

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: A72-10222

Date Received: 12/21/1989

Receipt No: S010743

Received By: *OK RB*

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JOHN ABATTI
Address: HC 68 BOX 290
CLAYTON ID 83227
AND
Name: CAROL ABATTI
Address: HC 68 BOX 290
CLAYTON ID 83227
208-838-2684
208-838-2684
2. Date of Priority: MAY 1, 1885
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	1.600		
7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 780.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

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 A DECREED RIGHT AND A CLAIMED RIGHT WITH THE SAME PRIORITY.

DECREE 72-00236 0.30 CFS

CLAIM 72-04176 1.30 CFS

TOTAL 1.60 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 - R72-10222

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 -
State- ID Zip- 83227

*** 0 - ORIGINAL OWNER ***
J-P RANCH INC
1 - HC 67 BOX 2095
2 -
3 -
State- ID Zip- 83226

GIAMPEDRAGLIA
City- CHALLIS
Phone - 208-838-2291
1 -
2 -
3 -
State- ID Zip- 000

GIAMPEDRAGLIA
City- XXX
Phone - 208-000-0000
1 -
2 -
3 -
State- ID Zip- 000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1885 17 SOUTHERN D - DECREED

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

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

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 1.600

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.600 780.0

Water right number - R72-10222

Prefix Translation: RESEARCH

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Total Acres: 312.0

+ - - - - Diversion Means - TWO DITCHES FROM RIVER

+ - - - - Non-Irrigation Use - NONE

+ - - - - Other Rights for Same Use - A72-10220 THRU A72-10222, A72-10237

GEN THIS CLAIM IS BASED ON A COMBINATION OF A DECREED RIGHT AND
A CLAIMED RIGHT WITH THE SAME PRIORITY.
DECRE 72-00236 0.30 CFS
CLAIM 72-04176 1.30 CFS

TOTAL 1.60 CFS

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

A7200236
A7204176

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

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

Water right number - RT2-10222

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		Comments
Court Report Filing	- 00/00/0000	Field Inspection Made - 00/00/0000
Objection Filed Date	- 00/00/0000	Field Inspection Flag - 00/00/0000
Response Filed Date	- 00/00/0000	Verified Date - 00/00/0000
Claim Received Date	- 12/21/1989	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. DREHER
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.

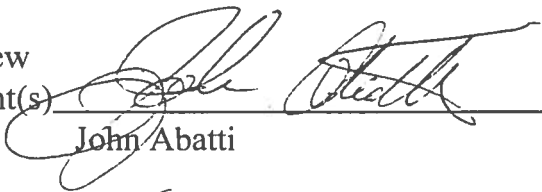
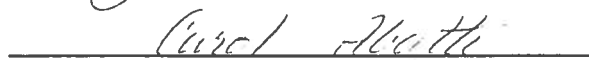
1. Water Right Number(s) _____
Adjudication Claim Number(s) A72-10210; A72-10212; A72-10213; A72-10214;
A72-10215; A72-10220; A72-10221; A72-10222; A72-10237;
A72-10441
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT 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) 838-2687
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 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 rights 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 names of the 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.

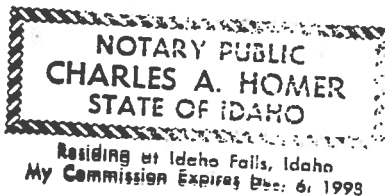
J-P RANCH, INC.

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\CAH\9927\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 Lands Resources
Southeast Region

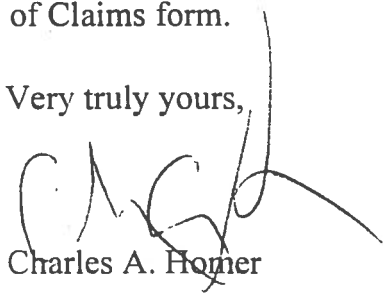
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

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\992-IDWR0918 LTR.jht

RECEIVED

SEP 25 1996

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

Department of Water Resources
Bureau of Water Rights

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.

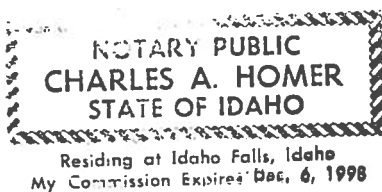
J-P RANCH, INC.

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 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.



Charles A. Homer
Notary Public for Idaho
Residing at: Idaho Falls, Idaho
Commission expires: 12/6/98

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 + CAPEX.

FILE NO:

SUBJECT: app to transfer PODs / IF+G RPM
divisions to pump (s) in river w/ pivots.
Wants to do for this season...

REMARKS: 312 AC / 10.54 CES totals - go over
- has plane already ASCS - more...

Bob has ASCS - w/ NRES drawing in:
1992 flight

SEND: W. DIED
w/ pivots shown

ROUTING INSTRUCTIONS: mailed W. DIED 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.

NOTE! 01-30-98

JP RANCH INC.
NEEDS:

1. Fill label ABAITI.
2. Filings caught up.
3. TD-DD list: FDD
4. Comp. IF+G EFL+Z

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: A72-10222
Date Received: 12/06/1989
Receipt No: 5010743
Received By: for

RECEIVED

DEC 21 1989

Department of Water
Southern Region

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 01, 1885

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	1.600		

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

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

9. Non-irrigation uses:
NONE

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

A72-10222

Page 1

Date: 12/06/89

MICROFILMED

MAR 18 1993

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 A DECREED RIGHT AND
A CLAIMED RIGHT WITH THE SAME PRIORITY.
DECREE 72-00236 0.30 CFS
CLAIM 72-04176 1.30 CFS

TOTAL 1.60 CFS

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

A72-10222

Page 2

Date: 12/06/89

MICROFILMED

MAR 18 1993

GOSSI, ET. AL.
Decree Plaintiff

GIAMPEDRAGLIA, ET. AL.
Decree Defendant

vs

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: See M2p A72-10220

For Organizations:

I do solemnly swear or affirm that I am President of TP Ranch Inc. that I have signed the foregoing document in the space below as President of TP Ranch, INC. and that the statements contained in the foregoing document are true and correct.

Indy L. Lamon
Signature of Authorized Agent

President TP 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

Maureen Brown
Notary Public

Seal

Residing at Clayton, Idaho
My Commission Expires Dec 20, 1992



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.

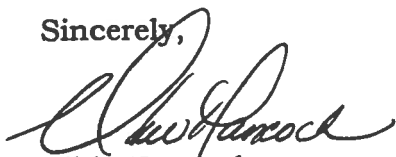
It can be assumed that the 1.3 cfs of water based on the statutory claim had not been appropriated on, or before, February 14, 1938, because it is not included in the decree appurtenant to the property involved. It is possible that more water was needed at a later date, and appropriated in addition to 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 over a horizontal line.

Vikie Hancock
Water Resource Agent

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.

