07284	6-28-1983	1.06 cfs		
72-07285	6-28-1983	1.08 cfs		
72-07505	8-18-1992	0.17 cfs	irrigation	04-01 to 11-01

2. Total amount of water being transferred 10.71 cfs cubic feet per second and/or _____ acre-feet per annum
3. Source of water EAST FORK Salmon River tributary to Salmon River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
~~SW~~	~~SW~~	~~NW~~	~~SW~~	26	11N	18E	CUSTER	NEW P/D #1
~~SW~~	~~SW~~	~~NW~~	~~SW~~	35	11N	18E	CUSTER	NEW P/D #2
	SE	SW		26	11N	18E		

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	
11N	18E	26							21	5.0	40	32	24	30	9	7		175	
		27				27									29		05	61	
		35		1	6		34	14	1.0	28								84	

Total acres 320.0

TRANSFER APPLICATION
ABATTI, John and Carol

T#5305

<u>Right Number</u>	<u>Priority</u>	<u>Amount</u>	<u>Use</u>	<u>Period</u>
72-00220	05-01-1880	3.00 cfs	Irrigation	4/01-11/01
72-00222	05-01-1880	3.00 cfs	Irrigation	" " "
Combination of 72-00220, -00222= A72-10220	05-01-1880	6.00 cfs	Irrigation	" " "
72-00236	05-01-1885	0.30 cfs	Irrigation	4/01-11/01
72-04176	05-01-1885	1.30 cfs	Irrigation	" " "
Combination of 72-00236, -04176= A72-10222	05-01-1885	1.60 cfs	Irrigation	" " "
72-00221	05-01-1936	0.40 cfs	Irrigation	4/01-11/01
72-00223	05-01-1936	0.40 cfs	Irrigation	" " "
Combination of 72-00221, -00223= A72-10221	05-01-1936	0.80 cfs	Irrigation	" " "
72-07284	06-28-1983	1.06 cfs	Irrigation	4/01-11/01
72-07285	06-28-1983	1.08 cfs	Irrigation	" " "
Combination of 72-07284, -07285= A72-10237	06-28-1983	2.14 cfs	Irrigation	" " "
72-07505	08-18-1992	0.16 cfs	Irrigation	" " "

Total diversion rate=10.71 cfs

Alan Bittner BLM Salmon

Place of use
 Point of diversion

T#5305

TRANSMISSION VERIFICATION REPORT

TIME : 12/08/1999 09:10
NAME : IDWR SOUTHERN REGION
FAX : 2087363037
TEL : 2087363033

DATE: 12/07/99
PAGE: 1

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. 72-10220

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
DIVERSION
VOLUME
CULVERT
DE

DIVERSION
RATE
6.000 CFS
6.000 CFS

USE PERIOD
FROM TO
04-01 10-31
TOTAL DIVERSION:
6.000 CFS

PRIORITY
DATE
05/10/1880 IRRIGATION

OWNER
CODE
NAME & ADDRESS
C JOHN ABATTI
C CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227
(208) 838-2684

Water Source: SALMON RIVER, EAST FORK
Tributary to: SALMON RIVER
Stage: DECREED
CUSTER County
CUSTER County

Point(s) of Diversion:
T10N R18E S01 Lot04(NWNWNN)
T11N R18E S35 SWSWE

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				SUM	
T	R	S	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
11N	18E	26	:	:	:	:	:	21	03	:	:	40	28	31	21	:	
11N	18E	27	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
11N	18E	35	:	02	12	:	35	14	.3	28	:	:	:	27	03	.8	
															TOTAL ACRES		
															296.0		

POU County: CUSTER

Other Rights: 72-10220 THRU 72-10222, 72-10237

Conditions of Approval:

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: POU1

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 271 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHTS NO. 72-10221, 72-10222, 72-10237
IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 296 ACRES
IN A SINGLE IRRIGATION SEASON.

EXP

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 72-10220, 72-10221, 72-10222, 72-10237

Dates: Exam Made Date:

Verified Date: 12/30/1998

Objection Filed Date: 06/02/1999

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag: D

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ECM

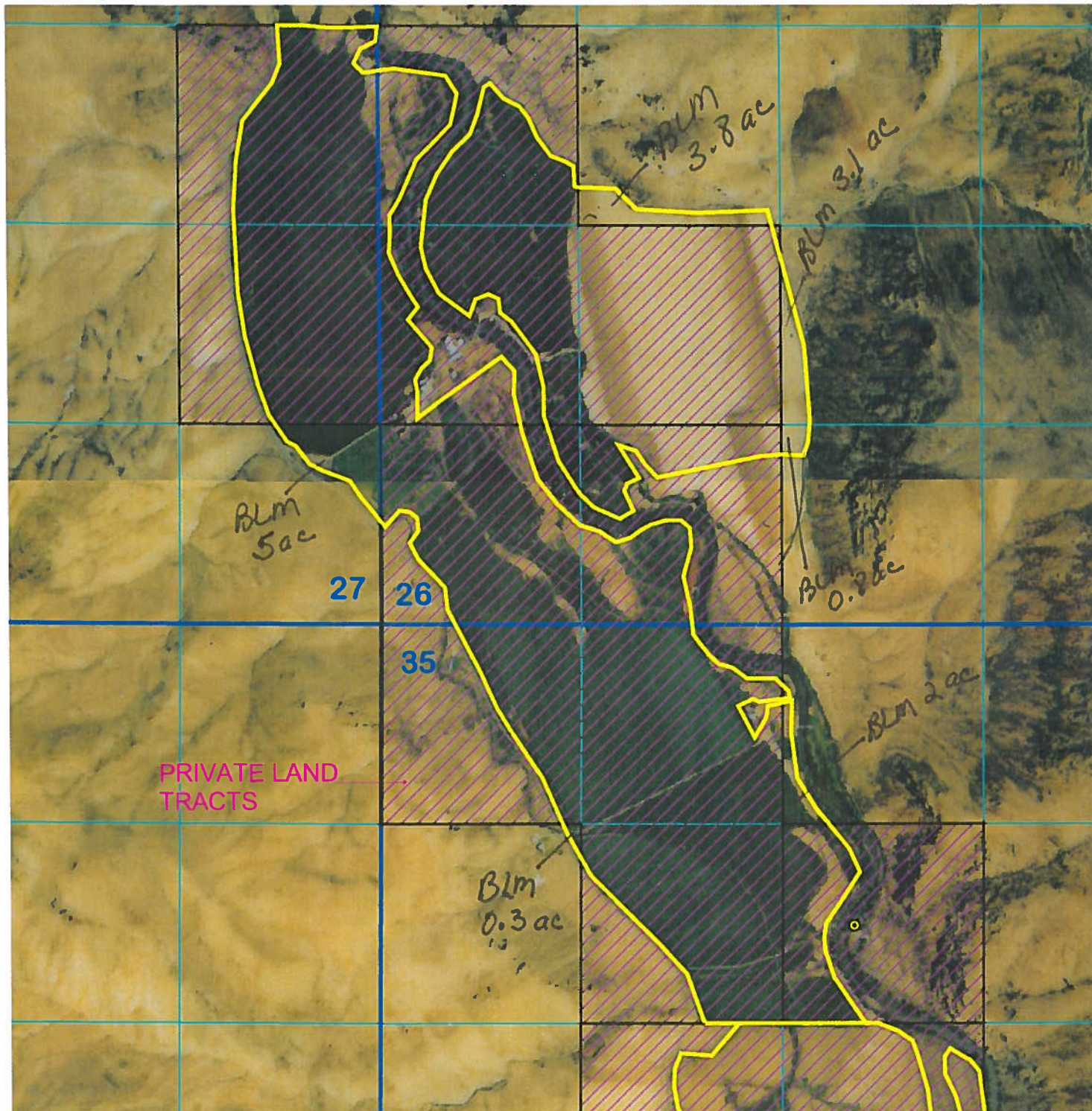
FILE NOTES

DATE: 11-12-1999

A72-10220, -10221, -10222, -10237

ABATTI

T 10N, R 18E, SEC 26, 27, 35



NOTES:

GIS showing private tracts 
surrounded by BLM.
PPU all claims

VH

VH

RECEIVED

JUN 29 1999

Department of Water Resources
Southern Region

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

In Re SRBA

)
)
)
)
)
)

A. Subcase 72-10220

(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office
Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657
Daytime Phone: see below
Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494
United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: John & Carol Abatti
Address: HC 68 Box 290 Clayton, ID 83227
Name:
Address:
Name:
Address:
Name:
Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

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

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)

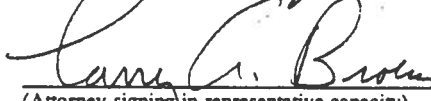
) ss.

County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 1, 1999



John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

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

G.

CERTIFICATE OF MAILING

I certify that on June 2nd, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

Name: John & Carol Abatti
Address: HC 68 Box 290 Clayton, ID 83227

Name:
Address:

Name:
Address:

Name:
Address:

3. Copies to:

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

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

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


Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-26-1999
PAGE: A-801

RIGHTS FROM: SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-10220

NAME & ADDRESS: JOHN ABATTI
CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227

- POL ON BLM; USE NOT AUTHORIZED

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER
QUANTITY: 6.00 CFS
PRIORITY DATE: 05/10/1880
POINT OF DIVERSION: T10N R18E S01 LOT 4 (NWNWNW) ✓ Within CUSTER County
T11N R18E S35 SWSWNE ✓
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 6.00 CFS
PLACE OF USE: IRRIGATION Within CUSTER County
T11N R18E S26 SNNW 21 ✓ SENW 3.8 BLM NESW 40 ✓ NWSW 28 ✓
S27 SWSW 31 ✓ SESW 21 ✓ NWSE 3.1 ✓ SWSE 0.8 ✓
S35 LOT 211 (NWNW) 2 BLM NESE 27 ✓ SESE 5 BLM/PVT NENW 35 ✓ NWNW 14 ✓
SNNW 0.3 BLM/PVT SENW 28 ✓
296 ACRES TOTAL
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 271 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHTS NO. 72-10221, 72-10222, 72-10237
IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 296 ACRES
IN A SINGLE IRRIGATION SEASON.
EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 72-10220, 72-10221, 72-10222, 72-10237

COMMUNICATION DOCUMENTATION

IDWR Employee/Agent Georgia Satterlee

DATE
March 29, 1999 10:30am

CUSTOMER
A. Bittner @ BLM

SUBJECT: T#5305
phone call (x) walk-in (.)

I am sending you the GIS map of the recommended p/u for Abatti, in addition to your letter dated August 17, 1998.
An objection to the recommendation can be filed by BLM, the forms for objecting claim(s) are on the Internet, or call our Adjudication Department 736-3033 and they can walk you through the process.

Thank you for your time and energy in this matter.

A handwritten signature in black ink, appearing to be 'A. Bittner', is located to the right of the closing text.

Water Right Number - R72-10220

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
ABATTI

JOHN

1 - HC 68 BOX 290
2 -
3 -

State- ID Zip- 83227

ABATTI

CAROL

City- CLAYTON
Phone - 208-838-2684
1 - HC 68 BOX 290
2 -
3 -
City- CLAYTON
Phone - 208-838-2684

State- ID Zip- 83227

*** O - ORIGINAL OWNER ***
GIAMPEDRAGLIA

GIAMPEDRAGLIA

J-P RANCH INC

1 -
2 -
3 -
City- XXX
Phone - 208-000-0000
1 - HC 67 BOX 2095
2 -
3 -
City- CHALLIS
Phone - 208-838-2291

State- ID Zip- 000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/10/1880 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SALMON RIVER, EAST FORK SALMON RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name

10N 18E 1 NW NW NW 4 (37) CUSTER EF-2
11N 18E 35 SW SW NE (37) CUSTER EF-1

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 6.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
6.000 0.0

Water right number - R72-10220

Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
11N	18E	26	SW NW		21.0		01	IRRIGATION	(37) CUSTER
11N	18E	26	SE NW		3.8		01	IRRIGATION	(37) CUSTER
11N	18E	26	NE SW		40.0		01	IRRIGATION	(37) CUSTER
11N	18E	26	NW SW		28.0		01	IRRIGATION	(37) CUSTER
11N	18E	26	SE SW		31.0		01	IRRIGATION	(37) CUSTER
11N	18E	26	SW SW		21.0		01	IRRIGATION	(37) CUSTER
11N	18E	26	NW SE		3.1		01	IRRIGATION	(37) CUSTER
11N	18E	26	SW SE		0.8		01	IRRIGATION	(37) CUSTER
11N	18E	27	SE SE		24.0		01	IRRIGATION	(37) CUSTER
11N	18E	27	NE SE		27.0		01	IRRIGATION	(37) CUSTER
11N	18E	27	SE SE		5.0		01	IRRIGATION	(37) CUSTER
11N	18E	35	NW NE		2.0		01	IRRIGATION	(37) CUSTER
11N	18E	35	SW NE		12.0		01	IRRIGATION	(37) CUSTER
11N	18E	35	NE NW		35.0		01	IRRIGATION	(37) CUSTER
11N	18E	35	NW NW		14.0		01	IRRIGATION	(37) CUSTER
11N	18E	35	SW NW		0.3		01	IRRIGATION	(37) CUSTER
11N	18E	35	SE NW		28.0		01	IRRIGATION	(37) CUSTER

Total Acres: 296.0

+ - - Diversion Means - TWO DITCHES FROM RIVER

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 72-10220 THRU 72-10222, 72-10237

+ - - - - - Remarks - - - - -

POU1

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 271 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHTS NO. 72-10221, 72-10222, 72-10237
IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 296 ACRES
IN A SINGLE IRRIGATION SEASON.

EXP

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 72-10220, 72-10221, 72-10222, 72-10237

+ - - - - - Old Water Right Numbers - - - - -
A7200220
A7200222

+ - - - - - Conditions of Approval - - - - -
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

+ - - - - Decree Plaintiff - - - - +
GOSL, ET. AL.
+ - - - - Decree Defendant - - - - +
GIAMPEDRAGLIA, ET. AL.

+ - - Audit Fields - 11/14/92 CLELLAND 03/30/95 POST-STD 02/28/97 TBACKLUN 03/04/97 TBACKLUN 11/18/98 VHANCOCK
12/07/98 VHANCOCK 12/30/98 VHANCOCK
+ - - Decree Date - - +
00/00/0000

Prefix Translation: RESEARCH

-Comments-

72-00220 3.00 CFS

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Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 12/30/1998	Old Judicial District	-
Claim Received Date	- 12/21/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S010743	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- D
		Name Connector	- AND	Notice of Error Flag	-

December 14, 1998

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.
YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

31

Water right number: 72-10220

JOHN ABATTI
CAROL ABATTI
HC 68 BOX 290
CLAYTON ID 83227

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12-30-98 SIGNATURE: _____

Please print your name: _____

JOHN ABATTI

CLAIM NUMBER 72-10220 DATE 12/30/98
72-10221 72-10222 72-10237 AGENT NA

TRANSFER NUMBER _____
 CLAIMED ACRE TOTAL 3
 GIS ACRE TOTAL 2

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	11N	18E	26							21	5	40	32	24	30		9	6	
GIS										21	3.8	40	28	31	21		31	.8	
RECOM																			
CLAIM	11N	18E	27				27									29			5
GIS							24									27			5
RECOM																			
CLAIM	11N	18E	35		1	6		34	14	1	28								
GIS					2	12		35	14	.3	28								
RECOM																			

B72-DBPOU.SHP

SHAPE NOS.

