

11/14/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-10913

LLOYD ROBERTS

1648 COVE RD

WEISER ID 83672

Telephone Number: (208) 549-1961

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

*- Error was made. Mandatory permit statute
not applicable to in-stream stock*

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

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

DATE:

11/29/06

SIGNATURE:

Lloyd Roberts

Please print your name: _____

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

No E review MIB

12-08-2006

SCANNED
DEC 08 2006

12/08/2006

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

RIGHT NUMBER: 67-10913
NAME AND ADDRESS: LLOYD ROBERTS
1648 COVE RD
WEISER ID 83672

SOURCE: TRIBUTARY:

QUANTITY: 0.090 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1973

POINT OF DIVERSION:

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.090 CFS

PLACE OF USE: STOCKWATER in WASHINGTON County

T12N R05W S20	NESW	T12N R05W S32	SWNE
---------------	------	---------------	------

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Stockwater use is for 350 range cattle.



Idaho Department of Water Resources

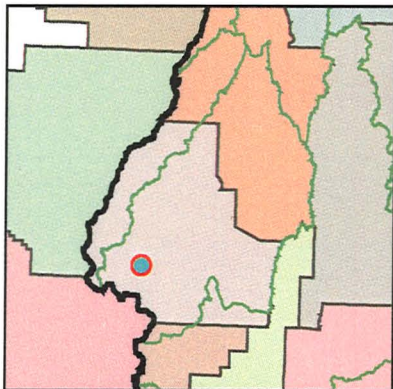
SRBA Recommendation:

67-10913

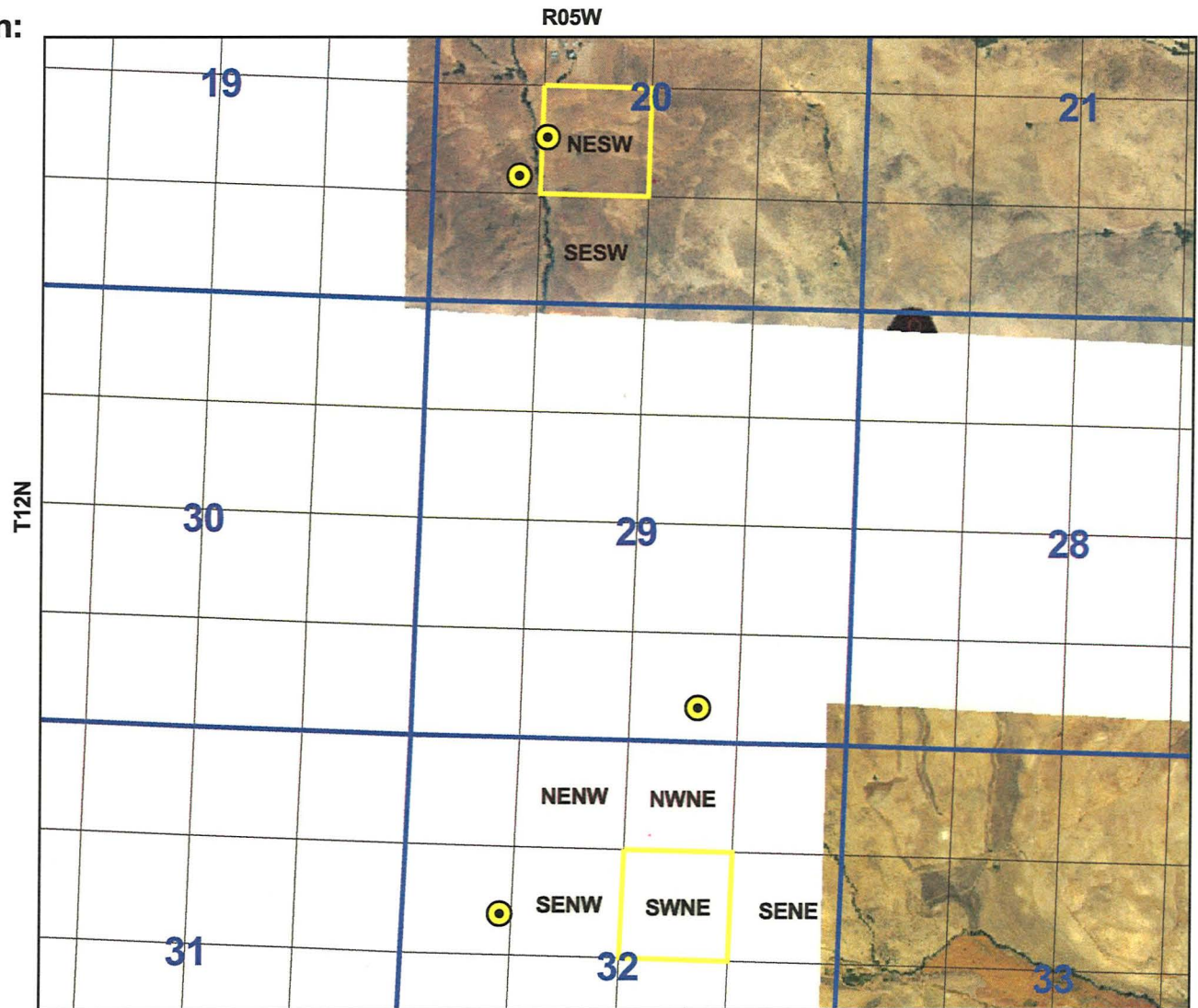
(Stockwater)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



