

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: A63-05343
Date Received: ~~7/18/1989~~ 7-21-89
Receipt No: C008445
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: XL RANCH 208-286-7801
Address: C/O WILLIAM C. CLAYTON
6622 JOPLIN ROAD
NAMPA, ID 83687

2. Date of Priority: MAR 15, 1920

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02W	24	SW	SW	NE		CANYON

5. Description of diverting works:
CONCRETE STRUCTURE WITH HEADGATE, GRAVITY FLOW DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.480		
STOCKWATER	01/01	12/31	0.090		

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

8. Total consumptive use is 84.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 100 HEAD BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02W	24	SW	NE		IRR	5.0

A63-05343

Page 1

Date: 07/18/89

SCANNED
APR 21 2008

MICROFILMED
AUG 21 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02W	24	SW	NE		STOCK	
			SW	NW		IRR	6.0
			SW	NW		STOCK	
			SE	NW		IRR	13.0
			SE	NW		STOCK	
						Section Acres	24.0
						Total Acres	24.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: -/-

For Organizations:

I do solemnly swear or affirm that I am OWNER of

Title
XL RANCH, that I have signed the foregoing
Organization
document in the space below as OWNER of

Title
XL RANCH and that the statements contained in the
Organization
foregoing document are true and correct.

W. Clay
Signature of Authorized Agent

OWNER - XL RANCH
Title and Organization

7-18-89
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15th day

of July 19 89

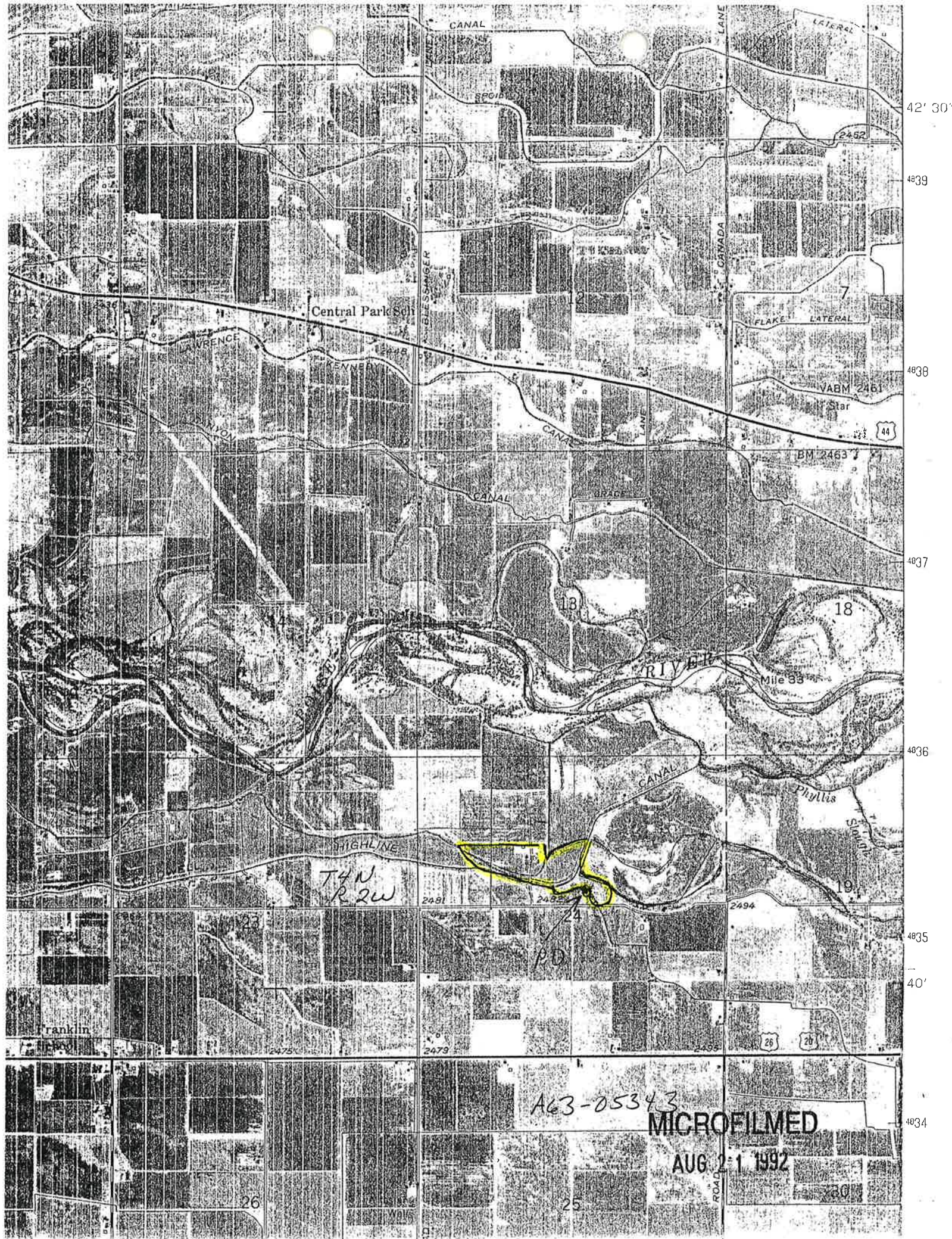
Carter Fritschle
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994



42' 30"

4839

4838

4837

4836

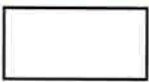
4835

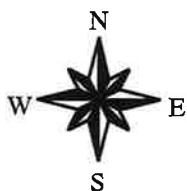
40'

4834

Idaho Department of Water Resources

Claim Number: 63-05343
Legal: T04N, R02W, S24
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-05343

Date: 1-15-02

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	2W	24			5				6	13									24
GIS						7				9	28									44
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 24

Overlapping POU Claim #'s:

Total GIS Acres: 44

COMMENTS:

Per claim map and boundary interpretation.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 2, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

X L RANCH
C/O WILLIAM C CLAYTON
6622 JOPLIN RD
NAMPA ID 8687

} 4/13/06
correct address and current owner
according to 2005 Canyon Co. tax lot
data.

RE: EVIDENCE OF PRIORITY

SNAKE RIVER BASIN CLAIM NO(S): A63-5343, A63-16386, A63-16543

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled, **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by **March 27, 2006**. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

to verify claims in this area. In the near future, you will be receiving a call from us in order to set up an appointment for a field exam.

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-5343, A63-16386, A63-16543

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

Receipt Details for ID C008445

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
7/21/1989 9:50:40 AM	7/21/1989	State	\$279.00	Check
Payer		XL RANCH/CLAYTON TREES		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
3535			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$279.00	ADJUDICATION FEE	410162	9337	0 0		6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	16391		\$25.00	Claim
63	16544		\$25.00	Claim
63	16543		\$55.00	Claim
63	16542		\$25.00	Claim
63	16386		\$50.00	Claim
63	5343		\$74.00	Claim
63	16392		\$25.00	Claim

✓ Correct Amount

Field Exam Date 8.24.06

(in-office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$ 74.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP (Karan Water's shapefile based on claim)
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63-5343

Owner: XL Ranch Phone No. _____

Current Address: c/o William C. Clayton, 6622 Goplin Rd.,

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property? _____

Accompanied by: N/A

PRIORITY DATE

- ☐ No change – Complete evidence submitted or not necessary
- ☒ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 3/15/1920 (change to 01/01/1920 due to recommendation of ST. only)

(If priority date, based on your exam, seems questionable, explain below.)

I sent a request for evidence of priority on 3/02/06, with a due date of 3/27/06. When nothing was received in return and no contact was made, I checked 2005 Canyon Co. tax lot data on 4/03/06 to see if the property has a new owner.

Source: _____ Tributary to _____ According to the tax lot

- ☐ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☐ No change
- ☐ POD found is different than claimed: _____ On 6/27/06,
- ☐ If different, when did POD change? _____ I called

#286-7801 twice throughout the day and on both occasions, I heard only screeching noises on the other end. On 7/11/06, I called #286-7801 twice, and once again, got screeching noises. As of this date, no evidence has been received and, therefore, only stockwater use will be recommended.

