

1997 NOV 26 PM 2:40

DISTRICT COURT-3
TWIN FALLS, 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 OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-10501
	)	

On July 16, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-10501 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 26, 1997.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

DEC 01 1997

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

Department of Water Resources

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-10501

1997 NOV 26 PM 2:40

DISTRICT COURT-S
TWIN FALLS
FILED

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709

SOURCE: GROUNDWATER

QUANTITY: 0.23 CFS

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

PRIORITY DATE: 12/31/1954

POINT OF DIVERSION: T05S R01E S24 SWNE Within Owyhee County
NWSE

POINT OF DIVERSION IS ON THE LINE DIVIDING NWSE AND SWNE, S24,
T05S, R01E.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE STOCKWATER	PERIOD OF USE 01-01 12-31	QUANTITY 0.23 CFS
-------------------------------	------------------------------	------------------------------	----------------------

PLACE OF USE: STOCKWATER Within Owyhee County
T05S R01E S24 SWNE NWSE

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-10501

PAGE 1
NOV-20-1997

MICROFILMED
OCT 07 1998

RECEIVED

JUL 17 1997

Department of Water Resources
Adjudication Bureau

1997 JUL 16 PM 2:07

DISTRICT COURT - SRBA
TWIN FALLS, IDAHO

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

In Re SRBA) Subcase 57-10501
)
Case No. 39576) SPECIAL MASTER'S REPORT
)
_____)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

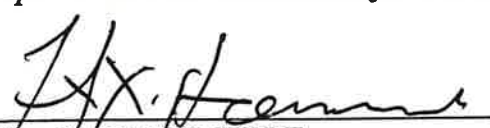
A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990) by Bob and Ruth Collett. The Director of the State of Idaho Department of Water Resources examined the water system for areas 1, 2, and 3 and investigated and abstracted the notices of claims for those Reporting Areas. The Director of the Idaho Department of Water Resources then filed a *Director's Report* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 57-10501 was filed by United States (BLM). Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The *Standard Form 5* was accepted by the court.

A *Preliminary Special Master's Report and Recommendation* was issued on May 15, 1997. No motion to alter or amend was filed and the time for such a motion has now expired, now therefore;

IT IS THEREFORE RECOMMENDED that subcase 57-10501 be decreed as recommended in the attached *Special Master's Report and Recommendation for Partial Decree*.

Dated July 16, 1997.


FRITZ X. HAEMMERLE

Special Master

Snake River Basin Adjudication

MICROFILMED

OCT 07 1998

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)

APR 13 PM 2:07
SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 57-10501

DISTRICT 57-10501
TWIN FALLS CO, IDAHO

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709

SOURCE: GROUNDWATER

QUANTITY: 0.23 CFS

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

PRIORITY DATE: 12/31/1954

POINT OF DIVERSION: T05S R01E S24 SWNE Within Owyhee County
NWSE

POINT OF DIVERSION IS ON THE LINE DIVIDING NWSE AND SWNE, S24,
T05S, R01E.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.23 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T05S R01E S24 SWNE NWSE

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: 7/16/97


FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

SPECIAL MASTER'S RECOMMENDATION
Water Right 57-10501

MICROFILMED
OCT 07 1998

PAGE 1
APR-24-1997

1997 JUL 16 PM 2:07

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

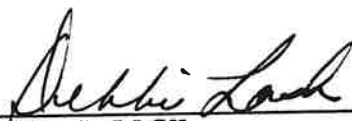
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-10501

On July 16, 1997, Special Master FRITZ X HAEMMERLE
lodged a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY
SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative
Order 1 section 9 (f).

These documents are served only on parties to the subcase.
They are not served on the Presiding Judge. Parties to this subcase
may file a Motion to Alter or Amend with the Special Master, but
must do so before July 30, 1997.

DATED July 16, 1997.



DEBBIE LASH
Deputy Clerk

MICROFILMED
OCT 07 1998

1997 JUL 16 PM 2:07

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-10501

CERTIFICATE OF MAILING

I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on July 16, 1997, with sufficient first-class postage prepaid to the following:

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

U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449

BOB D. COLLETT
RUTH M. COLLETT
HC 79 BOX 2200
OREANA, ID 83650

MICROFILMED
OCT 07 1998

CERTIFICATE OF MAILING


DEBBIE LASH
Deputy Clerk

PAGE 1
07/16/97

1997 MAY 15 AM 10:38

DISTRICT COURT - SRBA

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) Subcase 57-10501

Case No. 39576

)
) PRELIMINARY SPECIAL
) MASTER'S REPORT
)

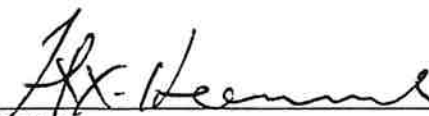
FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409(1990) by Bob and Ruth Collett. The director of the State of Idaho Department of Water Resources examined the water system for areas 1, 2, and 3 and investigated and abstracted the notices of claims for those Reporting Areas. The Director of the Idaho Department of Water Resources then filed a *Director's Report* which asserted how the elements of this water right should be decreed by the court.

An objection to the *Director's Report* for water right 57-10501 was filed by United States (BLM). Subsequently, a *Standard Form 5* was filed as to how the elements of this water right should be decreed. The parties agreed that the owner of the right should be United States (BLM). The *Standard Form 5* was accepted by the court; now therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-10501 be decreed as recommended in the attached *Preliminary Special Master's Report and Recommendation for Partial Decree*.

DATED May 15, 1997.



FRITZ X. HAEMMERLE

Special Master, Reporting Area 2
Snake River Basin Adjudication

MICROFILMED

OCT 07 1998

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)
)
)
)
)
)

PRELIMINARY

1997
SPECIAL MASTER'S RECOMMENDATION FOR 15 APR 10:38

PARTIAL DECREE FOR

Water Right 57-10501

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709

SOURCE: GROUNDWATER

QUANTITY: 0.23 CFS

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

PRIORITY DATE: 12/31/1954

POINT OF DIVERSION: T05S R01E S24 SWNE Within Owyhee County
NWSE

POINT OF DIVERSION IS ON THE LINE DIVIDING NWSE AND SWNE, S24,
T05S, R01E.

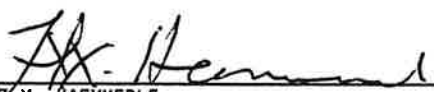
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER		01-01 12-31	0.23 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T05S R01E S24 SWNE NWSE

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: MAY 15 1997


FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

MICROFILMED

OCT 07 1998

1997 MAY 15 AM 10:38

DISTRICT COURT - SREA
TWIN FALLS CO., IDAHO

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

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-10501

CERTIFICATE OF MAILING

I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 15, 1997, with sufficient first-class postage prepaid to the following:

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

U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

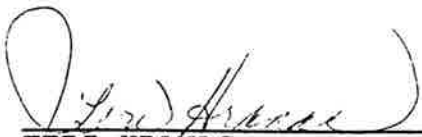
CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449

BOB D. COLLETT
RUTH M. COLLETT
HC 79 BOX 2200
OREANA, ID 83650

MICROFILMED

OCT 07 1998

CERTIFICATE OF MAILING


TERI HRANAC
Deputy Clerk

PAGE 1
05/15/97

1. The name and address of the owner is:

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S. Vinnell Way
Boise, ID 83709

Required Statement: As recommended in the Director's Report.

2. The source of water is:

Source: Groundwater

Required Statement: As recommended in the Director's Report.

3. The quantity of water used in cubic feet per second or the quantity of water stored in acre-feet per year is:

0.230 cfs

The quantity of water under this right shall not exceed 13,000 gallons per day.

Required Statement: As recommended in the Director's Report.

4. The priority date is:

12/31/1954

Required Statement: As recommended in the Director's report.

5. The legal description of the point of diversion is:

T05S R01E S24 NWSE and SWNE County: OWYHEE

Point of Diversion is on line dividing NWSE and SWNE, S24, T05S, R01E.

Required Statement: As recommended in the Director's report.

6. The purpose of use is:

MICROFILMED
OCT 07 1998

STOCK WATER

Required Statement: As recommended in the Director's report.

7. The period of year when the water is to be used is:

STOCK WATER 01-01 - 12-31

Required Statement: As recommended in the Director's Report.

8. The legal description of the place of use or of the reservation is:

T05S R01E S24 SWNE
T05S R01E S24 NWSE

Required Statement: As recommended in the Director's Report.

9. Other matters necessary to define this water right. N/A.

These matters are necessary because: N/A.

These matters do not fall within the 8 elements listed above because: N/A.