0 0.9 1.8 Miles



Prepared by IDWR State Office
On Friday, December 8, 2006
1987/88 Aerial Photography

Adjudication Recommendation Report 67-10913 V1

<u>Owner Type</u>	<u>Name and Address</u>
Security Interest	MC FINNEY AGRI FINANCE LLC PO BOX 1598 TWIN FALLS, ID 83303-1598
Current Owner	LLOYD ROBERTS 1648 COVE RD WEISER, ID 83672 (208)549-1961

Priority Date: 01/01/1973
Basis: Beneficial Use
Status: Active

Source	Tributary
--------	-----------

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.090 CFS	
	Total Diversion:	0.090 CFS	

Location of Point(s) of Diversion

Place of Use
STOCKWATER

[illegible]

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. X02 Stockwater use is for 350 range cattle.
4. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 67-10913 V1

Comments:

1. csaxton 3/1/2006 Disallow

Comment: Recommend as disallowed as priority date claimed is in violation of the mandatory permit statute for surface water. Claimant notified of this in 1995 with no apparent response.

2. csaxton 3/1/2006 Parcel #

Comment: PARCEL NOS. RP 12N05W204800, RP 12N05W322400 STOCKWATER, 350 RANGE CATTLE

3. mvanbussum 12/8/2006 NOE process

Comment: Per conversation with Craig Saxton 12-6-2006, we will be changing use to instream stock and recommending.

4. mvanbussum 12/8/2006 Priority Date

Comment: Claimed priority date after 1971 but we are recommending as de minimus with the usual n codes, so this is not a violation of the mandatory permit statute.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag: NONE RECEIVED

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	3/1/2006 3:08:24 PM	csaxton			Active
Summary			03/01/2006	csaxton	Active
Summary			03/01/2006	csaxton	Active
POD	3/1/2006 3:11:49 PM	csaxton			Active
POU	3/1/2006 3:11:50 PM	csaxton			Active
Season	3/1/2006 3:11:51 PM	csaxton			Active
Source	3/1/2006 3:11:51 PM	csaxton			Active
Use	3/1/2006 3:11:51 PM	csaxton			Active
Quantity	3/1/2006 3:11:52 PM	csaxton			Active
Contacts	12/8/2006 10:56:15 AM	mvanbussum			Active
Priority Date	12/8/2006 10:56:40 AM	mvanbussum			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10913 V1

POD	12/8/2006 10:56:53 AM	mvanbussum	Active
Source	12/8/2006 11:05:09 AM	mvanbussum	Active
POU	12/8/2006 11:05:34 AM	mvanbussum	Active
Use	12/8/2006 11:08:04 AM	mvanbussum	Active
Season	12/8/2006 11:08:38 AM	mvanbussum	Active
Quantity	12/8/2006 11:09:41 AM	mvanbussum	Active
Summary	12/08/2006	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	12/8/2006 11:05:34 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
General	3/1/2006 3:08:32 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (Yes) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (No) 11. Is this claim an enlargement or expansion under 42-1426 or 42-1416B?
Summary	3/1/2006 3:09:01 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10913 V1

