

AJ0749NP
No. R36-00021C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/05/00
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA DEPT OF INTERIOR 909 1ST AVE SEATTLE WA 981041060 (206) 220-5092	03/30/1884	IRRIGATION	02-15 11-30	0.300 CFS	
TOTAL DIVERSION:					0.300 CFS	

Water Source: BILLINGSLEY CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T07S R13E S11 NWNENE

GOODING County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
07S	13E	28	:	12				:					:					:					:	12.0
TOTAL ACRES																							12.0	

POU County: GOODING

Other Rights: NONE

Conditions of Approval:

- C18 - 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.

Remarks: EXP WATER IS DELIVERED THROUGH BELL DITCH.

Dates: Exam Made Date: Verified Date: 06/05/2000 Objection Filed Date:

Misc: Water District Number: 36A Field Inspection Flag:
Presumption Flag:

SRBA SUBCASE SUMMARY REPORT 36-00021C

[Return to SRBA Home Page](#)

SRBA
08-09-2001

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 36-00021C FILE#: 00228
CLAIMANT: UNITED STATE OF AMERICA
STATUS: PD ISSUED
WATER SOURCE: BILLINGSLEY CREEK, SNAKE RIVER

****** PARTIES INVOLVED ******

UNITED STATE OF AMERICA C ATTY: US DEPARTMENT OF JUSTICE

****** ROA ENTRIES ******

06-07-2000	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING	06-07-2000
06-07-2000	NCAP - AMENDED DIRECTOR'S REPORT - SPLIT INTO 36-00021B AND 36-00021C	
08-11-2000	REPORT & RECOMMENDATION OF MASTER	CB 09-28-2000
08-11-2000	NOTICE OF ISSUANCE - MASTERS R&R	
08-11-2000	CERTIFICATE OF MAILING - MASTER R&R	
11-01-2000	REPORT & RECOMMENDATION OF MASTER	CB 12-28-2000
11-01-2000	NOTICE OF ISSUANCE - MASTERS R&R	
11-01-2000	CERTIFICATE OF MAILING - MASTER R&R	
11-27-2000	ORDER OF PARTIAL DECREE	
11-27-2000	CERTIFICATE OF MAILING - PARTIAL DECREE	
11-27-2000	PARTIAL DECREE FILED	11-27-2000

[Return to SRBA Home Page](#)



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 7, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR PARK SVC
909 1ST AVE
SEATTLE WA 98104-1060

RE: SRBA Claim(s) 36-00021

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: Patrick D. Brown

JUN -7 AM 11:38

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHOIN 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 36-00021, 36-00021B
	)	and 36-00021C

IDWR has completed the following Administrative Proceeding:

☐ Change of Address

☒ Substitution of Party

☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTYDoes the change in "ownership" result in a splitting of the water
right claimed? ☒ Yes ☐ NoIf yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☒ No

Water Right(s): 36-00021, 36-00021B and 36-00021C

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
6/6/2000

36-00021, 36-00021B and 36-00021C

PAGE 1

From (Claimant/Seller):

Water Right Number: 36-00021

Name of Claimant: HARRY R GISLER
Address: 755 E 2800 S
HAGERMAN ID 83332
Phone: (208) 837-4894

To (Claimant/Purchaser):

Water Right Number: 36-00021B

Name of Claimant: HARRY R GISLER
Address: 755 E 2800 S
HAGERMAN ID 83332
Phone: (208) 837-4894

Water Right Number: 36-00021C

Name of Claimant: UNITED STATES OF AMERICA
Address: DEPT OF INTERIOR
909 1ST AVE
SEATTLE WA 98104-1060
Phone: (206) 220-5092

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: June 6, 2000



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6/7/2000 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:

HARRY R GISLER
755 E 2800 S
HAGERMAN ID 83332
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

PATRICK D BROWN
LAW OFFICES
109 S ADAMS
JEROME ID 83338

UNITED STATES OF AMERICA
DEPT OF INTERIOR
909 1ST AVE
SEATTLE WA 98104-1060
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. 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-6-2000

PAGE: A-1

RIGHT NUMBER: 36-00021

SEE NOS. 36-00021B & 36-00021C.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JUN-6-2000
PAGE: A-3

RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-00021C

NAME & ADDRESS: UNITED STATES OF AMERICA
DEPT OF INTERIOR
909 1ST AVE
SEATTLE WA 98104-1060

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.3 CFS

PRIORITY DATE: 03/30/1884

POINT OF DIVERSION: T07S R13E S11 NWNENE Within GOODING County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 02-15 11-30 0.3 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T07S R13E S28 NENE 12
12 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
WATER IS DELIVERED THROUGH BELL DITCH.

 RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-00021B

NAME & ADDRESS: HARRY R GISLER
 755 E 2800 S
 RT 1
 HAGERMAN ID 83332

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 7.32 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
 SHALL NOT EXCEED 13,000 GALLONS PER DAY.

