

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: **A36-10870**

Date Received: 10/11/1988

Receipt No: M001544

Received By: _____

address change

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

1. Name: BILLINGSLEY CREEK RANCH 208-837-6174
Address: 2726 S 1050 E
HAGERMAN ID 83332

2. Date of Priority: MAY 1, 1915

3. Source: SPRING Trib. to: BILLINGSLEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	14E	19	SW	SE	SW		GOODING

5. Description of diverting works:
CONCRETE HDBOX SHARED WITH CITY OF HAGERMAN, (SEE REMARKS.)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		
STOCKWATER	01/01	12/31	0.200		
DOMESTIC	01/01	12/31	0.080		

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

8. Total consumptive use is 27.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 2 HOMES; STOCKWATER, 5280 SHEEP 225 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	14E	19	SE	SW		IRR	9.0
			SE	SW		DOMEST	

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FEB 07 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	14E	19	SE	SW		STOCK	

Section Acres 9.0

Total Acres 9.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

CONTINUED, WATER IS PICKED UP IN A DITCH FROM THE CITIES
OVERFLOW. AT THIS TIME FLOOD IRRIGATION IS USED
HOWEVER IN THE FUTURE APPLICANT MAY SPRINKLE FROM THE
CITIES PIPE LINE. WATER IS PUMPED TO HOUSE FOR DOMESTIC AND
STOCK NEAR HOUSE.

CHANGE IN OWNERSHIP 12-17-91 SCC.

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: _____

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FEB 07 1993

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 _____

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FEB 07 1993



BILLINGSLEY CREEK RANCH

Route 1 Box 216
Hagerman, Idaho 83332

Phone 208-837-6174
Fax 208-837-6563

RECEIVED

SEP 30 1992

September 29, 1992

Department of Water Resources
Southern Region Office

Loren Holmes
Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Dear Loren:

When I was in your office last week, I noticed that most of my adjudication claims were made in the name of Buckeye Land Company. When we sold the Buckeye Ranch, we changed the name of our operating partnership to Billingsley Creek Ranch. There has also been a postal service change in addressing here in the Hagerman Valley. In order to insure that I receive all information pertinent to the pending adjudication, I request that you change the name and address of the claimant on the following water right numbers:

36-10826 ✓
36-10870 ✓
36-11060 ✓
36-00046 ✓
36-02379 -
36-10394

The name and address should read:

Billingsley Creek Ranch
2726 South 1050 East
Hagerman, Idaho 83332

Telephone: 208/837-6174
Fax 208/837-6563

Thank you for your cooperation in this matter.

Sincerely,

Donnie McFadden

DM/2t

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FEB 07 1993

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: A36-10870
Date Received: 10/11/1988
Receipt No: M001544
Received By: See

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BILLINGSLEY CREEK RANCH 208-837-6174
Address: RT 1 BOX 216
HAGERMAN ID 83332

2. Date of Priority: MAY 1, 1915

3. Source: SPRING Trib. to: BILLINGSLEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	14E	19	SW	SE	SW		GOODING

5. Description of diverting works:
CONCRETE HDBOX SHARED WITH CITY OF HAGERMAN, (SEE REMARKS.)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		
STOCKWATER	01/01	12/31	0.200		
DOMESTIC	01/01	12/31	0.080		

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

8. Total consumptive use is 27.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 2 HOMES; STOCKWATER, 5280 SHEEP 225 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	14E	19	SE	SW		IRR	9.0
			SE	SW		DOMEST	

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	14E	19	SE	SW		STOCK	

Section Acres 9.0

Total Acres 9.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

CONTINUED, WATER IS PICKED UP IN A DITCH FROM THE CITIES
OVERFLOW. AT THIS TIME FLOOD IRRIGATION IS USED
HOWEVER IN THE FUTURE APPLICANT MAY SPRINKLE FROM THE
CITIES PIPE LINE. WATER IS PUMPED TO HOUSE FOR DOMESTIC AND
STOCK NEAR HOUSE.

CHANGE IN OWNERSHIP 12-17-91 SCC.

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: _____

MICROFILMED
FEB 07 1993

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 _____

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FEB 07 1993



NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
AUG 16 1991

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 7S Range 14E
Section 19, SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

Department of Water Resources

RECEIVED

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) AUG 20 1991
- [] Water Right Number(s) Assigned by IDWR: A36-10826 A36-10827 Department of Water Resources
Southern Region Office
- [] Name and Address of Former Owner/Claimant(s)(Seller): Idaho State Bank
P.O. Box 909
Glenus Ferry, Idaho 83623
- [] New Owner/Claimant (Purchaser): Billingsley Creek Ranch
- [] New Mailing Address: P.O. Box 216
Hagerman, Idaho 83332
- [] New Telephone Number: (208) 837-6174
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s) Billingsley Creek Ranch Date 8/14/91
By David McFadden Date _____

