

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

1

Idaho Department of Water Resources

**T01N R07E
S10 & S14**

Claims: 63-31296

Updated: 16 Nov 01

By: Ron Howerton

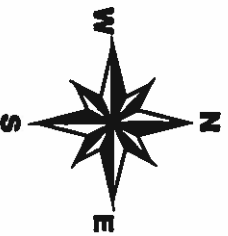
 **Place of use**

 **POD**

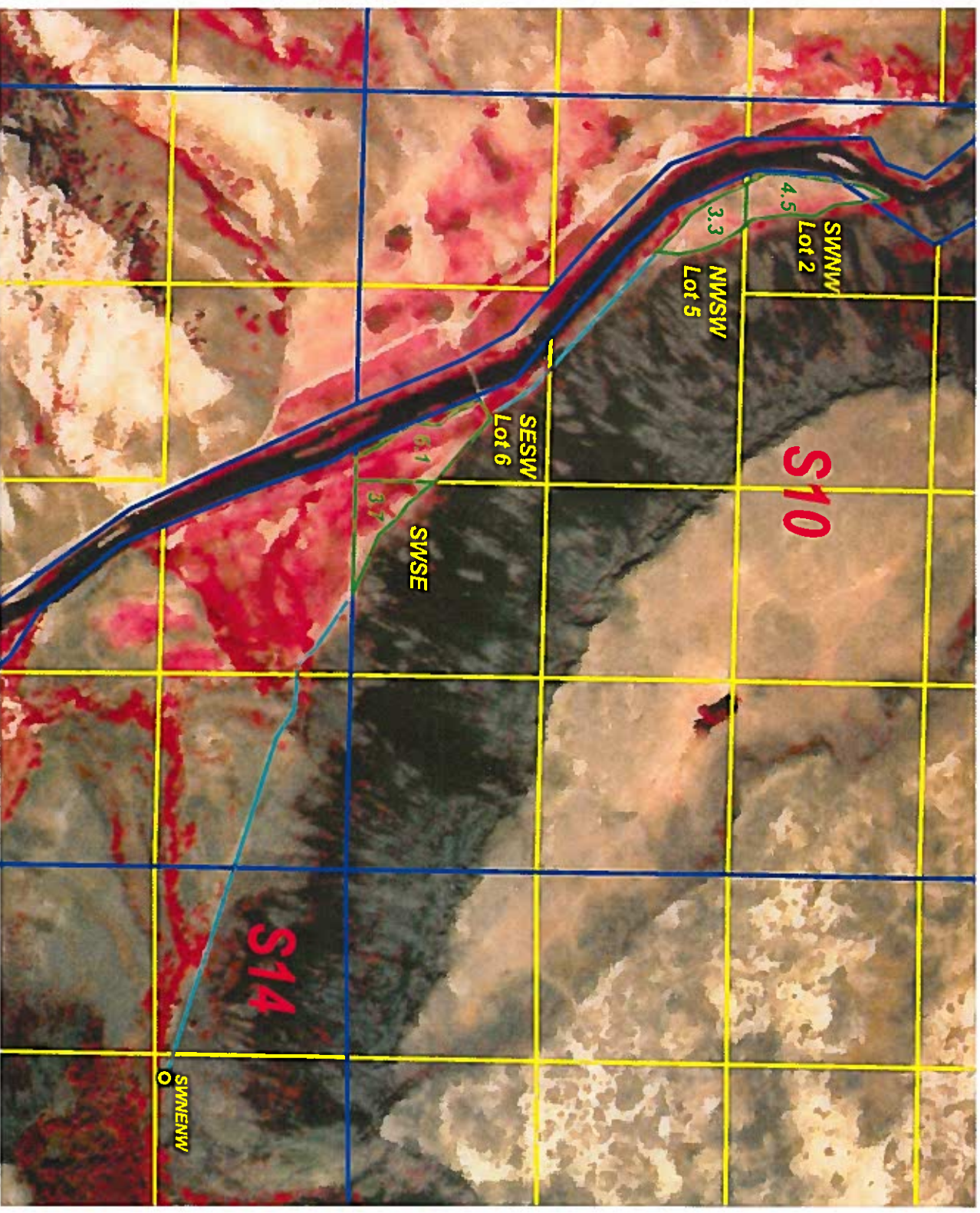
 **SECTION**

 **1/4 1/4**

17.6 Acres



1987 NAPP



OVERLAP ANALYSIS FOR 63-31290A AND 63-31290B – DANSKIN CATTLE CO.
3-16-04

63-31290A –

Ok to have the combined use as 1.0 cfs with 63-115 and 63-31290B since 63-31290A is a portion of the original enlargement right for 63-115 and no additional water can be added with this right from Rock Creek. 63-31290B is the other portion of the original enlargement right and overlaps with 63-115 which overlaps with this right.