THE PORTION OF THIS RIGHT IN EXCESS OF 4.58 CFS IS
 SUBORDINATED TO ALL GROUND WATER AND SURFACE WATER RIGHTS WITH
 PRIORITY DATES OF DECEMBER 31, 1999 OR EARLIER.

PRIORITY DATE: 03/30/1884

POINT OF DIVERSION: T07S R13E S11 NWNENE Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	02-15 11-30	7.32 CFS
	STOCKWATER	02-15 11-30	0.09 CFS
	STOCKWATER	12-01 02-14	1.93 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T07S R13E S21	Lot 6 (NESE)10	Lot 9 (SESE)28	
S22	NESW 9	NWSW 13	SWSW 37
S27	NWNW 32		
S28	NENE 8		
137 ACRES TOTAL			

STOCKWATER Within GOODING County

T07S R13E S21	Lot 6 (NESE)	Lot 9 (SESE)	
S22	NESW	NWSW	SWSW
S27	NWNW		
S28	NENE	Lot 1 (NWNE)	

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
 STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
 USE.

RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-00021B (CONT)

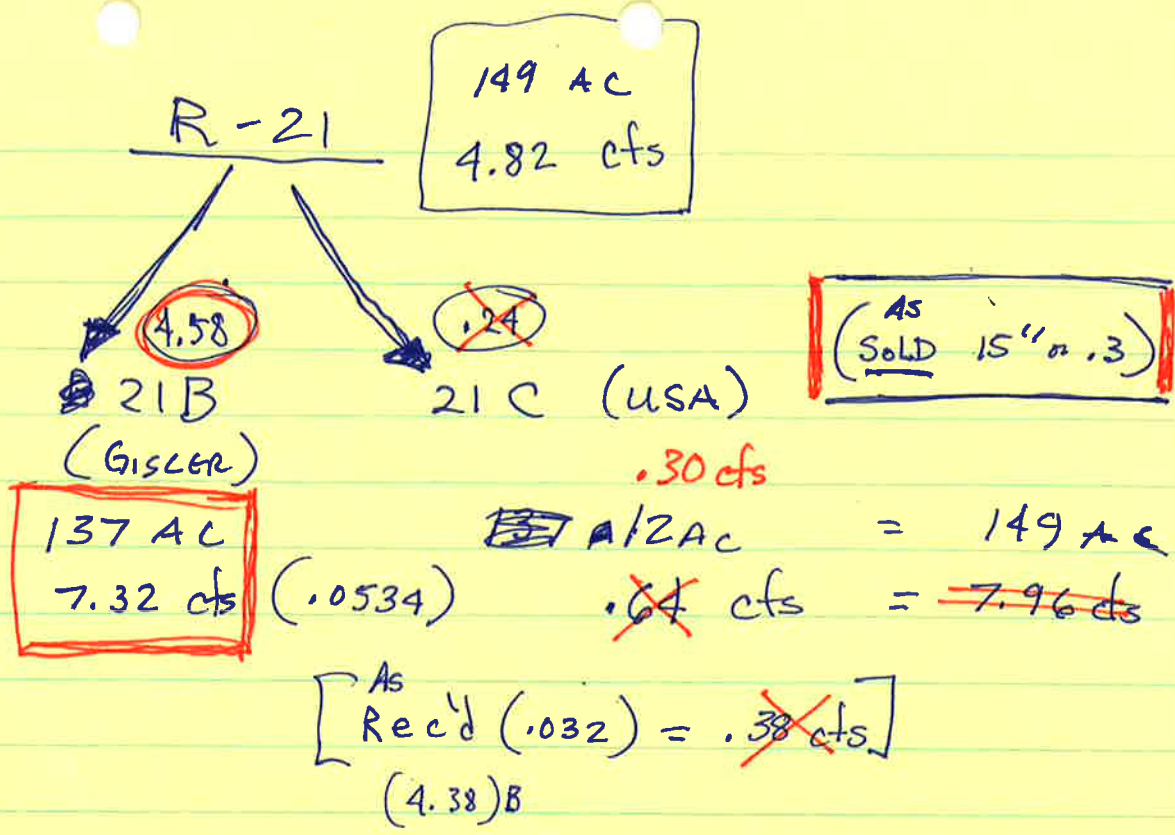
OTHER PROVISIONS: (CONT)

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.