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~~80000~~ 90

351

205

B72-DBPOD.SHP

NOS. DESCRIPTION

210 EF1

211 EF2

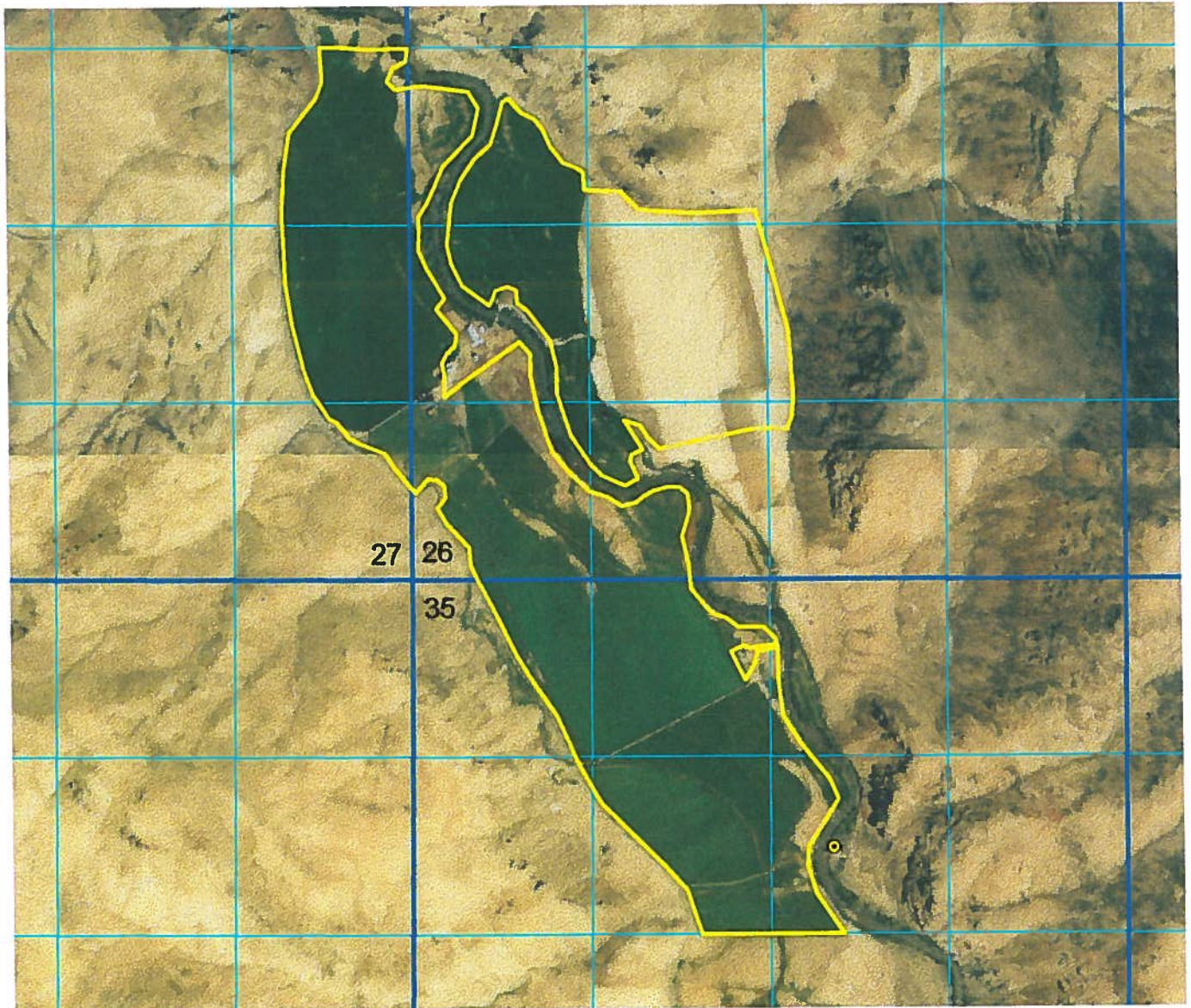
DBF TABLES UPDATED

B72-DBPOU.DBF

B72-DBPOD.DBF

**RIGHTS 72-10220, 72-10221,
72-10222, 72-10237**

**RECOMMENDED PLACE OF USE
TWP 10N, RNG 18E, SEC 26, 27, 35
data entry on December 30, 1998**



0 1320 2640 3960 5280 6600 Feet



- RECOMMENDED PLACE OF USE**
- **RECOMMENDED POINT OF DIVERSION**
- SECTION LINES**
- QUARTER/QUARTER LINES**
- SUBDIVISION LOT BOUNDARIES**

**GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOTGRAPHY
DATA ENTRY BY VIKIE HANCOCK**

Water Right Number - R72-10220

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
ABATTI

JOHN

ABATTI

CAROL

*** O - ORIGINAL OWNER ***
GIAMPEDRAGLIA

GIAMPEDRAGLIA

J-P RANCH INC

1 - HC 68 BOX 290
2 -
3 -
City- CLAYTON
Phone - 208-838-2684
1 - HC 68 BOX 290
2 -
3 -
City- CLAYTON
Phone - 208-838-2684
State- ID Zip- 83227
1 -
2 -
3 -
City- XXX
Phone - 208-000-0000
1 - HC 67 BOX 2095
2 -
3 -
City- CHALLIS
Phone - 208-838-2291
State- ID Zip- 83226
1 -
2 -
3 -
City- XXX
Phone - 208-000-0000
1 - HC 67 BOX 2095
2 -
3 -
City- CHALLIS
Phone - 208-838-2291
State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/10/1880 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - Tributary - - - - - +
SALMON RIVER, EAST FORK SALMON RIVER

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Water Use	Diversion Rate	Diversion Volume
10N	18E	1	NW NW NW	4		(37) CUSTER	EF-2			
11N	18E	35	SW SW NE			(37) CUSTER	EF-1			

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume +
01 - IRRIGATION 04/01 10/31 6.000
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
6.000 0.0

App Ex 4 Remark

Champs
DU claimant
12/30/98
VH

Water right number - R72-10220

Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
11N	18E	26	SW NW		14.0		01	IRRIGATION	(37) CUSTER
11N	18E	26	SE NW		3.8		01	IRRIGATION	(37) CUSTER
11N	18E	26	NE SW		39.0		01	IRRIGATION	(37) CUSTER
11N	18E	26	NW SW		23.0		01	IRRIGATION	(37) CUSTER
11N	18E	26	SW SW		25.0		01	IRRIGATION	(37) CUSTER
11N	18E	26	SE SW		17.0		01	IRRIGATION	(37) CUSTER
11N	18E	26	NW SE		3.1		01	IRRIGATION	(37) CUSTER
11N	18E	26	SW SE		0.8		01	IRRIGATION	(37) CUSTER
11N	18E	27	SE NE		23.0		01	IRRIGATION	(37) CUSTER
11N	18E	27	NE SE		27.0		01	IRRIGATION	(37) CUSTER
11N	18E	27	SE SE		5.0		01	IRRIGATION	(37) CUSTER
11N	18E	35	NW NE		1.0		01	IRRIGATION	(37) CUSTER
11N	18E	35	SW NE		7.4		01	IRRIGATION	(37) CUSTER
11N	18E	35	NE NW		33.0		01	IRRIGATION	(37) CUSTER
11N	18E	35	NW NW		14.0		01	IRRIGATION	(37) CUSTER
11N	18E	35	SW NW		0.3		01	IRRIGATION	(37) CUSTER
11N	18E	35	SE NW		28.0		01	IRRIGATION	(37) CUSTER

Total Acres: 264.4

- - - Diversion Means - TWO DITCHES FROM RIVER

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - 72-10220 THRU 72-10222, 72-10237

- - - Remarks - - - - -

POU1
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 244 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHTS NO. 72-10221, 72-10222, 72-10237
IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 265 ACRES
IN A SINGLE IRRIGATION SEASON.

EXP
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 72-10220, 72-10221, 72-10222, 72-10237

- - - Old Water Right Numbers - - - - -
A7200220
A7200222

- - - Conditions of Approval - - - - -
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

- - - Decree Plaintiff - - - - -
GOSSI, ET. AL.
- - - Decree Defendant - - - - -
GIAMPEDRAGLIA, ET. AL.
- - - Decree Date - - -
00/00/0000

Water right number - R72-10220

Prefix Translation: RESEARCH

+ - - - - - Comments - - - - - +

Date: 02/28/1997 User Id: TBACKLUN Subject: OWNERSHIP CHANGE

OWNERSHIP CHANGE MADE WITH 42-1409(6).

Date: 11/18/1998 User Id: VHANCOCK Subject: COPIED FROM REMARKS

THIS CLAIM IS BASED ON A COMBINATION OF DECREES AS FOLLOWS:

72-00220

3.00 CFS

72-00222

3.00 CFS

TOTAL

6.00 CFS

+ - - Audit fields - - +
12/07/98 VHANCOCK

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-	
Claim Received Date	- 12/21/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P	
		Receipt Number	- S010743	Water District	-	
		POU Ownership Flag	- Y	Federal/State Indicator	- S	
		Name Connector	- AND	Presumption Flag	- D	
				Notice of Error Flag	-	

CLAIM NUMBER 72-10220 72-10221 DATE 10-28-98
72-10237 72-10222 AGENT U4

TRANSFER NUMBER _____
 CLAIMED ACRE TOTAL 3
 GIS ACRE TOTAL 26

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	11N	18E	26							21	5	40	32	24	30		9	6	
GIS										14	3.8	39	23	25	17		3.1	0.8	
RECOM																			
CLAIM	11N	18E	27				27									29			5
GIS							23									27			5
RECOM																			
CLAIM	11N	18E	35		1	6		34	14	1	28								
GIS					0.9	7.4		33	14.2	0.3	28								
RECOM																			

B72-DBPOU.SHP

SHAPE NOS.

350
351

90 ac
175

7.7 ac BLM

B72-DBPOD.SHP

NOS. DESCRIPTION

210 EF1 11 N 18 E Sec 35 SW SW NE
 211 EF2 10 N 18 E Sec 1 NW NW NW

DBF TABLES UPDATED

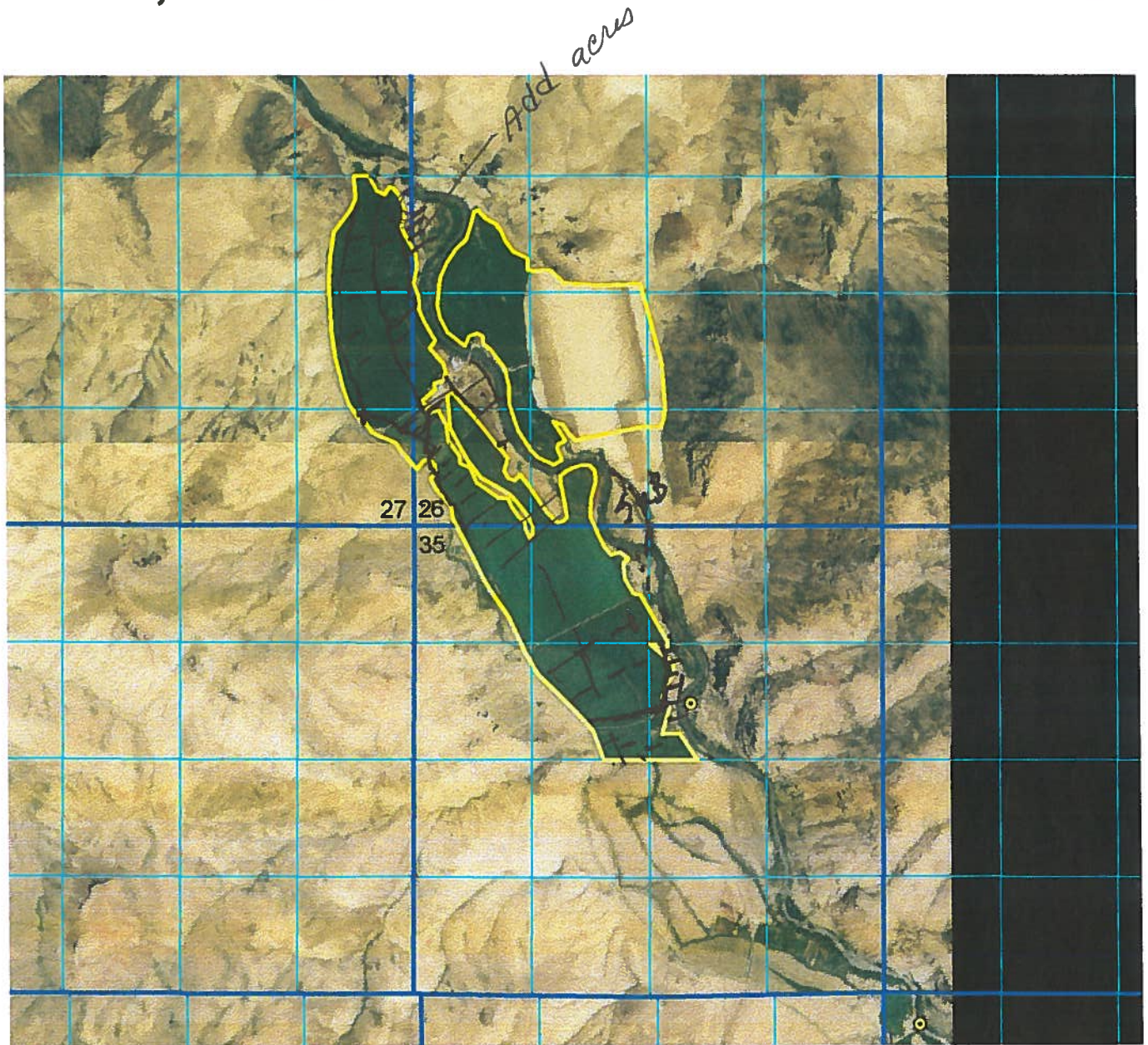
B72-DBPOU.DBF

B72-DBPOD.DBF

GIS Superseded 12/30/98

**RIGHTS 72-10220, 72-10221
72-10222, 72-10237**

**RECOMMENDED PLACE OF USE
TWP 11n, RNG 18E, SEC 26,27,35
data entry on October 28, 1998**



- RECOMMENDED PLACE OF USE**
- **RECOMMENDED POINT OF DIVERSION**
- SECTION LINES**
- QUARTER/QUARTER LINES**
- SUBDIVISION LOT BOUNDARIES**

**GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOTGRAPHY
DATA ENTRY BY VIKIE HANCOCK**

SUPERCEDED 12/30/98

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-10220 72-10221
72-00222 72-10237

DATE: 11-19, 1998

REVIEWED BY CH

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62
BB1	.09	.09			6.09	6.17
BBD						
BC1	.16	.17			5.82	5.46
BK1	.07	.06			10.62	11.86
BT1	.18	.16			3.99	4.19
BT2	.41	.32			2.34	2.87
CB1	.06	.06			11.55	13.47
CHA	.21	.21			4.52	4.76
CP1	.36	.36			2.61	2.78
DB1	.13	.11			5.66	6.65
DBB	.13	.11			5.71	6.69
DBC	.13	.11			5.71	6.69
DMF	.18	.21			5.12	4.72
DT2	.05	.04			12.46	16.50
DWA	.14	.14			4.79	5.01
G01	.10	.12			12.47	10.51
HAYSE						
KEG	.08	.07			8.73	10.06
MUG	.15	.14			4.54	4.98
NDL	.13	.12			5.30	6.06

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
PD2	.11	.12			5.15	4.74
RE2	.29	.21			3.15	4.74
RP1	.19	.21			4.89	4.57
SH1	.06	.05			9.37	12.10
SOC	.08	.07			7.38	8.08
SSA	.15	.14			4.79	5.01
SXF	.12	.11			6.14	6.80
TC1	.06	.06			9.82	9.55
TD1	.04	.03			12.46	16.50
WB2	.13	.13			5.37	5.43
WAA	.19	.16			3.81	4.23
WBB	.17	.14			3.36	3.84
WC1	.07	.06			11.24	13.45
WPT	.19	.15			3.16	3.69
WV1	.07	.06			11.24	13.45
XHS						
YN1	.18	.14			5.38	6.92

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL / ROTATION (chart)	ACTUAL / ROTATION (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
CB1	/		* 4.4	* .06	= .26 CFS
DBB	/		* 175.6	* .11	= 19.3 CFS
PD2	/		* 85.0	* .11	= 9.35 CFS
	/		*	*	= CFS

28.91 cfs
If P1200
Freeq

TOTAL ACRES 265

DECEED RATE =

$$\frac{10.71}{265} = 0.040 \text{ cfs/acre}$$

CLAIMED DIVERSION RATE = 10.71

MEASURED DIVERSION RATE =

HUBBLE

2-0218

That ELLIEN FRY and RHODA FRY are the owners of Lot 3, E¹/₂SW¹/₄, S¹/₂SE¹/₄, Section 7, T¹/₂N¹/₂, R¹/₂E¹/₂, Section 18, Township 9 North, Range 19, E. B. M., and appurtenant to said land they are entitled to 1.8 cubic feet per second of time of the waters of Herd Creek with date of priority May 1, 1900 with points of diversion in the SE¹/₂SE¹/₄, NE¹/₂NE¹/₄, Section 18, Township 9 North, Range 19, E. B. M.

-0219

That L. V. CAROTHERS is the owner of W¹/₂, W¹/₂E¹/₂, Section 33, Township 9 North, Range 17, E. B. M.; Lot 4, Section 4 and Lots 1 and 2, Section 5, Township 8 North, Range 17, E. B. M., and appurtenant to said land he is entitled to 1.2 cubic feet per second of time of the waters of Wickiup Creek, Little Wickiup Creek and the West Fork of the Salmon River, with date of priority May 1, 1919.

-0220

That PAUL GIAMPEDRAGLIA and HABEL GIAMPEDRAGLIA are the owners of NE¹/₂SW¹/₄, SW¹/₂NE¹/₄, Section 26, SE¹/₂NE¹/₄, NE¹/₂SE¹/₄, Section 27, Township 11 North, Range 18, E. B. M., and appurtenant to said land they are entitled to 3 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 10, 1880 and they are also entitled to .4 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1936, and with points of diversion in the NE¹/₂NE¹/₄, Section 1, Town-

1-0221

ship 10 North, Range 18, E. B. M., and the NE¹/₂SE¹/₄, Section 35, Township 11, North, Range 18, E. B. M.

35

02 22

That LOUIE GIAMPEDRAGLIA and VIOLA GIAMPEDRAGLIA are the owners of S¹/₂SW¹/₄, Section 26, NE¹/₂NE¹/₄, SE¹/₂NE¹/₄, Section 25, Township 11 North, Range 18, E. B. M., and appurtenant to said land they are entitled to 3 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 10, 1880 and they are also entitled to .4 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1936 and with points of diversion in the NE¹/₂NE¹/₄, Section 1, Township 10 North, Range 18, E. B. M., and the NE¹/₂SE¹/₄, Section 35, Township 11 North, Range 18, E. B. M.

02 23

2-0224

That VIRGIL GOSSI is the owner of NE¹/₂SW¹/₄, W¹/₂SW¹/₄, SE¹/₂SE¹/₄, Section 35, Township 11 North, Range 18, E. B. M., and appurtenant to said land he is entitled to 3.6 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority April 1, 1881 and also .6 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1936 and with point of diversion in the NE¹/₂NE¹/₄, Section 12, Township 10 North, Range 18, E. B. M.