This right and Right No. 63-19756 do have a 27.1 acre place of use overlap in the NWNE, SWNE, NENW, S. 15 – ok to have the .894 cfs overlap condition between the two since both are surface water rights and 63-31290A is a portion of the original enlargement claim and no additional water can be added with this right.

All of the acres on 63-31290A overlap with 63-115 – need to add in 63-31290B due to the overlap of it with 63-115 where all three together cannot exceed the 117.3 acres that is the total of 63-115. Note that 63-115 was previously decreed in the SRBA with the additional 11.4 acres as shown in 63-31290B.

Since this right does have a place of use overlap with both 63-115 and 63-19756 as mentioned above and 63-31290B overlaps with 63-115 – the overlap condition should have the total combined acre limitation of 134.9 when all four are combined. This includes the 117.3 acres from 63-115 plus the additional 17.6 acres under 63-19756 that do not overlap with this right or 63-115 in Sec. 10 as explained below. This totals the 134.9 acre limitation. Note: The 11.4 acres in 63-31290B are included in the 117.3 acre total for 63-115.

No overlap with 63-31296 in Sec. 10. All of 63-31296 acres are in addition to those in 63-31290A. Therefore, no overlap conditions needed between this right and 63-31296.

Note: 63-19756 and 63-31296 do overlap between each other in Sec. 10, thus the acre overlap conditions between those two rights were appropriate. Only the additional acres listed in Sec. 15 under 63-19756 overlap with 63-31290A.

63-31290B –

Ok to have the combined use as 1.0 cfs with 63-115 and 63-31290A since 63-31290B is a portion of the original enlargement right for 63-115 and no additional water can be added with this right from Rock Creek. 63-31290A is the other portion of the original enlargement right and overlaps with 63-115 which overlaps with this right. This right does not overlap with 63-19756 or 63-31296.

This right only overlaps on place of use with 63-115. The 11.4 acres split to this right are all included in the place of use for 63-115. Since 63-31290A is the other portion of the original enlargement right and overlaps with 63-115 it should be included in the total acre limitation of 117.3 acres.

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
ROCK CK	115	IN	7E	10									1.4		1.7						53.8	53.8
"	31290A	"	"	"									1.4		1.7						53.8	
"	31296	"	"	"							1.2		1.5		1.6				3.7		17.6	
SPRINGS & UNK. STREAMS	19756	"	"	"							1.2		1.5		1.6				3.7		17.6	17.6
TOTAL																					71.1	

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
ROCK CK	115	IN	7E	15	1.1	1.4	1.5	1.2									1.6				57.7	57.7
"	31290A	"	"	"	1.1	1.4	1.5	1.2									1.6				57.1	
SPRINGS & UNK. STREAM	19756	"	"	"	1.1	1.4	1.5	1.2									1.6				27.1	
ROCK CK	31290B	"	"	"					1.2								1.6				5.6	57.7
TOTAL																					57.7	

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
115		IN	7E	9													.8		.5		1.3	1.3
31290B		"	"	"													.8		.5		1.3	
TOTAL		"	"	"																		1.3

USE/SOURCE	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
115		IN	7E	14									1.1	1.2							4.5	4.5
31290B		"	"	"									1.1	1.2							4.5	
TOTAL		"	"	"									1.1	1.2								4.5

TOTAL - 115 - 117.3

TOTAL ALL - 134.9

& 31290B when complete.
See memo for analysis - dated 3-16-04

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: April 5, 2002

Water right number: 63-31296

DANSKIN CATTLE LLC

C/O ROBERT C BAKER

PO BOX 488

MOUNTAIN HOME ID 83647

Telephone Number: (208)587-3617

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:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3/18/02

SIGNATURE: Robert C Baker

Please print your name: Robert C Baker

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 63-31296

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS
☐ NEW ADDRESS: _____

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

DOP CLAIMED IS OK AFTER JR DECREED DOP
OF 1909. SEE 63-C

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION GPS LOCATION ✓
☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

Idaho Department of Water Resources

CLAIM VERIFICATION NARRATIVE SHEET

Updated: February 28, 2002

Date of Exam: August 8 & 20, 2001

Field examiner:

**Ron Howerton
Senior Water Right Agent**

**Water Right Nos.: 63-115 & 63-31290
Also references to: 63-19756 & 63-31296**

Contacts: Robert C. Baker

Narrative:

All Rock Creek water historically came down in the "Joy Ditches" at time of decreed right 63-115. A pipeline with risers replaced most of the historical ditches later from only the upper point of diversion. Additional land also was added for the enlargement beneficial use claim 63-31290 in 1974 when the historical "Joy Ditches" washed out. See affidavit by Robert Baker dated September 5, 2001. An additional beneficial use claim was filed on Rock Creek and is not considered an enlargement because the use began after the decree & prior to 1971, claim # 63-31296.