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: _____

WATER USES☐ No change☐ Different UsesUse Stockwater From _____ To _____ Amount 0.03 CFS _____ AFA _____

Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

*Remove Irrigation use due to no evidence of the priority date.***TOTAL VOLUME – Groundwater only**☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____☒ Changes found, the new total is, Amount 0.03 CFS _____ AFA _____☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)ADD N05 & N08 -*for stockwater purposes***NON-IRRIGATION USES:**☐ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: _____

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: _____

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

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)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-05343

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho MAR 12 2009 By _____ Clerk _____ Deputy Clerk

NAME AND ADDRESS: X L RANCH
C/O WILLIAM C CLAYTON
6622 JOPLIN RD
NAMPA, ID 83687

SOURCE: WASTE WATER TRIBUTARY: BOISE RIVER

QUANTITY: 0.39 CFS

PRIORITY DATE: 03/15/1920

POINT OF DIVERSION: T04N R02W S24 SWSWNE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.03 CFS
	Irrigation	03-15 TO 11-15	0.39 CFS

PLACE OF USE:	Irrigation		Within Canyon County
	T04N R02W S24	SWNE 1.9 SENE 15.0	SNNW 2.8
	19.7 Acres Total		

Stockwater		Within Canyon County	
	T04N R02W S24	SWNE SENE	SNNW

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

The source of this water right is waste water. The wasting of water may be discontinued at any time.
The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

RECOMMENDATION MAR 12 2009 <i>John M. Melanson</i> SPECIAL MASTER
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10/28/2008

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

RIGHT NUMBER: 63-5343
NAME AND ADDRESS: X L RANCH
C/O WILLIAM C CLAYTON
6622 JOPLIN RD
NAMPA ID 83687

VERIFIED BY KKC
10-28-08

SOURCE: WASTE WATER TRIBUTARY: BOISE RIVER

QUANTITY: ~~0.03~~ 0.390 CFS

PRIORITY DATE: ~~01/01~~ 03/15/1920

POINT OF
DIVERSION:

T04N R02W S24 SWSWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.390 CFS
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION in CANYON County

T04N R02W S24	SWNE	1.90	T04N R02W S24	SWNW	2.80
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T04N R02W S24	SENE	15.00
---------------	------	-------

STOCKWATER in CANYON County

T04N R02W S24	SWNE	T04N R02W S24	SWNW
---------------	------	---------------	------

T04N R02W S24	SENE
---------------	------

19.7 ACRES TOTAL

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

The source of this water right is waste water. The wasting of water may be discontinued at any time.

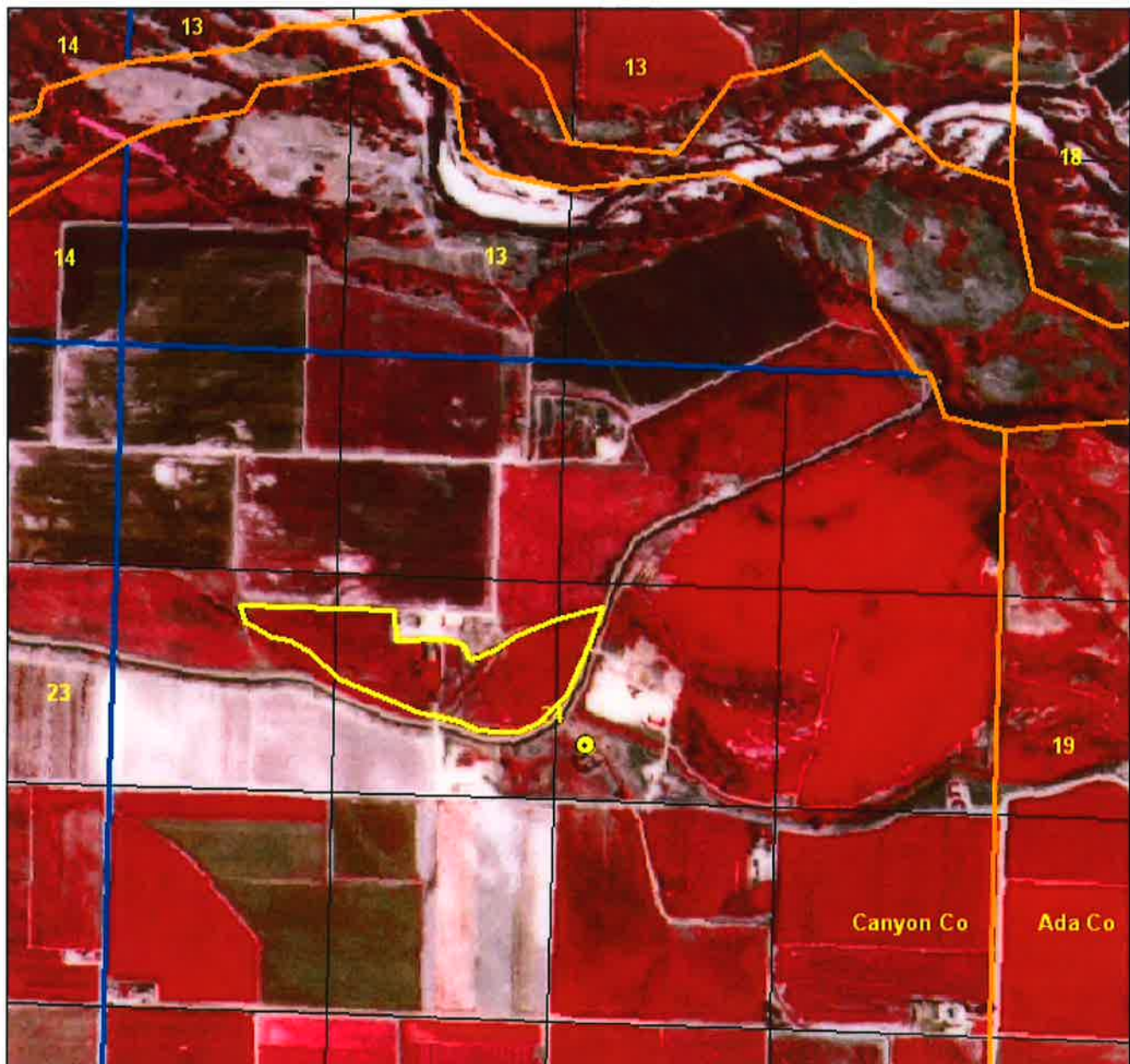
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 100 range cattle.

Idaho Department of Water Resources
**RECOMMENDED PLACE OF USE FOR
63-5343**



PLACE OF USE
TWP 04N, RNG 01W, SEC 24

-  Recommended point of diversion
-  Recommended place of use
-  Township
-  Section
-  Quarter/Quarters

 LOCATION IN BASIN

*GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP PHOTOGRAPHY
BY KELLY K CHRISTENSEN*



Basin 63



XL RANCH RECOMMENDATION

63-5343. The current system is waste water delivered via a flume crossing the Pioneer ditch and flood irrigation. The waste water comes from ground southeast of the flume.

63-16386. The waste water reaches the POU via three different locations. The point of diversion in Section 19 diverts water south into a channel that continues to parallel that channel. The diverted water flows northwest to the east side of the irrigated property where water can flow either north or south. The north waste water flow goes into a cement lined ditch. The ditch can carry both waste water and 'live Eureka' canal water. That system continues north to eventually cross the Pioneer ditch in a pipeline to enter the field north of the Pioneer and Franklin ditches. Originally the water was ditched to the POU at that point but has since been changed to a pump and pipeline system to a center pivot. The pump system lofts water from a slough area that roughly parallels the field on the south. The pivot is obvious in the 1987 aerial photo. The third point of diversion also dumps into the slough area leading to the pump system. Waste water reaching this point of diversion comes from a small field basically located north and east of the POD.

63-16543. This is a small field laying just north of the Joplin Road. Waste water is collected from fields to the west and south of the POU at two different points. The west POD is just west of the access road going to the main farmstead. Water enters a small pond and can then flow either north or east. The east ditch goes to the POU. The second point of diversion is also a small pond which is located just south of the Joplin Road. Water goes under the Joplin Road near the southwest corner of the POU. The POU is flood irrigated.



Pic 18-19 looking SW to WSW across Pioneer Ditch Diversion control structure.

Franklin ditch diversion
Flume carrying waste water across Pioneer ditch. GPS



Pic 20 looking west southwest. Support structure for historic flume carrying water across the Pioneer ditch



Pic 21 – 22 – 23 – 24 Pan shot east of main farmstead and west of sister's home. This set shows the flume that carries waste water onto the field to the right. Ditch shown is the Pioneer ditch.
GPS



Pic 25 is looking ESE across the same flume as shown in the previous pan shot. This shows that the flume is associated with the upper or south channel at this location.



Pic 26 – 27 looking WSW on the left to W on the right. This shows waste water coming in from the left (south) and into the Pioneer ditch No GPS



Pic 28 looking east toward the previous pan shot location. This shows where Pioneer Ditch is diverted into the Franklin Ditch system.
Head gate
In the very close foreground is the edge of the farmstead access road.