Explanatory Material - Basis of Claim: Beneficial Use

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

The parties agree that the United States is the owner of the water rights claimed in the SRBA subcase numbers: 57-10501 and 57-10503. For each of these water rights, the purpose of use is the watering of livestock owned by persons holding BLM-issued grazing permits. The stockwater purpose of use of these water rights shall not be changed so long as a valid BLM-issued grazing permit exists for the land on which a particular water right is located.

MICROFILMED
OCT 07 1998

Review of IDWR

To speed up the entry of a decree, the parties are encouraged to talk to the Idaho Department of Water Resources (IDWR) about their proposed settlement and have IDWR indicate its concurrence by signing the Standard Form 5.

Where all parties have signed, a Standard Form 5 may be filed with the court without the concurrence of IDWR. However, the parties must certify that they have served IDWR with a copy of Standard Form 5 and that they have made a good faith attempt to resolve the matter with IDWR.

Within 14 days of filing a Standard Form 5 not containing an IDWR concurrence, IDWR shall file a statement of its position with the court.

MICROFILMED
OCT 07 1998

If IDWR has not concurred by signing below, signing parties certify that they have served a copy of this document on IDWR and have made a good faith attempt to obtain its concurrence, but have failed.

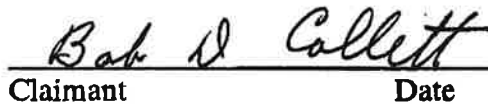
Signatures and Addresses of Parties and their Attorney of Record (attach additional page if necessary): I have read this form, know its contents, and believe that the statements are true to the best of my knowledge.

Name: United States of America, acting through the
Department of Interior
Bureau of Land Management
Idaho State Office
Address: 1387 South Vinell Way
City/State/Zip: Boise, ID 83709-1657
Attorney of Record: R. Lee Leininger (202) 305-0242
P. Friz Holleman (202) 305-0494
William M. Ferry (202) 334-1911
Phone: see above



Attorney's signature Date 4/17/97

Name: Bob D. Colett
Ruth M. Colett
Address: HC 79, Box 2200
City/State/Zip: Oreano, ID 83650
Phone: (208) 834-2306



Claimant Date 4/17/1997



Claimant Date 4/17/1997

MICROFILMED
OCT 07 1998

IDWR Concurrence:

<u><i>[Signature]</i></u>	<u><i>Apr. 17, '97</i></u>
Signature	Date
<u><i>Ryanne Brown</i></u>	<u><i>4-17-97</i></u>
Signature	Date

MICROFILMED
OCT 07 1998

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

MICROFILMED
OCT 07 1998

CERTIFICATE OF MAILING

I certify that on April 17, 1997, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

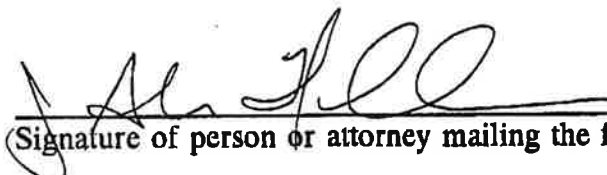
1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

U.S. Department of Justice
Environment and Natural
Resources Division
550 West Fort Street, Box 33
Boise, ID 83724



(Signature of person or attorney mailing the form
by hand delivery

MICROFILMED
OCT 07 1998

RECEIVED

MAY 16 1997

Department of Water Resources
Adjudication Bureau

1997 MAY 15 AM 10:38

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA
Case No. 39576

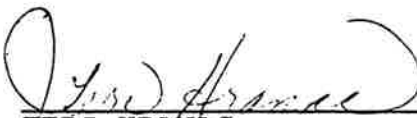
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 57-10501

On May 15, 1997, Special Master FRITZ X HAEMMERLE
lodged a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY
SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative
Order 1 section 9 (f).

These documents are served only on parties to the subcase.
They are not served on the Presiding Judge. Parties to this subcase
may file a Motion to Alter or Amend with the Special Master, but
must do so before May 29, 1997.

DATED May 15, 1997.



TERI HRANAC
Deputy Clerk

MICROFILMED
OCT 07 1998

RECEIVED

APR 03 1997

Department of Water Resources

1997 APR 01 PM 01:22
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) NOTICE SETTING HEARING
Case No. 39576)
_____) SUBCASE NOS: 57-10501 57-10503

Please be advised that Special Master FRITZ X. HAEMMERLE
has set for hearing the TRIAL SCHEDULING IF STANDARD FORMS 5 ARE NOT
FILED WITH THE SRBA COURT BY APRIL 17, 1997.

THURSDAY, APRIL 17, 1997 at 11:30 AM

OWYHEE COUNTY COURTHOUSE
HIGHWAY 78
PO BOX 128
MURPHY, ID

Dated: APRIL 01, 1997

/S/ DEBBIE LASH
Deputy Clerk
Snake River Basin Adjudication

MICROFILMED
OCT 07 1998

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 APRIL 01, 1997, with sufficient first-class postage to the following:

BOB D. COLLETT
COLLETT, RUTH M.
HC 70 BOX 220
OREANA, ID 83650

BOB D. COLLETT
COLLETT, RUTH M.
HC 79, BOX 2200
OREANA, ID 83650

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720
Phone: 208-334-2400
Rep: STATE OF IDAHO

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

U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835
Rep: USDI BLM

RECEIVED

FEB 24 1997

Department of Water Resources

1997 FEB 21 PM 01:52
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: 57-10501	57-10503

Please be advised that Special Master FRITZ X HAEMMERLE
has set a Status Conference in the above subcase(s)
as follows:

FRIDAY, MARCH 28, 1997 at 09:15 AM

OWYHEE COUNTY COURTHOUSE
HIGHWAY 78
PO BOX 128
MURPHY, ID

IT IS SO ORDERED.

Dated: FEBRUARY 21, 1997

/S/ FRITZ X HAEMMERLE
Special Master
Snake River Basin Adjudication

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

MICROFILMED
OCT 07 1998

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on FEBRUARY 21, 1997, with sufficient first-class postage to the following:

BOB D. COLLETT
COLLETT, RUTH M.
HC 70 BOX 220
OREANA, ID 83650

BOB D. COLLETT
COLLETT, RUTH M.
HC 79, BOX 2200
OREANA, ID 83650

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720
Phone: 208-334-2400
Rep: STATE OF IDAHO

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

JACK HAUGRUD
US DEPT OF JUSTICE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 202-305-0438
Rep: USDI BLM

RECEIVED

MAR 18 1994

WATER RESOURCES
WESTERN REGION

RECEIVED

FEB 03 1994

Department of Water Resources
Adjudication Bureau

Feb 1
1994 JAN 32 PM 4:59
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

) Subcase Nos. 57-10503 and 57-10501
)
) AMENDED ORDER GRANTING
) WITHDRAWAL OF COUNSEL FOR
) BOB and RUTH COLLETT

> was previously modified.
> file or toss if dupes.
> cm et. ef 3-17-94

A Motion for Withdrawal of Counsel for Bob D. and Ruth M. Collett and Stipulation for Withdrawal of Counsel for Bob D. and Ruth M. Collett were filed on October 22, 1993. The stipulation for withdrawal was signed by all parties to each of the above listed subcases.

IT IS ORDERED that the motion for withdrawal of counsel is GRANTED and Davis Wright Tremaine be withdrawn as counsel of record for Bob and Ruth Collett.

DATED February 1, 1994.



DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

MICROFILMED

JUL 21 1994

RECEIVED

OCT 26 1993

Department of Water Resources
Adjudication Bureau

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

Subcase Nos. 57-10503 and 57-10501

The State of Idaho, ex rel. R. Keith
Higginson in his official capacity as
Director of the Idaho Department of
Water Resources,

ORDER GRANTING MOTION FOR
WITHDRAWAL OF COUNSEL FOR
BOB and RUTH COLLETT

Petitioner,

vs.

The United States; the State of Idaho; and
all claimants to the use of Water from the
Snake River Basin Water System,

Respondents.

A *Motion for Withdrawal of Counsel for Bob D. and Ruth M. Collett and Stipulation for Withdrawal of Counsel for Bob D. and Ruth M. Collett* were filed on October 22, 1993. The stipulation for withdrawal was signed by all parties to each of the above listed subcases.

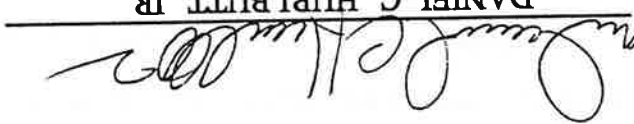
IT IS ORDERED that the motion for withdrawal of counsel is GRANTED and Davis Wright Tremaine be withdrawn as counsel of record for Carol Gilbert.

MICROFILMED

JUL 21 1994

IT IS ORDERED that within 20 days from the date of mailing of this Order, Bob and Ruth Collett shall either file a written notice with this court that states their intention to represent themselves in these subcases or otherwise specifically advise the court how they intend to proceed.

