

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 57-10525

NOV 15 PM 2:39
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILE

NAME & ADDRESS: ELVA MARIE GIUSTI
PO BOX 277
ROBBINS CA 95676

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 05/01/1950

POINT OF DIVERSION: T04S R01W S25 SWSWSW Within OWYHEE County

2 POINTS OF DIVERSION LOCATED IN T04S, R01W, S25, SWSWSW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within OWYHEE County
T04S R01W S25 SWSW

DOMESTIC Within OWYHEE County
T04S R01W S25 SWSW

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

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

DATED: NOV 15 1996



DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

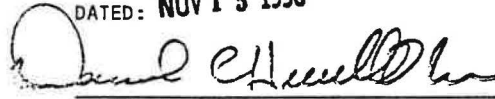
MICROFILMED

JUN 06 1997

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.

DATED: NOV 15 1996

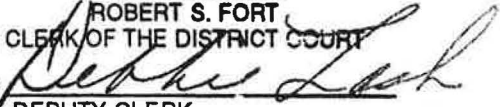


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication



State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By 
DEPUTY CLERK

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JUN 06 1997

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-10525 ✓

NAME AND ADDRESS: ELVA MARIE GIUSTI
PO BOX 277
ROBBINS CA 95676

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USED FOR DOMESTIC, 1 HOME, STOCKWATER, 20 HEAD

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

PRIORITY DATE: 05/01/1950

POINT OF DIVERSION: T04S R01W S25 SWSWSW Within Owyhee County
2 POINTS OF DIVERSION LOCATED IN T04S, R01W, S25, SWSWSW. ✓

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T04S R01W S25 SWSW

DOMESTIC Within Owyhee County
T04S R01W S25 SWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
PARCEL NO. RP 0103705,
TWO POINTS OF DIVERSION IN THE SWSWSW, S25, T04S, R01W

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 20 RANGE CATTLE
PARCEL NO. RP 0103705.MICROFILMED
JUN 06 1997

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-10525

NAME & ADDRESS: ELVA MARIE GIUSTI
PO BOX 277
ROBBINS CA 95676

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

PRIORITY DATE: 05/01/1950

POINT OF DIVERSION: T04S R01W S25 SWSWSW Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC DOMESTIC, 1 HOME, STOCKWA	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T04S R01W S25 SWSWDOMESTIC Within Owyhee County
T04S R01W S25 SWSW

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

PARCEL NO. RP 0103705.
TWO POINTS OF DIVERSION IN THE SWSWSW, S25, T04S, R01W.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

EXP

POD
F02MICROFILMED
JUN 06 1997

2500

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: A57-10525

Date Received: ~~1/13/1989~~ 01/18/89

Receipt No: W002018

Received By: EGM



Department of Water Resources
Western Regional Office

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

1. Name: ELVA MARIE GIUSTI 916-738-4446
Address: P.O. BOX 277
ROBBINS, CA 95676

2. Date of Priority: MAY 01, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	01W	25	SW	SW			OWYHEE

5. Description of diverting works:
WELL W/SUBMERSED PUMP W/PIPELINE TO P.O.U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD W/LAWN AND GARDEN IRRIG.; S/20 HEAD MIXED.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01W	25	SW	SW		STOCK	
			SW	SW		DOMEST	

A57-10525

Page 1

Date: 01/13/89

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11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:
TWO WELLS, ONE SUPPLEMENTAL.
TWO POINTS OF DIVERSION.

15. Basis of Claim: BENEFICIAL USE

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Eva Marie Givsti Date: 1/16/89

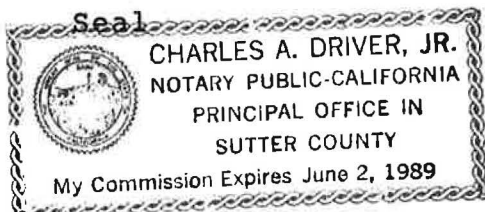
Date: _____

State of California)
~~Idaho~~)
County of Sutter) SS.