1.84 CFS OF THE UNSUBORDINATED PORTION OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

THE SUBORDINATED PORTION OF THIS WATER RIGHT SHALL NOT BE ASSERTED, DELIVERED, HONORED, USED, ENFORCED, EFFECTIVE, OR OTHERWISE RECOGNIZED IF IT WOULD CAUSE OR REQUIRE, EITHER DIRECTLY OR INDIRECTLY, CURTAILMENT OF, INJURY TO, OR MITIGATION FROM ANY SURFACE WATER OR GROUND WATER RIGHTS WITH PRIORITY DATES OF DECEMBER 31, 1999 OR EARLIER. THE SUBORDINATION SHALL RUN WITH AND BE A PERPETUAL SERVITUDE UPON THIS WATER RIGHT AND THE ASSOCIATED LANDS, INCLUDING ANY NEW LANDS TO WHICH ALL OR ANY PORTIONS OF THIS WATER RIGHT IS TRANSFERRED.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
WATER IS DELIVERED THROUGH BELL DITCH.
STOCKWATER, 400 CATTLE



NCAP by TUES:

A36-00021B
 14.4 cfs
 212 AC (.00679)

DRAFT



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TRANSMITTAL COVER SHEET

FAX NUMBER: (208) 327-5400

DATE: 6-2-00

TO: STEVE CLELLAND

FROM: NICK SPENCER

DOCUMENT DESCRIPTION: YA-TA-HAY & GISLER

WR DESCRIPTIONS

COVER SHEET + 2 PAGES

CONTACT: 327-7930 IF YOU DO NOT RECEIVE ALL THE PAGES.

THANK YOU!

DRAFT

RECEIVED

JUN - 2 2000

Department of Water Resource
Southern Region

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAY-8-2000
PAGE: A-1

RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-10283A

NAME AND ADDRESS: YA-TA-HAY INVESTMENTS, INC.
MARY RUTH BARRETT
813 WEST KIOWA
HOBBS, NM 88240

SOURCE: BILLINGSLEY CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.38 CFS

THE PORTION OF THIS RIGHT IN EXCESS OF 1.30 CFS IS
SUBORDINATED TO ALL GROUND WATER AND SURFACE WATER RIGHTS WITH
PRIORITY DATES OF DECEMBER 31, 1999 OR EARLIER.

PRIORITY DATE: 06/26/1881

POINT OF DIVERSION: T07S R13E S11 NESENE Within GOODING County
NWSENE

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

STOCKWATER

STOCKWATER

PERIOD OF USE

02-15 11-30

02-15 11-30

12-01 02-14

QUANTITY

2.38 CFS

0.12 CFS

0.34 CFS

THE IRRIGATION USE UNDER THIS RIGHT IN EXCESS OF 1.3 CFS IS
SUBORDINATED TO ALL WATER RIGHTS WITH PRIORITY DATES OF DECEMBER
31, 1999 OR EARLIER.

PLACE OF USE:

IRRIGATION

Within GOODING County

T07S R13E S02

LOT 2 (SWNE) 2, NWSE 17, SWSE 25

S11

NWNE 10

54.0 ACRES TOTAL

STOCKWATER

T07S R13E S02

LOT 2 (SWNE), NWSE, SWSE

S11

NWNE

CONSUMPTIVE USE:

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

0.22 CFS OF THE UNSUBORDINATED PORTION OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF
THIS RIGHT.THE SUBORDINATED PORTION OF THIS WATER RIGHT SHALL NOT BE ASSERTED, DELIVERED, HONORED, USED, ENFORCED,
EFFECTIVE, OR OTHERWISE RECOGNIZED IF IT WOULD CAUSE OR REQUIRE, EITHER DIRECTLY OR INDIRECTLY, CURTAILMENT
OF, INJURY TO, OR MITIGATION FROM ANY SURFACE WATER OR GROUND WATER RIGHTS WITH PRIORITY DATES OF DECEMBER
31, 1999 OR EARLIER. THE SUBORDINATION SHALL RUN WITH AND BE A PERPETUAL SERVITUDE UPON THIS WATER RIGHT
AND THE ASSOCIATED LANDS, INCLUDING ANY NEW LANDS TO WHICH ALL OR ANY PORTION OF THIS WATER RIGHT IS
TRANSFERRED.THE QUANTITY OF WATER DECREED FOR THIS RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL
BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 36-00094, 36-00095, AND 36-00096.
WATER IS DELIVERED THROUGH JOHN BELL DITCH AND PADGETT DITCH.

DRAFT

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAY-8-2000
PAGE: A-1

RIGHTS FROM: SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 36-00021B

NAME AND ADDRESS: HARRY R. GISLER
755 EAST 2800 SOUTH
ROUTE 1
HAGERMAN, ID 83332

SOURCE: BILLINGSLEY CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 7.32 CFS

THE PORTION OF THIS RIGHT IN EXCESS OF 4.58 CFS IS
SUBORDINATED TO ALL GROUND WATER AND SURFACE WATER RIGHTS WITH
PRIORITY DATES OF DECEMBER 31, 1999 OR EARLIER.

PRIORITY DATE: 03/30/1884

POINT OF DIVERSION: T07S R13E S11 NWNE Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	02-15 11-30	7.32 CFS
	STOCKWATER	02-15 11-30	0.09 CFS
	STOCKWATER	12-01 02-14	1.93 CFS

THE IRRIGATION USE UNDER THIS RIGHT IN EXCESS OF 4.58 CFS IS
SUBORDINATED TO ALL WATER RIGHTS WITH PRIORITY DATES OF DECEMBER
31, 1999 OR EARLIER.