DATED October 25, 1993.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

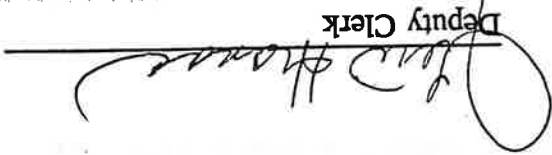
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION FOR WITHDRAWAL OF COUNSEL FOR CAROL GILBERT was mailed on October 25, 1993, in an envelope with sufficient first-class postage to the following:

U.S. Department of Justice
Environmental and Natural Resource
Division
550 West Fort Street, Box 33
Boise, ID 83734

Bob D. and Ruth M. Collett
HC 79, Box 2200
Oreana, ID 83650

Scott Campbell
Davis Wright Tremaine
702 West Idaho Street, Suite 700
Boise, ID 83702
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449


Deputy Clerk

ORDER GRANTING MOTION FOR WITHDRAWAL
OF COUNSEL FOR BOB and RUTH COLLETT
10/25/93.lb

DAVIS WRIGHT TREMAINE

LAW OFFICES

702 WEST IDAHO STREET • SUITE 700 • BOISE, IDAHO 83702
(208) 338-8200

SCOTT L. CAMPBELL
(208) 338-8200

October 20, 1993

RECEIVED

OCT 22 1993

Department of Water Resources
Adjudication Bureau

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Re: *Motion and Order for Withdrawal of Counsel
Party/Claimant—Bob D. and Ruth M. Collett
Water Right Nos. 57-10501 and 57-10503*

Dear Clerk:

Enclosed please find an original and two copies of a Motion for Withdrawal of Counsel, a Stipulation in support of the motion, and a proposed Order for Withdrawal for each of Bob and Ruth Collett's water rights claims before the Court.

Please file the originals with the Court and return a conformed copy to us in the enclosed envelope. If you have any questions, please do not hesitate to call.

Very truly yours,

DAVIS WRIGHT TREMAINE



Scott L. Campbell

SLC:hr
Enclosures

35786\1\00002.CLK/10.20.93
Boise

MICROFILMED

JUL 21 1994

FAX: (208) 338-8299

ANCHORAGE, ALASKA • BELLEVUE, WASHINGTON • HONOLULU, HAWAII • LOS ANGELES, CALIFORNIA
PORTLAND, OREGON • RICHLAND, WASHINGTON • SAN FRANCISCO, CALIFORNIA • SEATTLE, WASHINGTON • WASHINGTON, D.C.

RECEIVED

OCT 22 1993

Department of Water Resources
Adjudication Bureau

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

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

Case No. A57-10501

MOTION FOR WITHDRAWAL
OF COUNSEL FOR
BOB D. COLLETT AND
RUTH M. COLLETT

Descriptive Summary

Davis Wright Tremaine seeks to withdraw as counsel of record for Bob D. Collett and Ruth M. Collett before the Snake River Basin Adjudication Court in Water Right No. A57-10501.

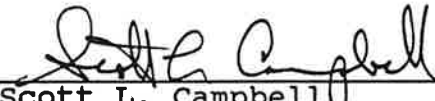
COMES NOW Respondents Bob D. Collett and Ruth M. Collett, pursuant to Rule 11(b)(2) of the Idaho Rules of Civil Procedure, and respectfully moves the Court for an order for withdrawal of Davis Wright Tremaine as counsel in the above-referenced water right matter before the Court. This motion is supported by the Stipulation of the Parties filed herewith.

MICROFILMED

JUL 21 1994

DATED this 20th day of October, 1993.

DAVIS WRIGHT TREMAINE



Scott L. Campbell

CERTIFICATE OF SERVICE

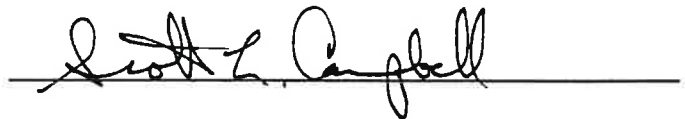
I HEREBY CERTIFY that I have this ~~20th~~ day of October, 1993, served the foregoing MOTION FOR WITHDRAWAL OF COUNSEL FOR BOB D. COLLETT AND RUTH M. COLLETT, to the following persons by mailing the original/and or copies, postage prepaid and addressed as follows:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

Bureau of Land Management
U. S. Department of the Interior
3380 Americana Terrace
Boise, Idaho 83706

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Descriptive Summary

Davis Wright Tremaine seeks to withdraw as counsel of record for Bob D. Collett and Ruth M. Collett before the Snake River Basin Adjudication Court in Water Right No. A57-10501.

MICROFILMED

JUL 21 1994

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

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

Case No. 57-10501

STIPULATION FOR
WITHDRAWAL OF COUNSEL
FOR BOB D. COLLETT
AND RUTH M. COLLETT

STIPULATION

Pursuant to Rule 11(b)(2), Idaho Rules of Civil Procedure, Scott L. Campbell of Davis Wright Tremaine, Bob D. Collett and Ruth M. Collett, W. Jack Haugrud of the U.S. Department of Justice, and Daniel L. Steckel of Idaho Department of Water Resources stipulate to the withdrawal of Davis Wright Tremaine as counsel of record for Bob D. Collett and Ruth M. Collett in the Snake River Basin Adjudication for Water Right No. 57-10501 and request the stipulation be confirmed by order of the Court.

STIPULATION FOR WITHDRAWAL OF COUNSEL FOR
BOB D. COLLETT AND RUTH M. COLLETT - 1

MICROFILMED

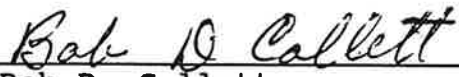
JUL 21 1994

DATED this 20th day of October, 1993.

DAVIS WRIGHT TREMAINE



Scott L. Campbell

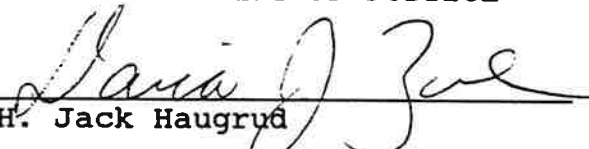


Bob D. Collett



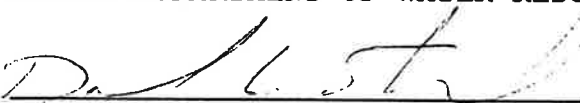
Ruth M. Collett

U.S. DEPARTMENT OF JUSTICE



H. Jack Haugrud

IDAHO DEPARTMENT OF WATER RESOURCES



Daniel L. Steckel

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

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

Case No. A57-10501

ORDER FOR WITHDRAWAL
OF COUNSEL FOR
BOB D. COLLETT AND
RUTH M. COLLETT

A Stipulation for Withdrawal of Counsel for Bob D. Collett and Ruth M. Collett having come before this Court, and good cause appearing therefore,

IT IS HEREBY ORDERED that Davis Wright Tremaine be withdrawn as counsel of record for Bob D. Collett and Ruth M. Collett.

DATED this _____ day of October, 1993.

Daniel C. Hurlbutt, Jr.
Presiding Judge
Snake River Basin Adjudication

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 the Rights to the Use of Water)
from the Snake River Basin)
Water System)
_____)

Case No. 57-10501 -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: US BUREAU OF LAND MGMT
Address: IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706-2544

3. If this response is filed by an attorney:

Attorney Name(s): DANIEL L. STECKEL

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ Source: I respond to the objection concerning the source of water.
3. ☒ Quantity: I respond to the objection concerning:
 - 3a. ☒ The total quantity of water used in cubic feet per second.
 - 3b. ☒ The total quantity of water stored in acre feet per year.
4. ☒ Priority Date: I respond to the objection concerning the priority date.
5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
7. ☒ Purposes of Use: I respond to the objection concerning the purpose(s) of use.

8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I respond to the objection concerning:
- 9a. ☒ The legal description of the place of use.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.
12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12a. ☒ This water right being recommended at all.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1, 2, 3, 3a, 3b, 4, 5, 7, 8, 9, 9a, 10, 11, 12 and 12a. and all allegations of the objection regarding these items, IDWR responds as follows:

IDWR lacks sufficient information to form a belief as to whether any or all of the lands upon which water is diverted, conveyed, or used pursuant to this right are owned by the United States. The notice of claim attached to the objection was recommended in the director's report as water right no. 57-07163. IDWR admits that the exercise of rights to water from the same source may impact each other. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

(Over)

MICROFILMED

JUL 21 1994

No. of
Pages

Notice of Claim No. A57-10501

4

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

Donald V. Shaff, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Section Manager for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing response

By:


(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 29th day of June,
1993.