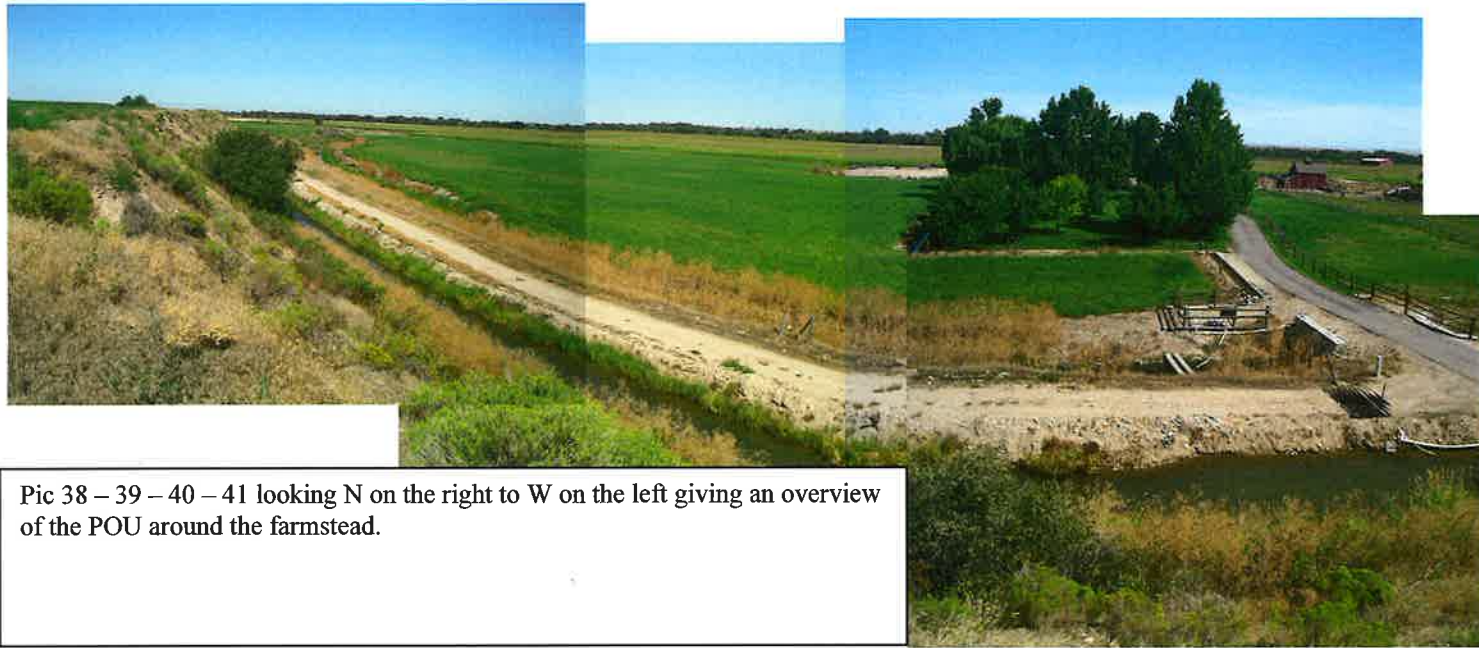
Pic 29 looking north and shows the entry location of the waste water. Water can be diverted north from this pond or east.
GPS



Pic 30 – 31 looking ENE on left to E on right. This shows the same pond as the previous pan set. Just a different perspective.



Pics 32 – 33 - 34 – 35- 36 looking ENE on the left to W on the right. This shows the overview of the center pivot POU primarily in the NE¼ of Sec 24



Pic 38 – 39 – 40 – 41 looking N on the right to W on the left giving an overview of the POU around the farmstead.



field exam
8-13-08

Pics 1 & 2 Pan looking SW to EWSW across Pioneer Ditch
div control structure

Pipeline @ control carries w/w N/W to field
GPS 2297269 #19/20
1389318

#3 1 Pic @ historical Sluice support just west of Mother's house
no GPS

4-5-6-7 Pan Sluice East of main house
GPS 2297270 #21 not av.
1389319

8 looking ESE showing two channels

Pic 9/10 Pan W/W coming in from South into Ditch, shows
main farmstead Rd in distance no GPS
looking WSW to W.

Pic 12 From Road look E Show div structure (Franklin water)
carrying water from main canal to lower canal

#13 look N waste w. going under Joplin Rd
water can go North to irrigation to west or go East into
buried pipeline
GPS Acc 2296381 #22
1388608

Pic 14 & 15 look NNE to NNW

shows W going under Joplin Rd culvert hd
on right by small slump Roche walls

GPS 2296599 Ave #33

1388603

Pics 15 → ~20 Pole Run

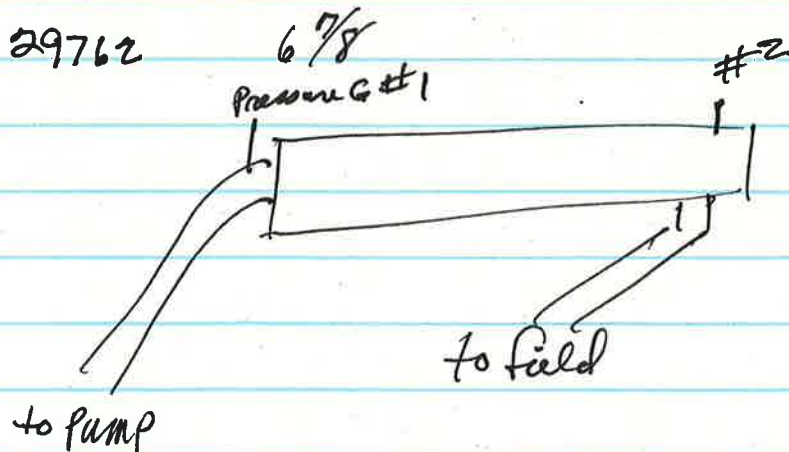
Pic ~21 Pump sys. Pic look WNW

GPS 2297031 Ave #24

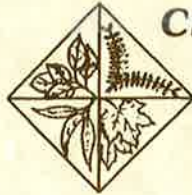
MDL 1388594 #1 pressure gauge reading = 57 PSI
GE 5K 286JL1101 #2 Pressure gauge read = 53 PSI
40 HP

Cytrif MDL 4UB 40-2

Ser 29762



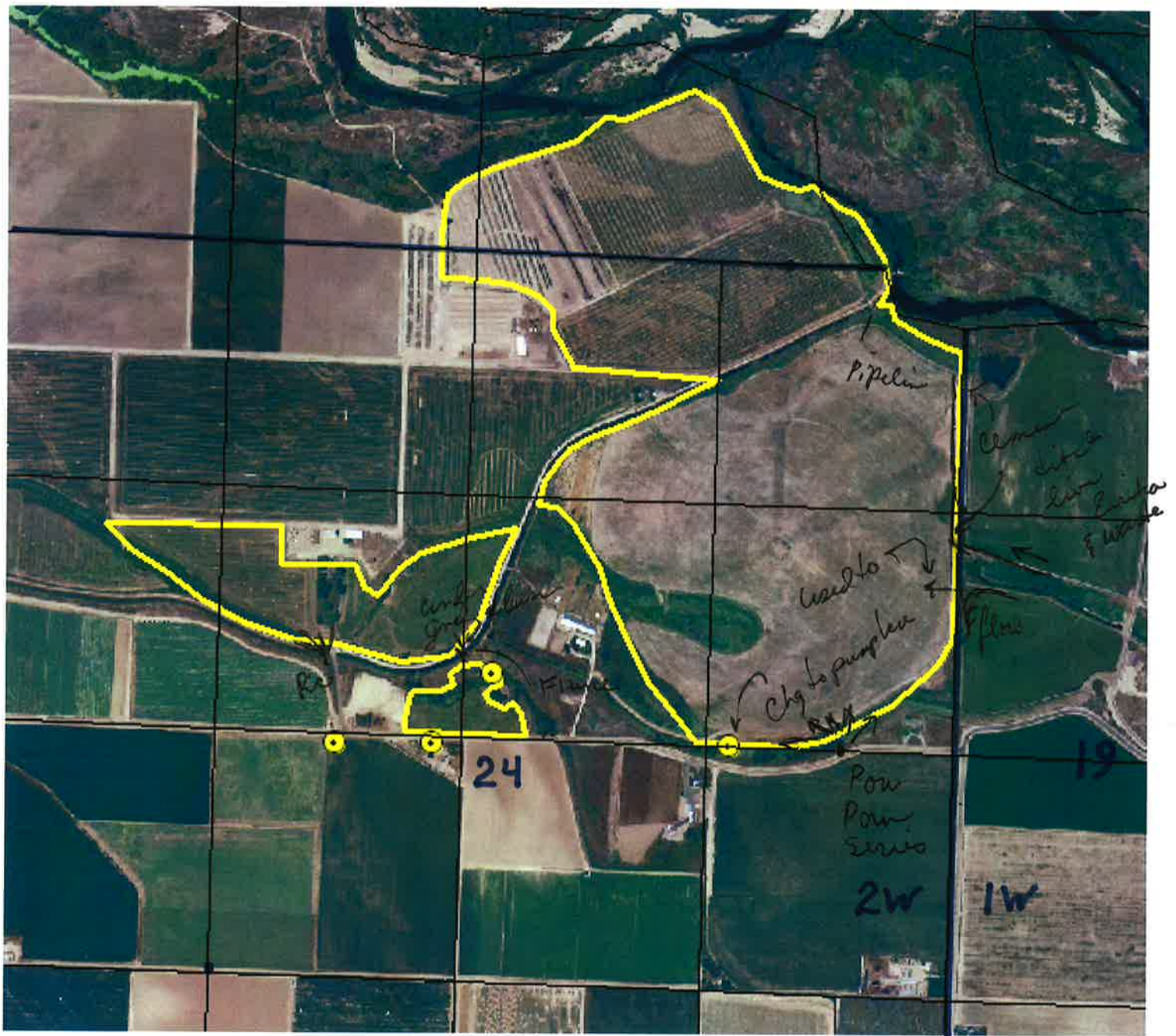
Pic 22 → 26 Pole west of farmstead
look N on rt to W on left