PLACE OF USE:	IRRIGATION	Within GOODING County
	T07S R13E S21	LOT 6 (NESE) 10, LOT 9 (SESE) 28
	S22	NESE 9, NWSW 13, SWSW 37
	S27	NWNW 32
	S28	NENE 8

137.0 ACRES TOTAL

STOCKWATER	Within GOODING County
T07S R13E S21	LOT 6 (NESE), LOT 9 (SESE)
S22	NESE, NWSW, SWSW
S27	NWNW
S28	NENE, Lot 1 (NWNE)

CONSUMPTIVE USE:

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

1.84 CFS OF THE UNSUBORDINATED PORTION OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF
THIS RIGHT.THE SUBORDINATED PORTION OF THIS WATER RIGHT SHALL NOT BE ASSERTED, DELIVERED, HONORED, USED, ENFORCED,
EFFECTIVE, OR OTHERWISE RECOGNIZED IF IT WOULD CAUSE OR REQUIRE, EITHER DIRECTLY OR INDIRECTLY, CURTAILMENT
OF, INJURY TO, OR MITIGATION FROM ANY SURFACE WATER OR GROUND WATER RIGHTS WITH PRIORITY DATES OF DECEMBER
31, 1999 OR EARLIER. THE SUBORDINATION SHALL RUN WITH AND BE A PERPETUAL SERVITUDE UPON THIS WATER RIGHT
AND THE ASSOCIATED LANDS, INCLUDING ANY NEW LANDS TO WHICH ALL OR ANY PORTIONS OF THIS WATER RIGHT IS
TRANSFERRED.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

WATER IS DELIVERED THROUGH BELL DITCH.

Quantity for SW not Historical use...

DRAFT

PATRICK D. BROWN, P.C.
LAW OFFICES

October 11, 1999

Mr. David Tuthill
Idaho Department of Water Resources
1341 Fillmore Street, suite 200
Twin Falls, ID 83301-3380

RECEIVED
OCT 13 1999
Department of Water Resources
Southern Region

RE: SUBCASE NO. 36-00021B, HARRY GISLER

Dear Mr. Tuthill:

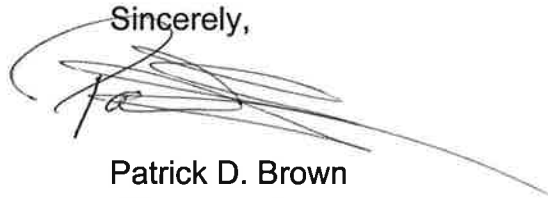
According to testimony you gave at the August 11, 1999 trial in subcase No. 36-00039D it is, and has been since 1998, IDWR's statewide policy to recommend quantities based on gravity irrigation, not on sprinkler irrigation, if the right was established by gravity irrigation.

My understanding is the recommendation in this subcase was based on a sprinkler analysis. I ask that you amend the Director's Report to reflect the quantity of water IDWR believes reasonable and necessary for flood irrigation, as of the time the right was established.

Please let me know immediately if you will amend the Director's Report accordingly or if you need any information from my client in order to do so.

Also, if for some reason you cannot or will not amend the Director's Report, please let me know, including any reasons. I look forward to hearing from you.

Sincerely,



Patrick D. Brown
Attorney at Law

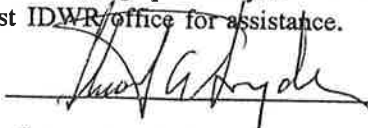
pdb/tf

R E C

W E B

JUN 26 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern Region
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 36-0021
Adjudication Claim No(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 attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
 3. Name and Address of Former Owner/Claimant Harry R. Gisler,
108 Doral Drive, Jerome, ID 83338
 4. New Owner/Claimant(s) U.S. National Park Service
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 909 First Avenue
City, State and ZIP Code Seattle, WA 98104
New Telephone Number (206) 220-4065
 5. Date you acquired the property Dec. 29, 1997
 6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 15 inches as specified in QCD Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) 
Acting Chief, Columbia Cascades Land Resources PC
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
 8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

173625

After Recording, Return to:
U.S. Department of the Interior
National Park Service - CCLRPC
909 First Avenue - 5th Floor
Seattle, WA 98104-1060

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of GOODING TITLE & ESCROW

016 min. past 12 o'clock P.m. this 5th
of January, 19 98 9:00
By Penny Watson Deputy

STATUTORY WARRANTY DEED

The Grantor, Harry R. Gisler, a married man, as his separate property, for and in consideration of the sum of EIGHT HUNDRED SIXTY-EIGHT THOUSAND AND NO/100 DOLLARS (\$868,000.00), to him paid, receipt of which is hereby acknowledged, does hereby convey and warrant to the UNITED STATES OF AMERICA and its assigns, the following described property located in the County of Gooding, State of Idaho to wit:

All that certain tract of land situated in Section 28, Township 7 South, Range 13 East, Boise Meridian, Gooding County, State of Idaho, more particularly described as follows:

All of Government Lot 10 and Government Lot 11 as shown on the Dependent Resurvey and Subdivision Plat of Section 28, Township 7 South, Range 13 East of the Boise Meridian, State of Idaho, dated August 1, 1997, and filed in the official records of the Bureau of Land Management, Boise, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said Section 28 thence;

South 0°04'00" West, a distance of 444.84 feet, to a point on the Easterly line of said Section 28, and said point being the Point of Beginning of the property herein described, thence, along the southerly and westerly sideline margins of an existing, unsurfaced private road for the following nine (9) courses,

North 75°01'00" West, a distance of 304.92 feet, thence;

North 69°23'00" West, a distance of 321.42 feet, thence;

North 79°13'00" West, a distance of 184.14 feet, thence;

North 65°11'00" West, a distance of 182.82 feet, thence;

North 84°05'00" West, a distance of 91.74 feet, thence;

South 78°42'00" West, a distance of 100.32 feet, thence;

North 85°03'00" West, a distance of 75.24 feet, thence;

North 04°38'00" West, a distance of 56.10 feet, thence;

North 09°46'00" East, a distance of 80.52 feet to a point on the Northerly line of said Section 28, thence;

RECEIVED

JUN 26 1998

Hagerman Fossil Beds National Monument
Tract No. 101-04

Department of Water Resources
Southern Region

South 89°31'00" West, along said northerly line of Section 28, a distance of 601.59 feet, to a point thence;

South 13°35'00" West, a distance of 91.08 feet, thence;

South 06°30'00" East, a distance of 104.28 feet, thence;

South 05°02'00" East, a distance of 255.75 feet, thence;

South 75°43'00" West, a distance of 112.86 feet, thence;

South 81°17'00" West, a distance of 79.86 feet, thence;

South 11°19'00" West, a distance of 109.56 feet, thence

South 55°22'00" West, a distance of 167.64 feet, thence;

South 32°33'00" West, a distance of 159.72 feet, thence;

South 29°21'00" West, a distance of 112.86 feet, thence;

South 01°29'00" West, a distance of 165.66 feet, thence;

South 18°20'00" East, a distance of 90.42 feet, thence;

South 08°19'00" West, a distance of 58.41 feet, thence;

South 10°49'00" West, a distance of 48.84 feet, thence;

South 47°30'00" East, a distance of 25.74 feet, thence;

South 05°14'00" West, a distance of 25.74 feet to a point, said point being located on the East and West center line of the Northeast Quarter (NE1/4) of said Section 28, thence;

North 89°37'00" East, along said East and West center line of the Northeast Quarter (NE1/4) of Section 28, a distance of 394.482, thence;

North 00°07'00" East, a distance of 19.998 feet, thence;

North 89°37'00" East, a distance of 1,856.778 feet to a point on the easterly line of said Section 28, thence;

North 00°04'00" East, along said easterly line of Section 28, a distance of 858.00 feet to the Point of Beginning and there ending.

The land hereinabove described contains 54.06 acres, more or less.

TOGETHER WITH THE Grantor's right, title and interest in and to water rights appurtenant to this property.

FURTHERMORE TOGETHER WITH a non-exclusive road easement for administrative purposes for ingress and egress over and across that road referenced in the above narrative description.

The land is conveyed subject to existing easements of record for public roads and highways, public utilities, railroads and pipelines.

TO HAVE AND TO HOLD the above granted and described premises, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any way appertaining, unto said UNITED STATES OF AMERICA and its assigns forever.

The Grantor further remises, releases, and forever quitclaims to the UNITED STATES OF AMERICA, and its assigns, all right, title and interest which the Grantor may have in the banks, beds and waters of any streams bordering the said land conveyed and also all interest in any alleys, roads, streets, ways, strips, gores or railroad rights-of-way abutting or adjoining said land and in any means of ingress or egress appurtenant thereto.

The land is being acquired by the Department of Interior, National Park Service.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand this 29 day of Dec, 1997.

Harry R. Gisler
HARRY R. GISLER

ACKNOWLEDGMENT

STATE OF Arizona }
COUNTY OF Maricopa } ss

I certify that I know or have satisfactory evidence that HARRY R. GISLER, is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Given Under My Hand and Official Seal this 29 day of Dec, 1997.