Notary Public for Idaho
Residing at: Boise
My Commission expires: 11-14-1998

(Over)

MICROFILMED

JUL 21 1994

CERTIFICATE OF MAILING

I hereby certify that on the 15th day of July, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared 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 the owner of the water right, and you must fill in the following information:

Name: BOB D & RUTH M COLLETT
Address: HC 79 BOX 2200
OREANA ID 83650

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: US DEPT OF JUSTICE
Address: K JACK HAUGRUD & DARIA J ZANE
550 W FORT ST
BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

RECEIVED

JUL 01 1993

Department of Water Resources
Adjudication Bureau

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

Water Right No. 57-10501

(The water right number you are responding to must be inserted)

The State of Idaho, ex rel. R. Keith
Higginson in his official capacity as
Director of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State of Idaho; and
all Claimants to the Use of Water from the
Snake River Basin Water System,

Respondents.

STANDARD FORM 2

RESPONSE TO OBJECTION

INSTRUCTIONS

This form must be used to file a response to any objection filed against a water right recommended in a Director's Report. You may respond to all objections filed against one water right, using one response form. If you choose this option, your response should cover every issue raised in the objections. To respond to objections filed against more than one water right, you must file a separate response form for each water right. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you do, the text must be on the front and back of each page exactly as it appears here. The response must be received by the court on or before the deadline specified in the Notice of Filing the Director's Report that IDWR mailed to you. Follow the Instructions for Mailing this response (Page 5), or the court will not accept it for filing.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4, which may be consulted for further information.

Any party filing 25 or more responses must make an appointment with the Clerk of the SRBA Court.

MICROFILMED

OCT 07 1998

By filing a response form, you are certifying that the response is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. *Party/Claimant responding to objection:*

Name: Bob D. and Ruth M. Collett
Address: HC 70 Box 220
Oreana, Idaho 83650
Phone: Work: _____ Home: (208) 834-2306

Briefly describe your interest in this water right:

I use this water for irrigation and stockwatering.

If this response is *filed by an attorney*:

Attorney Name: Scott L. Campbell
Attorney Address: DAVIS WRIGHT TREMAINE
702 W. Idaho, Suite 700
Boise, Idaho 83702
Attorney Phone No.: (208) 338-8200

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

2. *Party/Claimant who filed objection:*

Name: U.S.A., Bureau of Land Management, U.S. Dept.
of Interior
Address: 3380 Americana Terrace
Boise, Idaho 83706

II. STATEMENT OF THE RESPONSE

Please check each "box" which identifies your response.

1. ☒ *Name and Address*: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☒ *Source*: I respond to the objection concerning the source of water.
3. ☒ *Quantity*: I respond to the objection concerning:
 - a. ☒ the total quantity of water used in cubic feet per second; or
 - b. ☒ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☒ *Priority Date*: I respond to the objection concerning the priority date.
5. ☒ *Points of Diversion*: I respond to the objection concerning the legal description of the point(s) of diversion.
6. ☐ *Instream Flow*: I respond to the objection concerning the legal description of the beginning and ending points of the instream flow.
7. ☒ *Purpose(s) of Use*: I respond to the objection concerning the purpose(s) of use.
8. ☒ *Period of Year*: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. ☒ *Place of Use*: I respond to the objection concerning:
 - a. ☒ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☒ *Consumptive Use*: I respond to the objection concerning the annual volume of consumptive use.
11. ☒ *Remarks*: I respond to the objection concerning the "remarks" listed with the water right.
12. ☒ *Water Right Recommendation*: I respond to the objection concerning:
 - a. ☒ this water right being recommended at all; or
 - b. ☐ this water right not being recommended.

13. ☐ *Description of Reservation:* I respond to the objection concerning the legal description of the reservation.

14. ☐ *Other:* I respond to the objection concerning: _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s), by number, for each box checked. You may use additional pages if necessary.

Please see attached statement of Reasons Supporting Each
Box Checked.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

Please note that you should attach copies of documents which support your response. Note on each document the "box number" it supports.

☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

VERIFICATION (Must be Completed)

State of Idaho

County of Idaho

Scott L. Campbell, being first duly sworn, upon oath, deposes and says:
(Name of party/claimant filing response)

That I am the person or entity filing this response (as listed on Page 2, Section 1, "Person responding to objection"), as defined by I.C. § 42-1401A(1) and (7), and I have read this response, know its contents and that the statements are true to the best of my knowledge and belief.

Signature of party/claimant filing response

By: Scott L. Campbell
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6-30-93
(Insert Date)

Melvin On Anderson
Notary Public for Idaho
Residing at: Boise
My Commission expires: 1-9-99

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to all of the parties listed below in the Certificate of Mailing

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of June, 1993, I mailed the original and copies of this response, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to: (Via FEDERAL EXPRESS)

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 the owner of the water right, and you must fill in the following information:

Name: Bob D. and Ruth M. Collett

Address: HC 70 Box 220

Oreana, Idaho 83650

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: U.S.A., Bureau of Land Management, U.S. Dept. of the

Address: 3380 Americana Terrace

Interior

Boise, Idaho 83706

4. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

5. One copy to:

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of party/claimant or attorney

REASONS SUPPORTING EACH BOX CHECKED

Claim Number 57-10501

- Box #1. Bob D. Collett and Ruth M. Collett, whose mailing address is HC 70 Box 220, Oreana, ID 83650, (or their predecessors in interest) have used the water in this claim since at least December 31, 1954. The United States of America, Bureau of Land Management, U.S. Department of the Interior (BLM), has no basis upon which to object to either the name or address for claim No. 57-10501.
- Box #2. The source of the water described in this claim is an artisan well used for watering Claimants' stock. The BLM has provided no basis upon which to object that this is not the source of the claim.
- Box #3. The BLM has objected to both the quantity in cubic feet per second (cfs), and acre-feet per year (AFY) Accordingly, Claimant's response is to both of these objections.

MICROFILMED

OCT 07 1998

The quantity claimed is .23 cfs. This amount is from the entire quantity of water delivered to Claimants' stock watering facilities.

The BLM has attached a document titled "Conflicting USDI claims." This claim alleges diversion of .70 cfs from the same general location as Claimants'. However, because Claimants have diverted the entire quantity of water from the artisan well, BLM's objection and alleged claim are without merit. BLM has provided no basis upon which the quantity of water used by Claimant is anything other than the .09 cfs originally claimed.

Box #4 BLM has provided no basis for objecting to Claimants' priority date of December 31, 1954, other than attaching the Conflicting USDI Claims alleging a priority of date of July 12, 1976. As stated in paragraph number 3 above, the BLM has not shown that the conflicting USDI claim even relates to Claimants' water. Accordingly, BLM has provided no basis for objecting to Claimants' priority date of December 31, 1954.

Box #5 Claimants' point of diversion is the artisan well described above. BLM has provided no basis for objecting to the point of diversion other than to allege that the Conflicting USDI Claims are diverting the same water.

This allegation however, is impossible as Claimants' point of diversion diverts all water to Claimants' feedlot.

Box #7 BLM's objection to Claimants' purpose of use is without merit. Claimant has used the claimed water since 1954 for watering of stock. BLM has provided no basis for objecting to Claimants' purpose of use.

Box #8 BLM has provided no basis for objecting to the period of year claimed by Claimant. Other than the general allegation objecting to Claimants' water right, BLM has provided no other specific basis to judge the merits of the objection to the period of year claimed.

Box #9 BLM has objected to the legal description of the place of use. Claimant has described the place of use to include the land where Claimants' stock watering facilities are located. BLM has provided no basis for objecting to this place of use.

Box #10 BLM has provided no basis, other than the general allegations discussed above for objecting to Claimants' annual volume of consumptive use. Claimant has claimed the water for stock watering purposes only, accordingly, there is only a de minimis use of water occurring.

Box #11 BLM's objection to the "remarks" listed in the water right is without merit. BLM has provided no basis upon which to judge any issue BLM may have with the remarks as listed in the Director's Report.

Box #12 For all the reasons listed in this response, Claimant disagrees with BLM's objection to the water right being recommended at all. In particular claimant disagrees with the statements BLM provided for "Reasons Supporting Each Box Checked." The BLM statements were repeated verbatim in objections to all of Claimants' water rights claims. It is clear that BLM made no attempt to identify the specifics of their objections nor did BLM provide any specific basis for the objections. Furthermore it is impossible to identify which objections BLM is referring to in the reasons statement. Accordingly, Claimant responds to each of the reasons set forth by BLM as follows:

- a) BLM objects to claimant claiming a water right on public lands. In response, it is a question of first impression whether BLM has any basis for objecting to Claimants' water right solely because the well is located on BLM land.