- [] Signature of Former Owner/Claimant(s) Idaho State Bank Date _____
By claimant McFadden, acting mgr Date 8-14-91

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data Entry

Date: 9/16/91 By: [Signature]

Further Action Needed: yes

Further Action Taken

Date: 12-17-91 By: SM

Final Review and Data Entry

Date: 9/16/91 By: [Signature]

Claim Numbers of Split, if any: _____

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FEB 07 1993

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INTER-DEPARTMENT MEMO

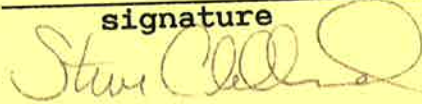
TO: FILE A36-10870
FROM: STEVE CLELLAND

SUBJECT: CHANGE OF OWNER
DATE: 12-17-91

This place was owned by Caren Petersen who filed the claim above on Potter Springs. Idaho State Bank could not communicate with Petersen, so as lienholder, they filed another claim on the same uses & source. They also included a filing for a Domestic well. IDWR solicited a change in ownership from the Killingsley Creek Ranch and changed the claimant's name on both claims. Since the I.S. Bank filing on Potter Springs A36-10827 is disallowed and recommended as A36-10870, we have carried the ownership change to the Recommended file. I personally spoke to Donnie Fadden who told me he had purchased the land as we drove by it.

() For your information
() Response required

signature



INTER-DEPARTMENT MEMO

TO: FILE A36-10870
FROM: STEVE CLELLAND

SUBJECT: CHANGE OF OWNER
DATE: 12-17-91

This place was owned by Carren Petersen who filed the claim above on Potter Springs. Idaho State Bank could not communicate with Petersen, so as lienholder, they filed another claim on the same uses & source. They also included a filing for a Domestic well. IDWR solicited a change in ownership from the Billingsley Creek Ranch and changed the claimant's name on both claims. Since the IS Bank filing on Potter Springs A36-10827 is disallowed and recommended as A36-10870, we have carried the ownership change over to the Recommended file. I personally spoke to Donnie McFadden who told me he had purchased the land as we drove by it.

() For your information
() Response required

signature



RECEIVED

OCT 31 1990

Department of Water Resources
Southern Region Office

Hagerman, Idaho 83332
October 23, 1987

A 36-10870

To Whom it May Concern:

I was born March 30, 1914 and moved to Hagerman in 1916. My parents bought the place that joining the place that Karen Peterson now owns. We moved on the place before 1920 because I started the first grade of school in the Rim Rock school that year.

Tom Jones owned the place that Mrs. Peterson now owns. He had a ram (this was a water pump that runs by water pressure) that pumped water up to the house from the spring. At that time he had a well established pasture that was gravity irrigated from the spring. I don't know how long before that time the water was used but it had to be several years.

Sincerely,

Floyd H. Marsh

INDIVIDUAL

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 26th day of Oct., in the year 1987, before me a Notary Public in and for said State, personally appeared Floyd H. Marsh known or identified to me to be the person whose name _____ is/are subscribed to the within instrument and acknowledged to me that _____ he _____ executed the same.

WITNESS my hand and official seal.

Georgia J. Smith
Notary Public for Idaho
Residing at Hagerman
My commission expires: 9-15-88

MICROFILMED
FEB 07 1993

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: A36-10870
Date Received: 10/11/1988
Receipt No: M001544
Received By: J. R.

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

1. Name: CARREN A. PETERSON 208-837-6594
Address: P.O. BOX 488
HAGERMAN, ID 83332

2. Date of Priority: MAY 01, 1915

3. Source: SPRING Trib. to: BILLINGSLEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	14E	19	SW	SE	SW		GOODING

5. Description of diverting works:
CONCRETE HDBOX SHARED WITH CITY OF HAGERMAN, (SEE REMARKS.)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		
STOCKWATER	01/01	12/31	0.200		
DOMESTIC	01/01	12/31	0.080		

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

8. Total consumptive use is 27.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 2 HOUSE, 2200 EWES, 3080 LAMBS, 225 RANGE CATTLE MAX.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	14E	19	SE	SW		IRR	9.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	14E	19	SE	SW		DOMEST	
			SE	SW		STOCK	
						Section Acres	9.0
						Total Acres	9.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE.

14. Remarks:

CONTINUED, WATER IS PICKED UP IN A DITCH FROM THE CITIES
OVERFLOW. AT THIS TIME FLOOD IRRIGATION IS USED
HOWEVER IN THE FUTURE APPLICANT MAY SPRINKLE FROM THE
CITIES PIPE LINE. WATER IS PUMPED TO HOUSE FOR DOMESTIC AND
STOCK NEAR HOUSE.