Subscribed and sworn (or affirmed) before me this 16th day

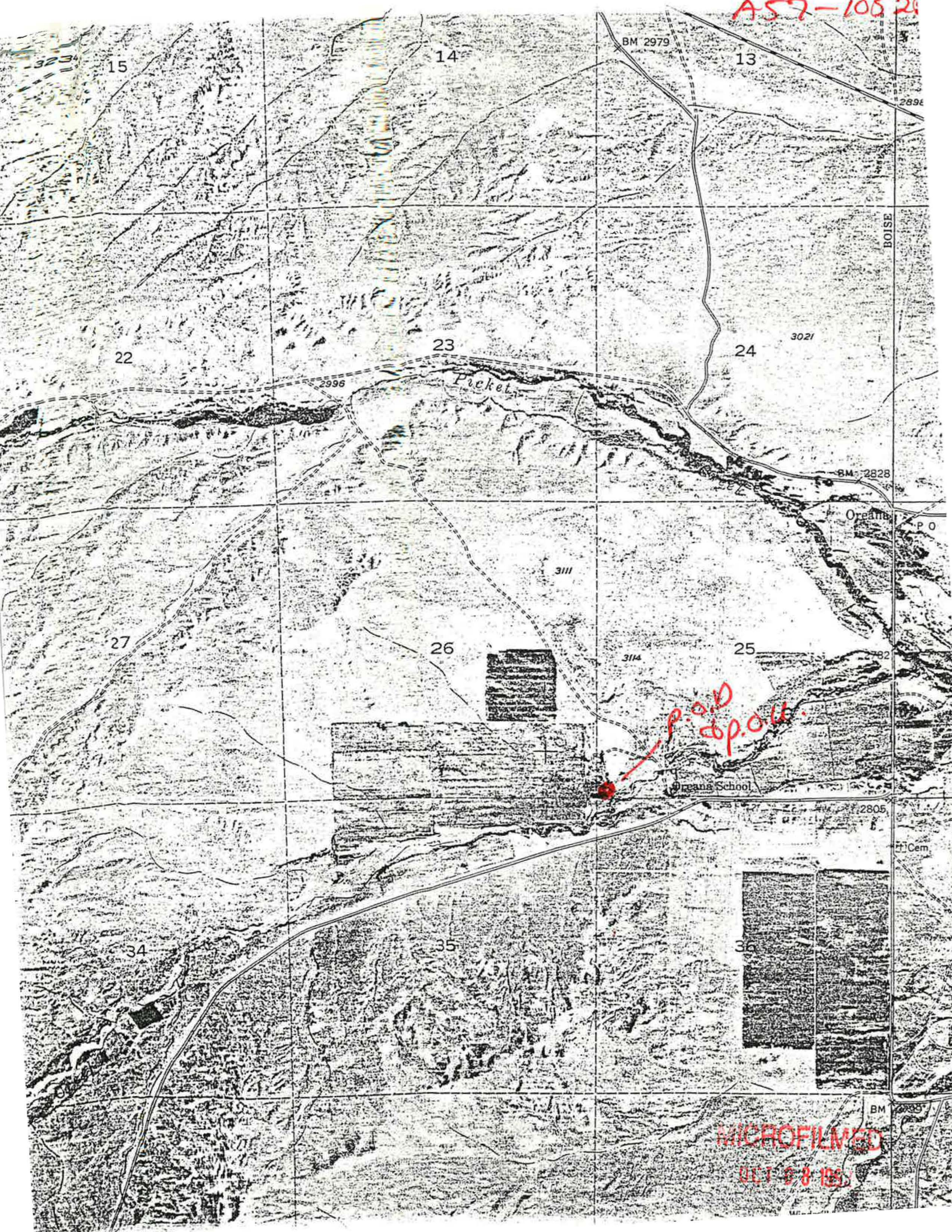
of January 19 89

Charles A. Driver
Notary Public



Residing at Robbins, Calif 95676
My Commission Expires June 2, 1989

AS-7-100-29



BM 2979

BOISE

3021

BM 2828

Oreana P.O.

BM 2805

Oreana Cem.

BM

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WATER RIGHT NUMBER - A57-10525

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (O) NUMBER -

+ - - - - - - - LAST NAME - - - - - +	+ - FIRST NAME - - +	+ - - - - - - - - - - ADDRESS - - - - - +
1	2	3
4	5	6
7	8	9
10	11	12
13	14	15
16	17	18
19	20	21
22	23	24
25	26	27
28	29	30
31	32	33
34	35	36
37	38	39
40	41	42
43	44	45
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51	52	50
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150	150	147
151	151	148
152	152	149
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154	154	151
155	155	152
156	156	153
157	157	154
158	158	155
159	159	156

*** C - CURRENT OWNER ***
GIUSTI

ELVA MARIE

1 - P.O. BOX 277
2 -
3 -
CITY- ROBBINS
PHONE - 916-738-4446

STATE- CA ZIP- 95676

+ - - PRIORITY DATE - - +	+ - - - REGION - - - +	+ - - - STAGE - - - +	+ - - - STATUS - - - - +
05/01/1950	ERROR IN REGION	J - BENEFICIAL USE	

+ - - - - SOURCE - - - - - +		+ - - - - TRIBUTARY - - - - - +
GROUNDWATER		

[illegible]

04S 01W 25 SW SW (73) UWHHEE

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
1	1	1	1	1	1	1

04 - STOCKWATER	01/01	12/31	0.020
43 - DOMESTIC	01/01	12/31	0.040

+ - TOTAL DIV. RATE - +	+ - TOTAL DIV. VOLUME - +	+ - TOTAL DIV. CAPACITY - +	+ - TOTAL CONSUMPTIVE USE - +	+ - KW USAGE - +
0.060				

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
14N	10E	36	36	1	0.10	00	RESIDENTIAL	CLATSOP

04S	01W	25	SW SW	04	STOCKWATER	(73)	DWYHER
04S	01W	25	SW SW	43	DOMESTIC	(73)	DWYHER

+ - - DIVERSION MEANS - WELL W/SUBMERSED PUMP W/PIPELINE TO P.D.U.

