

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: A36-07138
Date Received: _____
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: Flat Top Sheep Company Phone: 788-2850 or
Address: P.O. Box 88 726-7568
Carey, Idaho 83320
2. Date of Priority: September 24, 1970
3. Source: Groundwater Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
5S	24E	19	SW	SW			Minidoka
5. Description of diversion works:
Well and pump
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.
Stockwater	Jan. 1	Dec. 31	.03		
7. Total Quantity Claimed is:
.03 C.F.S. (and/or) (Acre Feet)
8. Total consumptive use claimed is:
94 Acre Feet Per Annum.
9. Non-irrigation uses:
Stockwater - 10,000 sheep
2,000 cattle
10. Description of place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
5S	24E	19	SW	SW		Stockwater	

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

Minidoka

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

13. Other water rights used at the same place and for the same purposes as describe above.

None

14. Remarks:

15. Basis of Claim: License

Water Right Number: 36-07138

16. Signature(s)

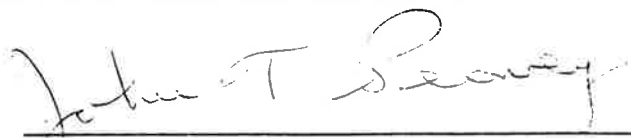
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication."

(b.) I/We do do not x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: See Claim 36-7021

For Organizations:

I do solemnly swear or affirm that I am President of Flat Top Sheep Company, that I have signed the foregoing document in the space below as President of Flat Top Sheep Company and that the statements contained in the foregoing document are true and correct.


John T. Peavey

President - Flat Top Sheep Company

Dec 18, 1991
Date

State of Idaho)

) ss.

County of Minidoka)

Subscribed and sworn (or affirmed) before me this 11th day of November, 1991.

RECEIVED

(SEAL)

Roger D. Ling
Notary Public for Idaho

Residing at: Rupert, Idaho

My Commission Expires: 10/30/92

17. Notice of Appearance:

Notice is hereby given that I, Roger D. Ling, will be acting as attorney at law on behalf of the claimant signing the 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: Roger D. Ling

Address: P. O. Box 396, Rupert, ID 83350

Date: Dec 18 / 90

MICROFILMED

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: **A36-07138**
Date Received: 12/27/1991
Receipt No: S014010
Received By: _____

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

1. Name: FLAT TOP SHEEP COMPANY 208-788-2850
Address: PO BOX 88
CAREY ID 83320

2. Date of Priority: SEP 24, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	24E	19	SW	SW			MINIDOKA

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.030		94.00

7. Total Quantity Appropriated is:
0.030 C.F.S. (and/or) 94.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER/ 2000 RANGE CATTLE & 10,000 SHEEP

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	24E	19	SW	SW		STOCK	

11. Place of use in counties: MINIDOKA



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

31-DEC-1991

ROGER D. LING
PO BOX 396
RUPERT ID 83350

RE: ADJUDICATION CLAIM NO. A36-08273, A36-08274, A36-08275,
A36-02454B, A36-07007B, A36-07021,
A36-02455, A37-04116, A37-01217,
A36-15339, A37-04397, A36-04268,
A36-07138, A37-00390, A37-00391,
A37-00392, A37-00393, A37-00394,
A37-00395, A37-00396, A37-00397,
A37-00398, A37-00399, A37-00400,
A37-00401, A37-02092, A37-02234,
A37-02294 - FLAT TOP SHEEP COMPANY

Mr. Ling:

Pursuant to the notification that you are representing the claimant(s) on the above referenced Adjudication Claim(s), please find enclosed copies of the computer generated claim(s) based on the information from the original claim(s) which has been entered in our computer records.

Please review the record(s) and if you have any corrections or any questions, feel free to contact this office.