COPY

200 OCT 19 PM 4:09

FILED
CLERK OF DISTRICT COURT
TWIN FALLS, IDAHO

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

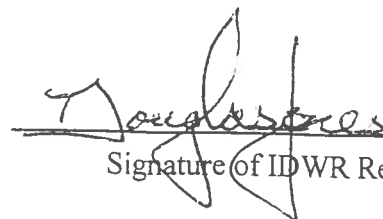
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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.

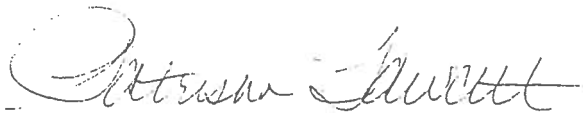
Dated: 10/16/00


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	SWNW	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
notices
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 / 72-102202 / 72-10221A / 72-10222A / 72-10237
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 83227

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 1622 - 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	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

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 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 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:

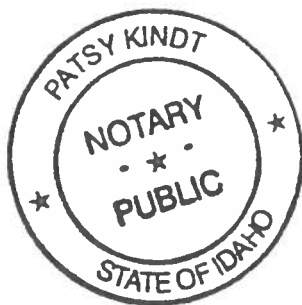
Carol A. Abatti
Carol A. Abatti, Trustee

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.

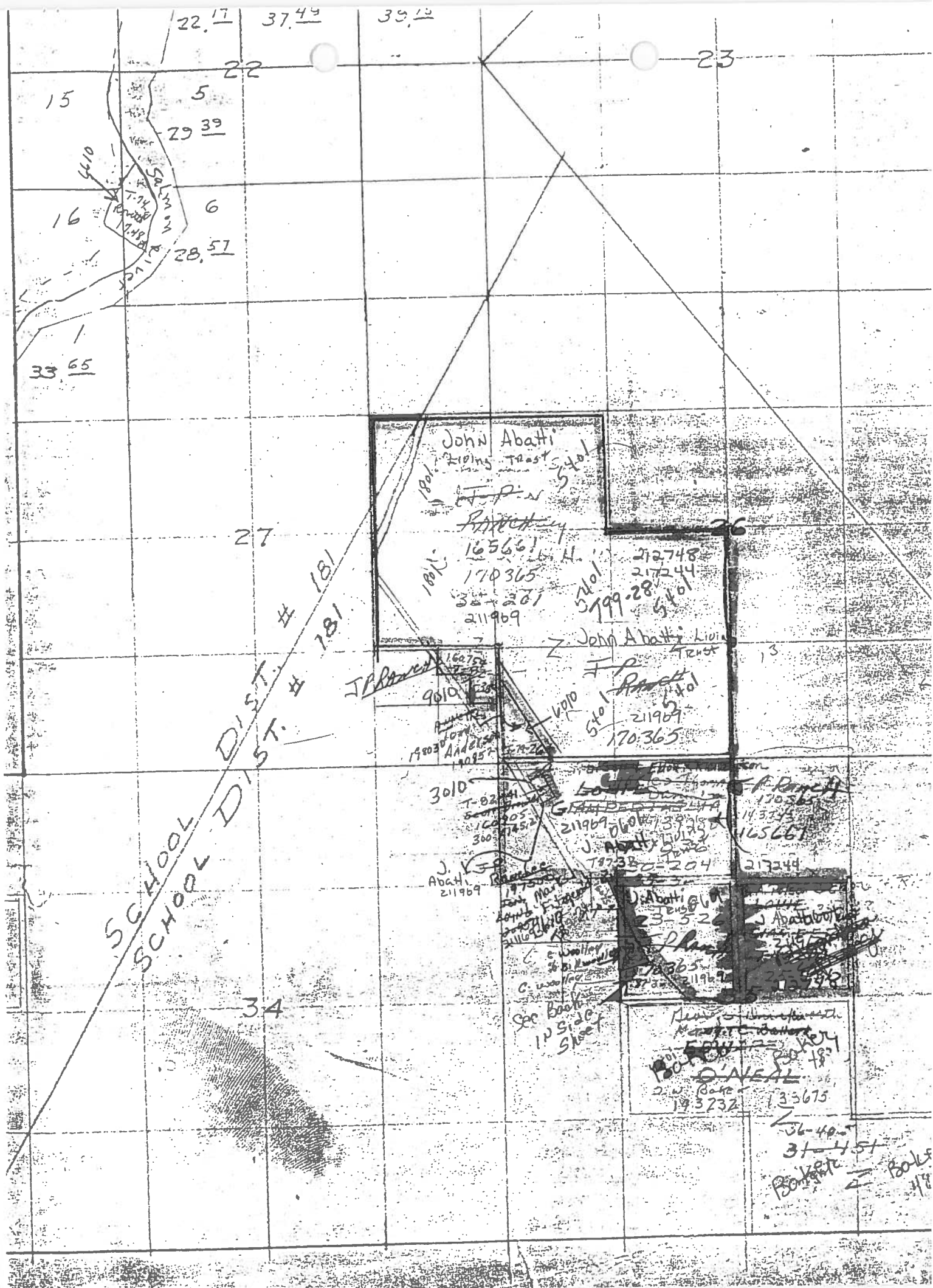
TRACT NO.3

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.



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,

M. Bruno

Mindy Bruno
Secretary

enc.

COPY

200 JUN 23 PM 1: 55

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. 72-10222,
	)	72-10222A, 72-10222B
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: _____

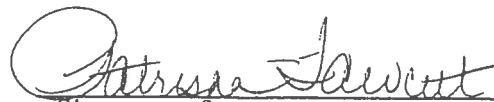
6/22/00

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-9

RIGHT NUMBER: 72-10222

SPLIT RIGHT: SEE RIGHT NOS. 72-10222A AND 72-10222B.

AJ5856NP

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

DATE: JUN-21-2000
PAGE: A-16

RIGHT NUMBER: 72-10222A

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

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
SESW

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.29 CFS
			40.6 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 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.

AJ5856NP

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

DATE: JUN-21-2000
PAGE: A-17

RIGHT NUMBER: 72-10222A (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-18

RIGHT NUMBER: 72-10222B

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: 0.01 CFS
1.4 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: 05/01/1885

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	0.01 CFS
			1.4 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 0.4 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-19

RIGHT NUMBER: 72-10222B (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 KEMPTHORNI
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

NOV 23 2000

Department of Water Resources
Southern 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

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>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.

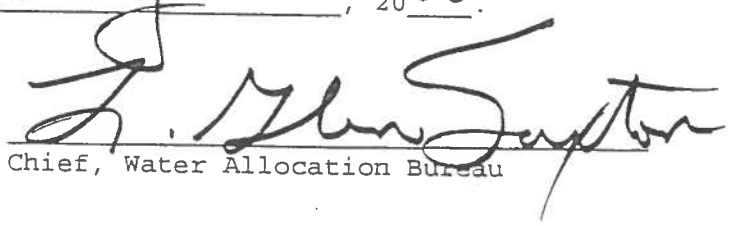
TRANSFER NO. 5305

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

CONDITIONS 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 18 day of May, 2000.