MICROFILMED
OCT 07 1998

- b) BLM claims to have managed and controlled "this property" for the beneficial use of the American public. To the extent BLM is referring to its own land, Claimant does not dispute BLM's allegations. However, with respect to all other land identified in this water rights claim, the land is under the control of Claimant and not BLM. Furthermore, this does not establish any right or lack thereof to the use of the claimed water.
- c) BLM claims that Claimant has no property interest in the water right or any other water right appurtenant to federally owned lands. At issue is Claimants' property interest in this water right. As stated above, it is a question of first impression whether Claimants' beneficial use of the water for stock watering purposes is a valid water right even though the water originates from a well located on BLM land.
- d) BLM states that they object to all aspects of Claimants' water right because of the listed allegations. Accordingly, BLM alleges to object to the name, address, source, quantity, priority date, points of diversion, purpose of use, period of use, place of use, and consumptive use. Unfortunately,

BLM's "shot gun" approach to pleading does not inform the Court of the only substantive issue -- whether the one acre of BLM land identified above should be included in Claimants' place of use. Claimant has previously responded to the objection for each of the items listed and accordingly will not repeat those response here.

- e) Finally, the BLM "objects to the recommendation in its entirety because claimant has not been the exclusive beneficial user of this water given that other members of the public have had access to this land and water source." In response, Claimant has been the sole and exclusive user of the water rights in this claim. BLM provides no further basis for claiming this water right will adversely affect a senior water right downstream. BLM does not even identify what that senior water right is.

BLM's general allegation misstates critical facts related to this claim. It is clear from reading BLM's objection to this claim and the virtually identical objection to Claimants' other water rights, that BLM did not review essential facts in this case. Furthermore, there is no indication that the blanket objections were based on existing law or any good faith argument for the

extension, modification or reversal of existing law. These blanket, boiler plate objections have caused a needless increase in the cost of litigation to Claimant and unnecessarily delayed the process.

MICROFILMED
OCT 07 1998

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: A57-10501
Date Received: 1/11/1989
Receipt No: W1926
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOB D. COLLETT 208-834-2306
Address: HC 79, BOX 2200
OREANA, ID 83650

OR

Name: RUTH M. COLLETT 208-834-2306
Address: HC 79, BOX 2200
OREANA, ID 83650

2. Date of Priority: DEC 31, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	01E	24	NW	SE			OWYHEE

5. Description of diverting works:
10" WELL, 2000' DEEP ARTESIAN-FLOWS INTO 10,000 GAL. TROUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	04/01	02/28	0.230		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1000 CATTLE

A57-10501

Page 1

Date: 01/11/89

MICROFILMED

JUL 21 1994

MICROFILMED

OCT 08 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	01E	24	NW SE		STOCK	

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:

HAVE USED FACILITY FOR STOCK WATERING SINCE IT WAS INSTALLED.
ALSO HAVE MAINTAINED FACILITY SINCE IT WAS INSTALLED. THIS IS A
FILING OVER A BLM FILING (NOTE, NO PREVIOUS WR LOCATED ON THIS)
CLAIMANT HAS GRAZING RIGHTS ON LAND.
GARBUIT WELL NO. 1

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

JUL 21 1994

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

Number of attachments: 1

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):

Bob & Galt Date: 1-11-89

Galt & Galt Date: 1-11-89

State of Idaho

County of ADA)
SS.)

Subscribed and sworn (or affirmed) before me this 11 day

Shirley W. Warner
Notary Public

Seal

Residing at Box 10

My Commission Expires 12-8-94

MICROFILMED
OCT 08 1992

2661-2-0-100

5S, 1E Sec 24
A57-10501

POOR ORIGINAL

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706 (208) 334-1401	07/12/1976	STOCKWATER WILDLIFE	11-01 01-31 01-01 12-31	0.01 CFS 0.01 CFS	0.7 AFA 0.7 AFA
TOTAL DIVERSION:					0.01 CFS	0.7 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T05S R01E S24

SWNE

OHYHEE County

Place of use Legal Description for: STOCKWATER

NE		NW		SW		SE								
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05S	01E	24	:	:	:	:	:	:	:	:	:	:	:	:

Place of use Legal Description for: WILDLIFE

NE		NW		SW		SE								
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05S	01E	24	:	:	:	:	:	:	:	:	:	:	:	:

POU County: OHYHEE

Non-Irrigation Uses: STOCKWATER, 200 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

Other Rights: NONE

Dates: Exam Made Date: 09/10/1992

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 09/11/1992 User-ID: KEEN Subject: COPIED FROM REMARKS
BLM RECORD ID = 5701688202
PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES.

Audit: 09/11/92 KEEN 10/06/92 HARRIS 10/13/92 CPSHAM 12/05/92 ADT-SHAM

MICROFILMED

OCT 0 7 1998

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATEPURPOSE OF USE
FROM TOPERIOD OF USE
FROM TOMAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: GROUNDWATER

57-10476

JOYCE LIVESTOCK COMPANY
C/O PAUL NETTLETON
MURPHY ID 83650

12/31/1954 DOMESTIC

01-01 12-31

.12 CFS

BENEFICIAL USE

NON-IRRIGATION-USES:

DOMESTIC, 3 HOMES & 25 CATTLE OR HORSES

TOTAL QUANTITY:

.12 CFS

POINT OF DIVERSION:

T03S R01W S31

NENW

PLACE OF USE: DOMESTIC

T03S R01W S31

NENW

57-10501

BOB D COLLETT
RUTH M COLLETT
HC 79 BOX 2200
OREANA ID 83650

12/31/1954 STOCKWATER

04-01 02-28

.23 CFS

BENEFICIAL USE

NON-IRRIGATION-USES:

STOCKWATER, 1000 HEAD

TOTAL QUANTITY:

.23 CFS

POINT OF DIVERSION:

T05S R01E S24

NENWSE

PLACE OF USE: STOCKWATER

T05S R01E S24

SWNE

NWSE

REMARKS: SOURCE IS ALSO KNOWN AS GARBUIT WELL #1.
POINT OF DIVERSION IS ON LINE DIVIDING NWSE AND SWNE, S24, T05S,
R01E.

MICROFILMED

OCT 0 7 1998

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

AJ5808NP
(OD-26)

Water Right Number - R57-10501
Prefix Translation: RESEARCH
Old (D) Number -

1 - HC 79 BOX 2200
2 -
3 -
City- OREANA
Phone - 208-834-2306
State- ID Zip- 83650

1 - HC 79 BOX 2200
2 -
3 -
City- OREANA
Phone - 208-834-2306
State- ID Zip- 83650

1 - HC 79 BOX 2200
2 -
3 -
City- OREANA
Phone - 208-834-2306
State- ID Zip- 83650

1 - HC 79 BOX 2200
2 -
3 -
City- OREANA
Phone - 208-834-2306
State- ID Zip- 83650

1 - HC 79 BOX 2200
2 -
3 -
City- OREANA
Phone - 208-834-2306
State- ID Zip- 83650

1 - HC 79 BOX 2200
2 -
3 -
City- OREANA
Phone - 208-834-2306
State- ID Zip- 83650

1 - HC 79 BOX 2200
2 -
3 -
City- OREANA
Phone - 208-834-2306
State- ID Zip- 83650

1 - HC 79 BOX 2200
2 -
3 -
City- OREANA
Phone - 208-834-2306
State- ID Zip- 83650

1 - HC 79 BOX 2200
2 -
3 -
City- OREANA
Phone - 208-834-2306
State- ID Zip- 83650

1 - HC 79 BOX 2200
2 -
3 -
City- OREANA
Phone - 208-834-2306
State- ID Zip- 83650

MICROFILMED
OCT 08 1992

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

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

Case No. 57-10501
(You must insert the
water right number you
are objecting to)

OBJECTION RECEIVED

FEB 26 1993

Department of Water Resources
Adjudication Bureau

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

OBJECTION - 1

MICROFILMED

OCT 07 1998

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: United States of America
Bureau of Land Management
U.S. Department of the Interior
Idaho State Office
Address: 3380 Americana Terrace
Boise, Idaho 83706

Briefly describe your interest in this water right:

The United States, through the Bureau of Land
Management (BLM), has a senior existing water
right.

2. Owner of the water right:

Name: Claimant: Bob D. Collett
Ruth M. Collett
Address: HC 79 Box 2200
Oreana, Idaho 83650

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice
550 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: (202) 272-8351

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☒ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☒ Source: I object to the source of water.
3. ☒ Quantity: I object to:
 - a. ☒ the total quantity of water used in cubic feet per second; or
 - b. ☒ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☒ Priority Date: I object to the priority date.
5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
 - a. ☒ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☒ Consumptive Use: I object to the annual volume of consumptive use.
11. ☒ Remarks: I object to the "remarks" listed with the water right.