Summary	3/1/2006 3:09:54 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	3/1/2006 3:11:57 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License?
POU	3/1/2006 3:11:59 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License?
Source	3/1/2006 3:11:59 PM	csaxton	(No) 1. Is the basis of claim Decree or License?
Use	3/1/2006 3:11:59 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License?
Season	3/1/2006 3:12:00 PM	csaxton	(No) 1. Is the basis of claim Decree or License?
Quantity	3/1/2006 3:12:00 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License?
POD	12/8/2006 11:02:45 AM	mvanbussum	Updated shape
Contacts	12/8/2006 10:56:15 AM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
General	12/8/2006 10:56:40 AM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Recommended as de minimus instream stock.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10913 V1

POD	12/8/2006 10:56:53 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	12/8/2006 11:04:43 AM	mvanbussum	Updated shape
Source	12/8/2006 11:05:09 AM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
POU	12/8/2006 11:06:26 AM	mvanbussum	Updated shape for Active POU
POU	12/8/2006 11:07:49 AM	mvanbussum	Updated shape for Active POU
POD	12/8/2006 11:03:17 AM	mvanbussum	Updated shape
POD	12/8/2006 11:04:06 AM	mvanbussum	Updated shape
Use	12/8/2006 11:08:04 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	12/8/2006 11:08:37 AM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (No) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required? Description for Question 15 - IDWR standard season of use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10913 V1

Quantity	12/8/2006 11:09:40 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Per Water Management Division Administrator Dave Tuthill, no flow measurement needed if recommended flow is less than 0.2 cfs.
Summary	12/8/2006 11:11:20 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

Saxton, Craig

From: Fritschle, Carter
Sent: Wednesday, December 06, 2006 8:44 AM
To: Saxton, Craig
Subject: 67-10913 NOE

Hi Craig,

I received a call from Erika at (208) 336-1079, and she represents the owner of 67-10913. The caller ID showed One Connection IP, so I am not sure if that is a law firm, or possibly a consulting company.

Could give her a call back and explain to her why the claim was disallowed?

Thanks, Carter

Spoke with her 12-6-06
and said I would change
to Instream 4 Rec
C. Suter
12-7-06

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: **A67-10913**
Date Received: 10/17/1989
Receipt No: W006325
Received By: let

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

1. Name: LLOYD ROBERTS 208-549-1961
Address: 1648 COVE RD
WEISER ID 83672

2. Date of Priority: JAN 1, 1973

3. Source: SPRINGS Trib. to: JENKINS CREEK
SPRINGS MONROE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	05W	20	SE	NW	SW		WASHINGTON
		32	NW	SW	NW		WASHINGTON

Beginning Point of Instream Flow						
12N	05W	20	NW	NE	SW	WASHINGTON

Ending Point of Instream Flow						
12N	05W	29	SE	SW	SE	WASHINGTON

5. Description of diverting works:
DEVELOPED SPRINGS WITH TROUGHS AND OPEN STREAM FOR CATTLE WATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	03/01	12/31	0.140		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 350 HEAD BEEF CATTLE (COW/CALF)

SCANNED
APR 09 2004

MICROFILMED
OCT 22 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	05W	20	NE	SW		STOCK	
		32	SW	NE		STOCK	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: 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: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

**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 AG-1-10913Date Received 10-17-89Receipt Number W006325

RECEIVED
OCT 17 1989

Department of Water Resources
Western Regional Office

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

Please type or print clearly

1. Name of Claimant (s) Lloyd Roberts Phone (208) 549-1961Mailing Address 1648 Cove Road Weiser, Idaho Zip 836722. Date of Priority (Only one (1) per claim) 1/1/733. Source of water supply (a) (2) developed springs & tributaries
which is tributary to (b) Monroe Creek & Jenkins Creek4. a. Location of existing point of diversion is: Township 12N Range 5W Section 20,
12N 5W 32,
SE 1/4 of NW 1/4 of SW 1/4, Govt. Lot, B.M., County of Washington
NW SW NW Washington