Chief, Water Allocation Bureau

200 MAR 22 PM 2: 58

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	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	Water Rights 72-10222, 72-10222A
	)	and 72-10222B

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): 72-10222, 72-10222A and 72-10222B

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
3/21/2000

72-10222, 72-10222A and 72-10222B

PAGE

From (Claimant/Seller):

Water Right Number: 72-10222

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: 72-10222A

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

Water Right Number: 72-10222B

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 72-10222, 72-10222A and 72-10222B and all appeal times have run. The following changes have been made to the water rights:

☒	Point of Diversion	☒	Place of Use
☐	Period of Use	☐	Nature of Use

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
3/21/2000

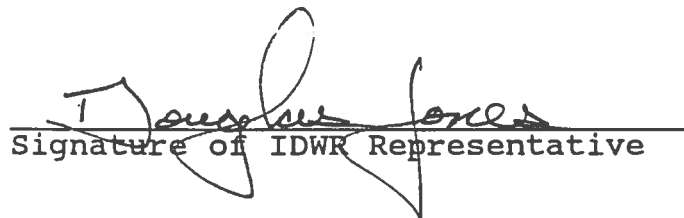
72-10222, 72-10222A and 72-10222B

PAGE 2

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:

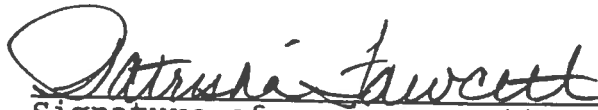
R LEE LEININGER
550 W FORT ST MSC 033
BOISE ID 83724
5. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
3/21/2000

72-10222, 72-10222A and 72-10222B

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 form

AJ5859NP

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

DATE: MAR-21-2000

PAGE: A-3

RIGHT NUMBER: 72-10222

SPLIT RIGHT: SEE RIGHT NOS. 72-10222A AND 72-10222B.

AJ5856NP

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

DATE: MAR-21-2000
PAGE: A-7

RIGHT NUMBER: 72-10222A

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

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 9.14 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: 05/01/1885

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	0.29 CFS 40.6 AFY

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

AJ5856NP

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

DATE: MAR-21-2000

PAGE: A-8

RIGHT NUMBER: 72-10222A (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-21-2000
PAGE: A-9

RIGHT NUMBER: 72-10222B

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: 0.01 CFS

PRIORITY DATE: 05/01/1885

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	0.01 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 0.4 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
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

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

RECEIVED

MAR 08 2000

Department of Water Resources
Southern Region

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

Overview T5305

WR	AJ	
72-00220 } 72-00222 }	72-10220 } 72-10221 }	(A) Abatti (B) BLM
72-00234 } 72-04176 }	72-10222 } 72-10237 }	(A) (B)
72-07284 } 72-07285 }	72-10237 }	(A) (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.

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

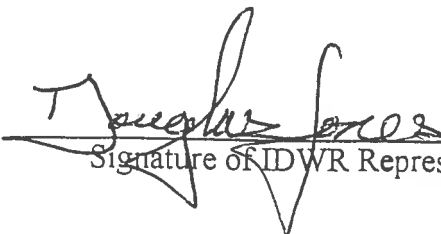
☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than:

September 22, 2000.

Dated

11/5/99


Signature of IDWR Representative

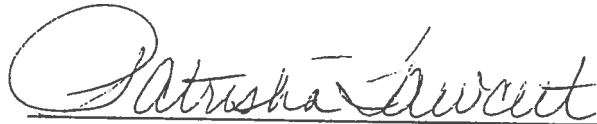
INSTRUCTIONS FOR MAILING

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES5303
RECEIVEDAPPLICATION FOR TRANSFER OF WATER RIGHT 03 1998
AMENDED 1/6/99 PART 1Department of Water Resources
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	2.0 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		
72-07685	6-28-1983	1.08 cfs	irrigation	04-01 to 11-01
72-07505	8-18-1992	2.17 cfs		

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
~~NW~~	~~SW~~	~~NW~~	~~NE~~	35	11N	18E	CUSTER	NEW P/D #2
	SE	SW		26	11N	18E		

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11N	18E	26							21	5.0	40	32	24	38	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	" " "
yes 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	" " "
yes 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	" " "
yes 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	" " "
yes Combination of 72-07284,-07285= A72-10237	06-28-1983	2.14 cfs	Irrigation	" " "
no 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#530

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

In Re SRBA

Case No. 39576

)
)
)
)
)
)

A. Subcase 72-10222

(Insert water right number)

**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)

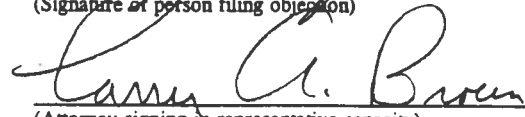
) ss.

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

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

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


Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-26-1999
PAGE: A-813

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

RIGHT NUMBER: 72-10222

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: 0.3 CFS

PRIORITY DATE: 05/01/1985

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 NONE 04-01 10-31 0.3 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

T11N R18E S26	SWNW 21 ✓	SENW 3.8 BLM	NESW 40 ✓	NWSW 28 ✓
	SWSW 31 ✓	SESW 21 ✓	NWSE 3.1 BLM	SWSE 0.8 BLM
S27	SENE 24 ✓	NESE 27 ✓	SESE 5 BLM PUT	
S35 LOT 1/2	(NWNE) 2 BLM	SWNE 12 ✓	NENW 35 ✓	NWNW 14 ✓
	SWNW 0.3 BLM PUT	SENW 28 ✓		

296 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 12 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 296 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-10220, 72-10221, 72-10237

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
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 written over the end of the 'Thank you' sentence.

AJ580BNP
(CD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

12/31/98 08:33:42
Page 1

Water Right Number - R72-10222

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + - - - - Address - - - - +
*** C - CURRENT OWNER ***
ABATTI JOHN
1 - HC 68 BOX 290
2 -
3 -
City- CLAYTON
Phone - 208-838-2684
State- ID Zip- 83227

ABATTI CAROL
1 - HC 68 BOX 290
2 -
3 -
City- CLAYTON
Phone - 208-838-2684
State- ID Zip- 83227

*** O - ORIGINAL OWNER ***
J-P RANCH INC

GIAMPEDRAGLIA
1 - HC 67 BOX 2095
2 -
3 -
City- CHALLIS
Phone - 208-838-2291
State- ID Zip- 83226

GIAMPEDRAGLIA
1 -
2 -
3 -
City- XXX
Phone - 208-000-0000
State- ID Zip- 000

State- ID Zip- 000
Phone - 208-000-0000

+ - - Priority Date - - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1885 17 SOUTHERN D - DECREED

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

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name
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		0.300	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.300 0.0

Prefix Translation: RESEARCH

Total Acres: 296.0

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - A72-10220 THRU A72-10222, A72-10237

POU1

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 12 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 296 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-10220, 72-10221, 72-10237

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

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

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

Water right number - R72-10222

Prefix Translation: RESEARCH

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

OWNERSHIP CHANGE MADE WITH 42-1409(6).