Sincerely,


Jeanie Robertson
Records Clerk

/jr
Enclosures

R PROOF

CVR

MAPS

PHOTOS

MISC

UNRECORDED

NOV 11 1994

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. 36-07138 -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)

RESPONSE TO OBJECTION NO. 36-07138 -0001 - PAGE 1

MICROFILMED

OCT 19 1994

2. Person who filed objection:

Name: US BUREAU OF LAND MANAGEMENT
Address: DEPT OF INTERIOR
3380 AMERICANA TERRACE
BOISE ID 83706

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
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.
14. ☒ Other: I respond to the objection concerning:
OWNERSHIP OF FEDERAL LAND

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1 and 14, and all allegations of the objection regarding these items, IDWR responds as follows:

IDWR is informed and therefore believes that some or all of the lands upon which water is diverted, conveyed, or used pursuant to this right are owned by the United States, and that the claimant has a cooperative agreement with the United States regarding construction and maintenance of range improvements. The United States did not claim any rights to water from a well in Lot 7 (SWSW), Section 19, T05S, R24E. 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:

No. of
Pages

Notice of Claim No. A36-07138

3

(Over)

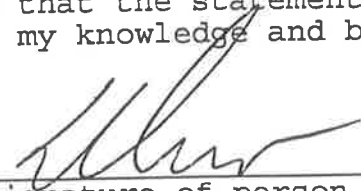
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

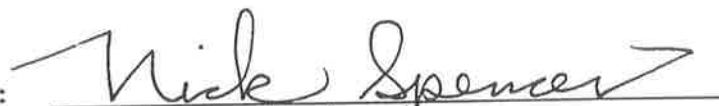
David B. Shaw, being first duly sworn, upon oath, deposes and says:

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 Bureau Chief 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.



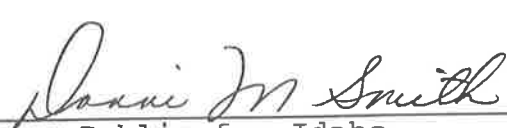
Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 31st day of August,
1993.



Notary Public for Idaho

Residing at: _____

My Commission Expires _____

Danni M. Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 31st day of August, 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: ROGER D LING
Address: PO BOX 396
RUPERT ID 83350

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: ENVT & NAT RESOURCES DIV
550 W FORT ST BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

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: A36-07138
Date Received: _____
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: Flat Top Sheep Company Phone: 788-2850 or
Address: P.O. Box 88 726-7568
Carey, Idaho 83320
2. Date of Priority: September 24, 1970
3. Source: Groundwater Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
5S	24E	19		SW	SW		Minidoka
5. Description of diversion works:
Well and pump
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.
Stockwater	Jan. 1	Dec. 31	.03		
7. Total Quantity Claimed is:
.03 C.F.S. (and/or) (Acre Feet)
8. Total consumptive use claimed is:
94 Acre Feet Per Annum.
9. Non-irrigation uses:
Stockwater - 10,000 sheep
2,000 cattle
10. Description of place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
5S	24E	19		SW	SW	Stockwater	

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

Minidoka

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

13. Other water rights used at the same place and for the same purposes as describe above.

None

14. Remarks:

15. Basis of Claim: License

Water Right Number: 36-07138

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication."

(b.) I/We do do not x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: See Claim 36-7021

For Organizations:

I do solemnly swear or affirm that I am President of Flat Top Sheep Company, that I have signed the foregoing document in the space below as President of Flat Top Sheep Company and that the statements contained in the foregoing document are true and correct.

John T. Peavey

John T. Peavey
President - Flat Top Sheep Company

Dec 18, 1991

Date

State of Idaho)

County of MINIDOKA)

ss.

Subscribed and sworn (or affirmed) before me this 11th day of ~~November~~, 1991.

~~DECEMBER~~

MICROFILMED

MICROFILMED

FEB 03 1993

(SEAL)

Roger D. Ling
Notary Public for Idaho
Residing at: Rupert, Idaho
My Commission Expires: 10/30/91

17. Notice of Appearance:

Notice is hereby given that I, Roger D. Ling, will be acting as attorney at law on behalf of the claimant signing the 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: Roger D. Ling

Address: P. O. Box 396, Rupert, ID 83350

Date: Dec 18, 1991

RECEIVED

APR 30 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

Case No. 36-07138
(You must insert the
water right number you
are objecting to)

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

OBJECTION

Petitioner,

36-07138 -0001/
93-04-0290

vs.

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

Respondents.

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 10 1993

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

Briefly describe your interest in this water right:

The United States, through the Bureau of
Land Management, is the owner of the land
upon which this water right is claimed.

2. Owner of the water right:

Name: claimant FLAT TOP SHEEP CO.
Address: P.O BOX 88
CAREY , IDAHO 83320

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U. S. Department of Justice
500 West Fort Street
Box 33
Boise, Idaho 83734
Attorney Phone No.: 202-272-4134/8351

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.