+ - - NON-IRRIGATION USE - D/1 HOUSEHOLD ~~W/LAWN AND GARDEN IRRIG.~~; S/20 HEAD MIXED.

+ - - OTHER RIGHTS FOR SAME USE - NONE

[illegible]

TWO POINTS OF DIVERSION LOCATED IN S05W, S25, T04S, R01W.

RMS

----- OLD WATER RIGHT NUMBERS -----
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +	+ - - - - DECREE DEFENDANT - - - +	+ - DECREE DATE - + 00/00/0000

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Water Right Number - R57-10525

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

GIUSTI

ELVA MARIE

1 - P.O. BOX 277

2 -

3 -

City- ROBBINS

State- CA Zip- 95676

Phone - 916-738-4446

VERIFIED BY RTM 6/26/91+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1950 ✓ Error in Region J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
04S 01W 25 SW SW SW ✓ (73) OWYHEE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.020 ✓
43 - DOMESTIC 01/01 12/31 0.040 ✓+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.060 ✓+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
04S 01W 25 SW SW 04 STOCKWATER (73) OWYHEE
04S 01W 25 SW SW 43 DOMESTIC (73) OWYHEE

+ - - Diversion Means - WELL, SUBMERGED PUMP AND PIPELINE

+ - - Non-Irrigation Use - DOMESTIC, 1 HOME; STOCKWATER, 20 HEAD

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
TWO POINTS OF DIVERSION IN THE SWSWSW, SEC. 25, T04S, R01W. ✓+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

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Court Report Filing	- 00/00/0000	Field Inspection Made	- 09/18/1990	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/18/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W002018	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:10:48
06/18/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-10525

LAST: GIUSTI
ADDRESS: P.O. BOX 277
CITY: ROBBINS
PHONE NUMBER: 916-738-4446

FIRST: ELVA MARIE
STATE: CA ZIP: 95676

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
N

CLAIM REMARKS: TWO WELLS, ONE SUPPLEMENTAL.
TWO POINTS OF DIVERSION.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: John Steiner

PHONE NUMBER: () 834-2734

DATE OF FIELD EXAM: 9/18/90 APPOINTMENT MADE: Y(☒) N()

TIME: 8:30 A(☒) P()

ACCOMPANIED BY: Alvin Smith

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: neighbor

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A57-10525 PRIORITY DATE: 05-01-1950 STAGE: J

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS: Small DLS right.

=====

RECOMMENDED PRIORITY DATE:

05-01-1950

REVIEWED BY RTF

DATE 6/20/91

=====

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-10525	04S	01W	25		SW	SW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

REMARKS:

two wells

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
04S	01W	25	<i>SW</i>	SW	SW		OWYHEE

SOURCE:

TRIB:

REVIEWED BY: *RMF*

DATE: *6/20/91*

A. ROOT WATER RIGHT NUMBERS: A57-10525

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	01W	25	SW	SW		GIUSTI , ELVA MARIE	A57-10525 /	- /			
04S	01W	25	SW	SW		GIUSTI , ELVA MARIE	A57-10525 /	- /			
TOTAL ACRES							A57-10525				

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 0
REVIEWED BY: RTM

DATE: 6/20/91

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A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-10525	STOCKWATER	FROM 01-01 TO 12-31	.020 CFS
A57-10525	DOMESTIC	FROM 01-01 TO 12-31	.040 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			.060 CFS

PRESUMPTION FLAG:

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 0.060 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

** If an amount smaller than the original diversion rate is **

** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y N

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO RIGHTS WITH SAME POI BUT NOT USED FOR IRRIGATION

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
STOCKWATER	01-01 12-31	0.020 <u>0.02</u>		0.0
DOMESTIC	01-01 12-31	0.040 <u>0.04</u>		
TOTAL FOR THIS RIGHT		~~0.060~~ <u>0.06</u>		

REVIEWED BY: RTF

DATE: 6/20/91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

=====

AUTHENTICATION:

SIGNATURE: Ryanne M. McCarthy

DATE: 6/30/91

NAME OF FIELD EXAMINER: _____

TITLE: Sr. Intr. Resource Agent

=====

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ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

A57-10525

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	<u>N</u>	<u>RTF 6/20/91</u>	<u>5,1</u>	<u>N</u>	<u>N</u>	<u>RTF 6/20/91</u>	
PT. OF DIV.							DATA ENTRY COMPLETED
SOURCE							BY <u>RTF</u> DATE <u>6/20/91</u>
PL. OF USE							FINAL RECOMMENDATION
DIV. AMOUNT CFS/AF							BY <u>RTF</u> DATE <u>6/20/91</u>
CONSUMPTIVE USE							
NATURE OF USE							
PERIOD OF USE							
BASIS OF CLAIM							
REMARKS							

VERIFICATION CODES

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

COMMENTS:

Observed home during field exam of surrounding
lands.

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