The affidavits for all beneficial use claims were all filled out by Bob Baker at Western Region September 5, 2001.

DATE OF PRIORITY: Ambiguous decree 63-115 stated superior to all others, not giving a date of priority, claimant submitted evidence of 04/01/1897, recommended.

DIVERTING WORKS & POD: The upper point of diversion consists of a screw head gate, plastic with rock dam. The water is diverted into a 14 inch steel pipe underground, then into 10 inch PVC, combination risers for sprinklers and gravity flow into historical ditches on the East side, then piped over the South Fork of the Boise River to where the enlargement acres are. He then uses risers for sprinkler irrigation. The decree was ambiguous in describing points of diversion.

SEASON OF USE: The decree was ambiguous by not listing the season of use, I'm recommending the standard season for this area and it matches the claimed season of use.

PLACE OF USE: Bob was made aware again at time of filing his affidavits for proof of historical beneficial use and during the field exams, that several of his claims overlapped Forest Serve Lands. He still wanted me to recommend their lands that irrigation is on, because he leases the lands. I have recommended them and expect an objection from the Forest Service. Recommendations of 117.3 acres are combined for the decreed right 63-115 and the 63-31290-enlargement claim.

I used BLM maps and Arc View information to verify Forest Service lands. See file copy. Also, questionable tract of BLM land. I questioned Bob about this; he said his contact with BLM said it wasn't BLM and thus, I recommended it.

I will also list 63-115 as an accomplished transfer for the place of use; some land changed from decreed area and the other reason is because of the change in the place of use of the enlargement in 1974. Evidence of change is shown on the 1987 NAPP photo. No injury found.

THE DECREE: Did not specify the duty of water. After plotting lands not included in the enlargement, it comes to 0.02 CFS per acre. The enlargement claim was prorated based upon the enlarged acres, see CFS prorate table in 63-31290.

OVERLAP REVIEW: The enlargement is 67.3 acres and the decree for 50-acre total of 117.3 acres is being recommended as a permissible place of use. Other overlaps are with 63-19756 with total acres of 134.9. See file for attached overlap review sheet. No places of use overlap with 63-31296, except with the point of diversion in section 14.

MEASUREMENTS: Manning measurements were made on historical ditches to verify differences in spring sources flows and Rock Creek flows. Also to verify more than 1 CFS had been diverted after the decreed Rock Creek 63-115 beneficial use claim for 63-31296 Rock Creek. The amount measured all provided historical flows in addition to 1 CFS and proved additional CFS had been diverted for spring source claim 63-19756. See Manning's equation data in file.

AFFIDAVIT

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

63-31296)
_____)
_____))

State of Idaho)

County of Ada)

Robert C. Baker being first duly sworn,

deposes and says: The waters of Rock Creek have been historically
diverted to land in Sec 10 by means of ditches still
in evidence. I claim a priority date of Aug 18, 1920
for this beneficial use.

Robert C. Baker
(Signature)

Subscribed and sworn to before me this

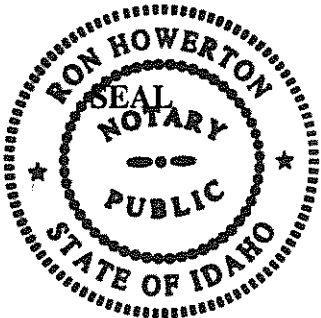
day 5 of SEPT, 20 01.

Ron Howerton
(Notary Public)

Residing at Ron Howerton.

Residing at Boise, Idaho

My Commission Expires December 8, 2006



Idaho Department of Water Resources

**T01N R07E
S10 & S14**

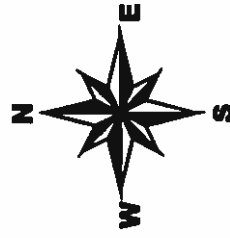
**Claims: 63-31296
Updated: 16 Nov 01
By: Ron Howerton**