(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: Flat Top Sheep Company claiming ownership of federal land on which the Point of Diversion and Place of Use lie for this water right claim. Such ownership claim occurred at Item 12 of the NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW, signed by John T. Peavey, President - Flat Top Sheep Company on December 18, 1991.

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.

Boxes 1 and 14 were checked because, while Flat Top Sheep Company has a valid cooperative agreement with BLM to construct, operate, and maintain a stockwater well on federal land and holds water right 36-07138 in the name of Flat Top Sheep Company, that private party holds no right of ownership for control of federal land. As a result this water right should be decreed in the name of the United States.

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.

This water right should be decreed in the name of the
United States.

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.

VERIFICATION (Must be Completed)

State of Idaho

County of Lincoln

MARY C. GAYLORD, SHOSHONE DIST. 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 27th day of April,
1993.


Notary Public for Lincoln County
Residing at: Shoshone, Idaho
My Commission expires: July 1, 1994

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 30 day of April, 1993, I mailed the original and 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: FLAT TOP SHEEP CO.
Owner's address: P.O. BOX 88
CAREY, IDAHO 83320

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
500 West Fort Street
Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

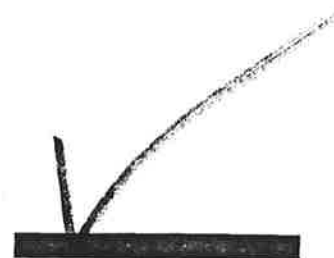
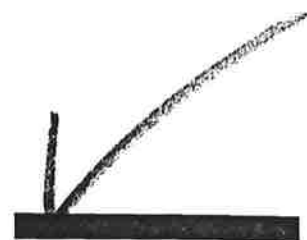
R PROOF

CVR

MAPS

PHOTOS

MISC



Water Right Number - R36-07138

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
FLAT TOP SHEEP COMPANY

1 - PO BOX 88

2 -

3 -

City- CAREY

State- ID Zip- 83320

Phone - 208-788-2850

*** A - ATTORNEY ***
LING

ROGER D.

1 - PO BOX 396

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-000-0000

+ - - Priority Date - - +
09/24/1970+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

05S 24E 19 SW SW 7 (67) MINIDOKA

+ - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER

01/01

12/31

0.030

21.70

+ - Total Div. Rate - + + - Total Div. Volume - +
0.030 21.70+ - Total Consumptive Use - + + - KW Usage - +
0.0+ - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

05S

24E

19

SW SW

7

04

STOCKWATER

(67) MINIDOKA

Total Acres:

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use - STOCKWATER/ 2000 RANGE CATTLE & 10,000 SHEEP

+ - - Other Rights for Same Use - NONE

+ - - Remarks - - - - - +
No Remarks found.

Water right number - R36-07138

Prefix Translation: RESEARCH

```
+ - - - - Old Water Right Numbers - - - - +
+ - - - - Old Water Right Numbers - - - - +
      No Old Water Right Numbers Found
+ - - - - Conditions of Approval - - - - +
      No Conditions of Approval found.
+ - - - - Decree Plaintiff - - - +      + - - - - Decree Defendant - - - +      + - - Decree Date - +
                                         00/00/0000
+ - - - - Comments - - - - +
Date: 04/30/1992 User Id: MERRITT Subject: COPIED FROM REMARKS
BLM JOB NO. 4284, SIGNED 10/5/70.
Date: 04/30/1992 User Id: MERRITT Subject: REDUCTION OF DIVERSION VOLUME
REVIEW OF FILE INDICATES DIV. CAPACITY BETWEEN 0.03 AND 0.04 CFS AND LICENSE WAS ISSUED FOR WHAT WAS PERMITTED HOWEVER
LICENSED VOLUME FAR EXCEEDS DIV. CAP RUN THROUGHOUT THE YEAR. RECOMMENDATION FOR VOLUME IS FOR 0.03 CFS X 1.98 X 365 =
21.7 AFA.
+ - - Audit Fields - - +
      04/30/92 MERRITT
+ - - - - Adjudication Rights Dates and Flags Area - - - - +
      Court Report Filing - 00/00/0000      Field Inspection Made - 00/00/0000      Civil Case Number - 39576
      Objection Filed Date - 00/00/0000      Field Inspection Flag -
      Response Filed Date - 00/00/0000      Verified Date - 04/30/1992      Old Case Number -
      Claim Received Date - 12/24/1991      Last Amended Date - 00/00/0000      Old Judicial District -
      Receipt Number - S014010      Water District - P
      POU Ownership Flag - Y      Federal/State Indicator - S
      Name Connector -      Presumption Flag -
      Notice of Error Flag -
```