Additional points of diversion if any: _____

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

Township 12N Range 5W Section 20, NW 1/4 of NE 1/4 of SW 1/4,Govt. Lot B.M., County of Washingtonending point is: Township 12N Range 5W Section 29, SE 1/4 of SW 1/4 ofSE 1/4, Govt. Lot B.M., County of Washington5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.(2) developed springs with watering troughs and open stream for cattle water**MICROFILMED****OCT 22 1996**

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stock watering-springs purposes from 3/1 to 12/31 amount .07 or _____

For Stock watering-streams purposes from 3/1 to 12/31 amount .07 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .14 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Water for approx. 350 head of beef cattle (cow/calf)

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
12N	5W	20									5								
12N	5W	32			5														

Total number of acres irrigated _____

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

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (x)

14. Remarks:

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OCT 22 1996

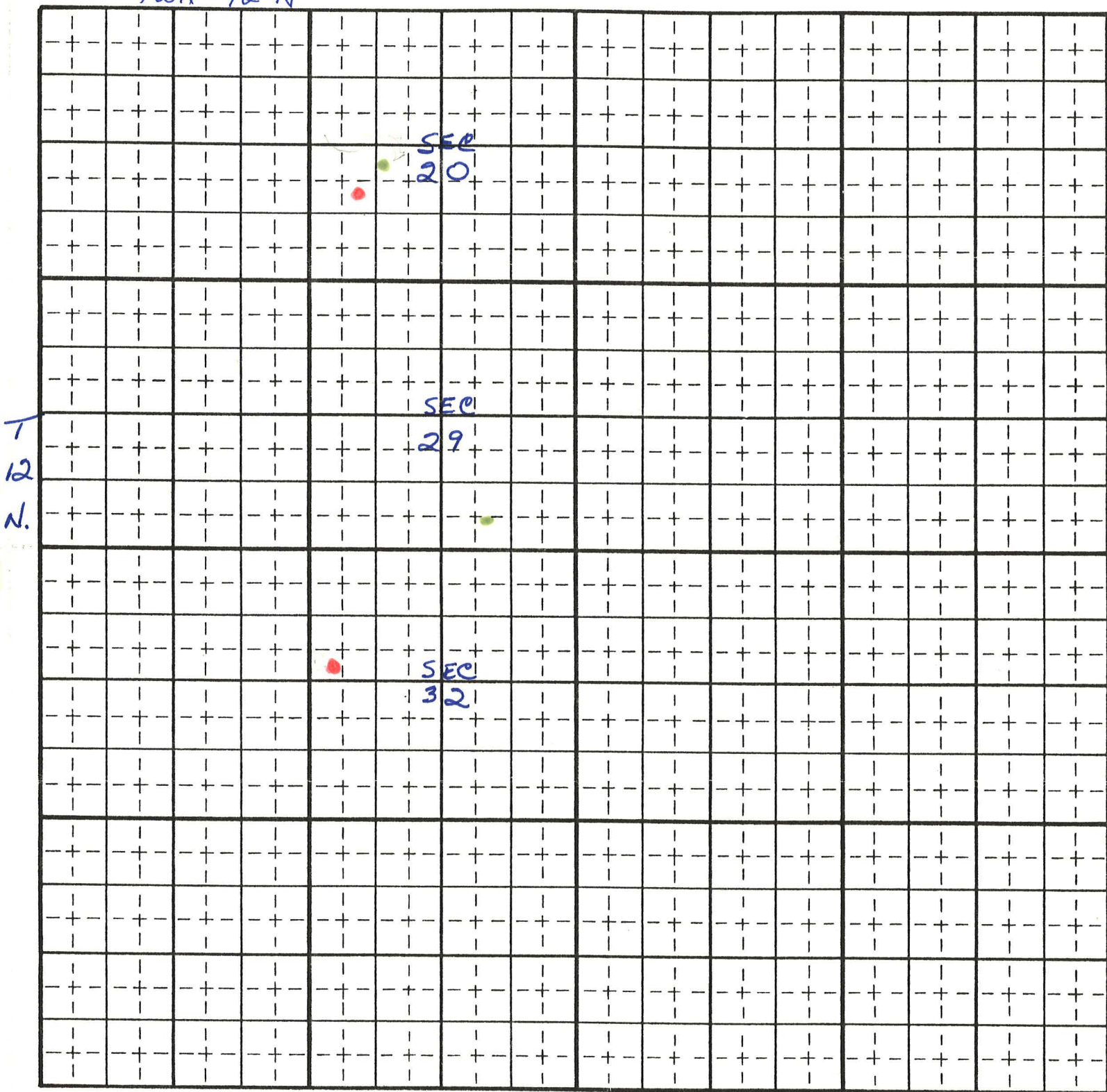
Last Name Lloyd Roberts Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