Date: 12/07/1998 User Id: VHANCOCK Subject: COPIED FROM REMARKS

THIS CLAIM IS BASED ON A COMBINATION OF A DECREED RIGHT AND

DECREED 72-00236 0.30 CFS

A CLAIMED RIGHT WITH THE SAME PRIORITY.
CLAIM 72-04176 1.30 CFS
TOTAL 1.60 CFS

Date: 12/30/1998 User Id: VHANCOCK Subject: CHANGE PER NOE
ADDED IRRIGATED ACRES TO PLACE OF USE PER MEETING WITH CLAIMANT 12-30-98

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	-	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: 72-10222

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

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

TRANSFER NUMBER _____
CLAIMED ACRE TOTAL 312
GIS ACRE TOTAL 296

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
LAIM	11N	18E	26							21	5	40	32	24	30		9	6	16
GIS										21	3.8	40	28	31	21		31	.8	148
ECOM																			
LAIM	11N	18E	27				27									29			5
GIS							24									27			5
ECOM																			5
LAIM	11N	18E	35		1	6		34	14	1	28								84
GIS					2	12		35	14	.3	28								91
ECOM																			

372-DBPOU.SHP

SHAPE NOS.

350

900 90

351

205

372-DBPOD.SHP

POS. DESCRIPTION

210 EF1

11 EF2

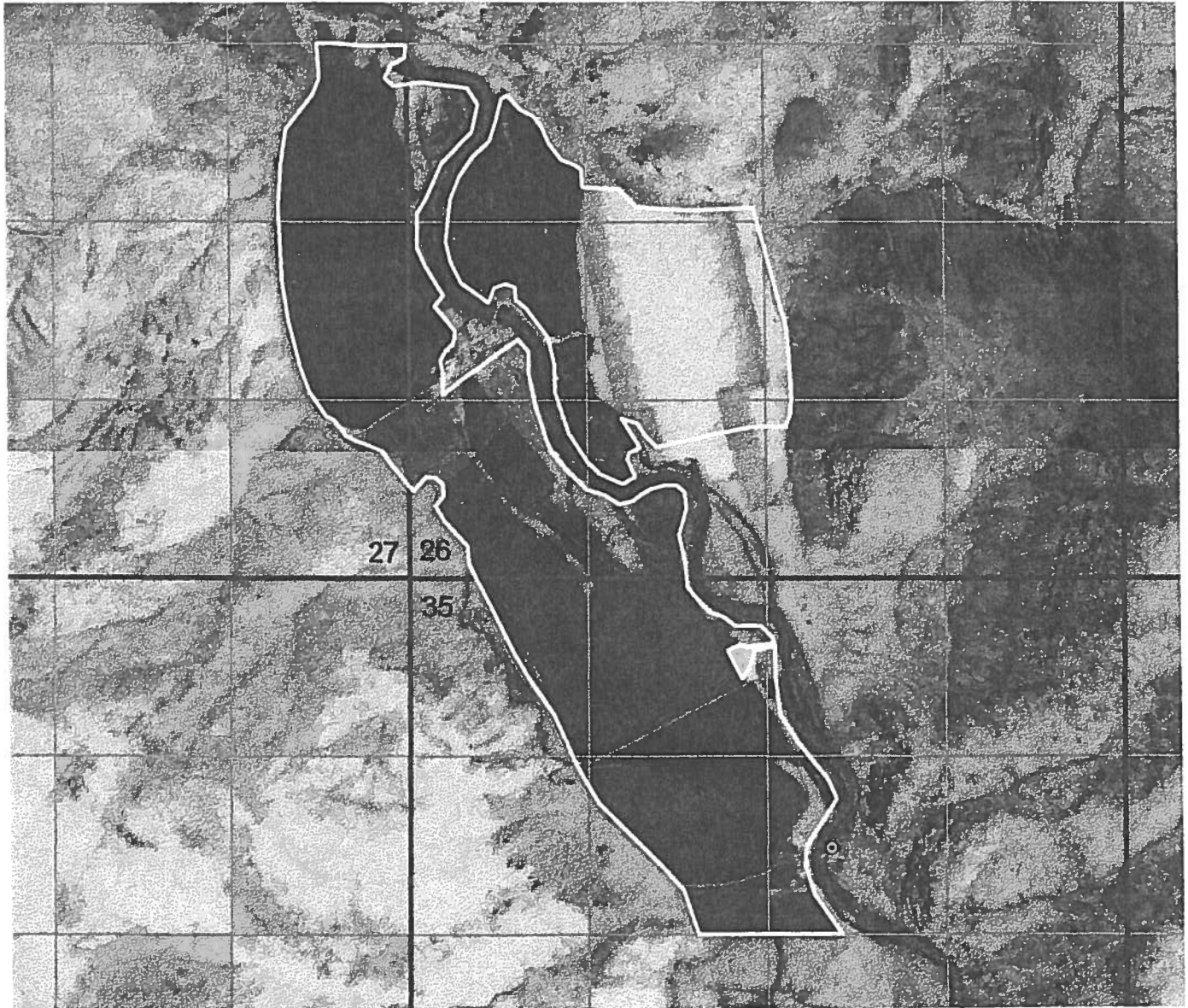
DBF TABLES UPDATED

372-DBPOU.DBF

372-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 - R72-10222

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 -

State- ID Zip- 83227

*** O - ORIGINAL OWNER ***
J-P RANCH INC

1 - HC 67 BOX 2095
2 -
3 -

State- ID Zip- 83226

GIAMPEDRAGLIA

City- CHALLIS
Phone - 208-838-2291
1 -
2 -
3 -

State- ID Zip- 000

GIAMPEDRAGLIA

City- XXX
Phone - 208-000-0000
1 -
2 -
3 -

State- ID Zip- 000

+ - - Priority Date - - +
05/01/1885

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
D - DECRED

+ - - Status - - - +

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

+ - - Tributary - - - - - +
SALMON RIVER

Turn	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

01 - IRRIGATION 04/01 10/31

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.300 0.300 0.0

Shane + 12/30/98
See 72-10220

Water right number - R72-10222

Prefix Translation: RESEARCH

Turn	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		0.9		01	IRRIGATION	(37) CUSTER
11N	18E	35	SW NE		7.4		01	IRRIGATION	(37) CUSTER
11N	18E	35	NE NE		33.0		01	IRRIGATION	(37) CUSTER
11N	18E	35	NW NW		14.2		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:					264.5				