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:34:27
01/09/92

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07138

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE					11	11/13/91	11/13/91	11/13/91
POINT OF DIV	Y				8	6/1/92	7/1/92	7/1/92
SOURCE					11			
PLACE OF USE	Y				8	6/1/92		
DIV. AMOUNT CFS/VOLUME					11			
CONSUMPTIVE USE	-				11			
PURPOSES					11			
PERIOD OF USE					11			
BASIS OF CLAIM					11			
REMARKS					Y	6/1/92	7/1/92	7/1/92

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:34:27
01/09/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07138

LAST: FLAT TOP SHEEP COMPANY
ADDRESS: PO BOX 88
CITY: CAREY
PHONE NUMBER: 208-788-2850

FIRST:

STATE: ID ZIP: 83320

OWNER CODE: C

LAST: LING
ADDRESS: PO BOX 396
CITY: RUPERT
PHONE NUMBER: 208-000-0000

FIRST: ROGER D.

STATE: ID ZIP: 83350

OWNER CODE: A

FIELD EXAM REQUIRED?

DATABASE
N

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A36-07138 PRIORITY DATE: 09-24-1970 STAGE: L

B. WR RECORD: # 36-07138 PRIORITY DATE: 09-24-1970 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

1

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

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
09-24-1970

REVIEWED BY

8/2/70

DATE

8/2/70

=====

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07138	05S	24E	19		SW	SW		MINIDOKA

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

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07138	05S	24E	19		SW	SW		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

REMARKS:

Good old Brown well actually located in lot 9 (24E 05S 19W) and not location of well.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

50 21E 11 --- --- --- --- --- ---

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: --- DATE: ---

A. ROOT WATER RIGHT NUMBERS: A36-07138

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
05S	24E	19	SW	SW		FLAT TOP SHEEP COMPANY	A36-07138 /	36-07138 /			
TOTAL ACRES							A36-07138				

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

Yours located in Lot 1 (A36-07138) was shown on plat filed 8/26/02
quadrant

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: 3/3/10

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY	
A36-07138 STOCKWATER	FROM 01-01 TO 12-31	.030 CFS	94.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		.030 CFS	94.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY	
36-07138 STOCKWATER	FROM 01-01 TO 12-31	.030 CFS	94.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		.030 CFS	94.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u> 1 </u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u> 1 </u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	<u> 1 </u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.030 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.030 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y 10

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ 94.00 AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

1b. CALCULATIONS

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
STOCKWATER	01-01 12-31	0.030 <u>0.03</u>	94.00 <u>94.0</u>	0.0 <u>0</u>
TOTAL FOR THIS RIGHT		0.030 <u>0.03</u>	94.00 <u>94.0</u>	0.0

REVIEWED BY: WLF

DATE: 2/1/13

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07138

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.030

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-07138	0.030	-	-	36-07138	0.030
TOTAL CFS		0.030				0.030

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

*Root water right no. 4229, signed 10/3/1970
(copy in house file)*

AUTHENTICATION:

SIGNATURE: *[Signature]*

DATE: *10/1/70*

NAME OF FIELD EXAMINER: _____

TITLE: *St. Louis, Missouri*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:32:10
01/09/92

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A36-07138

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FLAT TOP SHEEP COMPANY PO BOX 88 CAREY ID 83320 (208) 788-2850	09/24/1970	STOCKWATER	01-01 12-31	0.03 CFS	94.0 AFA
TOTAL DIVERSION:					0.03 CFS	94.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05S R24E S19 SWSW

MINIDOKA County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE																			
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:		
05S	24E	19	:									:							:						:							:			

Other Rights: NONE

Non-Irrigation Use: STOCKWATER/ 2000 RANGE CATTLE & 10,000 SHEEP

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

55 24 E 19 SW 30

436-67138

R23E R24E

COMMUNITY LAKE QUADRANGLE
IDAHO

7.5 MINUTE SERIES (ORTHOPHOTOQUAD)