**Clayton
Tree Farm**

BILL CLAYTON

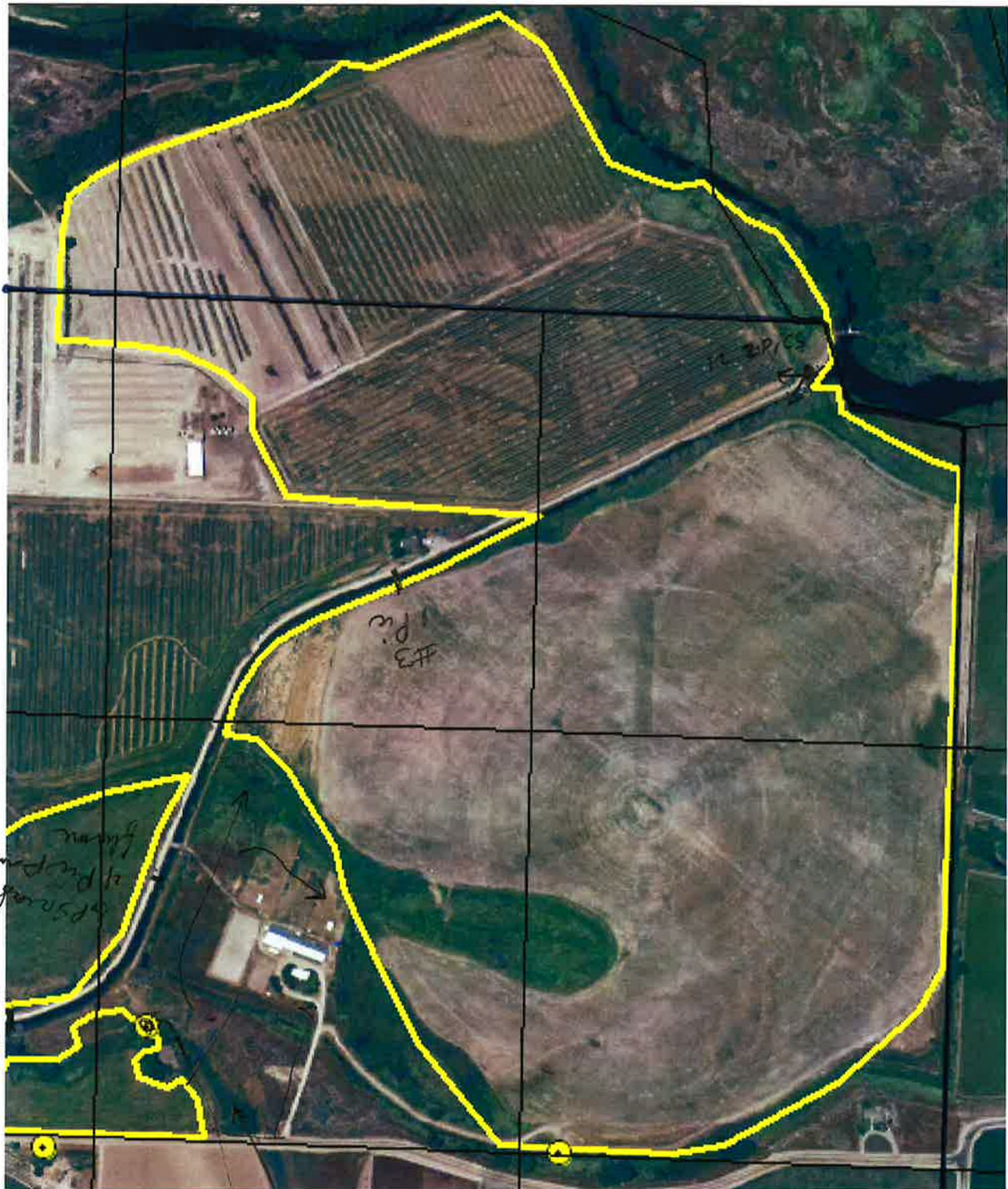
Office 208.482.6600 • Cell 208.250.7547
Fax 208.482.6603 • bill@claytontreefarm.com
21622 Travis Road, Wilder, Idaho 83676
www.claytontreefarm.com



Franklin



63-16386 POU 2004 AERIAL PHOTO

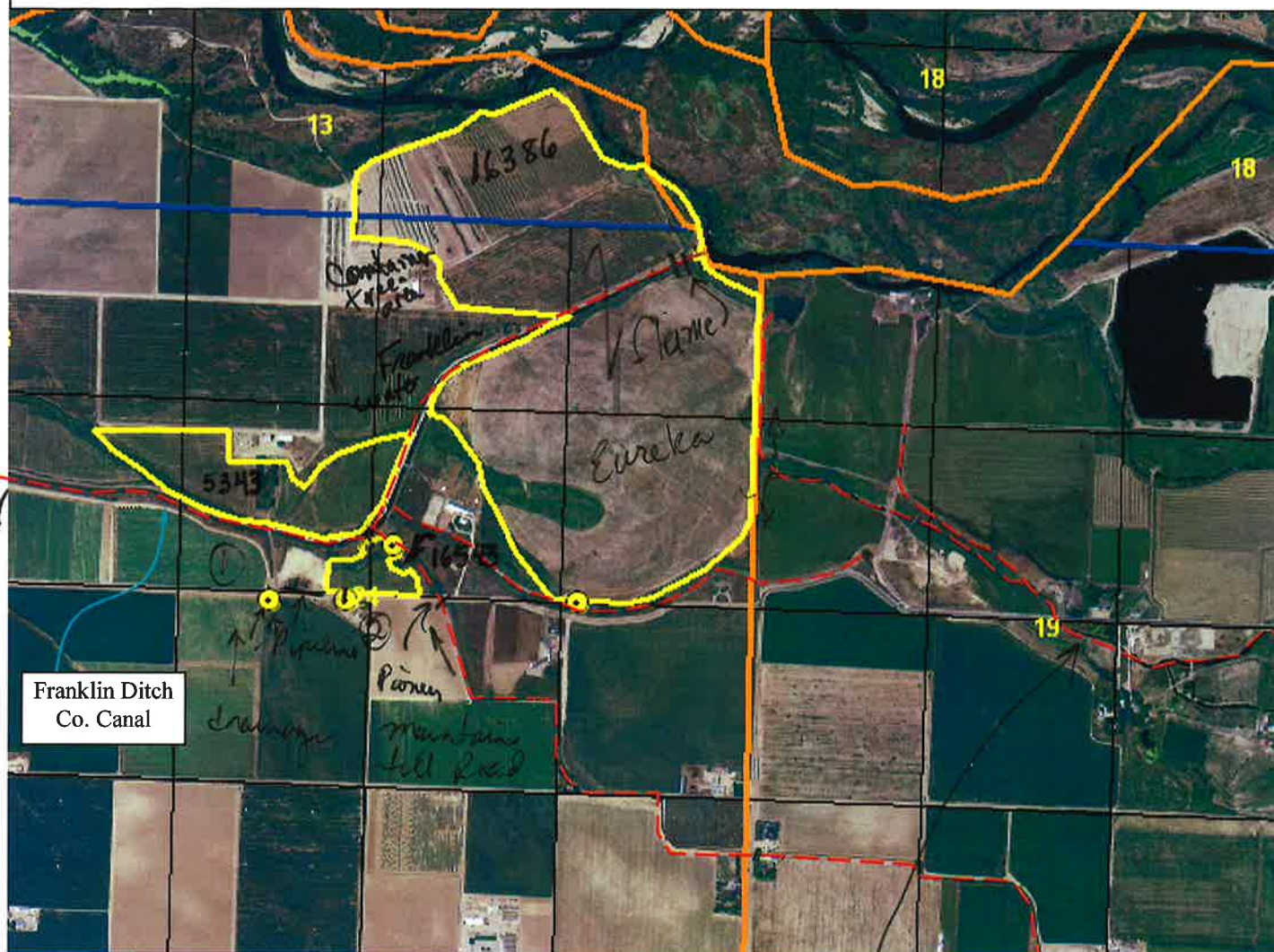


diverts into pipeline crossing highway



How historically does
the W/W cross the canal?