02 25

-0226

-0227

That RAYMOND GOSSI and EVA GOSSI are the owners of Lot 4, S¹/₂NE¹/₄, NE¹/₂SW¹/₄, SE¹/₂SW¹/₄, SW¹/₂SE¹/₄, Section 1, NE¹/₂NE¹/₄, Section 12, all in Township 10 North, Range 18, E. B. M., and appurtenant to said land they are entitled to 4.8 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1880 and also .5 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1936 and with points of diversion.

are arid in character and will not successfully raise any crops without the artificial application of water thereon by irrigation thereof, and that all of said lands are

capable of irrigation from the East Fork of the Salmon River and its tributaries.

✓ 3. That 18 inches of water per acre, or its equivalent in cubic feet per second

of time, is necessary and ample for the proper irrigation of said land.

4. That the dams and diverting works of the several parties to this action were at the time of the several appropriations, and are now, of sufficient size and capacity to carry and convey water so appropriated to and upon the several tracts of land of the several parties for the irrigation thereof, and that each and every of said ^{several} tracts of land are situated in Custer County, State of Idaho.

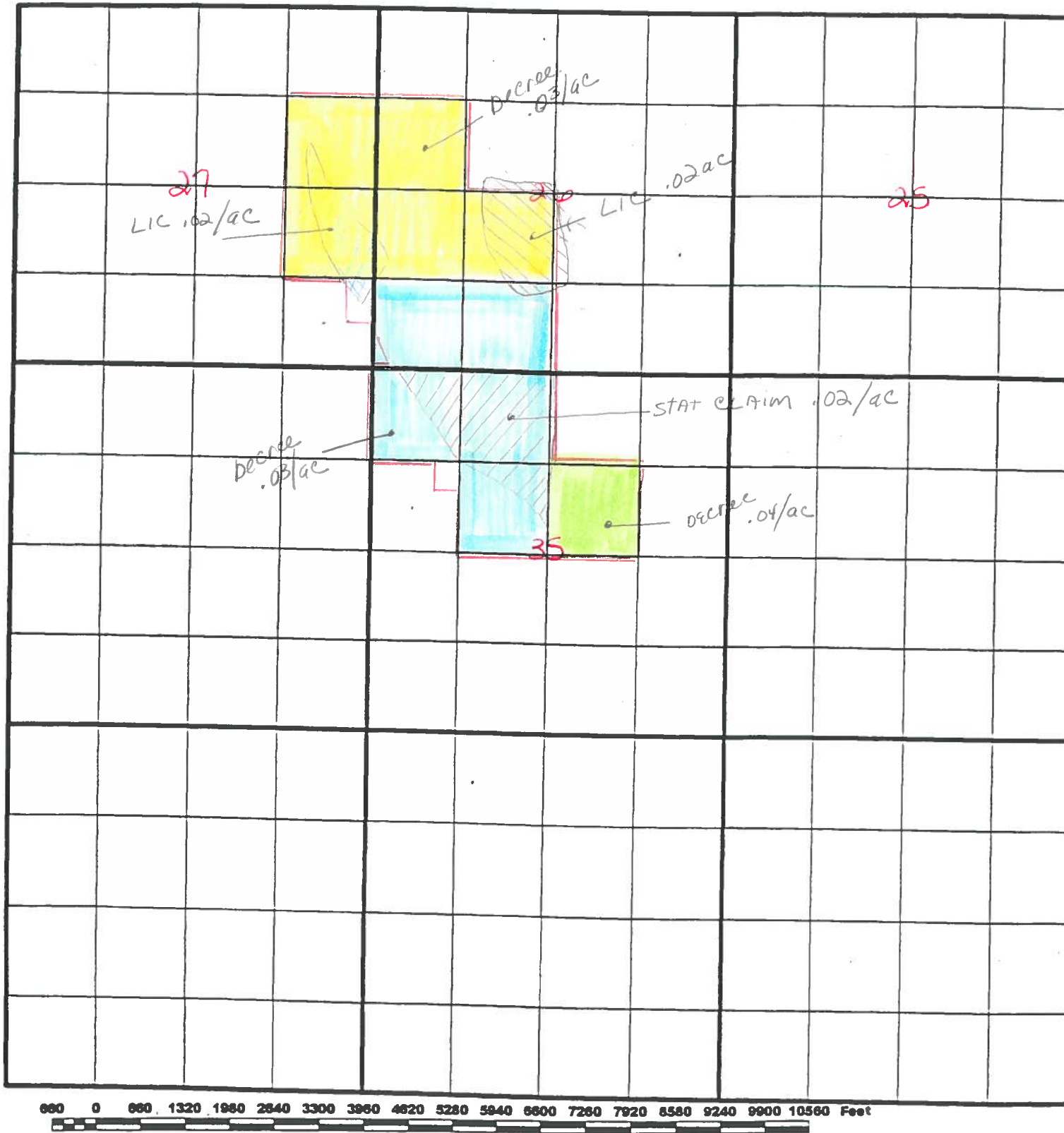
5. That each of the parties to this action, plaintiffs and defendants hereinafter named, or their predecessors in interest, were at the time of the several appropriations of water, made as hereinafter set forth, the owners respectively of the several tracts of land set forth and described in the complaint, answer and cross-complaint and stipulation on file herein, and that for the irrigation of the same, the said parties, or their predecessors in interest, did respectively appropriate the quantities of water hereinafter stated, and on the dates and from the streams respectively hereinafter stated, and set opposite the names of each of said parties, such water being an estimate under a four inch pressure or its equivalent in cubic feet per second of time, and ever since said dates of the said several appropriations, said waters have been so diverted and used on said lands in the irrigation thereof.

6. That the certain decree of this Court made and entered on the third day of

DECRE 2-14-1938

Loose et al - v - Hammond et al

IDAHO DEPARTMENT OF WATER RESOURCES



222, 223 3.4 cfs



220, 221 3.4 cfs



236 0.3 cfs



property boundary



LIC 07284 1.06 cfs



LIC 07285 1.08 cfs



Stat claim 4174 1.3 cfs

FROM: AL BITNER
SALMON, BLM

RE: ABATTI PROTEST

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Upper Columbia-Salmon Clearwater Districts
Salmon Field Office
Route 2, Box 610
Salmon, ID 83467

RECEIVED

OCT 16 1998

Department of Water Resources
Southern Region

Georgia,

Here's the WF John's
Gulch + Bear Ck info.

Abatti protest:

Apparently the permit they
have with us is not for
irrigation but for a
hay stack.

I'm not withdrawing the
protest yet. I need to
discuss it some more with
Gloria Romero (the Challis
Resource Area Reality Specialist).
The BLM may have to grant
a permit while they explore
the possibility of a (land
exchange with the Abatti's

OO

APPL FOR TRANSFER

MEMO TO FILE

T-5305

FROM: Georgia Satterlee
DATE: 16 July 1998
RE: Transfer per 72-00220, -00222 (A72-10220), 72-00236, -04176
(A72-10222), 72-00221, -00223 (A72-10221), 72-07284, -07285
(A72-10237), 72-07505

The enclosed transfer, filed by John and Carol Abatti, proposes to divert surface water from two new points of diversion and combine numerous rights into a permissible place of use. The proposed locations of the P/D's are adjacent to the irrigated lands.

In June, during a phone conversation, Mr. Abatti told me that they do not flood irrigate anymore. The updated irrigation system includes mainline(s) running to three full pivots, two windshield wiper pivots, plus hand lines on all the pivot corners. The first two pivots are on the east side of the river. On the west side of the East Fork, and in the s'ly portion of the ranch, is the third full center pivot. The two windshield wiper pivots are located in the middle and the north sections of the property.

Mr. Abatti said that the crops grown are 50% alfalfa (on 160 acres) and 50% pasture (on 160 acres). The 10.71 cfs diversion rate on a 320 acre place of use results in a rate per acre of more than the one inch per acre standard.

Using the Allen & Brockway crop/weather information, it is revealed that alfalfa will require the most water in the month of June and pasture will require the most water in July. Examination of the NRCS soil information reveals the soil at the Abatti Ranch consists of DBB Dawtonia and WBB Whiteknob soil. Both of these soil types yield the same MAD, intake family, and Cir Ratio (Pf) values so either type of soil can be used for the excess flow analysis. The average efficiency for center pivots is 82% and the average efficiency for hand lines is 73%. The FAE for both systems was computed using 73%.

Using the values (obtained from the excess flow analysis) and the equation of a rate per acre, approximately 0.017 cfs/acre is calculated. Multiplying this value by the 320 acre place of use reveals a total field headgate requirement is 5.47 cfs.

Page 2
Abatti Transfer
16July1998

The decreed amount of 10.71 cfs was appropriate due to the flood irrigation method, in addition to the conveyance loss (the old diversion points had the water travelling, in some cases, over a mile before being applied to the land).

Since the application for transfer is seeking 10.71 cfs but the excess flow analysis justifies 5.47 cfs there appears to be a need to reduce the allowable rate. I am hesitant at this time to do so. The analysis is based on the updated irrigation system. It is assumed that the new irrigation hardware will be stationary. However, I believe there may be a historical benefit to diverting the entire 10.71 cfs through the system.

Per Transfer #5137, on page 6, it reads, "...indicates recent direction has been given in the Hagerman sub-cases to figure the justifiable rates based on historical flood irrigation rates even though sprinklers are currently used..."

The transfer can be recommended for approval with conditions:

1. Subject to SRBA
2. Measuring devices and control works shall be installed and maintained

TRANSFER APPLICATION
ABATTI, John and Carol

<u>Right Number</u>	<u>Priority</u>	<u>Amount</u>	<u>Use</u>	<u>Period</u>
72-00220	05-01-1880	3.00 cfs	Irrigation	4/01-11/01
72-00222	05-01-1880	3.00 cfs	Irrigation	" " "
Combination of 72-00220, -00222= A72-10220	05-01-1880	6.00 cfs	Irrigation	" " "
72-00236	05-01-1885	0.30 cfs	Irrigation	4/01-11/01
72-04176	05-01-1885	1.30 cfs	Irrigation	" " "
Combination of 72-00236, -04176= A72-10222	05-01-1885	1.60 cfs	Irrigation	" " "
72-00221	05-01-1936	0.40 cfs	Irrigation	4/01-11/01
72-00223	05-01-1936	0.40 cfs	Irrigation	" " "
Combination of 72-00221, -00223= A72-10221	05-01-1936	0.80 cfs	Irrigation	" " "
72-07284	06-28-1983	1.06 cfs	Irrigation	4/01-11/01
72-07285	06-28-1983	1.08 cfs	Irrigation	" " "
Combination of 72-07284, -07285= A72-10237	06-28-1983	2.14 cfs	Irrigation	" " "
72-07505	08-18-1992	0.16 cfs	Irrigation	" " "

Total diversion rate=10.71 cfs

EXCESSIVE FLOW ANALYSIS FOR SPRINKLERS

$$\begin{array}{lcl}
 \left. \begin{array}{l} \text{STDD ET} = 0.46 \\ \text{AVE ET} = 6.59 \\ \text{M}_F = 2.7 \\ \text{P}_F = 1.05 \text{ PZ/2 Soil Ana. WK4} \end{array} \right\} & \longleftrightarrow & \left\{ \begin{array}{l} \text{JUNE; CHALLIS;} \\ \text{ALFALFA} \end{array} \right. \\
 \text{FAE} = 73\% & \text{(from p. 25 Guidelines for} & \text{Evaluation of Irr Div. Rates)}
 \end{array}$$

90% USE = 74% eff
 Ctr. Pivot $\uparrow$ 82% eff
 Handlines 73%

$$\text{FIR} = 4.2 \left[\frac{\text{ET}}{\text{FAE}} \right] = 4.2 \left[\frac{(0.842(0.46)2.7) + 6.59}{\text{FAE} (25.4)} \right] \text{P}_f$$

$$= 4.2 \left[\frac{7.6358}{73(25.4)} \right] 1.05$$

$$= 0.018 \text{ cfs/acres}$$

$$(0.0182 \text{ cfs/ac})(160) = \underline{2.91 \text{ cfs}} + 2.56 = \underline{\underline{5.47 \text{ cfs}}}$$

TOTAL $\rightarrow$

{ 50% PASTURE
 { 50% ALFALFA
 { 160 ac. each crop

90% PIVOTS
 10% HANDLINES (@ PIVOT CORNERS)

Abatti, John & Carol
Soil/Irrigation Analysis

72-0022D, ...

IRRIGATION ANALYSIS BY GLS

EXCESSIVE FLOW ANALYSIS FOR SPRINKLERS

$$\begin{array}{lcl}
 \text{STDD ET} = 0.25 & \left. \begin{array}{l} \text{AVE ET} = 6.25 \\ \text{MF} = 2.22 \\ \text{PF} = 1.05 \end{array} \right\} & \left\{ \begin{array}{l} \text{JULY; CHALLIS;} \\ \text{PASTURE} \end{array} \right. \\
 & & \text{Soil Ana. WK 4} \\
 \text{FAE} = 73\% & \text{(from p. 25 Guidelines for} & \text{Evaluation of Irr Div. Rates)}
 \end{array}$$

90% USE = 74%
 Ctr. Pivot $\Delta 82\%$
 Handlines $\Delta 73\%$

$$\text{FIR} = 4.2 \left[\frac{\text{ET}}{\text{FAE}} \right] = 4.2 \left[\frac{(0.842)(0.25)(2.22) + 6.25}{\text{FAE}(25.4)} \right] P_f$$

$$= 4.2 \left[\frac{6.72}{73(25.4)} \right] 1.05$$

$$= 0.016 \text{ cfs/acre}$$

$$(0.016 \text{ cfs/acre})(160) = \underline{2.56 \text{ cfs}} + 2.91 = \underline{\underline{5.47 \text{ cfs}}}$$

TOTAL $\downarrow$

{ 50% PASTURE 90% PIVOTS
 { 50% ALFALFA 10% HANDLINES (@ PIVOT CORNER)
 { 160 acres each crop

Abatti, John & Carol
Soil/Irrigation Analysis

72-00220, ...

Abatti, John & Carol
July 1978 Photos



241-155A

5
441414

shed
stake



e. Leaks and system drainage.

To be useful, irrigation efficiency should include some measurement of both uniformity of application and losses. Efficiencies usually vary, depending on the age and condition of the system and the efficiency of the original design. The values in the following table of efficiencies were taken from the SCS-NEH, Section 15,¹⁶ and are included in Figure A-7 in the Appendix.

Type Sprinkler	Efficiency Range
Periodic Move Lat.	60-85%
Gun/Boom Sprinkler	50-75%
Fixed (solid set)	60-88%
Traveling Sprinkler	55-77%
Center Pivot	75-88%
Lateral Move "Square" Lateral	80-90%

Hand line → Periodic Move Lat. 60-85% → 72.5 =

Hand line → Gun/Boom Sprinkler 50-75%

Hand line → Fixed (solid set) 60-88%

Hand line → Traveling Sprinkler 55-77%

Hand line → Center Pivot 75-88%

Hand line → Lateral Move "Square" Lateral 80-90% → 81.5(90%) = 73.35

The above is based on a full canopy cover and systems that are well designed and maintained. Factors causing the range of efficiencies are: quality of the design, age of the nozzles, quality and timeliness of maintenance, etc. Efficiencies would be considerably lower with poor management, or a poor design that is ill-suited to existing conditions. These ranges of efficiencies may be used in lieu of a more detailed evaluation.

Another method to estimate sprinkler irrigation efficiency would be by using Equation 1.

$$I.E. = 100 \frac{N.I.A.}{G.I.A.}$$

Where: I.E. = irrigation efficiency
 N.I.A. = net irrigation application
 G.I.A. = G.I.A._{sp} which is the gross irrigation application under sprinklers

The G.I.A._{sp} may be computed by dividing the amount of water applied to a certain area (in acre-inches)

¹⁶U. S. Department of Agriculture, Soil Conservation Service, National Engineering Handbook, Section 15, IRRIGATION, Chapter 11, Sprinkle Irrigation, USDA, Soil Conservation Service, Washington, D.C., 1983, 121 pp., p. 11-25.

FIELD IRRIGATION REQUIREMENT

DBB Gravelly Loam

WEATHER STATION = CHALLIS

FIGURE NO = 10-15

ALLEN & BROCKWAY WEATHER INFORMATION (1983)

Net Irrigation Requirement (NIR)
(monthly average in mm/day)

Net Irrig. *	Cir	Irrigation
app. (in)	Ratio	Frequency
N/A or MAD		(days)
4.85	1.05	P_f
4.85	1.05	
3.24	1.09	

Crop	Acres	Irrig. System	Season (MM/YR)														
			Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb			
Field 1 = ALFALFA	0																
Field 2 = ALFALFA	0																
Field 3 = PASTURE	0																

Each FIELD entry above represents a separate field with different characteristics such as crop usage or field dimensions. These entries are referenced below in the FIELD NOTES AND CALCULATIONS section.

*The MAD value program calculated on page 1 in the CALCULATED N/A or MAD section is to be data entered in this section based upon the specific crop variety.

The Cir Ratio is a correctional factor used to adjust the NIR to reflect the Peak Irrigation Requirement which is then used in the calculation of the Irrigation frequency (days) field. This is a program look-up value based upon the data entered MAD value. The table is not printed in the output.