MICROFILMED
OCT 07 1998

(Over)

12. ☒ Water Right Recommendation: I object to:
- a. ☒ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____
- _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

The United States of America, acting through the Bureau of Land Management, objects to this water right recommendation because the claimant is a private individual claiming a water right on public domain lands. The BLM, on behalf of the United States, has managed and controlled this property for the beneficial use of the American public. The claimant has no property interest in the claimed water right or any other water right appurtenant to federally owned lands. The United States objects to all aspects of the right because of these facts, including the recommended name and address, source, quantity, priority date, points of diversion, purpose of use, period of use, place of use, and consumptive use. BLM also objects to the recommendation in its entirety because claimant has not been the exclusive beneficial user of this water given that other members of the public have had access to this land and water source. BLM specifically objects to the quantity, priority date, point of diversion, and/or purpose of use of the claimed right because granting this right will adversely affect the United States senior water right downstream.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The Director's Report should be changed to recommend disallowance of this claim.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

1. Map of claim showing federal parcel(s).
2. Copy of BLM conflicting claim or late claim.

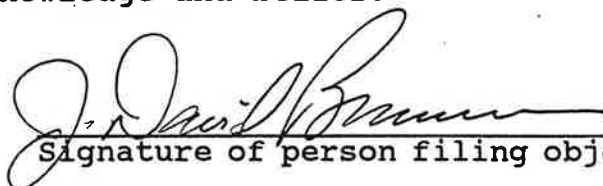
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

J. DAVID BRUNNER, BOISE DISTRICT MANAGER, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 23 day of February,
1993.


Notary Public for Ada County
Residing at: Boise, Idaho
My Commission expires: April 26, 1997

MICROFILMED
OCT 07 1998

(Over)

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of February, 1993, I ^{Served} ~~mailed~~ the original and ^{filed} ~~copies~~ of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, 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 the owner of the water right, and you must fill in the following information:

Owner name: Bob D. Collett
Ruth M. Collett
Owner's Address: HC 79 Box 2200
Oreana, Idaho 83650

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: OCT-13-1992
PAGE: A-532RIGHT
NUMBER

NAME & ADDRESS

PRIORITY

DATE

PURPOSE OF USE

PERIOD OF USE
FROM TOMAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: GROUNDWATER

57-10476

JOYCE LIVESTOCK COMPANY
C/O PAUL NETTLETON
MURPHY ID 83650

12/31/1954 DOMESTIC

01-01 12-31

.12 CFS

BENEFICIAL USE

NON-IRRIGATION-USES:

DOMESTIC, 3 HOMES & 25 CATTLE OR HORSES

POINT OF DIVERSION:

T05S R01W S31

NENU

PLACE OF USE: DOMESTIC

TOTAL QUANTITY:

.12 CFS

T03S R01W S31

NENU

57-10501

BOB D COLLETT
RUTH M COLLETT
HC 79 BOX 2200
OREANA ID 83650

12/31/1954 STOCKWATER

04-01 02-28

.23 CFS

BENEFICIAL USE

NON-IRRIGATION-USES:

STOCKWATER, 1000 HEAD

POINT OF DIVERSION:

T05S R01E S24

NENUSE

PLACE OF USE: STOCKWATER

TOTAL QUANTITY:

.23 CFS

T05S R01E S24

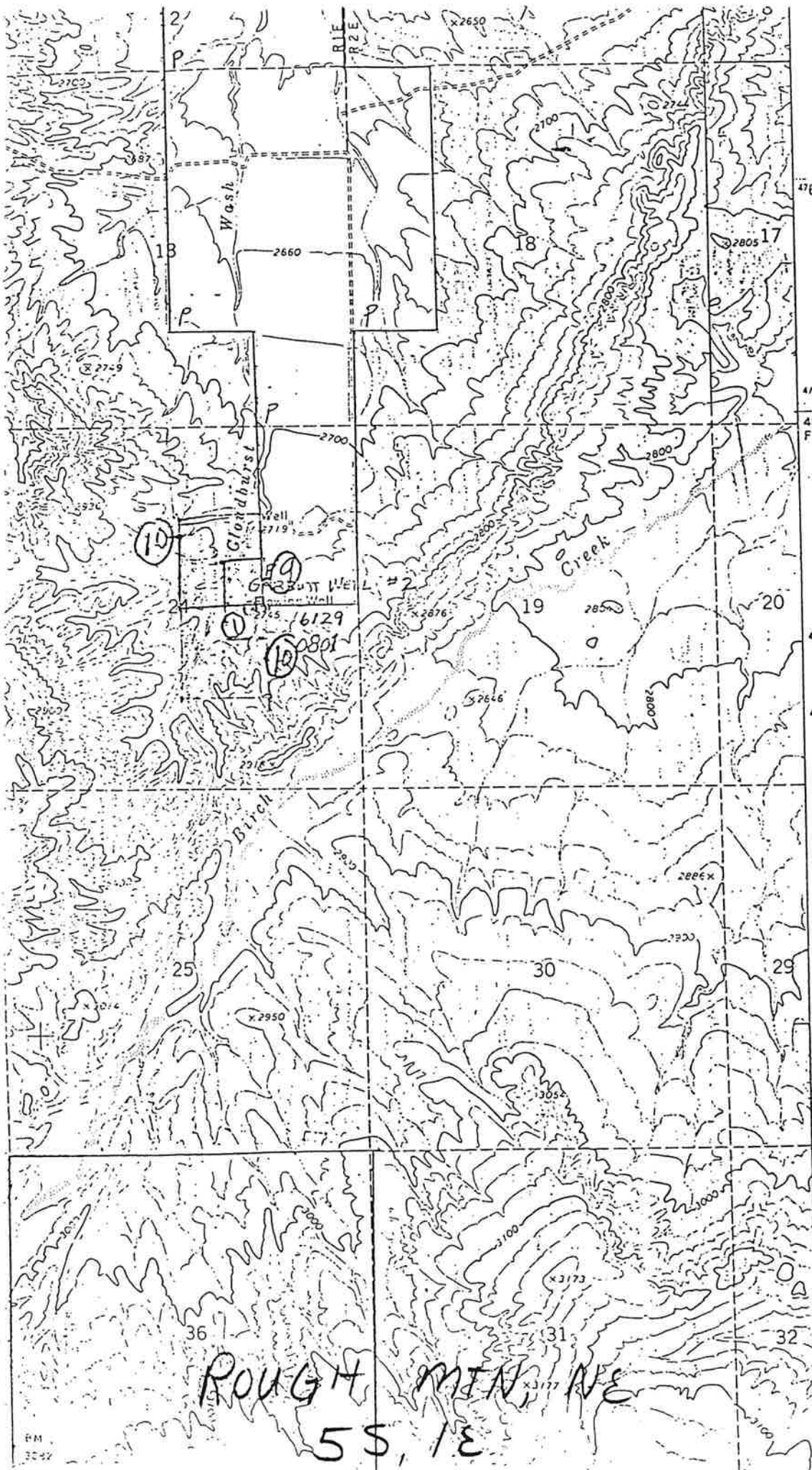
SME

NUSE

REMARKS: SOURCE IS ALSO KNOWN AS GARbutt WELL #1.

POINT OF DIVERSION IS ON LINE DIVIDING NUSE AND SME, S24, T05S, R01E.

MICROFILMED
OCT 07 1998



ROUGH MOUNTAIN NE

1. 5701688202

2. 5701580170

~~Provide claims on public~~

3. 57-00101

480 000
FEET

4. 57-00146

5. 57-00133

6. 57-00084

7. 57-02210 A

8. 57-02210 A

9. 57-02211 B

10. 57-10501

ROUGH MOUNTAIN NE

55, 1E

MICROFILMED
OCT 0 7 1998

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1976-07-12
IDWR WATER RIGHT NO. 5707163
BLM NUMBER: 5701688202
BASIS OF CLAIM: BENEFICIAL USE
BASIN NO.: 57

SOURCE

TRIBUTARY TO

GROUNDWATER

CLOUDBURST WASH

DESCRIPTION OF DIVERSION WORKS

WELL, TROUGH.

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM TO
WILDLIFE	0.010	0.70	1101 0131
STOCKWATER	0.010	0.70	1101 0131
TOTAL:	0.010 CFS	0.70 AF	

NON-IRRIGATION USES

S/200 RANGE CATTLE W/VAR AMT.