2004 aerial photo
Field exam map 8-12-2008



Nampa Caldwell
Pioneer Highline Canal

Flume

Eureka Water Co

Extension of South lateral

What field is covered by which Canal Company?

Where are the Canal Co ending measurement devices?

1. catches water from field to the west, flows east thru pipeline
2. piped under rd & dumps into dirt ditch

Pioneer looks over Franklin ditch and delivers Franklin water
in the upper reaches.

63-5343 AND 63-16543 POU 2004 AERIAL PHOTO

Sec 24



IMPORTANT MESSAGE

FOR

Kay O.D.

DATE

6/18

TIME

12:30

A.M.
P.M.**WHILE YOU WERE OUT**

M

Bill Clayton

OF

PHONE NO.

250-7547

TELEPHONED

PLEASE CALL

X

CAME TO SEE YOU

WILL CALL AGAIN

WANTS TO SEE YOU

RUSH

RETURNED YOUR CALL

MESSAGE

re: objections to water
nts. Spoke w/ Kimberly
before.

63-5343

6/18 - no answer
left msg.
6/19 - left msg.

SIGNED

DB

OfficeMax

OM97295

6-20-07

finally talked
to Mr. Clayton -
in Colorado -
will try to get
objection form
off of web site
& complete &
mail —
kw

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-5343, -16386, -16543
Notice of Error Reply**

November 13, 2006

William Clayton came into the office with the Preliminary Recommendations/Notice of Error packet of information he received for his three claims. Mr. Clayton was aware that he had missed the October 31st deadline for the Notices of Error.

Regarding the Preliminary Recommendations, I explained that 63-16543 had been disallowed and 63-16386 and 63-16543 had been reduced to stockwater use because he did not provide evidence of the claimed priority dates. I pointed-out that I had requested the evidence at the beginning of March 2006 and that when I did not receive anything by the deadline of March 27, 2006, I also called the telephone number listed on his claim several times; but to no avail since all I heard on the other end was a screeching sound. Mr. Clayton admitted that that telephone number has not been used for many years. In order to remedy the situation, I had Mr. Clayton fill-out affidavits regarding the claimed priority dates for each claim and had him also verify the POUS and the location of the PODs on 1987 NAPP images found in each file. I also asked him specific questions regarding each claim, such as whether he had Eureka or Franklin Ditch Co shares.

Before Mr. Clayton left, I informed him that these claims would require a field investigation, that our deadline to have all of our recommendations completed for the Director's Report was this Friday (November 17th, 2006), and that I would call him either this afternoon or tomorrow regarding what needed to be done next.

Since #286-7801 does not work, I asked for correct numbers in order to reach him:

#250-7547 (cell) #482-6600 (business) #286-7196 (home)

Later this afternoon, I met with my supervisor, Jan Shurte, in order to make a decision on how to handle receiving evidence of priority four days before all recommendations need to be completed for the B63 PIII Director's Report. We called our attorney, Nick

Spencer, at the State office and all came to the conclusion that Mr. Clayton will need to file an objection and a field exam will be conducted at that time. The reasons for this decision were many:

- Mr. Clayton missed the March 27, 2006 evidence of priority deadline.
- Mr. Clayton missed the October 31, 2006 Notice of Error Reply deadline.
- There is not enough time to conduct a field investigation, have the Field Report written-up, and to review the information for a recommendation before 11/17/06.

Therefore, as a procedural step, Mr. Clayton will need to file an objection to these three claims in order to remedy this situation.

November 14, 2006

I called Mr. Clayton at #251-7547 (cell) and explained my conversation with my supervisor and our attorney. He understands that he must file an objection in order to "fix" the Preliminary Recommendations for his three claims.

Kimberly Brown
Senior Water Resource Agent
Western Region

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

63.5343)
)
)
)

State of Idaho)
County of CAROLAN)

AFFIDAVIT

RECEIVED

NOV 13 2006

WATER RESOURCES
WESTERN REGION

WILLIAM CLAYTON

deposes and says:

THE SUBJECT PROPERTY HAS BEEN
WATERED WITH WASTEWATER SINCE 1920.

MY FORMER NEIGHBOR SPOKE RECORDS SHOW
THAT THE OWNERS STARTED USING THE WASTEWATER
THEN.

WET HAS BEEN USED EVERY YEAR SINCE
ON THE SUBJECT PROPERTY.

Cell Number: 250-7547

Business - 482-6600

Home - 286-7196

Send updated RRs to:

P.O. Box 10

STAR

83669

W Clayton
(Signature)

11/13/06

Idaho Department of Water Resources

Claim Number: 63-05343

Legal: T04N, R02W, S24

Reviewed By:

1987 Napp Photo

" RECEIVED "