The Irrigation Frequency formula is:
(MAD*25.4)/(MONTHLY MAX NIR*CIR RATIO)

FIELD NOTES AND CALCULATIONS

	FIELD 1	FIELD 2	FIELD 3
Ditch Length	=		
Irrigation days	=		
Dry days	=		
Inflow (set) time (in hours)	= 8	= 8	= 8
Calculated Run Length (Run)	=		
Calculated width Adj border width	=		
Calculated Run formula = (field acres*43560/width of field)			
Calculated width formula = (ditch length/(irr days * changes per day))			

DITCH LENGTH CALCULATION

To calculate a ditch length for a known average run of a specific field, enter the field number and then the known run.

field no.	=	0
run	=	0
calculated ditch length	=	NA

DATA SUMMARY

	FIELD 1	FIELD 2	FIELD 3
Field width for the border program	=		
Field run for the border program	=		
Management Allowed Deficit (MAD)	= 4.85	= 4.85	= 3.24
Inflow or set time	= 8	= 8	= 8
Calculated intake family			
Alt A flood	= 1.00		
Alt A furrow	= 0.40		
Alt B flood	= NA		
Alt B furrow	= NA		

Soil characteristics based upon:
SOIL SURVEY (COUNTY SPECIFIC),
UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE,
PUBLICATION DATE BASED UPON COUNTY
COMPLETION DATE

General Program Operation based upon:
GUIDELINES FOR THE EVALUATION OF IRRIGATION DIVERSION RATES,
HUBBLE ENGINEERING INC, OCTOBER 1991

Peak Irrigation Requirement based upon:
MARVIN JENSEN
DESIGN & OPERATION OF FARM IRRIGATION SYSTEMS, 1983, pp 223

Net Irrigation Requirement based upon:
ALLEN & BROCKWAY WEATHER INFORMATION,
1983

Est. Q1 and CIR.

		MO	MYRS	PREC	ETR	ALFA	SILGE	POTAT	SGRAN	WGRAN	PAST.
			3	49	.38	1.27					.41
AVE	ET	3	49	.00							.25
AVE	IR	3	49	100.00							.12
STDD	ET	3	49	.29	.39						.21
STDD	IR	3	49	100.00							.23
SKWE	ET	3	49	1.98	.23						-.62
SKWE	IR	3	49	100.00							
			4	49	.60	4.35	1.59		1.31	3.20	1.77
AVE	ET	4	49	93.88			1.28		1.05	2.68	1.47
AVE	IR	4	49	93.88			.18		.14	.35	.20
STDD	ET	4	49	.42	.48		.35		.29	.49	.36
STDD	IR	4	49	93.80			-.10		-.10	-.10	-.10
SKWE	ET	4	49	.70			-.43		-.44	-.22	-.39
SKWE	IR	4	49	93.88							
			5	48	1.11	5.89	5.26	1.77	1.78	2.10	5.82
AVE	ET	5	48	97.92			4.51	1.20	1.34	1.58	5.10
AVE	IR	5	48	97.92			.46	.16	.18	.51	3.84
STDD	ET	5	48	.76	.52		.88	.47	.38	.45	.81
STDD	IR	5	48	97.92			.03	.02	.02	.03	.02
SKWE	ET	5	48	1.59	.03		-.18	-.60	-.49	-.12	-.22
SKWE	IR	5	48	97.92							
			6	49	1.27	7.44	6.59	2.61	4.52	6.57	7.44
AVE	ET	6	49	95.92			5.02	1.92	3.91	5.77	6.52
AVE	IR	6	49	95.92			.46	.16	.31	.46	.40
STDD	ET	6	49	.80	.52		.84	.53	.56	.77	.87
STDD	IR	6	49	95.92			.20	.19	.19	.20	.19
SKWE	ET	6	49	1.31	.20		-.45	-.71	-.44	-.38	-.48
SKWE	IR	6	49	95.92							
			7	49	.57	8.11	6.66	6.62	6.81	8.11	8.02
AVE	ET	7	49	95.92			6.25	6.23	6.50	7.72	7.60
AVE	IR	7	49	95.92			.27	.28	.33	.33	.25
STDD	ET	7	49	.44	.33		.51	.49	.44	.54	.55
STDD	IR	7	49	95.92			-.08	-.07	-.04	-.02	-.04
SKWE	ET	7	49	.98	-.06		-.43	-.42	-.35	-.38	-.43
SKWE	IR	7	49	95.92							
			8	49	.57	6.40	4.83	6.02	5.06	4.00	2.58
AVE	ET	8	49	100.00			4.45	5.62	4.78	3.69	2.28
AVE	IR	8	49	100.00			.37	.35	.29	.23	1.15
STDD	ET	8	49	.45	.37		.28	.58	.46	.42	.35
STDD	IR	8	49	100.00			.52	.45	.44	.45	.45
SKWE	ET	8	49	1.00	.46		-.48	-.39	-.52	-.47	-.64
SKWE	IR	8	49	100.00							
			9	48	.67	4.71	2.91	3.85	3.00		3.62
AVE	ET	9	48	97.92			2.52	3.45	2.71	3.23	3.23
AVE	IR	9	48	97.92			.37	.30	.24	.29	.29
STDD	ET	9	48	.72	.37		.56	.61	.46	.59	.59
STDD	IR	9	48	97.92			.01	.01	.01	.01	.01
SKWE	ET	9	48	1.33	.01		-.82	-.69	-.66	-.72	-.72
SKWE	IR	9	48	97.92							
			10	48	.55	3.00	.92			2.31	
AVE	ET	10	48	83.33			.70			2.07	
AVE	IR	10	48	83.33			.34			.26	
STDD	ET	10	48	.49	.34		.10			.38	
STDD	IR	10	48	83.33			-.29			-.30	
SKWE	ET	10	48	1.64	-.30		-.30			-.62	
SKWE	IR	10	48	83.33			-.17				
			46	137.8	1263.	882.	641.	650.	678.	842.	893.
AVE	ET	SE	46	0.0	0.	779.	567.	591.	609.	756.	796.
AVE	IR	SE	46	0.0	0.	31.	23.	23.	25.	34.	30.
STDD	ET	SE	46	37.0	46.	49.	39.	35.	40.	49.	46.
STDD	IR	SE	46	0.0	0.	.49.	.59.	.55.	.04.	.11.	.14.
SKWE	ET	SE	46	.29	.35	-.08	-.31	-.04	-.55	-.13	-.07
SKWE	IR	SE	46								

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE

December 29, 1998 9:20am

CUSTOMER

ABATTI - BLM

SUBJECT: Protest per T#5305

phone call (x) walk-in (.)

I talked to Gloria Romero at BLM-Salmon Office, she said the Abatti's need to get a permit for the use of BLM land. Carol Abatti can call Gloria Romero directly and get the information, permit, etc. necessary to continue using the land.

BLM-Salmon Field Office

Attention: Gloria Romero

PO Box 610

Salmon, ID. 83647

(208) 756-5400

cc: VHancock
file



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

RECEIVED *PRZ*

AUG 19 1998

Department of Water Resources
Southern Region

Salmon Field Office
Hwy 93 S., Box 610
Salmon, Idaho 83467
(208) 756-5400

RECEIVE

AUG 17 1998

Department of Water Resources

*#25007 Rec'd
8/17/98
Rec # 624311*

August 17, 1998

Idaho Department of Water Resources,

The Bureau of Land Management (BLM) is hereby protesting **Transfer No. 5305**, filed by John and Carol Abatti of Clayton, Idaho. The BLM objects to the following:

T11N., R18E., Sec. 26 SENW	Place of Use is on BLM land.
T11N., R18E., Sec. 26 NWSE	Place of Use is on BLM land.
T11N., R18E., Sec. 26 SWSE	Place of Use is on BLM land.

T11N., R18E., Sec. 35 NWNE	Place of Use is on BLM land.
----------------------------	------------------------------

T11N., R18E., Sec. 35 SWNW	Place of Use includes both BLM and Private land.
T11N., R18E., Sec. 27 SESE	Place of Use includes both BLM and Private land.

In the above legal descriptions which include both BLM and Private lands, a more detailed description of the Place of Use is necessary. Within the described legals, the BLM has not authorized any use of water.

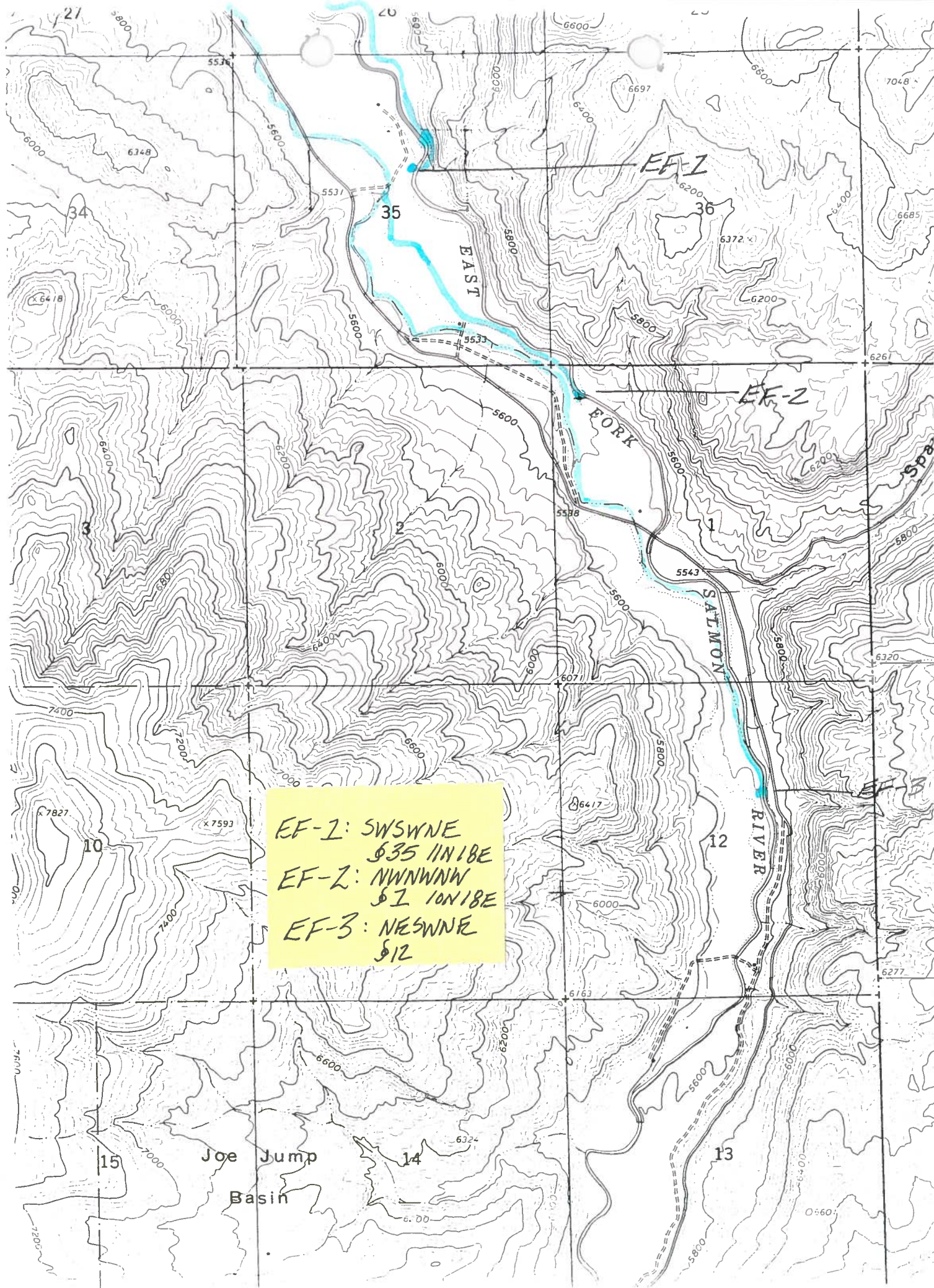
In all of the above mentioned legal descriptions, the use of water on BLM land is not authorized.

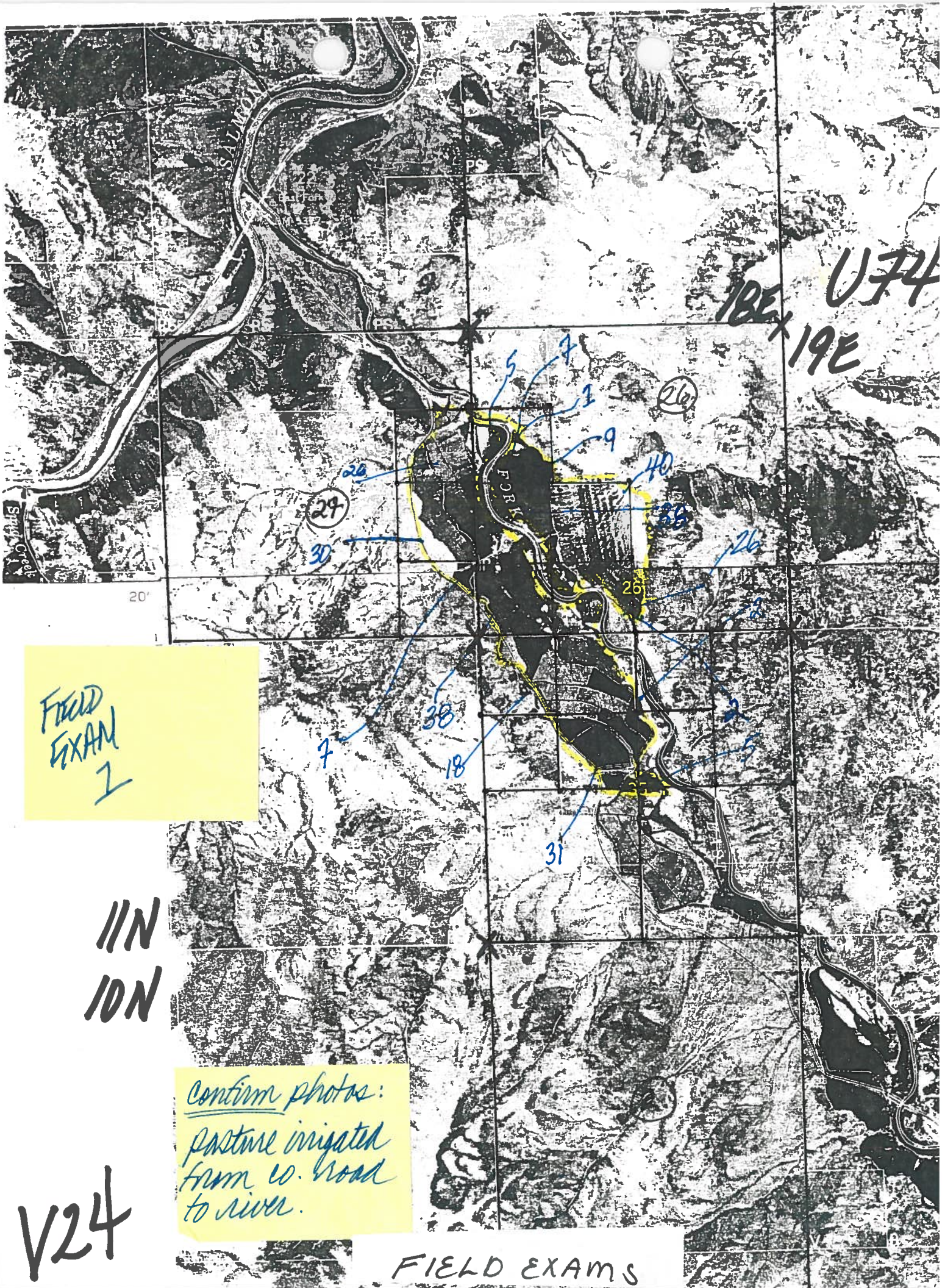
Sincerely,

Alan Bittner

Water Rights Coordinator

EF-1: SWSWNE
\$35 11N18E
EF-2: NWNWNW
\$1 10N18E
EF-3: NESWNE
\$12





FIELD
EXAM
1

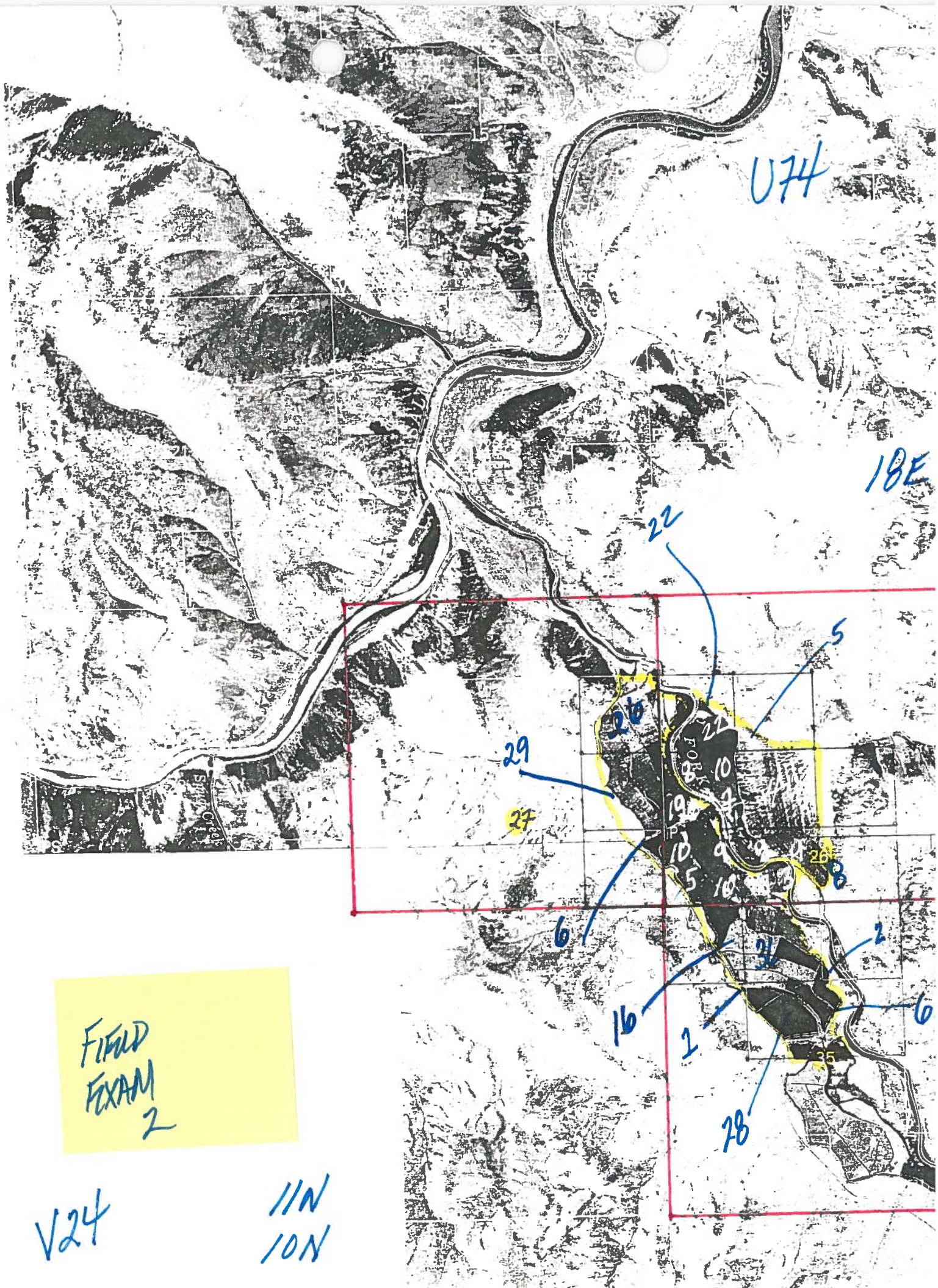
confirm photos:
pasture irrigated
from W. road
to river.