POINT OF DIVERSION

TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
055	01E	24	SW	NE	00	OWYHEE	

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	OWNED	IRRIGATED
055	01E	24	SW	NE	00	OWYHEE		0.0
055	01E	24	SW	NE	00	OWYHEE		0.0

TOTAL ACRES IRRIGATED:

0.0

Claim filed
AS7-07163

BLM NUMBER: 5701688202

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE IDAHO DEPARTMENT OF WATER RESOURCES

57-10501/10503 Bob Collett

ETM has proposed the Collett's withdraw
the claims; leaving ETM licensed rights
in place

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



MICROFILMED
OCT 07 1998

MICROFILMED
OCT 08 1992

CLAIM NO. A57-10501

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET

(use in place of the CVR for small Domestic/Stock exams)

1. ☒ No Change NAME
NEW OWNER: _____
☐ No Change ADDRESS
NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____
(if the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☒ No Change - SOURCE
Source is different than that claimed:
Source found: _____
4. ☐ No Change - POINT OF DIVERSION
☐ Point of diversion is different than the claim
New P/D: Twp. 55, Rge. 1E, Sec. 24, SE 1/4 SW 1/4 NE 1/4 SE *see remarks*
5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete desc., complete items missing, IF KNOWN.
☐ Additional comments in remarks.
HP of pump — Pump Ser. # — Pumping water level —
Well depth ± 200' Motor Ser. # — Static water level 33' *measured*
Casing size 12" Method of irr. _____
6. ☒ No Change - WATER USES
☐ Different uses, (list uses found).
Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☐ No Change - TOTAL VOLUME
☐ Incomplete on claim, the total is, -- -- .23 cfs 13.4 af *RMC Div. vol.*
☐ Change found, the new total is, -- -- -- — cfs — af
8. N/A *well usually flows in past so no way to quantify flow. allow .23 cfs since no other info.*
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:

Domestic - No. of homes _____ Stockwater - No. of head 1000

Other: _____

MICROFILMED

OCT 08 1992

B01
F04

$$\frac{(1000)(12)(.23)}{725850} = 13.4$$

V.

$$(.23)(365)(1.4835) = 166.5$$

rec'd 13.4

SYSTEM DESCRIPTION ATTACHMENT TO CLAIM VERIFICATION REPORT

CLAIM NO. A57-10501

AKA GARBUTT WELL NO. 1

A 12" 200' deep (inner estimates, no well log) artesian well was found. Assumed to be hot water. Not flowing but measured static level via totally open casing (see well inspection form) at 33'.

A 12" main originates from casing just above ground level. no tank or trough was found.

Thus, found a diversion but no beneficial use. Because the use claimed is exempt from a required water right, it seems reasonable to recommend this claim for use in claim based on presence of well.

MICROFILMED

OCT 08 1992

Department of Water Resources

WELL INSPECTION FORM

10/4/90

If well is associated with water right, provide WR# A57-10501

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 55, Rge 1E, Sec. 24, SW 1/4 NE 1/4 or Lot _____.

2. Owner: BOB Collett

Address _____, City _____, St _____

3. Casing $\geq$ 12 inches above ground: Yes ☒ No _____

4. Access Port: Yes see remarks No _____ Static Water Level: approx. 33'
Pressure Gauge: Yes _____ No ☒ Casing Diameter: 12"
Flowing: Yes _____ No ☒ Temperature: cold

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes ☒ No _____

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: OPEN casing plus abnormal monitoring connection allow
two routes for contaminants to enter g.w. supply.
Artesian well not flowing today. Cased engineers hope to
measure static level. Cloth tape was cold upon withdrawing it.
No well log found but owner thinks about 200'
deep. Has been used for stockwater according to A57-10501
(copy attached).

Original: ROB Whitney

CC: ID A57-10501

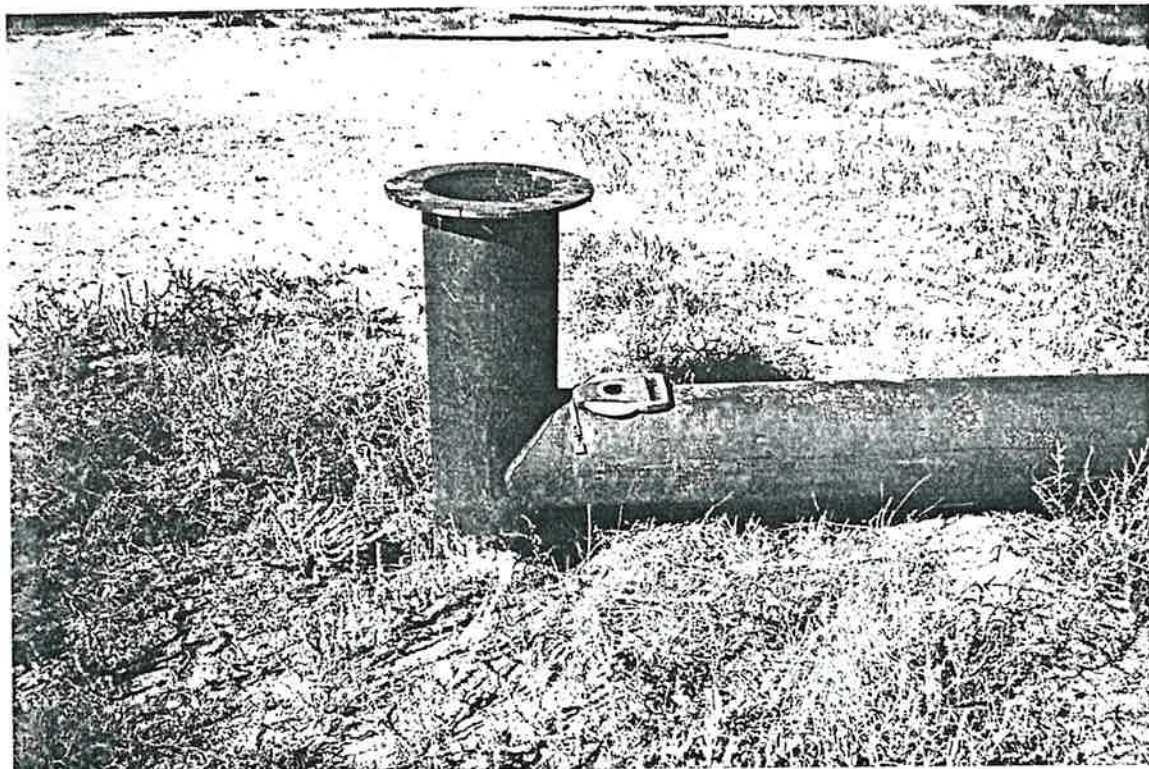
SL 10/12/90

MICROFILMED

OCT 08 1992

A 57-10501

PHOTOS ON 10/4/90



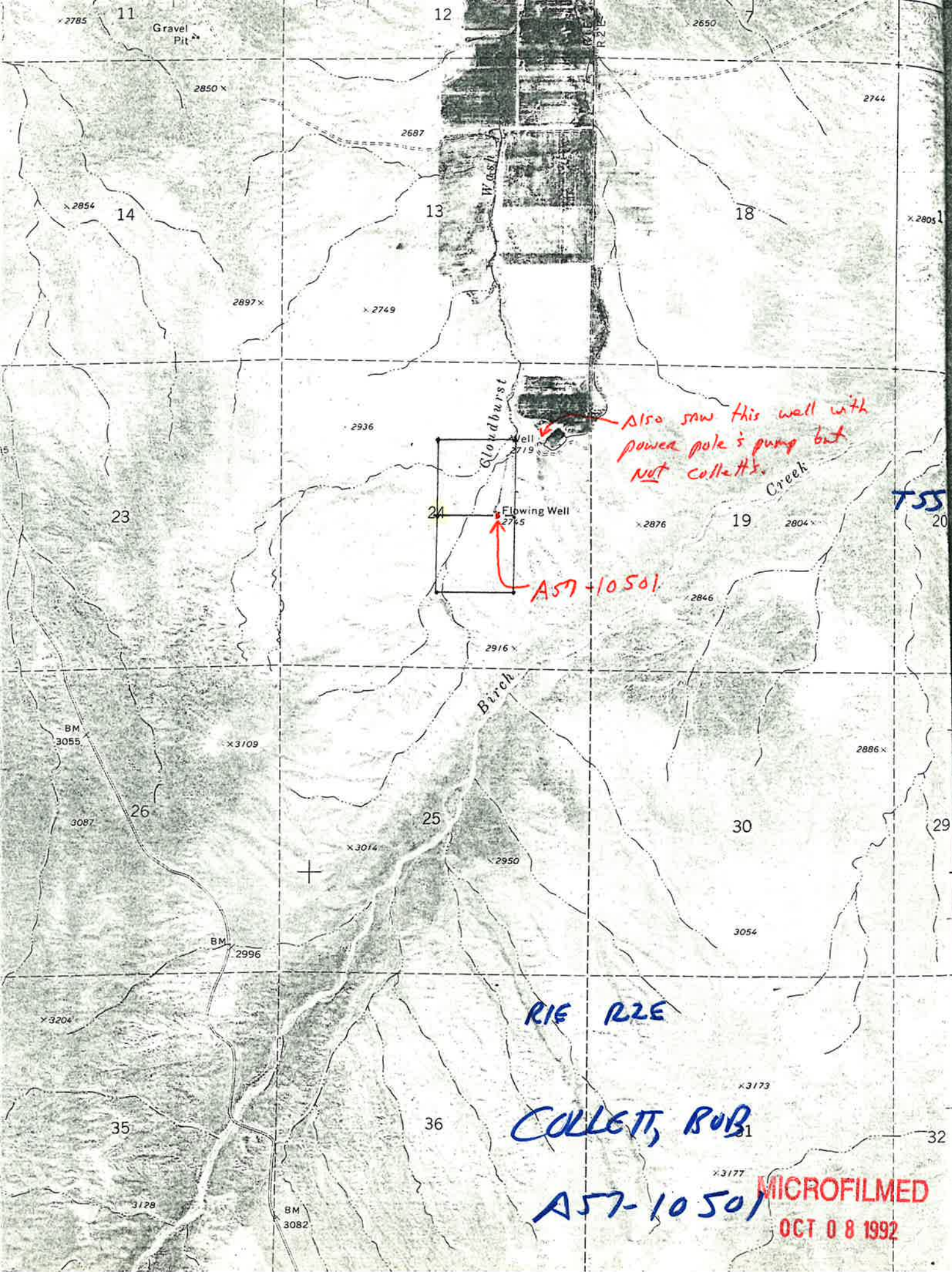
① 12" casing
§ 12" main
that ends a
few ft. from
well.