NOV 13 2006

WATER RESOURCES
WESTERN REGION



Point of Diversion



Place of Use

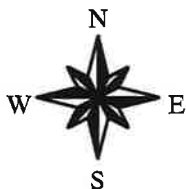


Section Lines

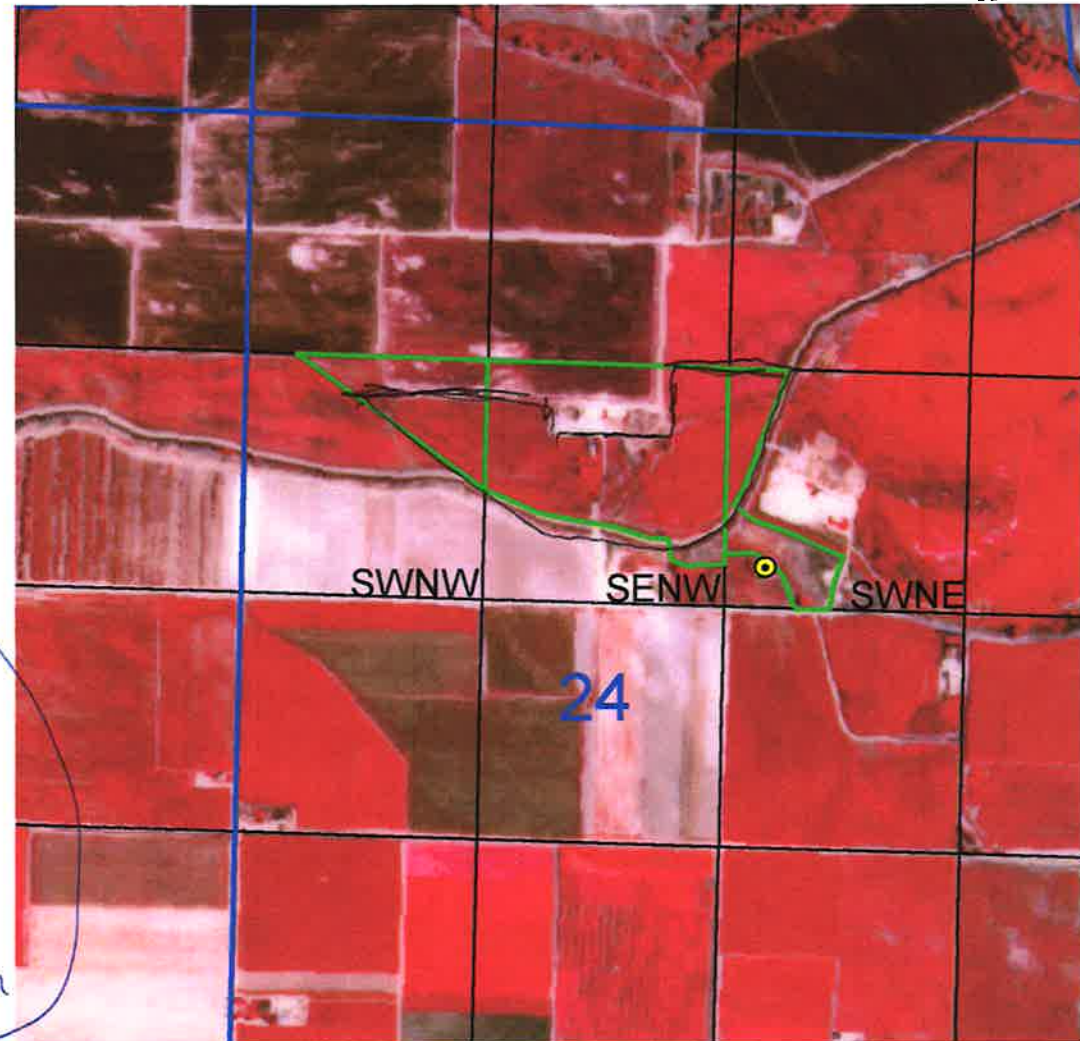


Quarter Quarter Lines

 POD correct per clmt.
 POU boundary (black
line) drawn by William
Clayton



- K. Brown



0 0.25 0.5 0.75 Miles

#63-5343-

11/13/06
2:14

William Clayton, the
Flood Control District Manager,

- drew irr. acres on 1987
NAPP & verified the
location of the POD
(correct)
- Stockwater in 1987 up to 100
range cattle

ADP an
- Explain. ^{use is combined w/} Franklin Ditch Co.
~~Remark~~ ^{water} Remark (not Eureka Ditch Co.)

* he has shares in Franklin
Ditch Co. for these
acres

12/10/2006

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

RIGHT NUMBER: 63-5343

NAME AND ADDRESS: X L RANCH
C/O WILLIAM C CLAYTON
6622 JOPLIN RD
NAMPA ID 83687

SOURCE: WASTE WATER

TRIBUTARY: BOISE RIVER

QUANTITY: 0.030 CFS

PRIORITY DATE: 01/01/1920

POINT OF
DIVERSION: T04N R02W S24 SWSWNE Within CANYON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.030 CFS

PLACE OF USE: STOCKWATER in CANYON County

T04N R02W S24

SWNE

T04N R02W S24

SWNW

T04N R02W S24

SENW

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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 100 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5343

WATER RIGHT NUMBER: 63-5343

Owner Type

Current Owner

Name and Address

✓ X L RANCH
 ✓ C/O WILLIAM C CLAYTON
 6622 JOPLIN RD
 NAMPA, ID 83687
 (208)286-7801

Current Owner:

William Clayton
 6622 Joplin Rd.
 Nampa 83687

Priority Date: ~~03/15/1920~~ ^{01/01}Basis: ~~Statutory Claim~~

Beneficial Use

Status: Active

Source

WASTE WATER

Tributary

BOISE RIVER

Beneficial Use

From To

Diversion RateAnnual Volume~~IRRIGATION~~~~3/15 to 11/15~~~~0.480 CFS~~

STOCKWATER

1/01 to 12/31

0.03

~~0.090 CFS~~Total Diversion:~~0.570 CFS~~

0.03 cfs

REMOVE
 due to
 lack of
 evidence
 of priority

Location of Point(s) of Diversion

WASTE WATER

SW1/4SW1/4NE1/4

Sec. 24, Twp 04N, Rge 02W, B.M.

CANYON County

Place of Use~~IRRIGATION~~

REMOVE

overlap
 w/ #63-16386?

Twp	Rge	Sec	NE	NW	SE	NE	NW	SE	NE	NW	SE	NE	NW	SE	Totals
04N	02W	24													24.0
			5.0			6.0		13.0							

~~Total Acres: 24~~

STOCKWATER

Twp	Rge	Sec	NE	NW	SE	NE	NW	SE	NE	NW	SE	NE	NW	SE	Totals
04N	02W	24													
			X			X		X							

ADD X02 - Stockwater use is for 100 range cattle.

Conditions of Approval:

ADD X05 & X08 - stockwater use

surface
 water -
 not
 required

- Eureka or Franklin Ditch Co.?

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

63-5343

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Wm. CLAYTON

Address:

6622 Joplin Rd.

Nampa, ID 83287

Daytime Phone:

208-250-7547

Name & Address of Attorney, if any:

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

Name:

XL Ranch c/o Wm. C. CLAYTON

Address:

6622 Joplin Rd.

Nampa, ID 83287

F.

VERIFICATION (must be completed)

State of COLORADO)
)ss.
County of JEFFERSON)

WILLIAM C. CLAYTON, 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.

William C. Clayton
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: JUNE 22, 2007

[Signature]
Notary Public for 1ST BANK
Residing at: 3500 S. WADESWORTH BLVD. LAKESIDE CO 80235
My Commission Expires: _____ My Commission Expires 11/13/2010

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 of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: IRRIGATION
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. ☐ **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 OBJECTIONS(S): WE HAVE BEEN
USING THIS FOR IRRIGATION FOR A LONG TIME,

RECEIVED

JUN 25 2007
DEPARTMENT OF
WATER RESOURCES

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 20th, 2007, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: Wm. CLAYTON

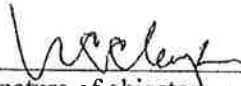
Address: _____

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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



Signature of objector or attorney
mailing on Objector's behalf

RECEIVED

JUL 21 2008

DEPARTMENT OF 2008 JUL 17 PM 03:17
WATER RESOURCES 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	)	ORDER SETTING STATUS	
	)	CONFERENCE	
Case No. 39576	)		
_____		SUBCASE NOS: 63-05343	63-16386
		63-16543	

Please be advised that Special Master THEODORE R. BOOTH
has set a Status Conference in the above subcase(s)
as follows:

TUESDAY, OCTOBER 28, 2008 at 10:45 AM (MT)

SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Parties may participate by telephone by dialing the number
225-383-1099 and when prompted entering the code 675342.

IT IS SO ORDERED.

Dated: JULY 17, 2008

/S/ THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Page 1 7/17/08

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on JULY 17, 2008, with sufficient first-class postage to the following:

WILLIAM CLAYTON
X L RANCH

Represented by:
DANIEL V. STEENSON
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

DANIEL V. STEENSON (ISB #4332)
 JON C. GOULD (ISB #6709)
 RINGERT LAW CHARTERED
 455 S. Third, P. O. Box 2773
 Boise, Idaho 83701-2773
 Telephone: (208) 342-4591
 Facsimile: (208) 342-4657

Attorneys for X L Ranch and William Clayton

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 19 2008	
By _____	Clerk
_____	Deputy Clerk

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 NOS. 63-05343, 63-16386
) and 63-16543
)
) NOTICE OF APPEARANCE
)
)

COMES NOW Daniel V. Steenson and Jon C. Gould, of the firm Ringert Law Chartered,
 and hereby gives notice of Ringert Law Chartered's appearance in the above entitled matter on behalf
 of the X L Ranch and William Clayton.

DATED this 19th day of June, 2008.


 Daniel V. Steenson
 Jon C. Gould
 Attorney for X L Ranch and William Clayton

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing document was delivered as indicated below, to the following on this 19th day of June, 2008:

Director of IDWR
P.O. Box 83720
Boise, Idaho 83720-0098
Via Facsimile (208) 287-6700



Daniel V. Steenson
Jon C. Gould

RECEIVED

MAY 26 2008

DEPARTMENT OF
WATER RESOURCES

2008 MAY 23 PM 03:43
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	)	ORDER SETTING SUBCASE(S)	
	)	FOR INITIAL HEARING	
Case No. 39576	)		
		SUBCASE NOS: 63-05343	63-16386
		63-16543	

The Initial Hearing for this subcase will be held before
Special Master THEODORE R. BOOTH

FRIDAY, JUNE 20, 2008 at 03:30 PM (MT)
IDAHO SUPREME COURT BUILDING
451 WEST STATE STREET
BOISE, ID

ATTENDANCE IS MANDATORY. All parties are required to
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by
JUNE 16, 2008 or hearing will not be vacated.

IT IS SO ORDERED.