V24

FIELD EXAMS

11N
10N

IBEX U74
19E



U74

18E

22

5

29

27

6

16

1

78

2

6

26

8

21

35

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

FIELD
EXAM
2

V24

11N
10N

FIELD MAP

08-12-1998

alfalfa - above ditch
everything is
sprinkled down
to the level @ the
cattle guard

08-12-98

check dam @ bridge
backs up water for pond

1 perm. wheel line goes
up to the draw that takes
discharge & back to fence
line @ prop. boundary.
Bridge @ lane across ditch
- straight line to POD/EF.

discharge pipe: 2 small ^{logs} pipes
fed by concrete cross ditch from
gate w/ boards. SW towards tan
manuf house.

discharge goes into EF opposite
beginning of diversion rocks
into river.

Anderson

PHILLIPS

lane

lane

fence line

ditch

EF1

discharge
pipe

POD

1

5247-1
this area DRY-
BLM 07-01-88
NAPP 09-14-88

FSU-810
J.P. RAMP
G. WOOLLEY
300-T-467

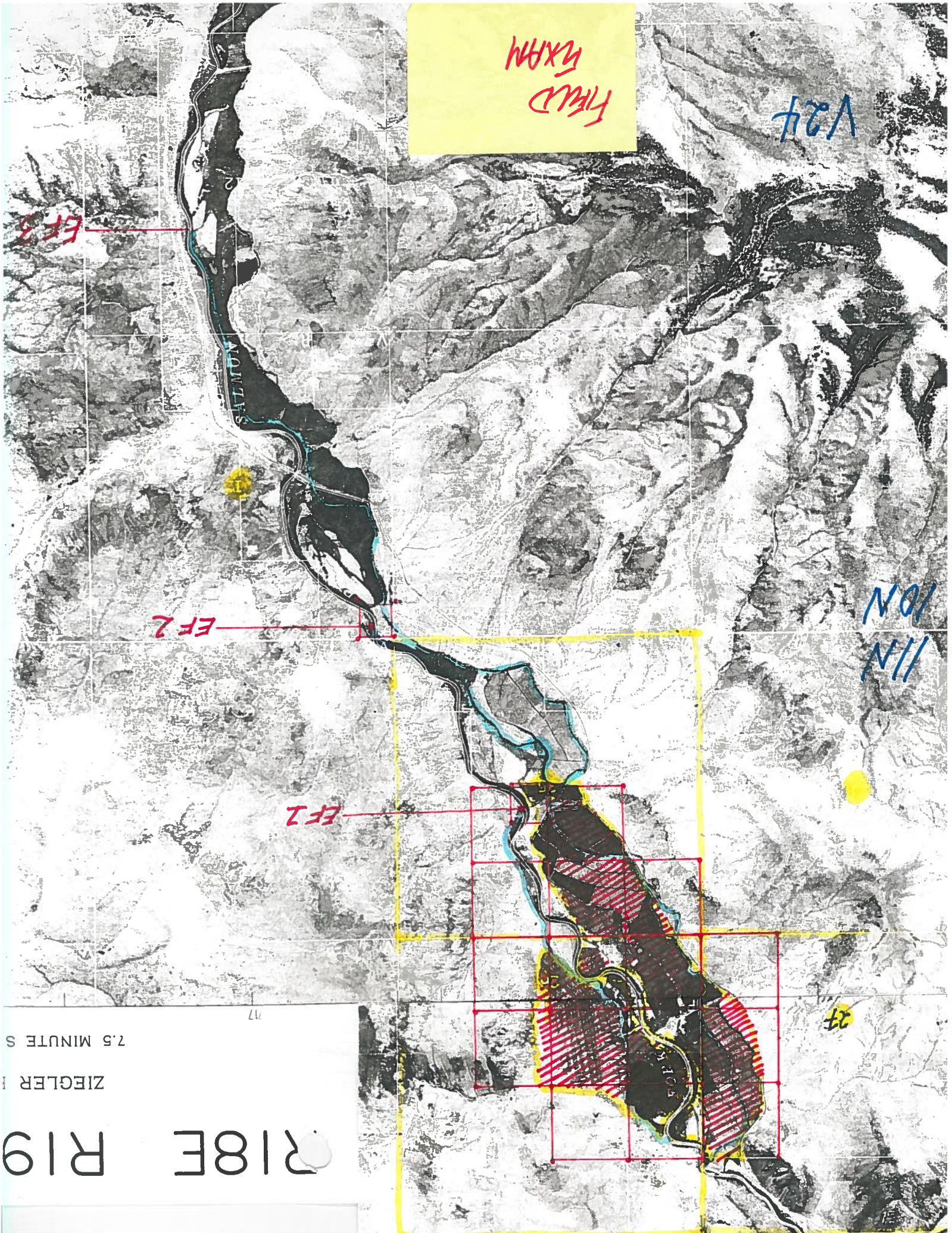
37.5

12.3

R18E R19

ZIEGLER I

7.5 MINUTE S



HEAD
LXHM

V24

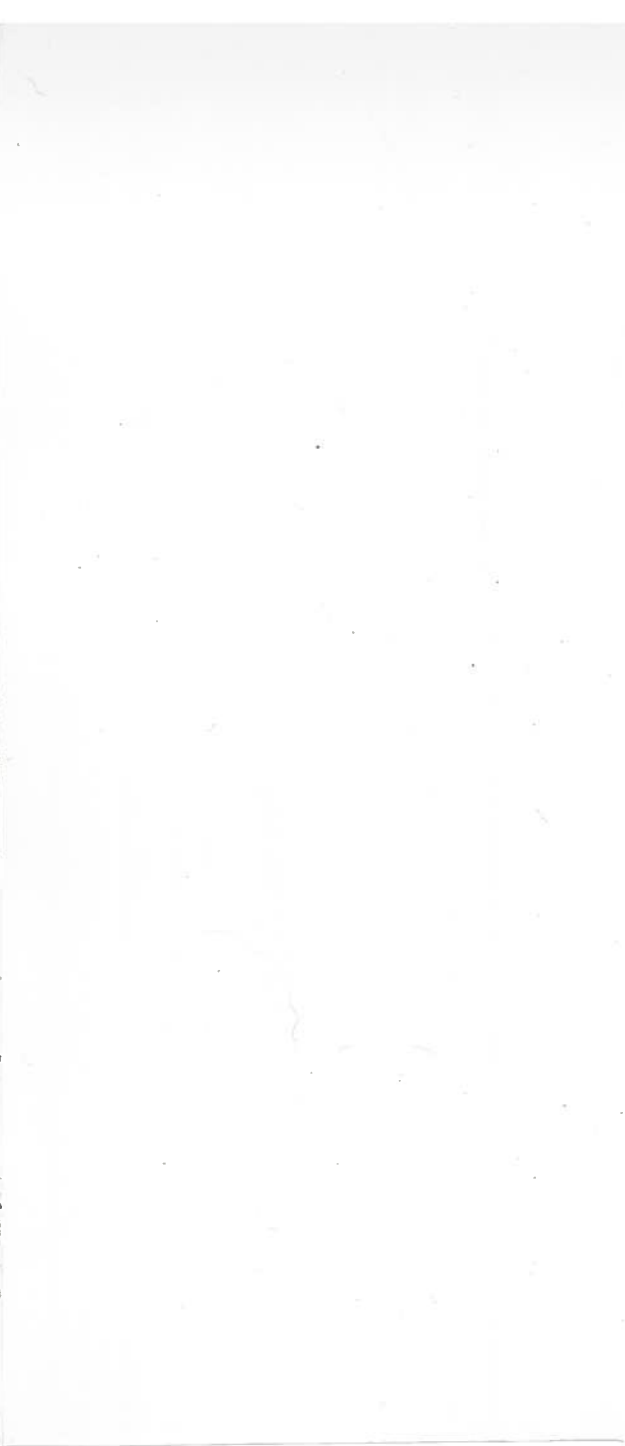
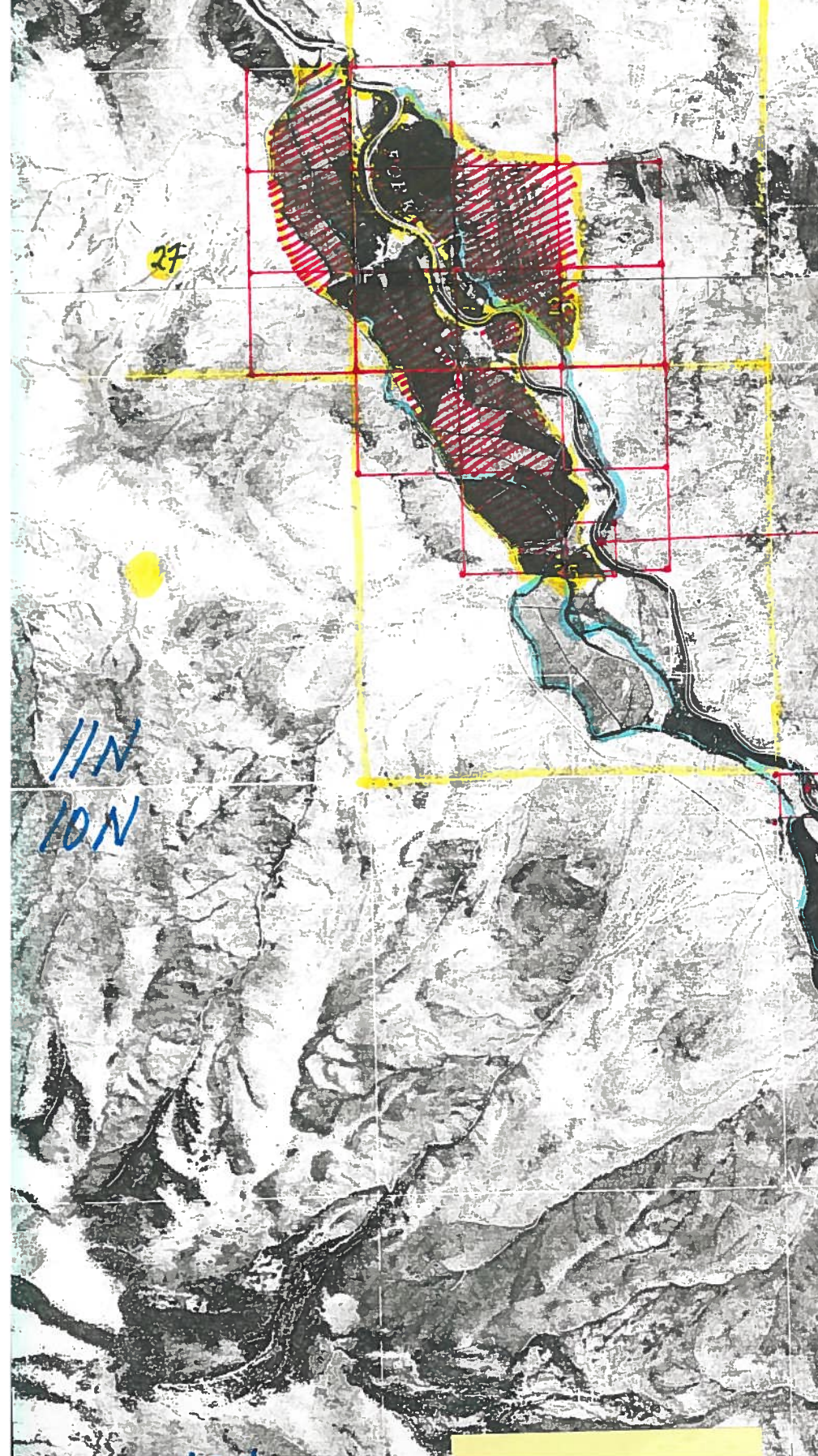
EF 2

EF 3

10N
11N

EF 2

27



R18E R19

ZIEGLER I

7.5 MINUTE S



let out
by hand
(upward)