 Place of use

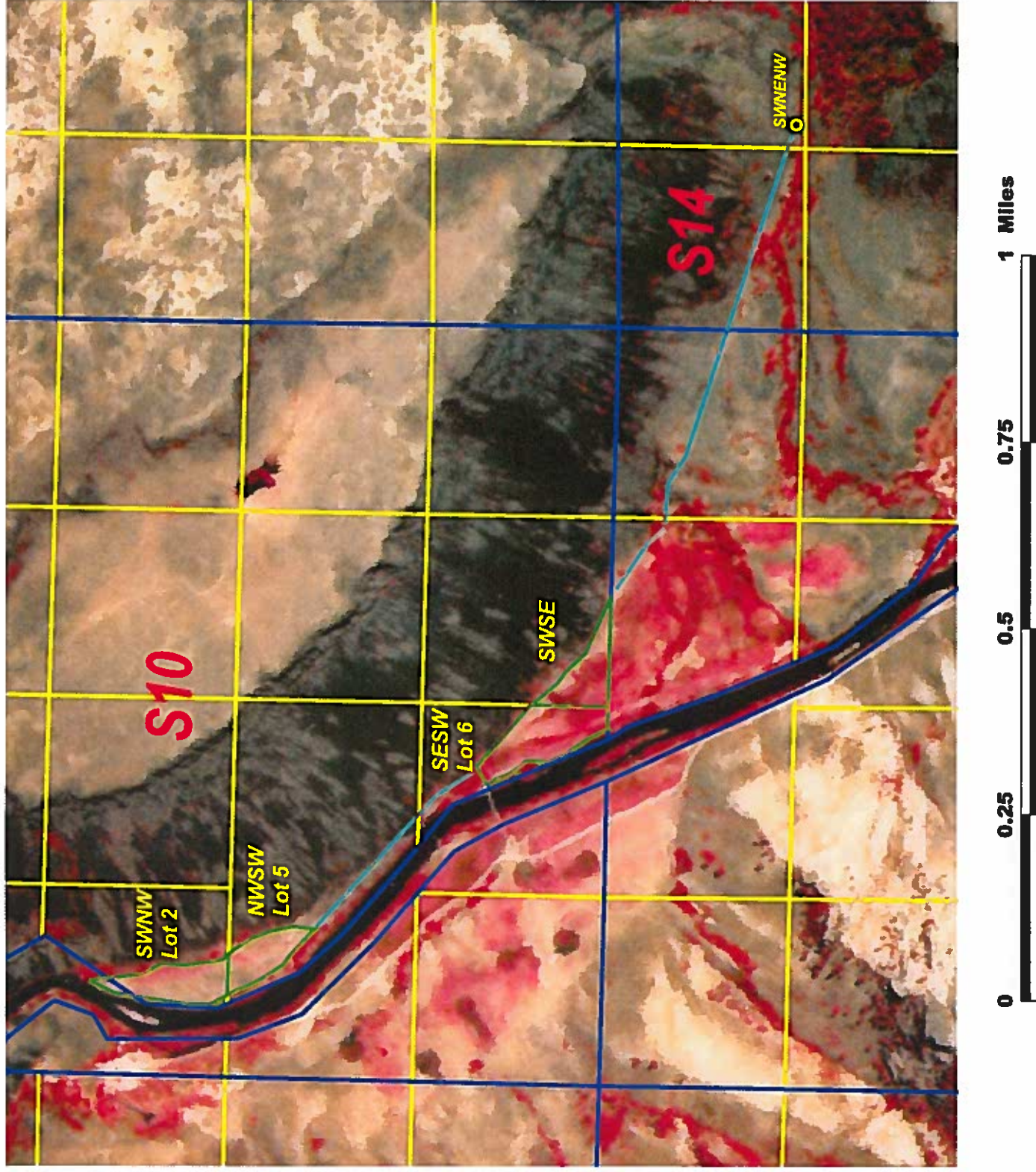
 POD

 SECTION

 1/4 1/4



1987 NAPP



NEW Rock Cr Claim
1950

TIP RTE SECTION 10

SW NW LOT 2 = 4.5 AC

NW SW LOT 5 = 3.3 AC

SE SW LOT 6 = 6.1 AC

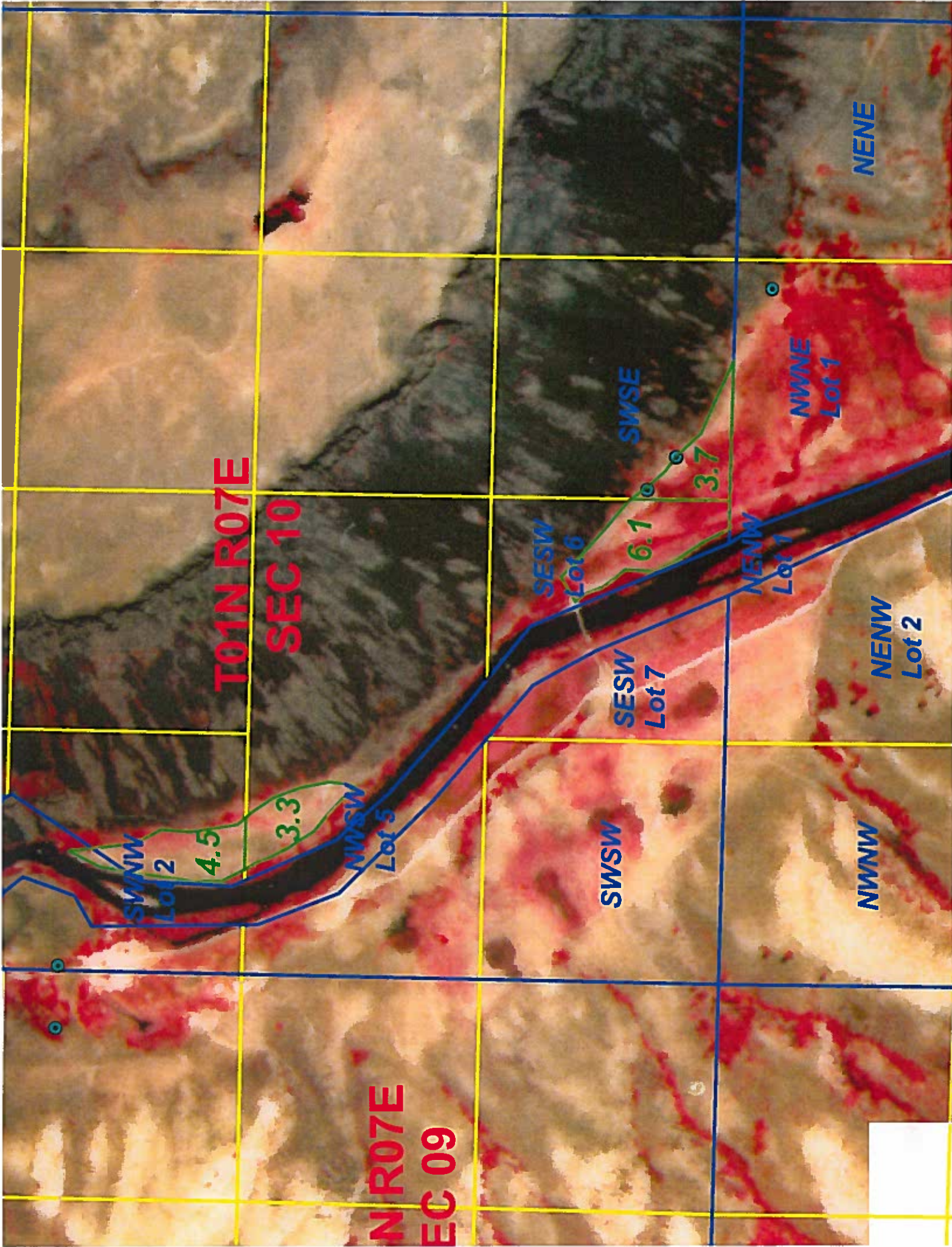
SW SE ——— 3.7 AC

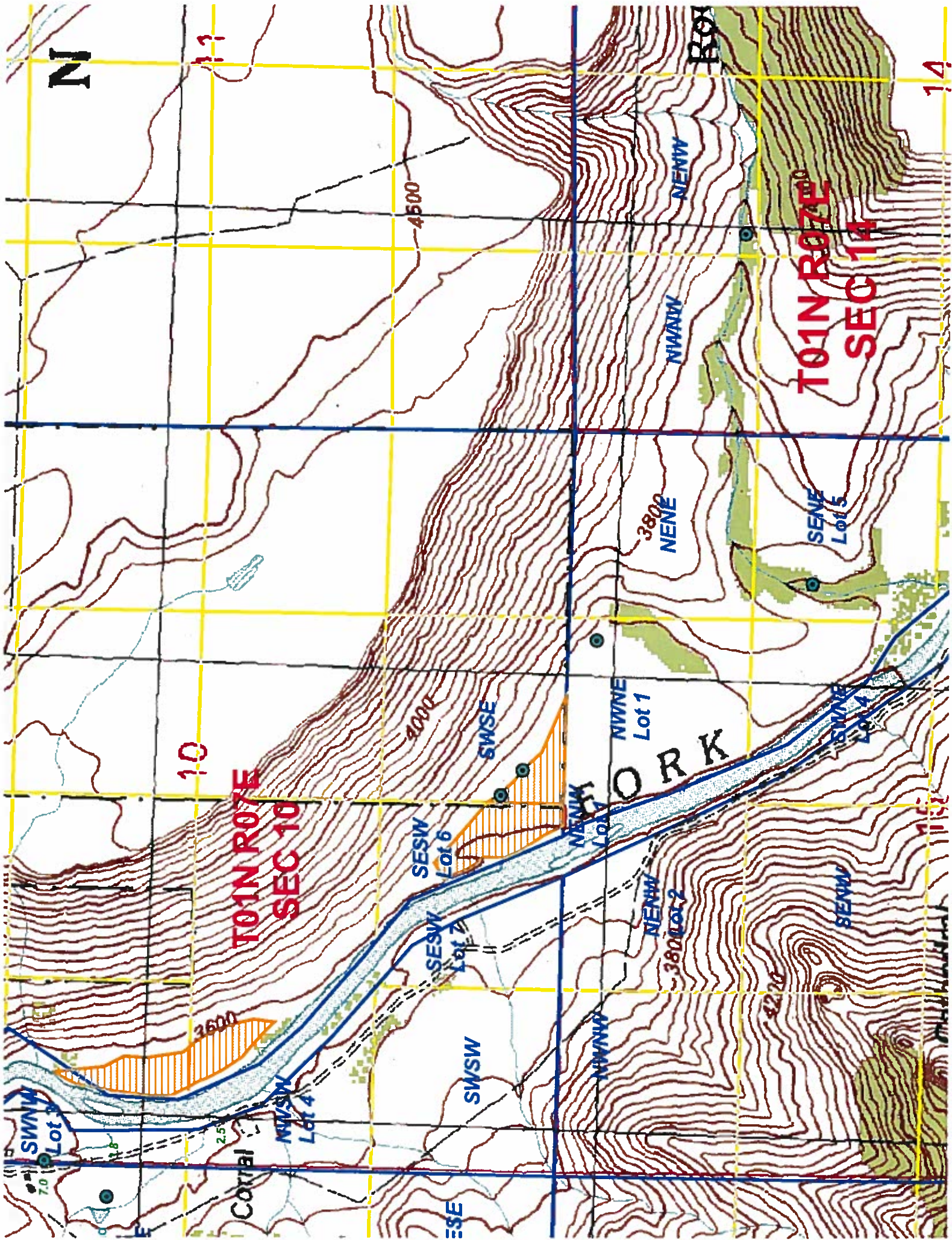
17.6 NEW ACRES

CONCRETE PIPE
ADDED
1970

→ from SE⁴SW to NW SW

PER BOB BAKER during FX





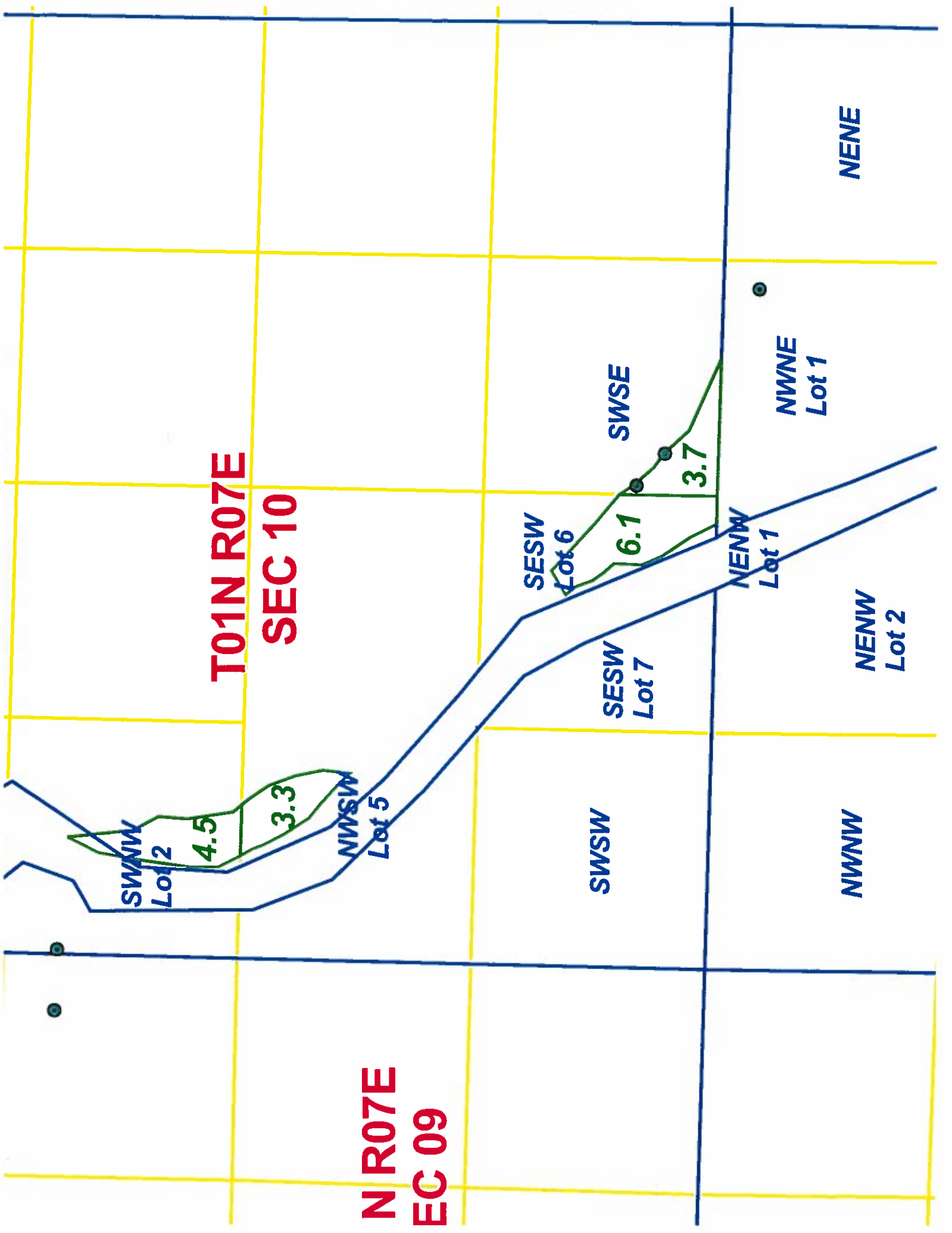


Photo 1. FX Aug. 20, 2001. Photos by RDH. 63-31296. POD photo taken earlier. Aug. 8, 2001. POD overlap with 63-115 & 63-31290, T01N, R07E, S14, SWNENW.



System consists of screw head gate, plastic, rock dam, diverted into 14" steel pipe into risers, flows then into open flow ditch then into concrete pipe. Bob Baker says that the concrete pipe replaced the ditch in the 1950's. All gravity irrigation. Claim 63-19756 overlaps the place of use for this claim.