- - - Diversion Means - TWO DITCHES FROM RIVER

- - - Non-Irrigation Use - NONE

- - - Other Rights for Same Use - A72-10220 THRU A72-10222, A72-10237

POU1
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 7.4 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 264 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-10220, 72-10221,
72-10237

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

A7200236
A7204176
Old Water Right Numbers

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

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

Prefix Translation: RESEARCH

A CLAIMED RIGHT WITH THE SAME PRIORITY.	
CLAIM	72-04176
TOTAL	1.30 CFS
	1.60 CFS

12/07/98 VHANCOCK

Court Report Filing		Adjudication Rights Dates and Flags Area		39576	
Objection Filed Date	00/00/0000	Field Inspection Made	00/00/0000	Civil Case Number	
Response Filed Date	00/00/0000	Field Inspection Flag		Old Case Number	
Claim Received Date	12/21/1989	Verified Date	00/00/0000	Old Judicial District	
		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
TRANSFER NUMBER _____

72-10237 72-10222
AGENT UHL
CLAIMED ACRE TOTAL 312

GIS ACRE TOTAL 264.5

	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	16
GIS										14	3.8	39	23	25	17		3.1	0.8	12.5
RECOM																			
CLAIM	11N	18E	27				27									29			5 6
GIS							23									27			5 5
RECOM																			
CLAIM	11N	18E	35		1	6		34	14	1	28								84
GIS					0.9	7.4		33	14.2	0.3	28								83.
RECOM																			

B72-DBPOU.SHP

7.4 acres lie within decreed tract. (Sec 35 SWNE

SHAPE NOS.

350
90 ac

351
175

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

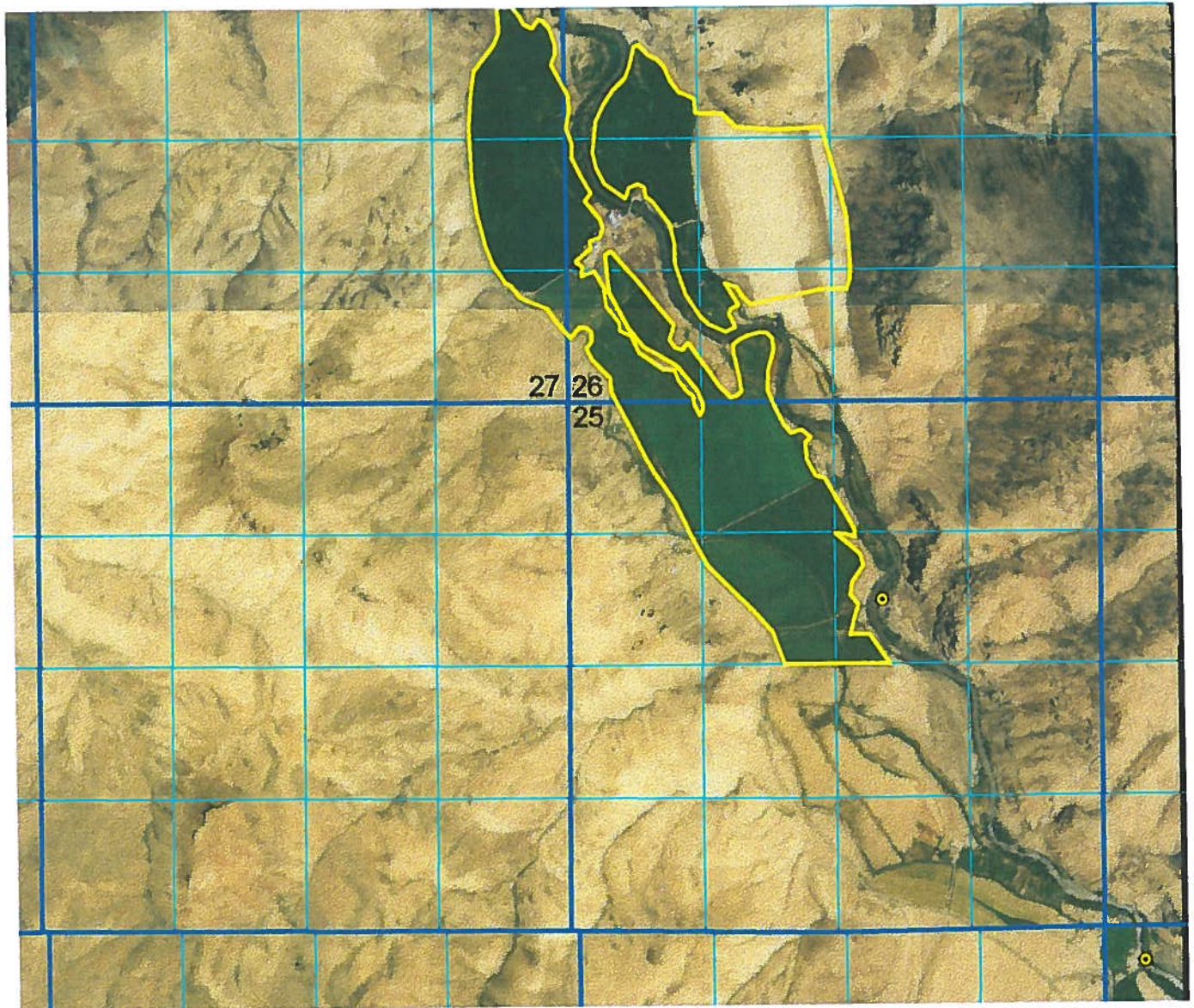
B72-DBPOU.DBF

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**



0 1320 2640 3960 5280 6600 7920 9240 10560 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**

Superseded 12/30/98

REVIEW 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
DEB	.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 Flood Irrigation

 TOTAL ACRES 265

DECREED RATE =

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

 CLAIMED DIVERSION RATE = 10.71

MEASURED DIVERSION RATE =

SE¹4NW¹4 Section 13 all in Township 10 North, Range 18, E. B. M.

That ROSA V. CARPENTER is the owner of SW¹2NE¹4, NE¹2SE¹4, SE¹1SW¹4, Section 12 and 28.64 acres in the NE¹2NW¹4, Section 13 all in Township 10 North, Range 18, E. B. M., and appurtenant to said land she is entitled to 1.32 cubic feet per second of time of the waters of the West Fork of the Salmon River with date of priority May 1, 1885 and also .2 cubic feet per second of time of the waters of the West Fork of the Salmon River with date of priority May 1, 1936 and with point of diversion in the SE¹1NW¹4 Section 13, Township 10, North, Range 18, E. B. M.

That FREDOLIN ERTZINGER is the owner of 11.56 acres in the NE¹4NW¹4, all of S¹2NW¹4, NE¹2SW¹4, Section 13, NW¹4, NW¹1NE¹4, NE¹1SW¹4, Section 24, all in Township 10 North, Range 18, E. B. M., and appurtenant to said land he is entitled to 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 with points of diversion in the SE¹4NW¹4 and NE¹4NW¹4 Section 24, Township 10 North, Range 18 E. B. M.