TWIX 12 N R-5W



● IN STREAM FLOW
● SPRINGS

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OCT 22 1996

Last Name LLOYD ROBERTS Ident No. _____

Copies: White-State, Yellow-Claimant

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

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) ☒ Lloyd Roberts Date ☒ 10/12/89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 12th day of October 19 89

SEAL

Notary Public Jamie L. Saito

Residing at Keiser Idaho

My Commission Expires 11-29-94

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

MICROFILMED
OCT 22 1996

Copies White-State, Yellow-Claimant

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: W006325

Date: 10/17/89
Time: 14:07:31

Received From: ROBERTS, LLOYD

Type of Payment	Program Acct Class	Amount
ADJUDICATION CLAIM FEE	0410162 9337 6490	\$150.00

Total \$150.00

CHECK 360

WR/NO: A67-10913

Idaho Department of Water Resources

Region: WESTERN

Signature: Lori Harris

MICROFILMED
OCT 22 1996

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME

Roberts, FloydCLAIM IDENT. NO. AL67-10913DATE RECEIVED 10-17-89 RECEIPT # W006325 FEE PAID \$ 150⁰⁰ FEE REQ'D \$ 25⁰⁰

	YES	NO	Require Info?
1. Is the name and address complete with zip code?	<u>X</u>	—	*
2. Is a priority date entered?	<u>X</u>	—	*
Is the priority date acceptable in view of mandatory filing dates?	—	<u>X</u>	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	<u>X</u>	—	*
(b) Is a tributary to entered? (if required) N/A	<u>X</u>	—	
4. Is the legal description of the p.d. sufficient?	<u>X</u>	—	*
5. Is there a description of the diverting works?	<u>X</u>	—	
6. Are the water uses appropriate for the form?	<u>X</u>	—	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.			
Is the period of use included?	<u>X</u>	—	
Is a quantity claimed for each use?	<u>X</u>	—	*
7. Is a total quantity claimed entered?	<u>X</u>	—	
8. If required is a consumptive use entered? N/A	<u>X</u>	—	
Is the consumptive use correct? N/A	<u>X</u>	—	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	<u>X</u>	—	*
If multiple domestic, is single ownership indicated?	—	—	
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>	—	*
11. Is (are) the county(ies) entered?	<u>X</u>	—	
12. Is the ownership of p.u. checked?	<u>X</u>	—	
13. Are other water rights listed or "none" indicated?	<u>X</u>	—	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A	<u>X</u>	—	
15. Is the basis of the claim indicated?	<u>X</u>	—	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A	<u>X</u>	—	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found?	—	—	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A	—	<u>X</u>	
(If yes, attach a proof report & complete number change)			
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A	<u>X</u>	—	
19. Is the claim signed by the claimant, and is the signature appropriate?	<u>X</u>	—	*
20. Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	—	*
21. Was this claim filed on time?	<u>X</u>	—	*
(Check ML3 for date mailed-not all were mailed on the planned date)			
If no, was an extension of time filed & approved?	—	—	*
22. Is the fee enclosed correct? Exempt	—	—	*