(ENLARGEMENT OF 115)
67 - 71290

63 - 31294

[illegible]

- COMBINED CFS & ACRES
SEE ALSO OVERLAP REVIEW SHEET

- 63-115 Rock CR

COMBINED WITH ENLARGEMENT: 63-31290 Rock CR
 CFS = 1.0 CFS + ENLARGEMENT = 1 CFS COMBINED
 ACRES = 50 + 67.3 = 117.3 ACRES COMBINED

- 63-19756 SPRINGS & UNNAMED STREAMS

COMBINED WITH 63-115 Rock CR
 CFS 1.0 CFS + .894 = 1.894 CFS COMBINED
 PPOU ACRES = 117.3 + 44.7 = 134.9 COMBINED

- COMBINED WITH 63-31296 Rock CR

CFS .352 CFS (^{TOTAL} OVERLAP) AT 0.02/ACRE = .894 CFS
 ACRES 17.6 ACRES (TOTAL OVERLAP) = 44.7 ACRES

- 63-31290 ENLARGEMENT Rock CR

COMBINED WITH SPRINGS & UNNAMED STREAMS (63-19756)
 CFS ENLARGEMENT (NONE) + .894 = CFS COMBINED = .894
 63-19756

PPOU ACRES = 117.3 + 44.7 = 134.9 COMBINED ACRES

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWRW	SWRW	SESW	NESE	NWSE	SWSE	SESE	Total