That MARION PEEL and LYON PEEL are the owners of SW¹2SE¹4, SE¹2SW¹4, Section 15, W¹2NE¹4, E¹4NW¹4, NW¹2SE¹4, NE¹2SW¹4, Section 28, Township 9 North, Range 17, E. B. M., and appurtenant to said land they are entitled to .8 cubic feet per second of time of the waters of Little Boulder Creek with date of priority May 1, 1920 and 1.2 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1926 and with points of diversion in the SE¹1SE¹4, NE¹2NW¹4, Section 28, Township 9 North, Range 17, E. B. M.

That ANTHONY BRICKER and JACKIE BRICKER are the owners of SE¹2SW¹4, SW¹2SE¹4, Section NE¹2NW¹4, NW¹2NE¹4, Section 19, Township 8 North, Range 17, E. B. M., and appurtenant to said land they are entitled to 1.2 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority August 1, 1925.

That ROSE NOWACKI is the owner of Tracts "A", "B", and "C" in H. E. Survey No. 597 and Tracts "A" and "B" in H. E. Survey No. 722, embracing a portion of, approximately, Sections 29, 30, 31 and 32 in Township 8 North, Range 17, E. B. M., and appurtenant to said land she is entitled to 1.2 cubic feet per second of time of the waters of West Pass Creek and the East Fork of the Salmon River, with date of priority May 1, 1926 and she is also entitled to 1.66 cubic feet per second of time of the waters of West Pass Creek, with date of priority May 1, 1936.

That GIAMPEDRACIA BERRARDO is the owner of SW¹2NE¹4, Section 35, Township 11 North, Range 18, E. B. M., and appurtenant to said ~~land~~ ^{land} he is 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 1, 1880.

NO ADD...

8.

IT IS FURTHER ADJUDGED AND DECREED That each of the parties to this action shall pay his or her own costs of this action.

9.

1938 DECREE

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 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 irrigations thereof.

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

1967

JUN 25 1963

Regional Office of Water Resources
Sacramento District Office

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

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

(1) Date of priority: (When was the water first applied to a beneficial use) 5/1/1885

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

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

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Claimed:				(Both dates inclusive)	
(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)		
Quantity <u>1.20</u>	Use <u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		

(4) 1.30 TOTAL QUANTITY USED.
(c/s. af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
 NW 1/4 NE 1/4, Sec. 35 Twp. 11N Rge. 18E B.M., County of Custer
 Additional points of diversion: NW 1/4 NW 1/4 Sec. 1 T 10N R 18E

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

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

[illegible]

No. of acres 65

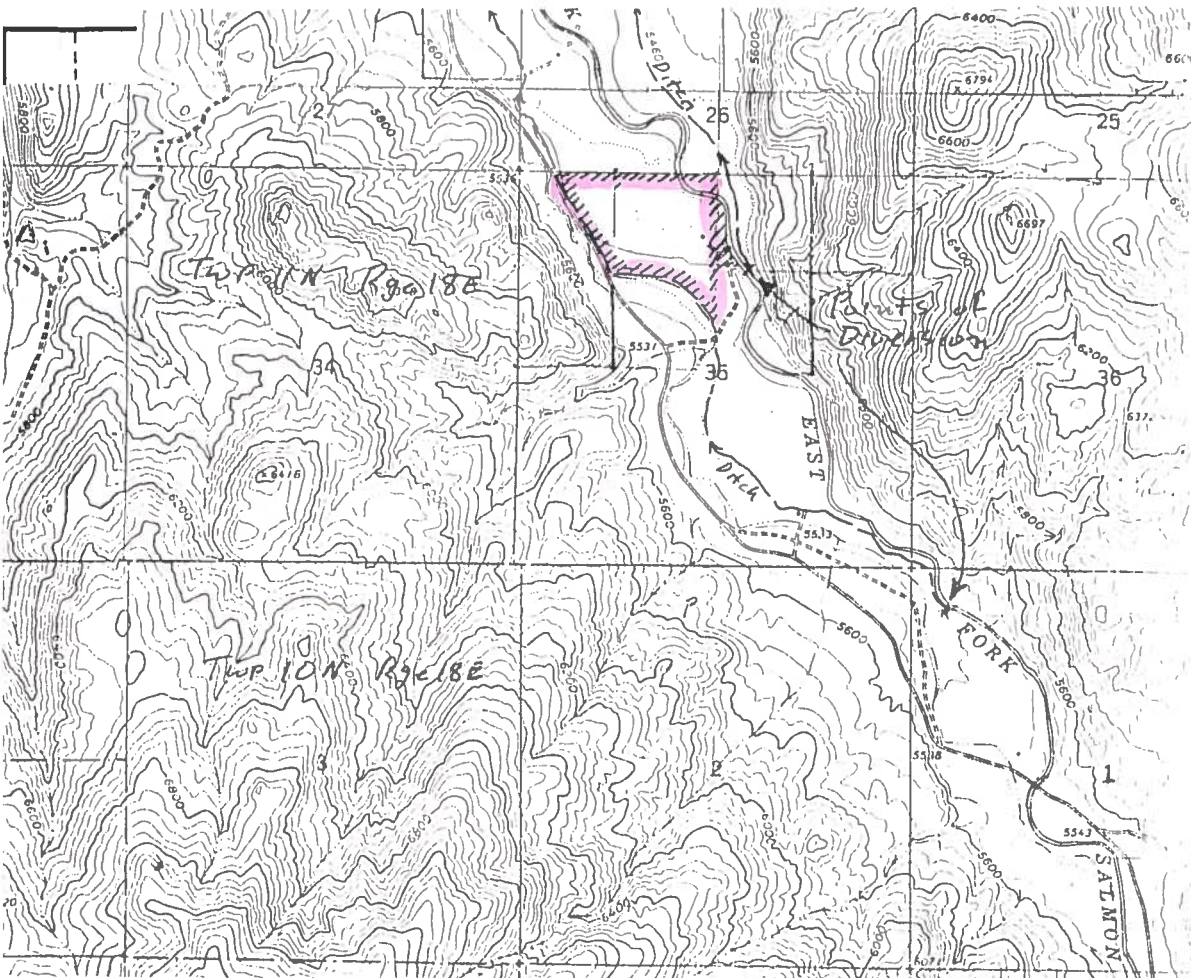
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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

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

STAT CLAIM

(8) Remarks _____



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Custer) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 27th day of June, 1983.