Donna J. Bobier
Notary Public in and for the
State of Arizona
residing at Scottsdale

My Commission Expires:

Hagerman Fossil Beds National Monument
Tract 101-04



RECEIVED

JUN 26 1998

QUIT CLAIM DEED

Department of Water Resources
Southern Division

FOR VALUE RECEIVED

Harry R. Gisler

GRANTOR(S)

Do(es) Hereby Convey, Release, Remise and Forever Quitclaim Unto

United States of America

GRANTEE(S)

Whose address is: 909 First Ave 5th floor SEATTLE, WA. 98104

The following described premises, to-wit:

15 inches of Irrigation water from the Bell Ditch, being part of Water Right #36-0021B,
or that amount determined by the Snake River Adjudication Court.

173626

Together with their appurtenances.

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of GOODING TITLE & ESCROW

Dated: January 5, 1998

07 min. past 12 o'clock P.m. this 5th
of January, 1998 3:00
By Penny Watson Deputy

Harry R. Gisler
Harry R. Gisler

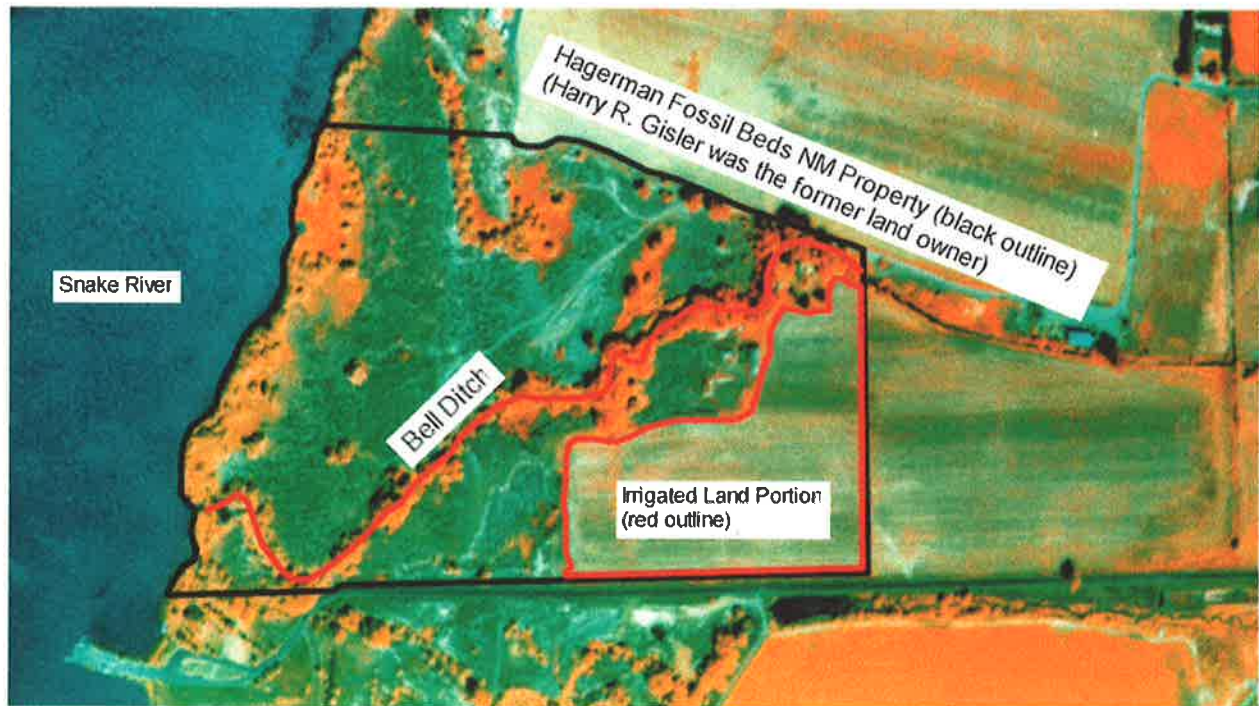
State of ~~IDAHO~~ Arizona
County of ~~GOODING~~ Maricopa

On this 27 day of January, in the year 1997, before me, a notary public, personally appeared Harry R. Gisler, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Donna J. Bobier
Notary Public
Residing At:
Commission Expires:





Color Infrared Air Photo Showing Vegetation in Orange.



North

RECEIVED

JUN 26 1998

Department of Water Resources
Southern Region

JAN 14 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s).: #36-0021B (15 inches of irrigation water from the
Bell Ditch)
Adjudication Claim No(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 attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant
Harry R. Gisler
108 Doral Dr., Jerome, ID 83338
4. New Owner/Claimant(s)
United States of America
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address
Dept. of Interior, 909 1st Avenue
City, State and ZIP Code
Seattle, WA 98104-1060
New Telephone Number
(206) 220-5092
5. Date you acquired the property
January 5, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s)
UNITED STATES OF AMERICA, DEPT. OF INTERIOR
By Rick L. Wagner

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

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

Data Entry done: 6/5/00 SCC SPLITS: B & C

173 35

After Recording, Return to:
U.S. Department of the Interior
National Park Service - CCLRPC
909 First Avenue - 5th Floor
Seattle, WA 98104-1060