Reg	63 115	DANSKIN CATTLE LLC,	ROCK CREEK	01N07E10													63.8
Reg	63 31290	DANSKIN CATTLE LLC,	ROCK CREEK	01N07E10													63.8
Reg	63 31296	DANSKIN CATTLE LLC,	ROCK CREEK	01N07E10							4.5						17.0
Reg	63 4325	DANSKIN CATTLE LLC,	SPRINGS, TRAIL CREEK, UNNAMED STREAM	01N07E10							3.8						6.3
Reg	63 19766	DANSKIN CATTLE LLC,	SPRINGS, UNNAMED STREAMS	01N07E10							4.5				3.7		17.8

• Historical MEAS of Rock Cr Ditches

MANNING EQUATION CHANNEL CAPACITY RESULTS 08-22-2001

measured above springs/unnamed streams

File Number: 63-115 b/u claim
 Claimant: DANSKIN CATTLE CO
 Channel measured: ROCK CR DITCH 1 & 2
 Date of measurement: 08 21 01
 Measurement location:

SEE FORM

Calculation prepared by: RDH
 Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 178 feet.
 The upstream and downstream rod readings are 3.14 and 3.87 feet.
 The channel cross section is 0.85 ft-sq.
 The wetted perimeter is 3.10 feet.
 The hydraulic radius is 0.27 feet.
 The slope is 0.0041
 The roughness coefficient is 0.0250
 The flow velocity is 1.612 ft/sec.
 The rate of flow is 1.37 cfs. $\times 2 = 2.74 \text{ cfs}$ Total

FOR BOTH DITCHES

MANNING INFO:

63-19756 - Springs & unnamed streams = 5.12 cfs
 MINUS (63-115) Historical Ditches (Rock cr) - 2.74 cfs
 AND B/u claim = 2.38 cfs
 63-31296

CFS AVAIL FOR B/u ROCK CR CLAIM: 63-31296
 2.74 cfs - 1. cfs DECREASED = 1.74 AVAIL

SEE MANNING

MEAS IN 63-19756

2.38 cfs AVAIL
 SPRING/unnamed
 streams

OK ONLY NEEDED
 , 894

for
 SPRINGS/unnamed
 streams

63-19756

CALC. WERE MADE FROM MEAS OF
 Historical Ditches from Rock cr.
 ABOVE SPRINGS/unnamed streams minus
 MEAS below main spring & unnamed stream.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 13, 2001