Donald M. Woolley
(Claimant)

Kathryn Swinall
Notary Public
Residing at Challis ID 83226

My commission expires life comm

FOR DEPARTMENT USE ONLY

Received by mesa Date 6/28/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by Joe Date 6/29/83 claimant by: _____
\$30.00 fee received by mesa Date 6/28/83 29045
Published in Custer Publicist _____
Dates 7/15/83 + 7/22/83 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

OCTOBER 14, 1983

GERALDINE M. WOOLLEY
C/O DAN WOOLLEY
HC 68 BOX 300
CLAYTON

ID 83227

RE: Claim No. 72-4176

Dear Claimant:

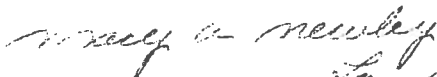
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,


ALLEN D. MERRITT

Senior Water Resource Analyst

Enclosure

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

22-4126

WOOLLEY, GERALDINE M.

PO BOX WOOLLEY, HC 68 BOX 300, CLAYTON, ID 83227

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

Priority Date: 05/01/1935

Diversion Pt. NINE Sec 35 T 11N P 18E N4W Sec 01 T 12N P 18E

Use: IRRIGATION

(1.30 CFS)

In: N4W N4W N4W Sec 35 T 11N P 18E FOR 65 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

NOTE TO FILE

From: Vikie Hancock

12/7/98

Regarding: Claim numbers: 72-10221, 72-10222, 72-10237

***See claim file number A72-10220 for field exam
notes, photos and maps.***

NOTE TO FILE

From: Vikie Hancock

12/7/98

Regarding: Claim numbers: A72-10221, -10222, -10237

***See claim file number A72-10220 for copy of
Application for Transfer Analysis from
July 16, 1998.***

CLAIM NUMBER: A72-10222

TOTAL DIVERSION:	1.60 CFS
CONSUMPTIVE USE:	780.00 AFA

Stage: DECREED

CUSTER County
CUSTER County

NE-

TOTAL ACRES

Other Rights: A72-10220 THRU A72-10222, A72-10237

THIS CLAIM IS BASED ON A COMBINATION OF A DECREED RIGHT AND A CLAIMED RIGHT WITH THE SAME PRIORITY.

72-04176 1.30 CFS

1.60 CFS

Verified Date:

Field Inspection Flag: D
Presumption Flag: D

- Recommend deposed amt. from claim 12-00234.
- Remainder of 1.385 should be filed as new B.U. claim with Jr priority date

586 7.4 ac

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:27:03
03/22/95

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A72-10222

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

FIRST:
STATE: ID ZIP: 000

OWNER CODE: 0

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

FIRST:
STATE: ID ZIP: 000

OWNER CODE: 0

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

FIRST:
STATE: ID ZIP: 83226

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y
FIELD EXAMINER
Y() N()

CLAIM REMARKS:

THIS CLAIM IS BASED ON A COMBINATION OF A DECREED RIGHT AND
A CLAIMED RIGHT WITH THE SAME PRIORITY.

DECREED 72-00236 0.30 CFS
CLAIM 72-04176 1.30 CFS

TOTAL 1.60 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: # A72-10222 PRIORITY DATE: 05-01-1985 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	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A72-10222	10N 18E	1	NW	NW	NW	4			CUSTER		
A72-10222	11N 18E	35	SW	SW	NE				CUSTER		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A72-10155	R72-10155	72-00220
A72-10220	R72-10220	72-00221
A72-10221	R72-10221	72-00222
A72-10237	R72-10237	72-00223
A72-10401	R72-10401	72-07505
A72-10535	R72-10535	L72-07285
A72-10536	R72-10536	

WR RECORDS IN SAME 40 ACRE TRACT

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)

A. ROOT WATER RIGHT NUMBERS: A72-10222
R72-10222

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.	A72-10222 / 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.	A72-10220 / 21.0	-	/		
			SW	NW		J-P RANCH INC.	A72-10221 / 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	/		
11N	18E	26	SE	NW		J-P RANCH INC.	A72-10222 / 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.	A72-10220 / 5.0	-	/		
			SE	NW		J-P RANCH INC.	A72-10221 / 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	/		
11N	18E	26	NE	SW		J-P RANCH INC.	A72-10222 / 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.	A72-10220 / 40.0	-	/		
			NE	SW		J-P RANCH INC.	A72-10221 / 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	/		
11N	18E	26	NW	SW		J-P RANCH INC.	A72-10222 / 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
11N	18E	26	SW	SE		J-P RANCH INC.	A72-10221 / 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			
			SW	SE		J-P RANCH INC.	A72-10222 / 6.0	-	/		
			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.	A72-10220 / 6.0	-	/		
11N	18E	27	SW	SE		J-P RANCH INC.	A72-10222 / 6.0	-	/		
			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.	A72-10220 / 6.0	-	/		
			SW	SE		J-P RANCH INC.	A72-10221 / 6.0	-	/		
			SW	SE		J-P RANCH INC.	A72-10237 / 6.0	-	/		
			SW	SE		J-P RANCH INC.		72-07285 / 6.0			
			SW	SE		J-P RANCH INC.		72-07505 / 0.9			
11N	18E	27	SW	SE		J P RANCH INC		L72-07285 / 0.6			
			SE	NE		J-P RANCH INC.	A72-10222 / 27.0	-	/		
			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.	A72-10220 / 27.0	-	/		
			SE	NE		J-P RANCH INC.	A72-10221 / 27.0	-	/		
			SE	NE		J-P RANCH INC.	A72-10237 / 27.0	-	/		
			SE	NE		J P RANCH INC.		72-00220 /			
11N	18E	27	SE	NE		J-P RANCH INC.		72-00221 /			
			SE	NE		J P RANCH INC.		72-07284 / 4.0			
			SE	NE		J-P RANCH INC.	A72-10222 / 29.0	-	/		
			SE	NE		J-P RANCH INC.	R72-10220 / 29.0	-	/		
			SE	NE		J-P RANCH INC.	R72-10221 / 29.0	-	/		
			SE	NE		J-P RANCH INC.	R72-10222 / 29.0	-	/		
			SE	NE		J-P RANCH INC.	R72-10237 / 29.0	-	/		