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of GOODING TITLE & ESCROW

06 min. past 12 o'clock Pm. this 5th
of January 19 98 9:00
By Penny Watson Deputy

STATUTORY WARRANTY DEED

The Grantor, Harry R. Gisler, a married man, as his separate property, for and in consideration of the sum of EIGHT HUNDRED SIXTY-EIGHT THOUSAND AND NO/100 DOLLARS (\$868,000.00), to him paid, receipt of which is hereby acknowledged, does hereby convey and warrant to the UNITED STATES OF AMERICA and its assigns, the following described property located in the County of Gooding, State of Idaho to wit:

All that certain tract of land situated in Section 28, Township 7 South, Range 13 East, Boise Meridian, Gooding County, State of Idaho, more particularly described as follows:

All of Government Lot 10 and Government Lot 11 as shown on the Dependent Resurvey and Subdivision Plat of Section 28, Township 7 South, Range 13 East of the Boise Meridian, State of Idaho, dated August 1, 1997, and filed in the official records of the Bureau of Land Management, Boise, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said Section 28 thence;
South 0°04'00" West, a distance of 444.84 feet, to a point on the Easterly line of said Section 28, and said point being the Point of Beginning of the property herein described, thence, along the southerly and westerly sideline margins of an existing, unsurfaced private road for the following nine (9) courses,
North 75°01'00" West, a distance of 304.92 feet, thence;
North 69°23'00" West, a distance of 321.42 feet, thence;
North 79°13'00" West, a distance of 184.14 feet, thence;
North 65°11'00" West, a distance of 182.82 feet, thence;
North 84°05'00" West, a distance of 91.74 feet, thence;
South 78°42'00" West, a distance of 100.32 feet, thence;
North 85°03'00" West, a distance of 75.24 feet, thence;
North 04°38'00" West, a distance of 56.10 feet, thence;
North 09°46'00" East, a distance of 80.52 feet to a point on the Northerly line of said Section 28, thence;

Hagerman Fossil Beds National Monument
Tract No. 101-04

South 89°31'00" West, along said northerly line of Section 28, a distance of 601.59 feet, to a point thence;

South 13°35'00" West, a distance of 91.08 feet, thence;

South 06°30'00" East, a distance of 104.28 feet, thence;

South 05°02'00" East, a distance of 255.75 feet, thence;

South 75°43'00" West, a distance of 112.86 feet, thence;

South 81°17'00" West, a distance of 79.86 feet, thence;

South 11°19'00" West, a distance of 109.56 feet, thence

South 55°22'00" West, a distance of 167.64 feet, thence;

South 32°33'00" West, a distance of 159.72 feet, thence;

South 29°21'00" West, a distance of 112.86 feet, thence;

South 01°29'00" West, a distance of 165.66 feet, thence;

South 18°20'00" East, a distance of 90.42 feet, thence;

South 08°19'00" West, a distance of 58.41 feet, thence;

South 10°49'00" West, a distance of 48.84 feet, thence;

South 47°30'00" East, a distance of 25.74 feet, thence;

South 05°14'00" West, a distance of 25.74 feet to a point, said point being located on the East and West center line of the Northeast Quarter (NE1/4) of said Section 28, thence;

North 89°37'00" East, along said East and West center line of the Northeast Quarter (NE1/4) of Section 28, a distance of 394.482, thence;

North 00°07'00" East, a distance of 19.998 feet, thence;

North 89°37'00" East, a distance of 1,856.778 feet to a point on the easterly line of said Section 28, thence;

North 00°04'00" East, along said easterly line of Section 28, a distance of 858.00 feet to the Point of Beginning and there ending.

The land hereinabove described contains 54.06 acres, more or less.

TOGETHER WITH THE Grantor's right, title and interest in and to water rights appurtenant to this property.

FURTHERMORE TOGETHER WITH a non-exclusive road easement for administrative purposes for ingress and egress over and across that road referenced in the above narrative description.

The land is conveyed subject to existing easements of record for public roads and highways, public utilities, railroads and pipelines.

TO HAVE AND TO HOLD the above granted and described premises, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any way appertaining, unto said UNITED STATES OF AMERICA and its assigns forever.

The Grantor further remises, releases, and forever quitclaims to the UNITED STATES OF AMERICA, and its assigns, all right, title and interest which the Grantor may have in the banks, beds and waters of any streams bordering the said land conveyed and also all interest in any alleys, roads, streets, ways, strips, gores or railroad rights-of-way abutting or adjoining said land and in any means of ingress or egress appurtenant thereto.

The land is being acquired by the Department of Interior, National Park Service.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand this 29 day of Dec, 1997.

Harry R. Gisler
HARRY R. GISLER

ACKNOWLEDGMENT

STATE OF Arizona }
COUNTY OF Maricopa } ss

I certify that I know or have satisfactory evidence that HARRY R. GISLER, is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Given Under My Hand and Official Seal this 29 day of Dec, 1997.