DANSKIN CATTLE LLC
% ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID 83647

Re: Notice of Claim to a Water Right No. 63-115, 63-4225, 63-4859, 63-5069, 63-19755,
63-19756, 63-19757, 63-31290 & 63-31296

Dear Claimant(s):

Enclosed are copies of the above referenced *amended* claims, which reflect the necessary changes for the land and appurtenant water rights covered under the original filing. Also enclosed are the new claim filings, and copies for your records.

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

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist I
Adjudication Section
Western Region Office

DB: db

Enclosure

Idaho Department of Water Resources Receipt

Receipt ID W028281

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	ADJUDICATION FILING FEE	0337	42503	1155	



Signature Line (Dept. Representative)

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 63-31296
Date Received: 9/5/2001
Receipt No: W028281
Received By:

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

1. Name of Claimant(s): DANSKIN CATTLE LLC Phone: (208)587-3617
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID USA 83647

2. Date of Priority: 08/18/1920

3. Source: ROCK CREEK Trib. to: BOISE RIVER SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	07E	14	NE NW	ELMORE	

5. Description of diverting works:

Pipeline, risers, ditches, gravity flows and concrete pipe underground

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.352	

7. Total Quantity Appropriated is:
0.352 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	07E	10	SW NW		IRRIGATION	4.5
			NW SW		IRRIGATION	3.3
			SE SW		IRRIGATION	6.1
			SW SE		IRRIGATION	3.7
Section Acres						17.6
Total Acres						17.6

11. Place of use in counties: ELMORE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Other lands are Forest Service and questionable BLM and private. Has lease agreement with Forest Service.
Note: Bob talked to BLM 9/5/2001, they told him that the land located in the SWSE of S-10 was up on hillside in rocks not in meadow. Dale Bail (SP) lands person.
Claim amended 9/10/2001

15. Basis of Claim: Beneficial Use

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 63-31296Date Received 9-5-01 *ag*Receipt Number W028281

RECEIVED

SEP 05 2001

WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM
TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) DANSKIN CATTLE & LLC Phone (208) 587-3617
C/O ROBERT C BAKER

Mailing Address PO Box 488 MOUNTAIN HOME ID Zip 83647

2. Date of Priority (Only one (1) per claim) ~~4-1-1950~~ 8-18-1920 RCB

3. Source of water supply (a) Rock CREEK (DATE AFTER DEGREE)
which is tributary to (b) BOISE RIVER, SOUTH FORK

4. a. Location of existing point of diversion is: Township 01N Range 07E Section 14,
1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of ELMORE

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. PIPE LINE, RISES, DITCHES

GRAVITY FLOWS & CONC. PIPE UNDERGROUND

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRR purposes from 04-01 to 11-01 amount .352 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .352 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>1N</u>	<u>7E</u>	<u>10</u>							<u>4.5</u>				<u>3.3</u>		<u>6.1</u>		<u>3.7</u>		<u>17.6</u>

Total number of acres irrigated 17.6

11. In which county (ies) are lands listed above as place of use located? WY ELMORE

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks: OTHER LANDS ARE FOREST SERVICE AND QUESTIONABLE
BLM & PRIVATE.
HAS LEASE AGREEMENT WITH FOREST SERVICE
NOTE: BOB talked to BLM 5 SEP 01, they told
him that the Land LOCATED IN THE SWSE OF S10
WAS UP ON HILL SIDE IN ROCKS NOT IN MEADOW. DALE BAIL (SP)
LANDS PERSON

Last Name _____ Ident No. 603-31296

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

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

For Organizations: I do solemnly swear or affirm that I am managing member
Title

of DAWSKIN CATTLE LLC
Organization

document in the space below as managing member of DAWSKIN CATTLE LLC
Title Organization

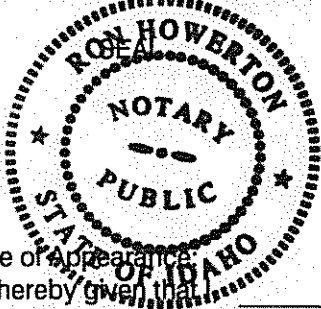
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Ronald C. Horton

Title and Organization managing member DAWSKIN CATTLE LLC Date 9/5/01

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 5 day of SEPT 2001



Notary Public Ron Howerton

Residing at Ron Howerton

My Commission Expires Residing at Boise, Idaho

My Commission Expires December 8, 2006

Please Print Name

17. Notice of Appearance

Notice is hereby given that _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number 163-31294