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11N	18E	35	SE	SE		J-P RANCH INC.	A72-10237 / 5.0	-	/		
			SE	SE		J P RANCH INC.		72-07284 / 2.0			
			NW	NE		J-P RANCH INC.	A72-10222 / 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.	A72-10220 / 1.0	-	/		
			NW	NE		J-P RANCH INC.	A72-10221 / 1.0	-	/		
			NW	NE		J-P RANCH INC.	A72-10237 / 1.0	-	/		
11N	18E	35	NW	NE		FISH & GAME	R72-10535 /	-	/		
			NW	NE		WOOLLEY, GERALDINE M.		72-04176 / 5.0			
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
11N	18E	35	NW	NE		J-P RANCH INC.	A72-10222 / 6.0	-	/		19.0
			NW	NE		J-P RANCH INC.	R72-10220 / 6.0	-	/		
			NW	NE		J-P RANCH INC.	R72-10221 / 6.0	-	/		
			NW	NE		J-P RANCH INC.	R72-10222 / 6.0	-	/		
			NW	NE		J-P RANCH INC.	R72-10237 / 6.0	-	/		
			NW	NE		J-P RANCH INC.	A72-10220 / 6.0	-	/		
			NW	NE		J-P RANCH INC.	A72-10221 / 6.0	-	/		
			NW	NE		J-P RANCH INC.	A72-10237 / 6.0	-	/		
			NW	NE		FISH & GAME	A72-10535 /	-	/		
			NW	NE		BERNARDO, GIAMPEDRAGLIA		72-00236 /	/		
11N	18E	35	NW	NE		J P RANCH INC.		72-07284 / 5.0			
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
11N	18E	35	NW	NE		J-P RANCH INC.	A72-10222 / 34.0	-	/		38.0
			NW	NE		J-P RANCH INC.	R72-10220 / 34.0	-	/		
			NW	NE		J-P RANCH INC.	R72-10221 / 34.0	-	/		
			NW	NE		J-P RANCH INC.	R72-10222 / 34.0	-	/		
			NW	NE		J-P RANCH INC.	R72-10237 / 34.0	-	/		
			NW	NE		J-P RANCH INC.	A72-10215 /	-	/		
			NW	NE		J-P RANCH INC.	A72-10220 / 34.0	-	/		
			NW	NE		J-P RANCH INC.	A72-10221 / 34.0	-	/		
			NW	NE		J-P RANCH INC.	A72-10237 / 34.0	-	/		
			NW	NE		J-P RANCH INC.	R72-10215 /	-	/		
11N	18E	35	NW	NE		WOOLLEY, GERALDINE M.		72-04176 / 40.0			
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
			NW	NE							
11N	18E	35	NW	NE		J-P RANCH INC.	A72-10222 / 14.0	-	/		10.0
			NW	NE		J-P RANCH INC.	R72-10220 / 14.0	-	/		
			NW	NE		J-P RANCH INC.	R72-10221 / 14.0	-	/		
			NW	NE		J-P RANCH INC.	R72-10222 / 14.0	-	/		
			NW	NE		J-P RANCH INC.	R72-10237 / 14.0	-	/		
			NW	NE		J P RANCH INC.	A72-10441 /	-	/		
			NW	NE		J-P RANCH INC.	A72-10220 / 14.0	-	/		
			NW	NE		J-P RANCH INC.	A72-10221 / 14.0	-	/		
			NW	NE		J-P RANCH INC.	A72-10237 / 14.0	-	/		
			NW	NE		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
WOOLLEY, GERALDINE M.							72-04176 / 10.0				
11N	18E	35	SW	NW		J-P RANCH INC.	A72-10222 / 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.	A72-10220 / 1.0	-	/		
			SW	NW		J-P RANCH INC.	A72-10221 / 1.0	-	/		
			SW	NW		J-P RANCH INC.	A72-10237 / 1.0	-	/		
			SW	NW		J-P RANCH INC.	R72-10237 / 1.0	-	/		
11N	18E	35	SE	NW		J-P RANCH INC.	A72-10222 / 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.	A72-10220 / 28.0	-	/		
			SE	NW		J-P RANCH INC.	A72-10221 / 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 / 28.0	-	/		
			SE	NW		HANSEN, GERALDINE R.	R72-10237 /	-	/		
			SE	NW		WOOLLEY, GERALDINE M.	72-04176 / 10.0	-	/		
			SE	NW		J P RANCH INC.	72-07284 / 21.0	-	/		

ADDITIONAL POU FOUND

TOTAL ACRES	A72-10222	312.00	390.00
POU COUNTY: CUSTER			

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	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-10222	SALMON RIVER, EAST FORK	J-P RANCH INC.	1.600	0.005		
A72-10220	SALMON RIVER, EAST FORK	J-P RANCH INC.	6.000	0.019		
A72-10220	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		
A72-10221	SALMON RIVER, EAST FORK	J-P RANCH INC.	0.800	0.002		
A72-10222	SALMON RIVER, EAST FORK	J-P RANCH INC.	1.600	0.005		
A72-10237	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
A72-10210	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	
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	
A72-10212	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	
A72-10214	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	
A72-10535	FISH PROPAGATION	FISH & GAME	FROM 01-01 TO 12-31	0.040 CFS	
A72-10535	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	
A72-10215	DOMESTIC	J-P RANCH INC.	FROM 01-01 TO 12-31	0.040 CFS	
A72-10441	DOMESTIC	J P RANCH INC	FROM 01-01 TO 12-31	0.020 CFS	
A72-10441	STOCKWATER	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	
A72-10441	STOCKWATER	J P RANCH INC	FROM 01-01 TO 12-31	0.045 CFS	
A72-10355	DOMESTIC	HANSEN, GERALDINE R.	FROM 01-01 TO 12-31	0.045 CFS	
A72-10355	DOMESTIC	HANSEN, GERALDINE R.	FROM 01-01 TO 12-31	0.045 CFS	
A72-10355	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()

NOTES:

[illegible]

TOTAL ACRES: _____ N/A(_____) _____

REVIEWED BY: _____

DATE: _____

[illegible]

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A72-10222 IRRIGATION	FROM 04-01 TO 11-01	1.600 CFS	
TOTAL DIVERSION RATE/VOLUME		1.600 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 IDMR STANDARDS?

Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDMR STANDARDS?

Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDMR 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: 1.600 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

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

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

* 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?

* 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?

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)

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 ()

1b. CALCULATIONS

NOTES:

[illegible]

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 1.600	DATABASE EXAMINER	DATABASE EXAMINER 780.0
TOTAL FOR THIS RIGHT		1.600		780.0

NON-IRRIGATION USES CLAIMED: NONE

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:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-10222
TOTAL DIVERSION RATE OF HR SPLITS DATABASE 1.600 EXAMINER CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	HR RIGHT NUMBERS	DIVERSION RATE
A72-00236	R72-10222	1.600	R72-10222	1.600	72-00236	0.300
A72-04176	R72-10222	1.600	R72-10222	1.600	72-04176	1.300
TOTAL CFS		3.200	3.200		1.600	

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:

DATE:

SIGNATURE:

TITLE:

NAME OF FIELD EXAMINER:

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

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

COPY INCLUDED
IN FILE?

() ORTHOPHOTOQUAD	DATE OF PHOTO	IDMR ID NO.	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED	IDMR ID NO.	Y() N()
() MAPP	DATE OF PHOTO	IDMR 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		
() IDMR 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
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

DATE: 12/07/98
PAGE: 5

DIVERSION
VOLUME

0.300 CFS

Stage: DECREED

MS

SUM ---

772-00223 772-00236 772-04176 772-07284 772-07285 772-07505

05/01/1885

Exam Sent to S.O.:

Field Exam Fee:

WR BASE RIGHTS