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): Carren A. Petersen Date: 10-11-88
_____ Date: _____

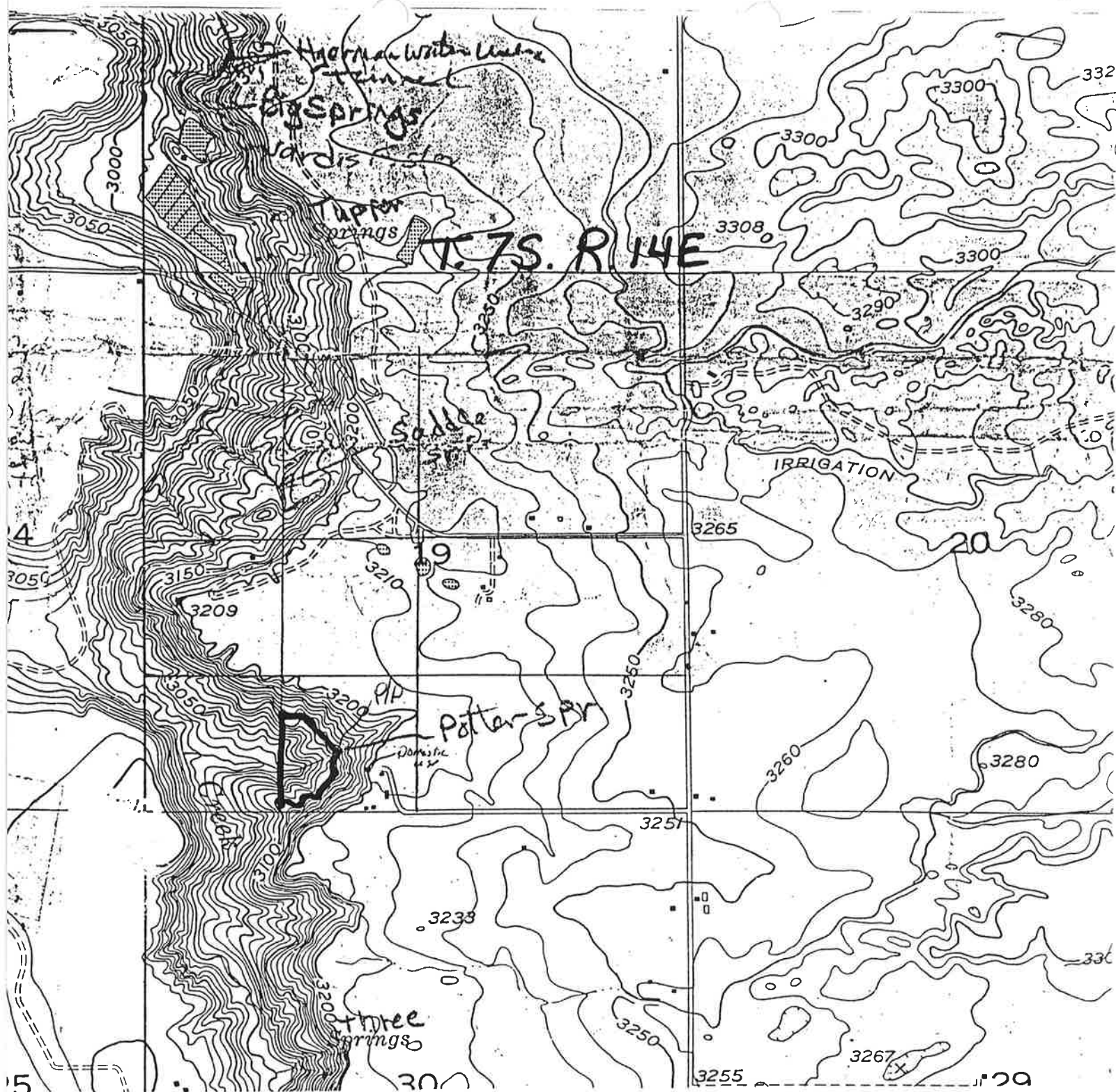
State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 11 day
of Oct 19 88

John D. Carlson
Notary Public

Seal

Residing at Boise Id
My Commission Expires 6/3/94



State of Idaho)

) ss.

County of _____)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

(Claimant)

Sworn to before me this _____ day of _____, 19____.



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 3, 1990

A26-10870
CARREN A. PETERSON
P.O. BOX 488

WATERMAN

TS 62332

Dear Claimant(s):

In the past you submitted the claim(s) identified with the number(s) shown above your name and address at the top of this letter. You indicated on the claim(s) that the basis for establishing the water right(s) was Beneficial Use, meaning the water right was not previously confirmed by a decree, water right license or permit before you filed the claim(s).