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

(continued)

Dated: MAY 23, 2008

/S/ THEODORE R. BOOTH

Special Master

Snake River Basin Adjudication

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING
SUBCASE(S) FOR INITIAL HEARING was mailed on MAY 23, 2008 _____,
with sufficient first-class postage to the following:

X L RANCH
C/O WILLIAM C CLAYTON
6622 JOPLIN RD
NAMPA, ID 83687
Phone: 208-286-7801

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

WILLIAM CLAYTON
6622 JOPLIN RD
NAMPA, ID 83687
Phone: 208-250-7547

RECEIVED

MAY 26 2008

DEPARTMENT OF
WATER RESOURCES

2008 MAY 23 PM 03:44
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

) NOTICE SETTING HEARING
)
)

) SUBCASE NOS: 63-05343 63-16386
63-16543

Please be advised that Special Master THEODORE R. BOOTH
has set for hearing the MOTION TO FILE LATE OBJECTION.

FRIDAY, JUNE 20, 2008 at 03:30 PM (MT)

IDAHO SUPREME COURT BUILDING
451 WEST STATE STREET
BOISE, ID

Dated: MAY 23, 2008

/S/ DIANA R DELANEY

Deputy Clerk

Snake River Basin Adjudication

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the NOTICE SETTING HEARING was mailed on MAY 23, 2008, with sufficient first-class postage to the following:

X L RANCH
C/O WILLIAM C CLAYTON
6622 JOPLIN RD
NAMPA, ID 83687
Phone: 208-286-7801

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

WILLIAM CLAYTON
6622 JOPLIN RD
NAMPA, ID 83687
Phone: 208-250-7547

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-5343

02/28/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-145	Claim	04N	02W	24	SW	NE		IRRIGATION	30/1826	EUREKA WATER CO
166B	Claim	04N	02W	24	SW	NE		IRRIGATION	20/2538	FRANKLIN DITCH CO
167B	Claim	04N	02W	24	SW	NE		IRRIGATION	20/2538	FRANKLIN DITCH CO
5239	Claim	04N	02W	24	SW	NE		IRRIGATION	20/2538	FRANKLIN DITCH CO
5343	Claim	04N	02W	24	SW	NE		IRRIGATION	5/24	X L RANCH
16383	Claim	04N	02W	24	SW	NE		IRRIGATION	30/1826	EUREKA WATER CO
16386	Claim	04N	02W	24	SW	NE		IRRIGATION	30/150	X L RANCH
16543	Claim	04N	02W	24	SW	NE		IRRIGATION	3/5	X L RANCH
5343	Claim	04N	02W	24	SW	NE		STOCKWATER		X L RANCH
16386	Claim	04N	02W	24	SW	NE		STOCKWATER		X L RANCH
16544	Water Right	04N	02W	24	SW	NE		STOCKWATER		X L RANCH
16544	Water Right	04N	02W	24	SW	NE		DOMESTIC		X L RANCH
16545	Water Right	04N	02W	24	SW	NE		DOMESTIC		MARIE A CLAYTON EDUCATIONAL TRU
166B	Claim	04N	02W	24	SW	NW		IRRIGATION	20/2538	FRANKLIN DITCH CO
167B	Claim	04N	02W	24	SW	NW		IRRIGATION	20/2538	FRANKLIN DITCH CO
5239	Claim	04N	02W	24	SW	NW		IRRIGATION	20/2538	FRANKLIN DITCH CO
5343	Claim	04N	02W	24	SW	NW		IRRIGATION	6/24	X L RANCH
5343	Claim	04N	02W	24	SW	NW		STOCKWATER		X L RANCH
-145	Claim	04N	02W	24	SE	NW		IRRIGATION	3/1826	EUREKA WATER CO
166B	Claim	04N	02W	24	SE	NW		IRRIGATION	20/2538	FRANKLIN DITCH CO
167B	Claim	04N	02W	24	SE	NW		IRRIGATION	20/2538	FRANKLIN DITCH CO
5239	Claim	04N	02W	24	SE	NW		IRRIGATION	20/2538	FRANKLIN DITCH CO
5343	Claim	04N	02W	24	SE	NW		IRRIGATION	13/24	X L RANCH
16383	Claim	04N	02W	24	SE	NW		IRRIGATION	3/1826	EUREKA WATER CO
16386	Claim	04N	02W	24	SE	NW		IRRIGATION	3/150	X L RANCH
16543	Claim	04N	02W	24	SE	NW		IRRIGATION	2/5	X L RANCH
5343	Claim	04N	02W	24	SE	NW		STOCKWATER		X L RANCH
16386	Claim	04N	02W	24	SE	NW		STOCKWATER		X L RANCH

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-5343

02/28/2006

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
I6391	Water Right	04N	02W	24	SE	NW		STOCKWATER		X L RANCH
I6391	Water Right	04N	02W	24	SE	NW		DOMESTIC		X L RANCH

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-16386

WATER RIGHT NUMBER: 63-16386

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	X L RANCH C/O WILLIAM C CLAYTON 6622 JOPLIN RD NAMPA, ID 83687 (208)286-7801

Priority Date: 03/15/1900

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.090 CFS	
IRRIGATION	3/15 to 11/15	3.000 CFS	
	<u>Total Diversion:</u>	3.090 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN CANYON County	SW1/4SE1/4NE1/4	Sec. 24, Twp 04N, Rge 02W, B.M.
UNNAMED DRAIN ADA County	NE1/4NE1/4SW1/4	Sec. 19, Twp 04N, Rge 01W, B.M.

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	13									X	X	X	X			X	X	
04N	02W	24	X	X	X	X	X			X									

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	13												2.0			15.0	3.0	20.0
04N	02W	24	20.0	35.0	30.0	30.0	12.0			3.0									130.0

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-16386

Total Acres: 150

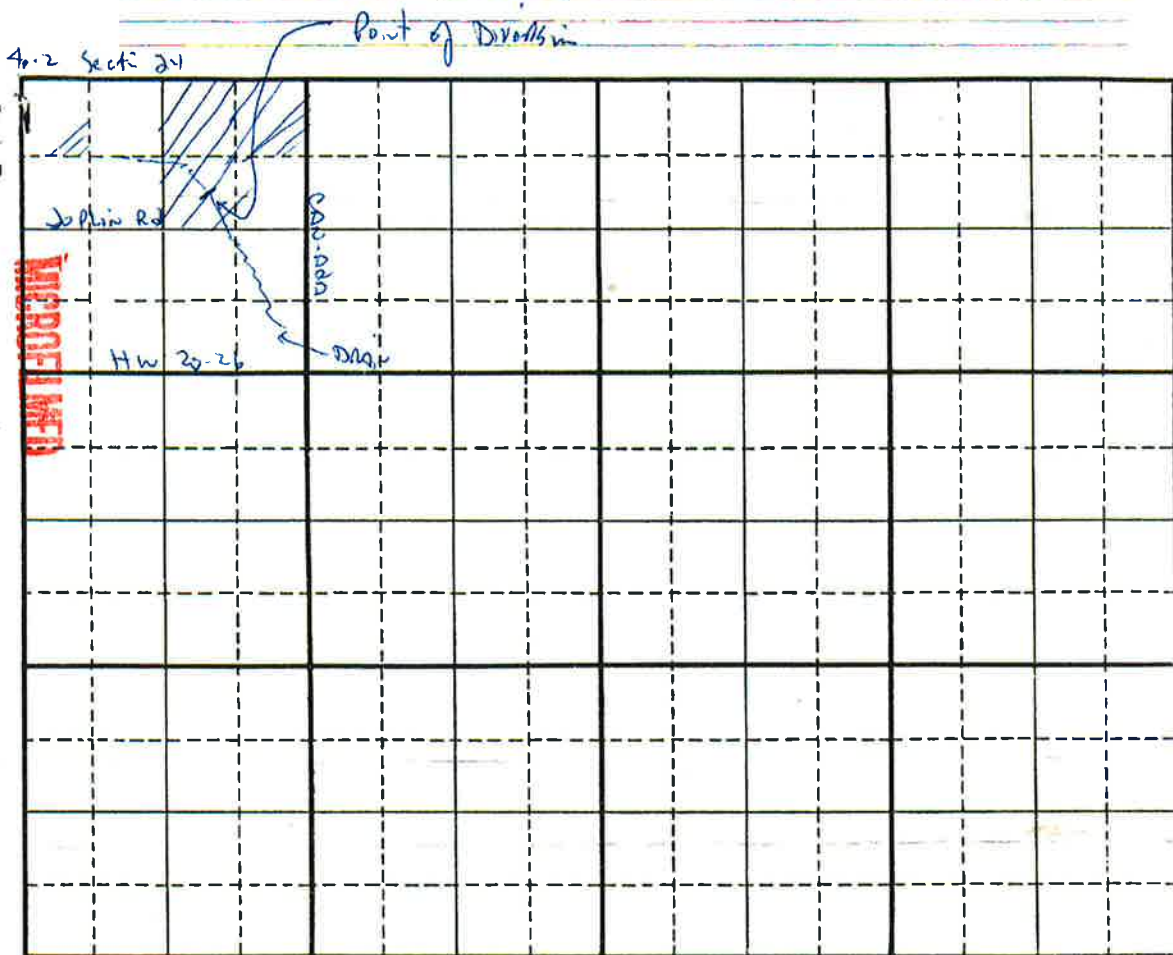
Conditions of Approval:

Remarks:

Comments:

Water Supply Bank:

(B) Remarks



Scale: 2 Inches equal 1 mile.