swampy
to not
down

high
ground

LAKE

phosphorus

high

10
bursts

ALERT

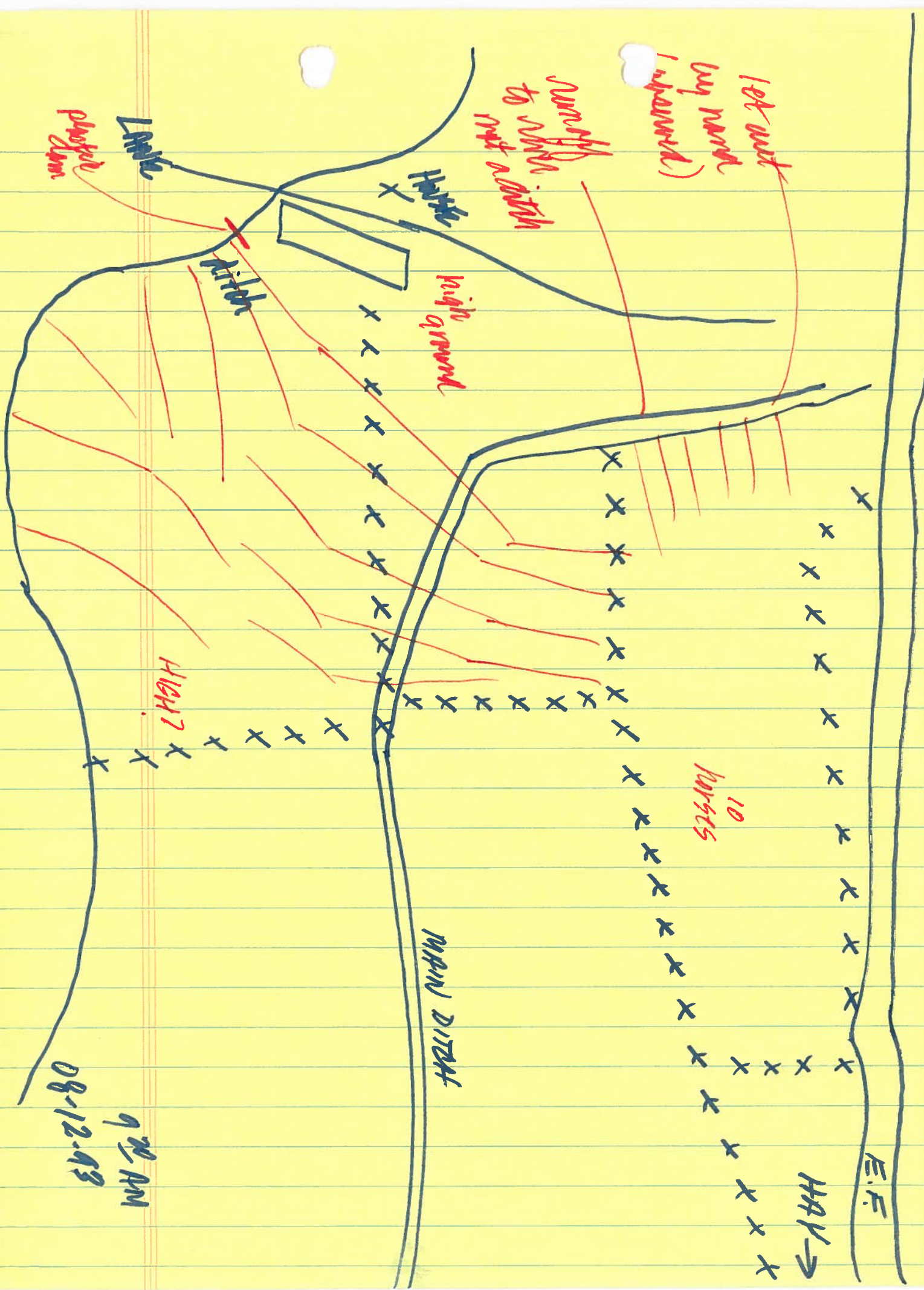
MAIN DITCH

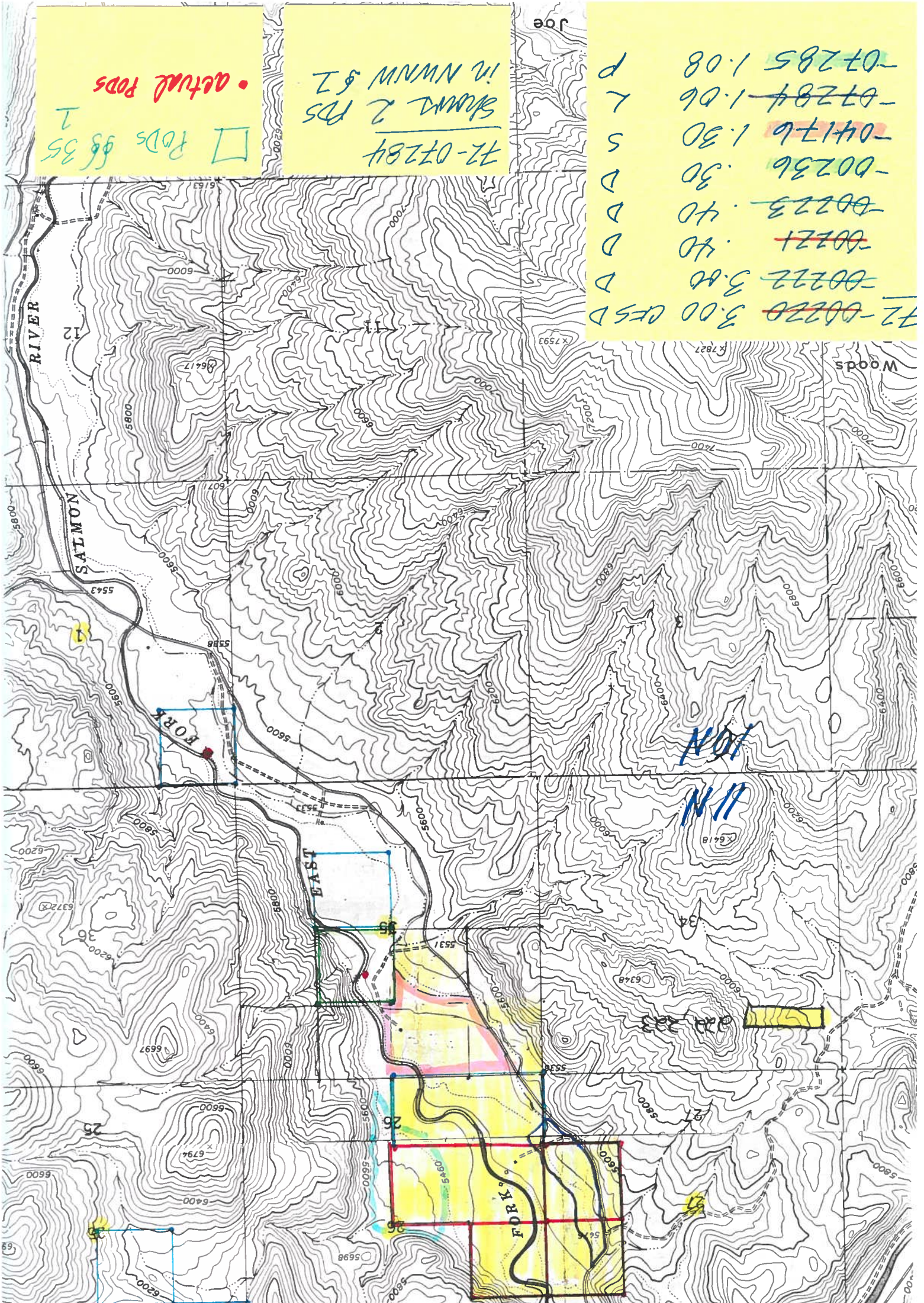
E.F.

HAY →

9:20 AM

08-12-03



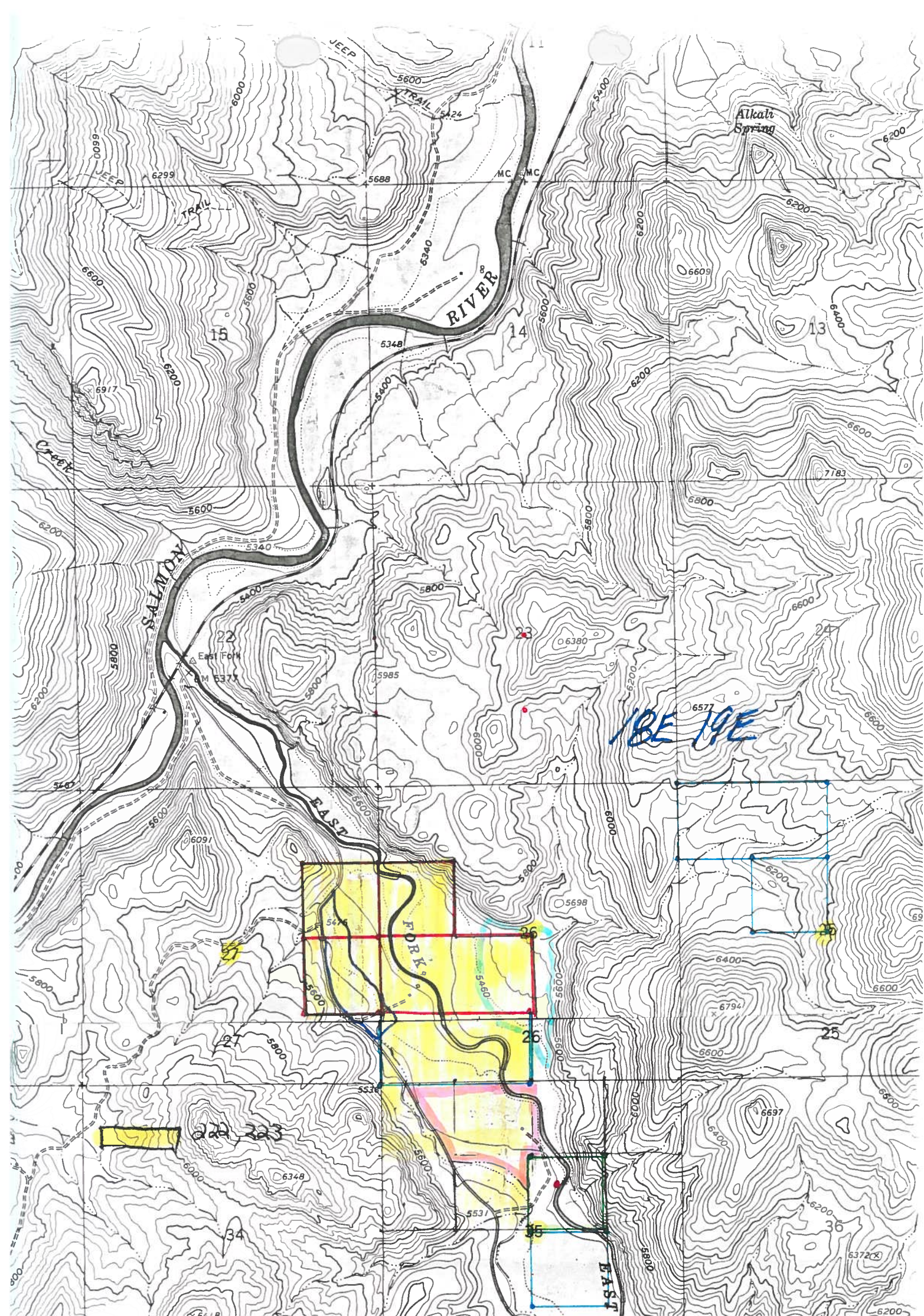


☐ Pods \$635
 • actual Pods 1

72-07284
 SUM 2 PDs
 in NWNW \$2

Joe

72-00220 3.00 QESD
 00222 3.00
 00221 40
 00223 40
 00236 30
 04176 1.30
 07284 1.06
 07285 1.08
 P



FSU-842
G. WOOLLEY
23CT-467

#9

27 26
34 35

3-4 mi

Surface

#1

cc 10.5

ee 6.0

- 1. 50 HP TYPE R-1 1765 RPM
- 2. 40 HP 3540 RPM 450 VOLTS 45 AMP
- 3. 15 HP (per David) plate weathered

SPRINKLER

JP RANCH

PUMP FORMATIONS/DATA

09-22-93
#1

MOTOR

@ county road @ end of David's lane

HP 50

TYPE R-1

CONT RATING 40° C AMB

RPM 1765

junctions:
1) along road
2) under lane

SWITCH

operating range 3-150

allowable max pressure 475 PSI

#2 pump house on ditch by hay storage E side

HP 40

GE

RPM 3540

VOLTS 450

AMPS 45

#3 remains of pump house - open to weather -
plate can't be read.

10-01-93 15 HP

JP RANCH

PUMP LOCATIONS/DATA

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
PERMIT																						
FOUND																						
OVERLAP																						
DIFFERENCE																						

P/D OVERLAP BUT ACRES NOT OVERLAPPING, USE FOR SYSTEM TOTAL CALCULATIONS

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
① FIELD			11N	18E	26					22			40	38	38	26			2		166	
FIXAM				27			26										30		7		56	
				35	2	5		37	18		31										93	
																						315
																						+7
																						<u>322</u>
② FIELD			11N	18E	26					22			40	34	34	30			8		168	
FIXAM				27			26										29		6		61	
				35	2	6		36	16	1	28										~~150~~	
																					89	379
																						<u>-61</u>
																						<u>308</u>

EF1

11N 18E \$35

EF2 SN SW NE *

10N 18E \$1

NWNWNW LOT 4 *

* legal confirmed w/ IF + G
claims by

JP RANCH

A7Z-10220

Sprinkler prior to 1987

GA = 5.47 cfs

lic 72-07284

4-1 to 11-1

7285

4-15 to 10-15

$$\frac{10.54 \text{ cfs total}}{205} = .0397 \text{ cfs/ac}$$

$$\frac{9.24}{205} = .035$$

INCL?	222	3.0	1880
	223	.4	1936
	220	3.0	1880
	221	.4	1936
	236	.3	1885
	STAT	1.3	1885

8 lic not dec

$$\frac{244}{7.4} = 259.4$$

lic & decreed acres

$$\frac{6.8}{2.14} = 3.18$$

lic & decreed wa

$$\frac{9.24}{259} = .0357$$

$$\frac{10220 = 6}{10221 = .8} \quad \frac{6.8}{244} = 0.027$$

244 ac in decreed tracks (incl. 99 licensed acres)

$$\frac{10237 = 2.14}{107} = .02$$

107 ac in licensed tracks (99 overlap decreed acres)

10222 = 0.3 decreed for 7.4 ac in decreed tract
1.6 claim for 65 acres overlap w/ 222 & 223 decreed

Abatti

- Sprinkled prior to 1980

$$\frac{10.54 \text{ cfs total claimed}}{265 \text{ IRR acres found}} = .039 \text{ cfs/ac}$$

$$\begin{array}{r} 10.54 \\ - 1.30 \text{ STAT CLAIM} \\ \hline 9.24 \end{array} \quad \frac{9.24 \text{ cfs}}{265 \text{ ac}} = .035 \text{ cfs/ac}$$

$$\text{Georgia Excess Flood Analysis} = .18 + .16 / 2 = .17 \text{ cfs} \\ (\text{Pivot system 1990})$$

Proposed

10220	244 ac	265 ppu	6.0 cfs as claimed
10221	244 ac	265 ppu	.8 cfs as claimed
10237	107 ac	265 ppu	2.14 cfs as claimed
10222	7.4 ac	265 ppu	.3* cfs from decre

* no stat claimed water included.
no date of priority proven for B.L.
decreed & lic water equals .035/ac

- OR -

Recommend Stat Claim per flood IRR requirements
with different priority date?

OK

JP RANVATES

12 sets west
24 hrs

whirlwires
expansion POU?

SPRINKLERS

FLOOD
everything
North...

24 hrs

FLOOD
everything
North...

3-4 hrs

Surface

handlines
x pump?

SPRINKLED...