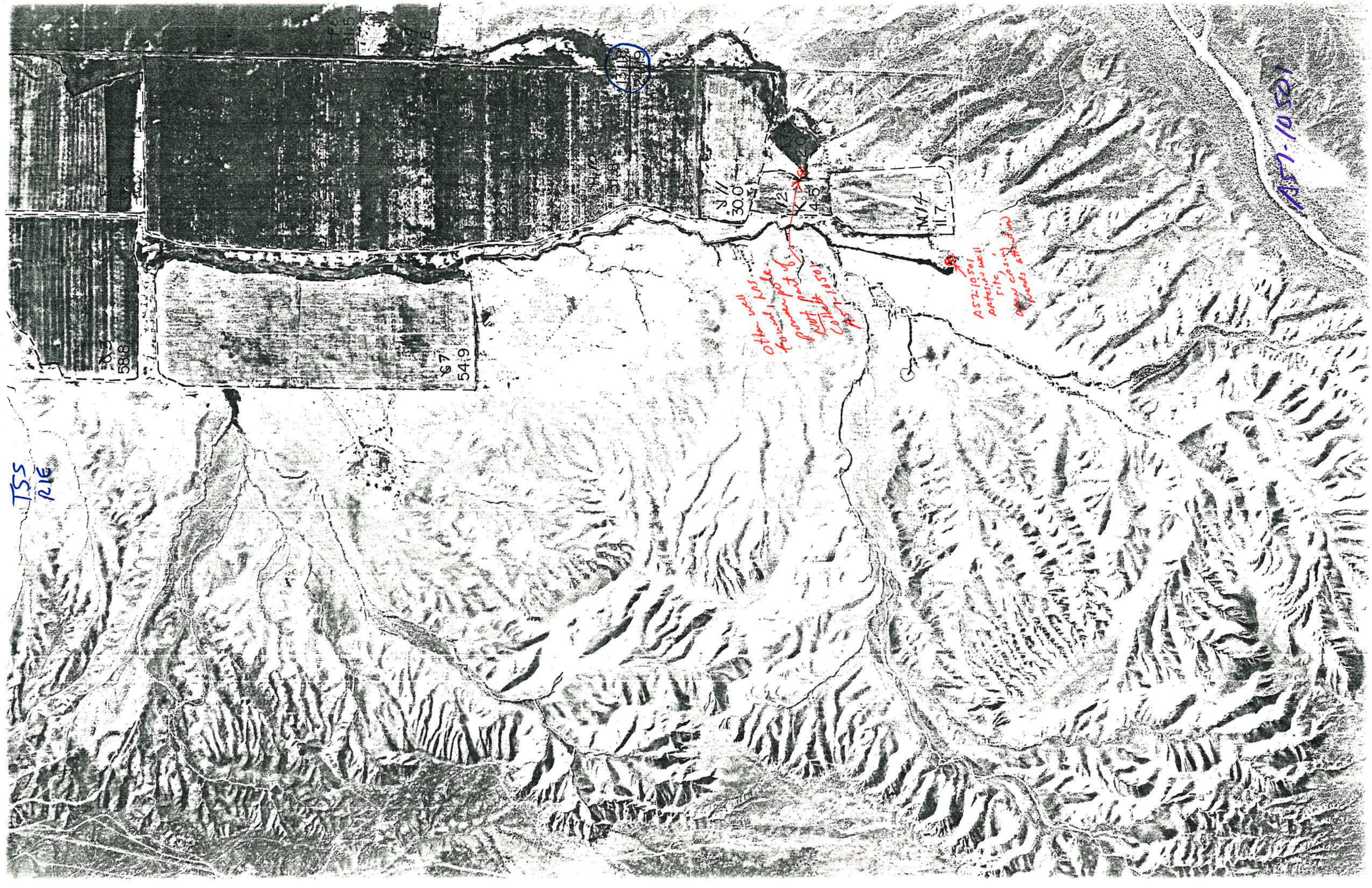


②
closer view of
open 12" casing

MICROFILMED

OCT 08 1992





TSS
R16

AS-10501

other well
AS-10501
artesian well
site
open to air
needs attention

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Staff Analysis Sheet For

AS7-10501
Adjudication Claim No.

well (garbutt well no. 1)

SRBA Claim Verification Field Report

*P10 } 55 16 5.24 NWSE
P12 }*

A. Prior to Conducting the Exam, the File Contains:

- ☒ Claim Verification Report(CVR)
☒ Copy of Adjudication Claim
N/A ☐ Copies of pertinent files(prev. rts., exams, etc.)
☒ Well Inspection Form (If Needed)
☒ Copy of U.S.G.S. Quad map, orthophotoquad, or NAPP photography
N/A ☐ Check P.D. & P.U. desc. for Govt. Lots(if a lot is found, a copy of the Govt. plat is needed to add the lot onto the R claim file later.)
☐ Check CVR for P.D. overlap(see page titled Pt. of Div. Review Sheet)
☐ Check AJ & WR P/D indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap ☐ yes ☐ no If yes: ☐ copy of claims & water rights incl?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____
☐ Check CVR for P.U. overlaps(see page titled Pl. of Use Review Sheet)
☐ Check AJ & WR P/U indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap ☐ yes ☐ no If yes: ☐ copy of claims & water rights incl?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Different source for same acres
☐ Other: _____

*N/A
Other
users
well*

- ☒ Appointment Letter Sent? _____ (initial & date)
☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed *Exam Sheet* ~~CVR~~ Form
☒ Photographs of Point(s) of Diversion and Place of Use
☒ Completed map outlining Point(s) of Diversion and Place of Use

C. Review and Processing:

- Claim No. submitted for weekly exam completed prog. report? ☒ Yes ☐ No
Exam completed date data entered on claim _____ (initial & date)
Claim Verification *Exam Rec* Report completed *SL 8/6/91* _____ (initial & date)
Was CVR spot-checked by Supervisor? ☐ Yes ☐ No _____ (initial & date)
R claim file created _____ (initial & date)
Recommendations entered on R claim file _____ (initial & date)

MICROFILMED

061 08 392

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: A57-10501
Date Received: 1/11/1989
Receipt No: W1926
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOB D. COLLETT 208-834-2306
Address: HC 79, BOX 2200
OREANA, ID 83650

OR

Name: RUTH M. COLLETT 208-834-2306
Address: HC 79, BOX 2200
OREANA, ID 83650

2. Date of Priority: DEC 31, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	01E	24	NW	SE			OWYHEE

5. Description of diverting works:
10" WELL, 2000' DEEP ARTESIAN-FLOWS INTO 10,000 GAL. TROUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	04/01	02/28	0.230		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1000 CATTLE

A57-10501

Page 1

Date: 01/11/89

MICROFILMED
OCT 08 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	01E	24	NW SE		STOCK	

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:

HAVE USED FACILITY FOR STOCK WATERING SINCE IT WAS INSTALLED.
ALSO HAVE MAINTAINED FACILITY SINCE IT WAS INSTALLED. THIS IS A
FILING OVER A BLM FILING (NOTE, NO PREVIOUS WR LOCATED ON THIS)
CLAIMANT HAS GRAZING RIGHTS ON LAND.
GARBUIT WELL NO. 1

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

Number of attachments: 1

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): Bah D Collett Date: 1-11-89
Quinn M Collett Date: 1-11-89

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 11 day

of Jan 19 89

Anda Warner
Notary Public

Seal

Residing at Boise ID

My Commission Expires 12-8-94

OCT 03 1992