Donna J. Bobier
Notary Public in and for the
State of Arizona
residing at SUN LAKES

My Commission Expires:

Hagerman Fossil Beds National Monument
Tract 101-04



QUIT CLAIM DEED

FOR VALUE RECEIVED

Arlene Gisler

GRANTOR(S)

Do(es) Hereby Convey, Release, Remise and Forever Quitclaim Unto

Harry R. Gisler

GRANTEE(S)

Whose address is: 108 Doral Dr. Jerome Idaho. 83338

The following described premises, to-wit:

SEE ATTACHED EXHIBIT A

173624

Together with their appurtenances.

Dated: **January 5, 1998**

Arlene Gisler
Arlene Gisler

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of **GOODING TITLE & ESCROW**

05 min. past 12 o'clock P m. this 5th
of January, 19 98 9:00

By Penny Watson Deputy

State of ~~IDAHO~~ Arizona

County of ~~GOODING~~ Maricopa

On this 27 day of Dec, in the year 1997, before me, a notary public, personally appeared **Arlene Gisler**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Donna J. Bobier
Notary Public

Residing At: Scottsdale

Commission Expires:



EXHIBIT A

G970397

Township 7 South, Range 13, East of the Boise Meridian, Gooding County, Idaho

Section 28: All of Government Lots 10 and 11 as shown on the Dependent Resurvey and Subdivision Plat dated August 1, 1997, filed in the official records of the Bureau of Land Management, Boise, Idaho, being more particularly described as follows:

COMMENCING at the Northeast corner of said Section 28;
Thence South 0°04'00" West a distance of 444.84 feet to a point on the Easterly line of said Section 28, said point being the POINT OF BEGINNING;
Thence along the Southerly and Westerly sideline margins of an existing unsurfaced private road for the following nine courses:

North 75°01'00" West a distance of 304.92 feet;
North 69°23'00" West a distance of 321.42 feet;
North 79°13'00" West a distance of 184.14 feet;
North 65°11'00" West a distance of 182.82 feet;
North 84°05'00" West a distance of 91.74 feet;
South 78°42'00" West a distance of 100.32 feet;
North 85°03'00" West a distance of 75.24 feet;
North 04°38'00" West a distance of 56.10 feet;
North 09°46'00" East a distance of 80.52 feet to a point on the Northerly line of said

Section 28;

Thence South 89°31'00" West along said Northerly line of Section 28 a distance of 601.59 feet to a point;

Thence South 13°35'00" West a distance of 91.08 feet;
Thence South 06°30'00" East a distance of 104.28 feet;
Thence South 05°02'00" East a distance of 255.75 feet;
Thence South 75°43'00" West a distance of 112.86 feet;
Thence South 81°17'00" West a distance of 79.86 feet;
Thence South 11°19'00" West a distance of 109.56 feet;
Thence South 55°22'00" West a distance of 167.64 feet;
Thence South 32°33'00" West a distance of 159.72 feet;
Thence South 29°21'00" West a distance of 112.86 feet;
Thence South 01°29'00" West a distance of 165.66 feet;
Thence South 18°20'00" East a distance of 90.42 feet;

(Continued)

Exhibit A - Continued
G970397

Thence South 08°19'00" West a distance of 58.41 feet;
Thence South 10°49'00" West a distance of 48.84 feet;
Thence South 47°30'00" East a distance of 25.74 feet;
Thence South 05°14'00" West a distance of 25.74 feet to a point, said point being located on the East and West center line of the Northeast of said Section 28;
Thence North 89°37'00" East along said East and West center line of the Northeast Quarter of Section 28 a distance of 394.482 feet;
Thence North 00°07'00" East a distance of 19.998 feet;
Thence North 89°37'00" East a distance of 1,856.778 feet to a point on the Easterly line of said Section 28;
Thence North 00°04'00" East along said Easterly line of Section 28 a distance of 858.00 feet to the POINT OF BEGINNING.

TOGETHER WITH a non-exclusive road easement for administrative purposes for ingress and egress over and across that road referenced in the above narrative description.

SUBJECT TO public roads and highway rights of way.



GOODING
TITLE & ESCROW
COMPANY

(Formerly First American Title Co. of Magic Valley)

January 13, 1998

RECEIVED

JAN 14 1998

Department of Water Resources
Southern Region

Idaho Department of
Water Resources
1341 Fillmore, #200
Twin Falls, ID 83301-3380

Dear Sir or Madame:

Recently our office closed a transaction wherein Harry Gisler sold property to the Department of Interior on property in Hagerman, Idaho. Included in the sale was the water right #36-0021B. I am enclosing a copy of the Quit Claim Deed and Warranty Deed reflecting the ownership change.

If you have questions or need anything further in connection with this transaction, please do not hesitate to contact our office.

Sincerely,

GOODING TITLE & ESCROW

DeNene M. Dixon
Escrow Assistant

/dmd
Encl.