Surface

SPRINKLERS

24 hrs

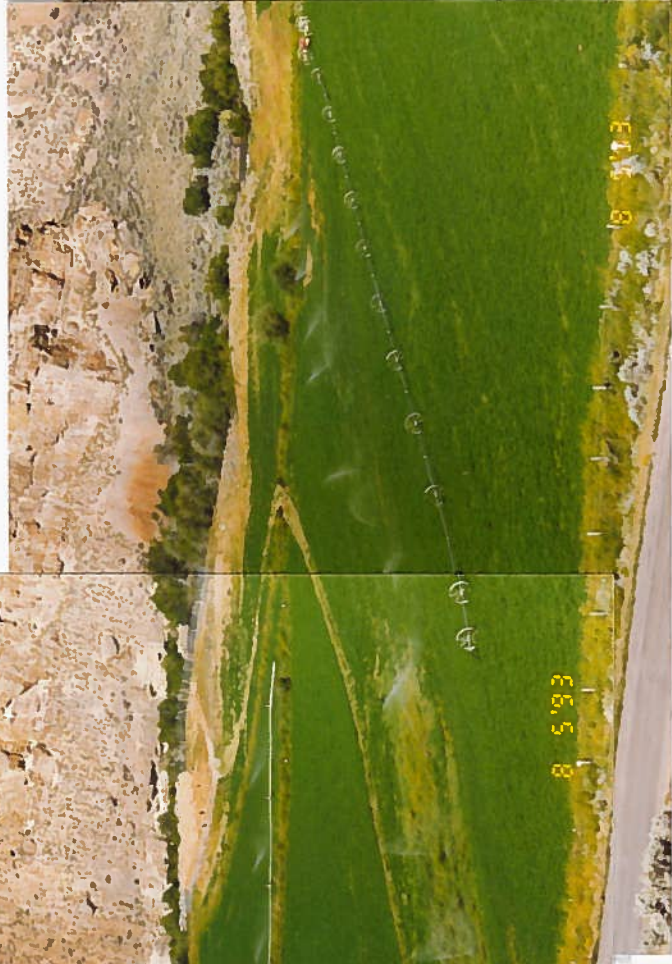
27 26
34 35

FSU-872
J.P. RANVATE
G.WOODLEY
3967-467

THIS
MAP DOES
JUSTICE
TO PHOTOS

PHOTO
DOES
JUSTICE





HOME ON NLY PTN
OF PROPERTY



LOOKING S'LY

JP RANCH

HOME IS ON THE
MOST N'LY PIN OF PROPERTY
↓



PANORAMIC VIEW
FROM NORTH TO SOUTH

JP RANCH

THE
N OF PROPERTY



JP RANCH

107

HOME IS IN
MOST N'LY PTN OF PROPERTY



JP RANCH

HOME IS IN
MOST N'LY PTN OF PZC

PX 10 ROW 21 080543
Looking E to center of
No. End to house by
road

5:25 PM #

080543 ROW 21 080543
the house JP Pancoates - looking SO
road to. from entrance @ cattle
guard.

5:25 PM #



TP RANAH



JP RANCH



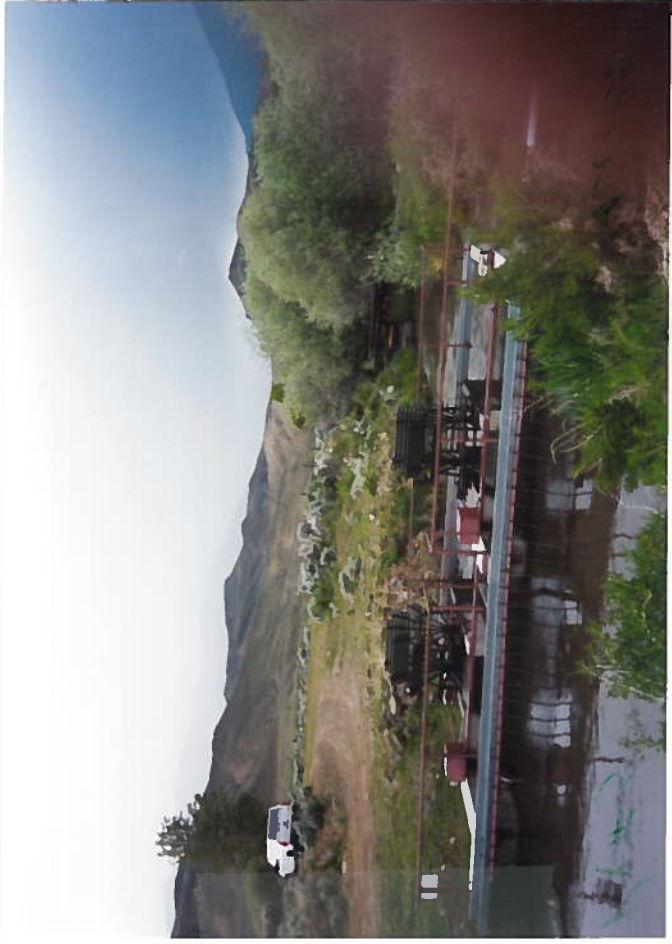
dr

JP RANCH
EF- DITCH



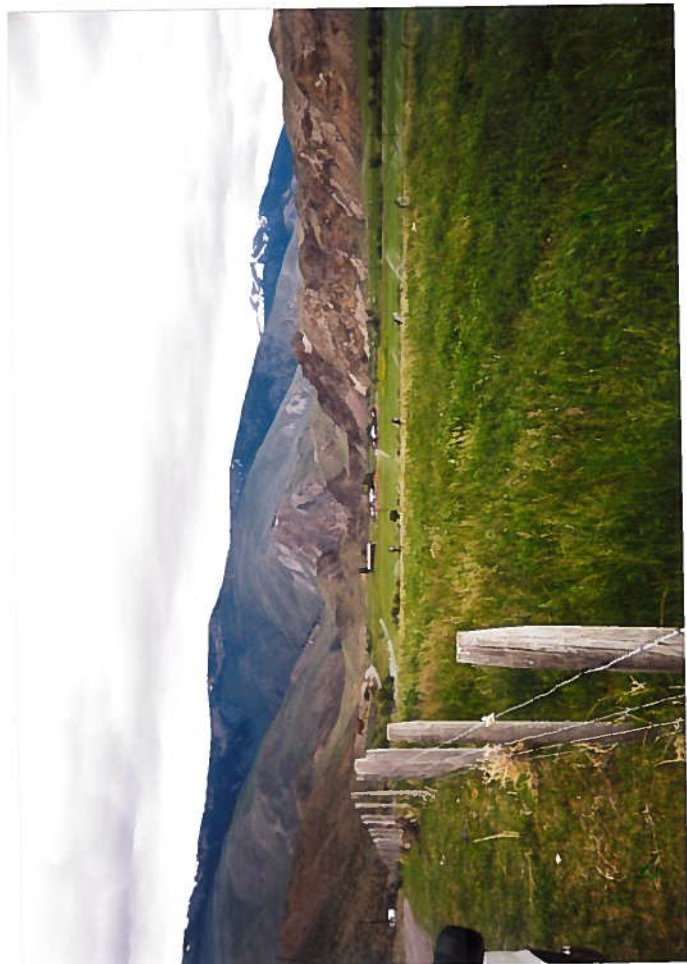


EF-3

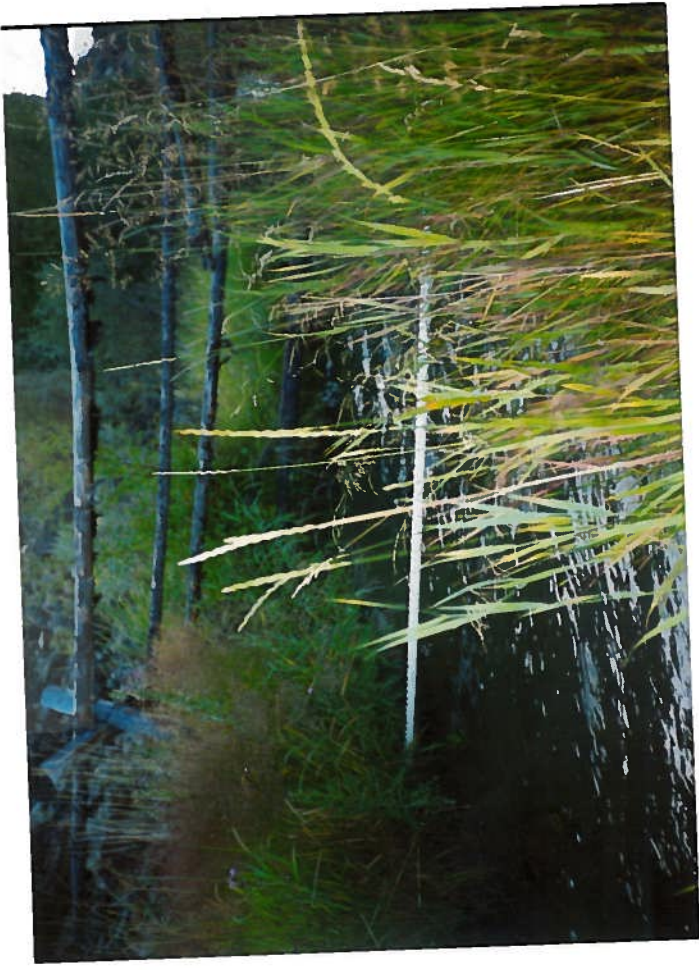


EF-2

J.P. RANCHO



Channel
measurement
of diversion
from E. Fork



A72-10220
-10221
-10222
-10223



JP RANCH



JP RANCH



JP RANCH

JP RANCH

A72-10220

decur: 72-00220 3.00 OFS 3/2 AC
-00222 3.00

-10221

decur: 72-00221 .40 3/2 AC
-00223 .40

-10222

decur: 72-00236 .30 3/2 AC
Claim: -04176 1.30

-10237

License: 72-07284 1.06(53AC) 3/2 AC
Permit: -07285 1.08

10.54 OFS

Tally Pri data:
dur amt.

apply to 1st pri data

years flown

-10220	6.00	1880	
-10222	1.00	1885	.50 Dur
-10221	.80	1996	1.30 B.V.
-10237	2.40	1983	

amt.

pay
after date
of dur

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:22:32
05/18/95

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A72-10220

LAST: GIAMPEDRAGLIA
ADDRESS:
CITY: XXX
PHONE NUMBER: 208-000-0000

FIRST:
STATE: ID ZIP: 000

OWNER CODE: O

LAST: J-P RANCH INC
ADDRESS: HC 67 BOX 2095
CITY: CHALLIS
PHONE NUMBER: 208-838-2291

FIRST:
STATE: ID ZIP: 83226

OWNER CODE: C

LAST: GIAMPEDRAGLIA
ADDRESS:
CITY: XXX
PHONE NUMBER: 208-000-0000

FIRST:
STATE: ID ZIP: 000

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: THIS CLAIM IS BASED ON A COMBINATION OF DECREES AS FOLLOWS:
72-00220 3.00 CFS
72-00222 3.00 CFS

TOTAL 6.00 CFS

PAGE: 2
FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A72-10220²

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

PAGE: 3

PRIORITY DATE REVIEW PAGE

CLAIM NUMBER: A72-10220

A. AJ CLAIM: # A72-10220

PRIORITY DATE: 05-10-1880

STAGE: D

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y() N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

Y() N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A() Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

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

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A() Y() N()

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y() N()

NOTES:

=====

RECOMMENDED PRIORITY DATE:

REVIEWED BY

DATE

PAGE: 4

POINT OF DIVERSION REVIEW SHEET

CLAIM NUMBER: A72-10220

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A72-10220	10N	18E	1	NW	NW	NW	4		CUSTER		
A72-10220	11N	18E	35	SW	SW	NE			CUSTER		

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX	
A72-10155	R72-10155	72-00220
A72-10221	R72-10221	72-00221
A72-10222	R72-10222	72-00222
A72-10237	R72-10237	72-00223
A72-10401	R72-10401	72-07505
A72-10535	R72-10535	L72-07285
A72-10536	R72-10536	

SOURCE: SALMON RIVER, EAST FORK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

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

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA?

N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()									
TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME
10N	18E	1	NW	NW	NW	4		CUSTER	
11N	18E	35	SW	SW	NE			CUSTER	
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: _____ TRIB: _____

REVIEWED BY: _____ DATE: _____

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

LAST: GIAMPEDRAGLIA
ADDRESS: XXX
CITY: XXX
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 000

OWNER CODE: 0

LAST: J-P RANCH INC
ADDRESS: HC 67 BOX 2095
CITY: CHALLIS
PHONE NUMBER: 208-838-2291
STATE: ID ZIP: 83226

OWNER CODE: C

LAST: GIAMPEDRAGLIA
ADDRESS: XXX
CITY: XXX
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 000

OWNER CODE: 0

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE FIELD
EXAMINER
Y() N()

CLAIM REMARKS: THIS CLAIM IS BASED ON A COMBINATION OF DECREES AS FOLLOWS:

72-00220 3.00 CFS
72-00222 3.00 CFS

TOTAL 6.00 CFS

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A72-10220 PRIORITY DATE: 05-10-1880 STAGE: D

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y() N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

Y() N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A() Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

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

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A() Y() N()

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y() N()

NOTES:

RECOMMENDED PRIORITY DATE:

REVIEWED BY

DATE

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A72-10220	10N	18E	1	NW	NW	NW	4		CUSTER		
A72-10220	11N	18E	35	SW	SW	NE			CUSTER		

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A72-10155	R72-10155
A72-10221	R72-10221
A72-10222	R72-10222
A72-10237	R72-10237
A72-10401	R72-10401
A72-10535	R72-10535
A72-10536	R72-10536

SOURCE: SALMON RIVER, EAST FORK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED? Y() N()

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

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

OTHER (DESCRIBE IN NOTES BELOW)

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A. ROOT WATER RIGHT NUMBERS:

A72-10220
R72-10220

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11N	18E	26	SW	NW		J-P RANCH INC	A72-10220 / 21.0	-	/		37.0
			SW	NW		J-P RANCH INC	R72-10220 / 21.0	-	/		
			SW	NW		J-P RANCH INC	R72-10221 / 21.0	-	/		
			SW	NW		J-P RANCH INC	R72-10222 / 21.0	-	/		
			SW	NW		J-P RANCH INC	R72-10237 / 21.0	-	/		
			SW	NW		J-P RANCH INC	R72-10210 /	-	/		
			SW	NW		J-P RANCH INC	A72-10210 /	-	/		
			SW	NW		J-P RANCH INC	A72-10221 / 21.0	-	/		
			SW	NW		J-P RANCH INC	A72-10222 / 21.0	-	/		
			SW	NW		J-P RANCH INC	A72-10237 / 21.0	-	/		
			SW	NW		GIAMPEDRAGLIA, MABEL	72-00220 /	-	/		
			SW	NW		GIAMPEDRAGLIA, MABEL	72-00221 /	-	/		
			SW	NW		J P RANCH INC	L72-07285 /	0.3			
			SW	NW		J P RANCH INC					
11N	18E	26	SE	NW		J-P RANCH INC	A72-10220 / 5.0	-	/		14.0
			SE	NW		J-P RANCH INC	R72-10220 / 5.0	-	/		
			SE	NW		J-P RANCH INC	R72-10221 / 5.0	-	/		
			SE	NW		J-P RANCH INC	R72-10222 / 5.0	-	/		
			SE	NW		J-P RANCH INC	R72-10237 / 5.0	-	/		
			SE	NW		J-P RANCH INC	A72-10221 / 5.0	-	/		
			SE	NW		J-P RANCH INC	A72-10222 / 5.0	-	/		
			SE	NW		J-P RANCH INC	A72-10237 / 5.0	-	/		
			SE	NW		J P RANCH INC	72-07285 / 5.0		/		
			SE	NW		J P RANCH INC	L72-07285 / 3.8		/		
			SE	NW		J P RANCH INC					
11N	18E	26	NE	SW		J-P RANCH INC	A72-10220 / 40.0	-	/		41.0
			NE	SW		J-P RANCH INC	R72-10220 / 40.0	-	/		
			NE	SW		J-P RANCH INC	R72-10221 / 40.0	-	/		
			NE	SW		J-P RANCH INC	R72-10222 / 40.0	-	/		
			NE	SW		J-P RANCH INC	R72-10237 / 40.0	-	/		
			NE	SW		J-P RANCH INC	A72-10221 / 40.0	-	/		
			NE	SW		J-P RANCH INC	A72-10222 / 40.0	-	/		
			NE	SW		J-P RANCH INC	A72-10237 / 40.0	-	/		
			NE	SW		GIAMPEDRAGLIA, MABEL	72-00220 /	-	/		
			NE	SW		GIAMPEDRAGLIA, MABEL	72-00221 /	-	/		
			NE	SW		J P RANCH INC.	72-07285 / 26.0		/		
			NE	SW		J P RANCH INC.	L72-07285 / 39.5		/		
			NE	SW		J P RANCH INC					
11N	18E	26	NW	SW		J-P RANCH INC	A72-10220 / 32.0	-	/		39.0
			NW	SW		J-P RANCH INC	R72-10220 / 32.0	-	/		
			NW	SW		J-P RANCH INC	R72-10221 / 32.0	-	/		
			NW	SW		J-P RANCH INC	R72-10222 / 32.0	-	/		

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
NW	SW	J-P RANCH INC	R72-10237	/	32.0	-	/				
NW	SW	J-P RANCH INC	R72-10212	/		-	/				
NW	SW	J-P RANCH INC	R72-10213	/		-	/				
NW	SW	J-P RANCH INC	A72-10212	/		-	/				
NW	SW	J-P RANCH INC	A72-10213	/		-	/				
NW	SW	J-P RANCH INC	A72-10214	/		-	/				
NW	SW	J-P RANCH INC	A72-10221	/	32.0	-	/				
NW	SW	J-P RANCH INC	A72-10222	/	32.0	-	/				
NW	SW	J-P RANCH INC	A72-10237	/	32.0	-	/				
NW	SW	J-P RANCH INC	R72-10214	/		-	/				
NW	SW	MABEL GIAMPEDRAGLIA,				72-00220	/				
NW	SW	MABEL GIAMPEDRAGLIA,				72-00221	/				
NW	SW	J P RANCH INC.				72-07284	/				3.0
NW	SW	J P RANCH INC				L72-07285	/				1.0
SW	SW	J-P RANCH INC	A72-10220	/	24.0	-	/				34.0
SW	SW	J-P RANCH INC	R72-10220	/	24.0	-	/				
SW	SW	J-P RANCH INC	R72-10221	/	24.0	-	/				
SW	SW	J-P RANCH INC	R72-10222	/	24.0	-	/				
SW	SW	J-P RANCH INC	R72-10237	/	24.0	-	/				
SW	SW	J-P RANCH INC	A72-10221	/	24.0	-	/				
SW	SW	J-P RANCH INC	A72-10222	/	24.0	-	/				
SW	SW	J-P RANCH INC	A72-10237	/	24.0	-	/				
SW	SW	J-P RANCH INC	A72-10237	/	24.0	-	/				
SW	SW	ANDERSON, ANNETTE				-	/				
SW	SW	ANDERSON, ANNETTE				-	/				
SW	SW	GIAMPEDRAGLIA, LOUIE				72-00222	/				
SW	SW	GIAMPEDRAGLIA, LOUIE				72-00223	/				
SW	SW	GIAMPEDRAGLIA, VIOLA					/				
SE	SW	J-P RANCH INC	A72-10220	/	30.0	-	/				37.0
SE	SW	J-P RANCH INC	R72-10220	/	30.0	-	/				
SE	SW	J-P RANCH INC	R72-10221	/	30.0	-	/				
SE	SW	J-P RANCH INC	R72-10222	/	30.0	-	/				
SE	SW	J-P RANCH INC	R72-10237	/	30.0	-	/				
SE	SW	J-P RANCH INC	A72-10221	/	30.0	-	/				
SE	SW	J-P RANCH INC	A72-10222	/	30.0	-	/				
SE	SW	J-P RANCH INC	A72-10237	/	30.0	-	/				
SE	SW	J-P RANCH INC	A72-10237	/	30.0	-	/				
SE	SW	GIAMPEDRAGLIA, LOUIE				72-00222	/				
SE	SW	GIAMPEDRAGLIA, LOUIE				72-00223	/				
SE	SW	GIAMPEDRAGLIA, VIOLA				72-07285	/				10.0
SE	SW	J P RANCH INC.				72-07505	/				7.4
SE	SW	J P RANCH INC				L72-07285	/				6.8
SE	SW	J P RANCH INC					/				
NW	SE	J-P RANCH INC	A72-10220	/	9.0	-	/				12.0
NW	SE	J-P RANCH INC	R72-10220	/	9.0	-	/				
NW	SE	J-P RANCH INC	R72-10221	/	9.0	-	/				
NW	SE	J-P RANCH INC	R72-10222	/	9.0	-	/				
NW	SE	J-P RANCH INC	R72-10237	/	9.0	-	/				
NW	SE	J-P RANCH INC	A72-10221	/	9.0	-	/				