MICROFILMED

OCT-22 1996

23. Is this claim being rejected and returned to claimant? X ok
24. Can this claim be data entered? ok X
25. Was claim modified? — —
If yes, do modifications require notification to claimant? — —
Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: Rad Date 1-11-94
Claim data entered by: lat Date 3-7-95

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: App. for permit needed for this priority date.
This claim can be data entered as it is complete per requirements. However,
claimant must be notified of permit requirements
Per map (aerophotogram 1153) springs appear to be tributary to
Jenkins Creek. Points of diversion ^{at} Stem 4 do
not correspond to points marked on map attached
to claim - Flag for field exam. per

AJ0749NP
No. R67-10913

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

DATE: 09/08/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LLOYD ROBERTS 1648 COVE RD WEISER ID 83672 (208) 549-1961	01/01/1973	STOCKWATER	03-01 12-31	0.14 CFS	
TOTAL DIVERSION:					0.14 CFS	

Water Source: SPRINGS
SPRINGS

Tributary to: JENKINS CREEK
MONROE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T12N R05W S20 SENWSW
S32 NWSWNW
Point(s) of Beginning Stream Reach: T12N R05W S20 NWNESW
Point(s) of Ending Stream Reach: T12N R05W S29 SESWSE

WASHINGTON County
WASHINGTON County
WASHINGTON County
WASHINGTON 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	Lt	Ac	Lt	Ac	:
12N	05W	20	:																	:
12N	05W	32	:			S								S						:

POU County: WASHINGTON

Other Rights: NONE

Remarks: EXP PARCEL NOS. RP 12N05W204800, RP 12N05W322400
STOCKWATER, 350 RANGE CATTLE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Y
Presumption Flag:

Audit: 09/08/98 CWALKER

SCANNED
APR 09 2004

Hold. surface water after 1971

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: SEP-5-1997

~~RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW~~

PAGE: A-160

RIGHT NUMBER: 67-10913

NAME & ADDRESS: LLOYD ROBERTS
1648 COVE RD ✓
WEISER ID 83672

SOURCE: SPRINGS TRIBUTARY: JENKINS CREEK
SPRINGS MONROE CREEK

QUANTITY: 0.14 CFS

PRIORITY DATE: 01/01/1973

POINT OF DIVERSION: T12N R05W S20 ✓ SENWSW Within WASHINGTON County
S32 NWSNW ✓
S20 ✓ NWNESW ✓ (INSTREAM BEGINNING POINT)
S29 SESWSE ✓ (INSTREAM ENDING POINT)

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	STOCKWATER STOCKWATER, 350 HEAD BE	03-01 12-31	0.14 CFS

PLACE OF USE: STOCKWATER Within WASHINGTON County
T12N R05W S20 ✓ NESW ✓ RP 12 N 05 W 20 4800
S32 ✓ SWNE ✓ RP 12 N 05 W 32 2400

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

SW-350 R.C.

Verified by AC Date: 8-27

Verification Source: Alpha map



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

3-7-95

[Lloyd Roberts
1648 Cove Rd.
[Weiser ID 83672]]

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Dear Claimant(s):

We have completed our initial review of the claim you submitted during the Snake River Basin Adjudication claims filing in your area. I have included a copy of this claim for your reference. Unfortunately, there is a problem with the claim that requires your attention.

Any water right developed for this type of use from surface water after May 20, 1971, is required to have an application for permit filed. Normally, any claim for a diversion from a surface water source with a priority date after May 20, 1971, is disallowed and no water right decreed for the use claimed. We can find no record of a previously filed permit for this property. This claim as you have submitted it, is in conflict with 42-201 Idaho Code.

I have enclosed an application for permit, with instructions for your possible use in this matter. We will be happy to proceed if you will return the completed forms to:

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

You may wish to pursue before the court the exact water right you have presented on this claim. If you do not wish to file your Notice of Claim, please complete the enclosed Request For Withdrawal of Claim and return it to the address shown. Your request for refund will be processed as quickly as possible. Please let us know if you wish to apply your filing fees towards the application fee. Do not hesitate to contact this office if you have any questions or concerns.

Sincerely,

Helen Thornton
Adjudication Staff
Western Region

HT:lh
Enclosures

MICROFILMED
OCT 22 1996