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

CANYON

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 13 day of JUNE

19 83.

William C. Ogden

(Claimant)

Robert E. Engle

Notary Public

Residing at

Nampa ID

My commission expires

21 AUG 84

3-19-84

6-16-83

FOR DEPARTMENT USE ONLY

Received by

Prelim. check by

\$30.00 fee received by

Published in

Dates

Date

Date

Date

4/26 & 5/3/84

Exception filed by:

Date

Date

3/19/84 * 32580

Forwarded to

claimant by:

Date

April 7, 1975

OPERATIONS DIVISION
ADMINISTRATOR'S MEMORANDUM

TO: District Office
FROM: A. Kenneth Dunn
SUBJECT: Annual Use of Water for Stockwater Purposes

No. of Stock (head)	RANGE CATTLE		DAIRY CATTLE	
	Rate* c.f.s. (1)	Volume AF/yr. (1)	Rate* c.f.s. (2)	Volume AF/yr. (2)
0 - 10	0.02	0.2	0.02	0.4
11 - 25	0.02	0.4	0.02	1.0
26 - 50	0.02	0.7	0.04	2.0
51 - 100	0.03	1.4	0.07	4.0
101 - 200	0.05	2.7	0.13	7.9
201 - 300	0.07	4.1	0.20	12.0
301 - 400	0.09	5.4	0.26	16.0
401 - 500	0.12	6.7	0.33	20.0
501 - 600	0.14	8.1	0.39	24.0
601 - 700	0.16	9.4	0.46	28.0
701 - 800	0.19	11.0	0.52	32.0
801 - 900	0.20	12.0	0.58	36.0
901 - 1000	0.23	14.0	0.65	40.0
1001 - up (3)				

11
12,500 gpd

13,000 gpd

(1) The amounts shown are based on 12 gpd/head with a 12 month period of use. (i.e. for range cattle, horses and mules). The amount does not include a loss (i.e. thru conveyance, etc.)

2. The amounts shown are based on 35 gpd/head with a 12 month period of use. (i.e. for dairy cattle). The amount does not include a loss. (i.e. thru conveyance, etc.)

3. For annual use calculations which involve more than 1000 head, round the number of head up to the next even one hundred, and

Volume

a) for livestock use @ 12 gpd/hd, N (0.0134).

b) for dairy use @ 35 gpd/hd, N (0.0391).

12 gal/day/head -

Rate

a) for livestock use @ 12 gpd/hd, N (0.00022).

b) for dairy use @ 35 gpd/hd, N (0.00065).

The answer should be rounded up to the nearest whole acre-foot.

*The rate is based upon approx. 2 hr/day diversion to obtain daily requirement.

A. Kenneth Dunn

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-5343, -16386, -16543
Notice of Error Reply**

June 27, 2006

I called #286-7801 twice throughout the day (just to double-check whether or not I dialed the correct number) and, on both occasions, I heard only screeching noises on the other end of the line.

July 11, 2006

I called #286-7801 twice, and once again, got only screeching noises.

Kimberly Brown
Senior Water Resource Agent
Western Region

ACCOUNT NUMBER R34202011 0 UNIT 001 TOTAL UNITS

SITE 6412 JOPLIN RD NA SEC/TWN/RNG 24-4N-2W
ASSESSED VALUE 120,500 ACREAGE 9.91
SUB/PARK NAME YEAR/MAKE

CLASS BF FARM OUTBUILDINGS WITH NO RESIDEN SPACE LOT BLOCK

+++++
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

System User- IDWRR Date 02/28/2006 Time 9:44

REAL PROPERTY INQUIRY

+++++
01 6R34202-010- -0 108-00 F SCH139+ 02 200 .71
+++++
10 34,400 1.00
CLAYTON, WILLIAM C-TRUSTEE FOR + 31 145,200
CLAYTON, MARIE A EDUCTNL TRUST +
+
+
% CLAYTON, WILLIAM % +
6622 JOPLIN RD +
NAMPA ID 83687 +

+++++
24-4N-2W NE + TOTAL 179,800 1.71
TAX 3 IN SWNE
+ SURVEY INST 8907426
+ DRAIN DR VALUE APPR CTR
+ CLASS R3 REAP 01 MAN 00 UNIT 1
6434 JOPLIN RD, NA + PARCEL 6R04N02W241640 H/O N C/B N
+ PRIOR ACCOUNT 5R34202-010- -0
SEE R34202 + 02 MH on Property YES

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R34202010 0 UNIT 001 TOTAL UNITS 1

SITE 6434 JOPLIN RD NA SEC/TWN/RNG 24-4N-2W
ASSESSED VALUE 179,800 ACREAGE 1.71
SUB/PARK NAME YEAR/MAKE

CLASS R3 RENTAL HOUSE CLASS '3' SPACE LOT BLOCK

+++++
YR BUILT 1980 AIR COND HEAT PUMP CARPORT N
STORY 1 STORY HEATING ELECTRIC FA CARPORT SQ FT
FIRST SQ FT 2588 EXTERIOR WOOD SIDING DECK/PATIO? Y
SECOND SQ FT ROOF WOOD SHINGLES POOL? N
BEDS 3 BSMT SQ FT SPA? N
BATHS 3.00 % BSMT FIN LOT SIZE
FRPLC 1 GARAGE A2 NEIGHBORHOOD 0
GARAGE SQ FT 840

+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

REAL PROPERTY INQUIRY

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+++++
01 6R34202-000- -0 108-00 F SCH139+ 01 87,100 115.92
+++++
02 53,700 177.93
CLAYTON, WILLIAM C + 10 34,400 1.00
+ 18 13,800 .50
+ 19 9.81
+ 31 172,400
+ 32 33,500
6622 JOPLIN RD +
NAMPA ID 83687 +
+++++
24-4N-2W NE + TOTAL 394,900 305.16
LOT 1 LESS TAX 1,, W 1/2 NE LESS +
TX 3 & TX 5,, SENE LS TX 2,, + SURVEY INST 9022860
NW 1/4,, TAX 1 OF LOT 1 + DRAIN DR VALUE APPR CTR
6622 JOPLIN RD, NA + CLASS OR REAP 01 MAN 00 UNIT 2
+ PARCEL 6R04N02W240011 H/O N C/B N
+ PRIOR ACCOUNT 5R34202-000- -0
+ 02 MH on Property NO
SEE R34202-010 & -011
MODE:F ACTION: TRAITS INQUIRY TRQK318

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ACCOUNT NUMBER R34202000 0 UNIT 001 TOTAL UNITS 2
SITE 6622 JOPLIN RD NA SEC/TWN/RNG 24-4N-2W
ASSESSED VALUE 394,900 ACREAGE 305.16
SUB/PARK NAME YEAR/MAKE
CLASS OR OWNER / RENTAL SPACE LOT BLOCK
+++++
YR BUILT 1960 AIR COND AIR - NONE CARPORT N
STORY 1 STORY HEATING OIL CARPORT SQ FT
FIRST SQ FT 2516 EXTERIOR STUCCO DECK/PATIO? Y
SECOND SQ FT ROOF COMP POOL? N
BEDS 4 BSMT SQ FT SPA? N
BATHS 1.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE D1 NEIGHBORHOOD 0
GARAGE SQ FT 312
+++++
COMMENTS (1 OF 2) 2 UNITS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

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MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101
System User- IDWRR Date 02/28/2006 Time 9:43
REAL PROPERTY INQUIRY

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+++++
01 6R34202-011- -0 108-00 F SCH139+ 01 5,000 8.72
+++++
10 34,400 1.00
CLAYTON, WILLIAM C + 19 .19
+ 32 81,100
+
+
+
6622 JOPLIN RD +
NAMPA ID 83687 +
+++++
24-4N-2W NE + TOTAL 120,500 9.91
TAX 5 IN SWNE +
+ SURVEY INST 9305974
+ DRAIN DR VALUE APPR CTR
+ CLASS BF REAP 01 MAN 00 UNIT 0
6412 JOPLIN RD, NA + PARCEL 6R04N02W241645 H/O N C/B N
+ PRIOR ACCOUNT 5R34202-011- -0
SEE R34202 + 02 MH on Property NO

```