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NW	SE		J-P RANCH INC	A72-10222 / 9.0	-	/		
			NW	SE		J-P RANCH INC	A72-10237 / 9.0	-	/		
			NW	SE		J P RANCH INC.	72-07285 / 7.0		/		
			NW	SE		J P RANCH INC	L72-07285 / 2.0		/		
11N	18E	26	SW	SE		J-P RANCH INC	A72-10220 / 6.0	-	/		11.0
			SW	SE		J-P RANCH INC	R72-10220 / 6.0	-	/		
			SW	SE		J-P RANCH INC	R72-10221 / 6.0	-	/		
			SW	SE		J-P RANCH INC	R72-10222 / 6.0	-	/		
			SW	SE		J-P RANCH INC	R72-10237 / 6.0	-	/		
			SW	SE		J-P RANCH INC	A72-10221 / 6.0	-	/		
			SW	SE		J-P RANCH INC	A72-10222 / 6.0	-	/		
			SW	SE		J P RANCH INC.	A72-10237 / 6.0	-	/		
			SW	SE		JP RANCH INC.	72-07285 / 6.0		/		
			SW	SE		JP RANCH INC	72-07505 / 0.9		/		
			SW	SE		J P RANCH INC	L72-07285 / 0.6		/		
11N	18E	27	SE	NE		J-P RANCH INC	A72-10220 / 27.0	-	/		26.0
			SE	NE		J-P RANCH INC	R72-10220 / 27.0	-	/		
			SE	NE		J-P RANCH INC	R72-10221 / 27.0	-	/		
			SE	NE		J-P RANCH INC	R72-10222 / 27.0	-	/		
			SE	NE		J-P RANCH INC	R72-10237 / 27.0	-	/		
			SE	NE		J-P RANCH INC	A72-10221 / 27.0	-	/		
			SE	NE		J-P RANCH INC	A72-10222 / 27.0	-	/		
			SE	NE		J-P RANCH INC	A72-10237 / 27.0	-	/		
			SE	NE		MABEL GIAMPEDRAGLIA,	72-00220 /		/		
			SE	NE		MABEL GIAMPEDRAGLIA,	72-00221 /		/		
			SE	NE		J P RANCH INC.	72-07284 / 4.0		/		
11N	18E	27	NE	SE		J-P RANCH INC	A72-10220 / 29.0	-	/		26.0
			NE	SE		J-P RANCH INC	R72-10220 / 29.0	-	/		
			NE	SE		J-P RANCH INC	R72-10221 / 29.0	-	/		
			NE	SE		J-P RANCH INC	R72-10222 / 29.0	-	/		
			NE	SE		J-P RANCH INC	R72-10237 / 29.0	-	/		
			NE	SE		J-P RANCH INC	A72-10221 / 29.0	-	/		
			NE	SE		J-P RANCH INC	A72-10222 / 29.0	-	/		
			NE	SE		J-P RANCH INC	A72-10237 / 29.0	-	/		
			NE	SE		MABEL GIAMPEDRAGLIA,	72-00220 /		/		
			NE	SE		MABEL GIAMPEDRAGLIA,	72-00221 /		/		
			NE	SE		J P RANCH INC.	72-07284 / 18.0		/		
11N	18E	27	SE	SE		J-P RANCH INC	A72-10220 / 5.0	-	/		3.0
			SE	SE		J-P RANCH INC	R72-10220 / 5.0	-	/		
			SE	SE		J-P RANCH INC	R72-10221 / 5.0	-	/		
			SE	SE		J-P RANCH INC	R72-10222 / 5.0	-	/		
			SE	SE		J-P RANCH INC	R72-10237 / 5.0	-	/		
			SE	SE		J-P RANCH INC	A72-10221 / 5.0	-	/		
			SE	SE		J-P RANCH INC	A72-10222 / 5.0	-	/		

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
							SE SE	SE SE			
							J-P RANCH INC.	A72-10237 / 5.0	-	72-07284 / 2.0	
							J P RANCH INC.				
11N	18E	35	NW	NE		J-P RANCH INC	A72-10220 / 1.0	-	/		16.0
			NW	NE		J-P RANCH INC	R72-10220 / 1.0	-	/		
			NW	NE		J-P RANCH INC	R72-10221 / 1.0	-	/		
			NW	NE		J-P RANCH INC	R72-10222 / 1.0	-	/		
			NW	NE		J-P RANCH INC	R72-10237 / 1.0	-	/		
			NW	NE		J-P RANCH INC	A72-10221 / 1.0	-	/		
			NW	NE		J-P RANCH INC	A72-10222 / 1.0	-	/		
			NW	NE		J-P RANCH INC	A72-10237 / 1.0	-	/		
			NW	NE		FISH & GAME					
			NW	NE		WOOLLEY, GERALDINE M.	R72-10535 /	-	/		
			NW	NE				72-04176	/ 5.0		
11N	18E	35	SW	NE		J-P RANCH INC	A72-10220 / 6.0	-	/		19.0
			SW	NE		J-P RANCH INC	R72-10220 / 6.0	-	/		
			SW	NE		J-P RANCH INC	R72-10221 / 6.0	-	/		
			SW	NE		J-P RANCH INC	R72-10222 / 6.0	-	/		
			SW	NE		J-P RANCH INC	R72-10237 / 6.0	-	/		
			SW	NE		J-P RANCH INC	A72-10221 / 6.0	-	/		
			SW	NE		J-P RANCH INC	A72-10222 / 6.0	-	/		
			SW	NE		J-P RANCH INC	A72-10237 / 6.0	-	/		
			SW	NE		FISH & GAME					
			SW	NE		BERNARDO, GIAMPEDRAGLIA	A72-10535 /	-	/		
			SW	NE				72-00236	/		
			SW	NE		J P RANCH INC.		72-07284	/ 5.0		
11N	18E	35	NE	NW		J-P RANCH INC	A72-10220 / 34.0	-	/		38.0
			NE	NW		J-P RANCH INC	R72-10220 / 34.0	-	/		
			NE	NW		J-P RANCH INC	R72-10221 / 34.0	-	/		
			NE	NW		J-P RANCH INC	R72-10222 / 34.0	-	/		
			NE	NW		J-P RANCH INC	R72-10237 / 34.0	-	/		
			NE	NW		J-P RANCH INC	A72-10215 /	-	/		
			NE	NW		J-P RANCH INC	A72-10221 / 34.0	-	/		
			NE	NW		J-P RANCH INC	A72-10222 / 34.0	-	/		
			NE	NW		J-P RANCH INC	A72-10237 / 34.0	-	/		
			NE	NW		J-P RANCH INC	R72-10215 /	-	/		
			NE	NW		WOOLLEY, GERALDINE M.		72-04176	/ 40.0		
11N	18E	35	NW	NW		J-P RANCH INC	A72-10220 / 14.0	-	/		10.0
			NW	NW		J-P RANCH INC	R72-10220 / 14.0	-	/		
			NW	NW		J-P RANCH INC	R72-10221 / 14.0	-	/		
			NW	NW		J-P RANCH INC	R72-10222 / 14.0	-	/		
			NW	NW		J-P RANCH INC	R72-10237 / 14.0	-	/		
			NW	NW		J P RANCH INC	A72-10441 /	-	/		
			NW	NW		J-P RANCH INC	A72-10221 / 14.0	-	/		
			NW	NW		J-P RANCH INC	A72-10222 / 14.0	-	/		
			NW	NW		J-P RANCH INC	A72-10237 / 14.0	-	/		
			NW	NW		J P RANCH INC	R72-10441 /	-	/		

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
NW NW WOOLLEY, GERALDINE M.							72-04176 / 10.0				
11N	18E	35	SW	NW		J-P RANCH INC	A72-10220 / 1.0	-	/		
			SW	NW		J-P RANCH INC	R72-10220 / 1.0	-	/		
			SW	NW		J-P RANCH INC	R72-10221 / 1.0	-	/		
			SW	NW		J-P RANCH INC	R72-10222 / 1.0	-	/		
			SW	NW		J-P RANCH INC	A72-10221 / 1.0	-	/		
			SW	NW		J-P RANCH INC	A72-10222 / 1.0	-	/		
			SW	NW		J-P RANCH INC	A72-10237 / 1.0	-	/		
			SW	NW		J-P RANCH INC	R72-10237 / 1.0	-	/		
ADDITIONAL POU FOUND											
11N	18E	35	SE	NW		J-P RANCH INC	A72-10220 / 28.0	-	/		27.0
			SE	NW		J-P RANCH INC	R72-10220 / 28.0	-	/		
			SE	NW		J-P RANCH INC	R72-10221 / 28.0	-	/		
			SE	NW		J-P RANCH INC	R72-10222 / 28.0	-	/		
			SE	NW		J-P RANCH INC	A72-10221 / 28.0	-	/		
			SE	NW		J-P RANCH INC	A72-10222 / 28.0	-	/		
			SE	NW		J-P RANCH INC	A72-10237 / 28.0	-	/		
			SE	NW		HANSEN, GERALDINE R	A72-10355 /	-	/		
			SE	NW		J-P RANCH INC	R72-10237 /	-	/		
			SE	NW		HANSEN, GERALDINE R	R72-10237 /	-	/		
			SE	NW		WOOLLEY, GERALDINE M.	R72-10355 /	-	/		
			SE	NW		J P RANCH INC.	72-04176 / 10.0				
			SE	NW		J P RANCH INC.	72-07284 / 21.0				

TOTAL ACRES	A72-10220	312.00	POU COUNTY: CUSTER	390.00
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C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
			DIV. RATE	DIV. VOL.	DIV. VOL./ACRE
A72-10220	SALMON RIVER, EAST FORK	J-P RANCH INC	6.000	0.019	
R72-10220	SALMON RIVER, EAST FORK	J-P RANCH INC	6.000	0.019	
A72-10221	SALMON RIVER, EAST FORK	J-P RANCH INC	0.800	0.002	
R72-10221	SALMON RIVER, EAST FORK	J-P RANCH INC	0.800	0.002	
R72-10222	SALMON RIVER, EAST FORK	J-P RANCH INC	1.600	0.005	
A72-10222	SALMON RIVER, EAST FORK	J-P RANCH INC	1.600	0.005	
R72-10237	SALMON RIVER, EAST FORK	J-P RANCH INC	2.140	0.006	
A72-10237	SALMON RIVER, EAST FORK	J-P RANCH INC	2.140	0.006	

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
R72-10210	DOMESTIC	J-P RANCH INC	FROM 01-01 TO 12-31	0.040 CFS	
A72-10210	DOMESTIC	J-P RANCH INC	FROM 01-01 TO 12-31	0.040 CFS	
R72-10212	DOMESTIC	J-P RANCH INC	FROM 01-01 TO 12-31	0.040 CFS	
R72-10213	DOMESTIC	J-P RANCH INC	FROM 01-01 TO 12-31	0.040 CFS	
A72-10212	DOMESTIC	J-P RANCH INC	FROM 01-01 TO 12-31	0.040 CFS	
A72-10213	DOMESTIC	J-P RANCH INC	FROM 01-01 TO 12-31	0.040 CFS	
A72-10214	STOCKWATER	J-P RANCH INC	FROM 01-01 TO 12-31	0.040 CFS	
R72-10214	STOCKWATER	J-P RANCH INC	FROM 01-01 TO 12-31	0.040 CFS	
A72-10478	DOMESTIC	ANDERSON, ANNETTE	FROM 01-01 TO 12-31	0.040 CFS	
R72-10478	DOMESTIC	ANDERSON, ANNETTE	FROM 01-01 TO 12-31	0.040 CFS	
R72-10535	FISH PROPAGATION	FISH & GAME	FROM 04-15 TO 10-15	0.800 CFS	
A72-10535	FISH PROPAGATION	FISH & GAME	FROM 04-15 TO 10-15	0.800 CFS	
A72-10215	DOMESTIC	J-P RANCH INC	FROM 01-01 TO 12-31	0.040 CFS	
R72-10215	DOMESTIC	J-P RANCH INC	FROM 01-01 TO 12-31	0.040 CFS	
A72-10441	STOCKWATER	J P RANCH INC	FROM 01-01 TO 12-31	0.020 CFS	
R72-10441	STOCKWATER	J P RANCH INC	FROM 01-01 TO 12-31	0.040 CFS	
R72-10441	STOCKWATER	J P RANCH INC	FROM 01-01 TO 12-31	0.020 CFS	
A72-10355	DOMESTIC	HANSEN, GERALDINE R	FROM 01-01 TO 12-31	0.045 CFS	
R72-10355	DOMESTIC	HANSEN, GERALDINE R	FROM 01-01 TO 12-31	0.045 CFS	

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A72-10220 THRU A72-10222, A72-10237

- E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
- * IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.
- F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y() N()
- G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y() N()
- H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y() N()

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

NOTES:

TOTAL ACRES: _____ N/A(____)

REVIEWED BY: _____

DATE: _____

[illegible]

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	FROM	TO	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A72-10220 IRRIGATION		04-01	11-01	6.000 CFS	
TOTAL DIVERSION RATE/VOLUME				6.000 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
----------------	---------------------------	------------------------	------------------------

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

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

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

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

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

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

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

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

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

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

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

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

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

NOTES:

AJ CLAIM TOTAL DIVERSION RATE:

6,000 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE:

CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A() Y() N()

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

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

Y() N()

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

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y() N()

E.

FLOW MEASUREMENT

MEASUREMENT METHOD

, SEE ATTACHED CALCULATIONS.

F.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES x 0.02 CFS/ACRE = CFS
(Taken from pou review)

1b. CALCULATIONS

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 780.0 AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

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

[illegible]

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
	FROM	TO			

IRRIGATION	04-01	11-01	DATABASE EXAMINER 6.000	DATABASE EXAMINER	DATABASE EXAMINER 780.0
------------	-------	-------	----------------------------	-------------------	----------------------------

TOTAL FOR THIS RIGHT					
----------------------	--	--	--	--	--

NON-IRRIGATION USES CLAIMED: STOCKWATER INCIDENTAL TO IRRIG.

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

REVIEWED BY: _____ DATE: _____

FLAG: D _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP	ACCEPTED	NEEDS
FORFEIT/ABANDON	AS CLAIMED	REVIEW
ADDITIONAL DIV. AMOUNT	()	()
	()	()
	()	()
	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-10220
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE	EXAMINER	CFS
6.000		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A72-00220	R72-10220	6.000	R72-10220	6.000	72-00220	3.000
A72-00222	R72-10220	6.000	R72-10220	6.000	72-00222	3.000
TOTAL CFS		12.000		12.000		6.000

DIVERSION RATE REVIEW

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

DATABASE N FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: DATE:

NAME OF FIELD EXAMINER: TITLE:

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

COPY INCLUDED
IN FILE?

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)

IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

☐ ORTHOPHOTOQUAD	DATE OF PHOTO _____	IDWR ID NO. _____	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____	IDWR ID NO. _____	Y() N()
☐ NAPP	DATE OF PHOTO _____	IDWR ID NO. _____	Y() N()
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____		Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____		Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____		Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____		Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____		Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____		Y() N()
☐ OTHER _____	DATE _____		Y() N()
☐ OTHER _____	DATE _____		Y() N()
☐ OTHER _____	DATE _____		Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____		
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
☐ SYSTEM DESCRIPTION	DATE DRAWN _____		
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____		
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____		
☐ OTHER _____	DATE _____		
☐ OTHER _____	DATE _____		

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
<u>PRIORITY DATE</u>	Y							
<u>POINT OF DIV</u>	Y							
<u>SOURCE</u>	Y							
<u>PLACE OF USE</u>	Y							
<u>DIV. AMOUNT CFS/VOLUME</u>	Y							
<u>CONSUMPTIVE USE</u>	-							
<u>PURPOSES OF USE</u>	Y							
<u>PERIOD OF USE</u>	Y							
<u>BASIS OF CLAIM</u>	Y							
<u>REMARKS</u>	Y							

BARCODE UPDATED
WHOM/DATE

WRS809NP
No. 72-00220

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/07/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MABEL GIAMPEDRAGLIA	05/10/1880	IRRIGATION	00/00 00/00	3.000 CFS	
C	PAUL GIAMPEDRAGLIA					
TOTAL DIVERSION:					3.000 CFS	

Water Source: SALMON RIVER, EAST FORK Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion: T10N R18E S01 Lot 04(MNW)
T11N R18E S35 NWSE CUSTER County
CUSTER County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S : Lt Ac Lt Ac Lt Ac Lt Ac	NE NE	SW SW	SE SE	NE NE	SW SW
11N 18E 26 :	1	1	1	1	4
11N 18E 27 :	1	1	1	1	4

Pou County: CUSTER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
72-00221 72-00222 72-00223 72-04176 72-07284

Other Water Rights Listing Overlapping Place(s) of use:
72-00221 72-07284 72-07285 772-00220 772-00221 772-00222 772-00223 772-00236 772-04176 772-07284
772-07285 772-07505

Dates: App. Received: 05/10/1880
Proof Due Date: Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:
Audit: 02/05/85 05/28/88 CONVERT

WR BASE RIGHTS

WRS809NP
No. 72-00222

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/07/98
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOUIE GIAMPEDRAGLIA	05/10/1880	IRRIGATION	00/00 00/00	3.000 CFS	
C	VIOLA GIAMPEDRAGLIA					
TOTAL DIVERSION:					3.000 CFS	

Water Source: SALMON RIVER, EAST FORK

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion: T10N R18E S01 Lot 04(NWNW)
T11N R18E S35 NWSE CUSTER County
CUSTER County

Place of use Legal Description for: IRRIGATION

	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	: Lt
11N	18E	25	:						:						:		:
11N	18E	26	:						:						:		:
			:						:						:		:

Pou County: CUSTER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
72-00220 72-00221 72-00223 72-04176 72-07284

Other Water Rights Listing Overlapping Place(s) of use:
72-00223 72-07285 72-07505 T72-00220 T72-00221 T72-00222 T72-00223 T72-00236 T72-04176 T72-07284
T72-07285 T72-07505

Dates: App. Received: 05/10/1880
Proof Due Date: Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:
Audit: 02/05/85 05/28/88 CONVERT