The purpose of this letter is to request evidence supporting the priority date(s) you have claimed. The enclosed pamphlet describes what this means. While I encourage you to read all of the pamphlet, I direct your attention to the right-hand half of the pamphlet after you open it. There you will find two sections: What Kind of Evidence is Required, and Some Examples of Documents which May Be Evidence of the Priority Date. These sections tell you what must be submitted. The other sections tell you why the evidence is necessary and what the consequences of not submitting the evidence could be.

Please submit the requested evidence by November 1, 1990. When returning to the Department please reference all documents with the claim(s) identification number(s) listed above.

If you have questions not addressed by the pamphlet or need other technical assistance, please feel free to contact this office. For advice on your water right(s), please contact your attorney.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosure

MICROFILMED
FEB 07 1993

RECEIVED

NOV 28 2000

Department of Water Resources

RECEIVED

JAN 08 2001

Department of Water Resources
Southern Region

2000 NOV 17 AM 08:40
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

) ORDER SETTING STATUS
) CONFERENCE

) SUBCASE NO: 36-10870

Please be advised that Special Master TERRENCE A. DOLAN
has set a Status Conference in the above subcase(s)
as follows:

FRIDAY, DECEMBER 29, 2000 at 09:30 AM

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

Option: Parties may participate by phone if they contact the
clerk at (208) 736-3011 prior to DECEMBER 27, 2000.

IT IS SO ORDERED.

Dated: NOVEMBER 17, 2000

/S/ TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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

Page 1 11/17/00

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on NOVEMBER 17, 2000, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

BILLINGSLEY CREEK RANCH
DONNIE MCFADDEN
2726 SOUTH 1050 EAST
HAGERMAN, ID 83332
Phone: 208-837-6174

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

RECEIVED

NOV 20 2000

Department of Water Resources

RECEIVED

JAN 08 2001

Department of Water Resources
Southern Region

2000 NOV 17 AM 08:40
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA) ORDER SETTING STATUS
Case No. 39576) CONFERENCE
)
) SUBCASE NO: 36-10870

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as follows:

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DISTRICT COURT
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IT IS SO ORDERED.

Dated: NOVEMBER 17, 2000

/S/ TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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

Page 1 11/17/00

RECEIVED
AUG 31 1998
Department of Water Resources
Southern Region

RECEIVED
AUG 24 1998
Department of Water Resources

1998 AUG 20 AM 11: 27

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *17*

In Re SRBA)
Case No. 39576)
Subcase 36-10870)
ORDER VACATING
STATUS CONFERENCE)

A status conference was set for August 14, 1998. Before the hearing, counsel for IDWR said that transfer proceedings related to the above claim have been completed. Hence, claimant Billingsley Creek Ranch and IDWR should soon complete and file an *SF-5* resolving objections.

THEREFORE, it is ordered that the status conference is **vacated**. Counsel for IDWR shall promptly notify the Court if the subcase cannot be settled by Friday, August 28, 1998.

DATED August 20, 1998.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER VACATING STATUS CONFERENCE was mailed on August 20, 1998, with sufficient first-class postage to the following:

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

Director of IDWR
Box 83720
Boise, Idaho 83720-0098

Billingsley Creek Ranch
Donnie McFadden
2726 South 1050 East
Hagerman, Idaho 83332


Deputy Clerk

R PROOF

CVR

MAPS

PHOTOS

MISC

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

Case No. 36-10870 -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: DONNIE MC FADDEN
Address: 2726 S 1050 E
HAGERMAN ID 83332

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

12. ☒ Water Right Recommendation: I respond to the objection concerning:
- 12b. ☒ This water right not being recommended.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 12 and 12.b, and all allegations of the objection regarding these items, IDWR responds as follows: (1) This water right was not recommended for disallowal, but recommended the amount of water it determined was being beneficially used for the recommended water uses. (2) The claimant is not entitled to any amount greater than that which is beneficially used (Idaho Code sections 42-104 and 42-1402).

In further response to this item of the objection, IDWR responds as follows: (1) The domestic use for this claim was recommended as water right 36-10826. (2) The irrigation use was not recommended because IDWR found no diversion, no irrigation system and other evidence establishing at least five years of non-use.

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. A36-10870

4

(Over)

RESPONSE TO OBJECTION NO. 36-10870 -0001 - PAGE 3

MICROFILMED

OCT 20 1994

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.

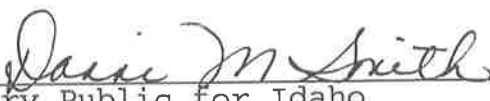


Signature of person filing response

By: 

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 10th day of September,
1993.



Notary Public for Idaho
Residing at: _____
My Commission expires: _____

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

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of September, 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: JOHN A RSHOLT
Address: PO BOX 1906
TWIN FALLS ID 83303

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: DONNIE MC FADDEN
Address: 2726 S 1050 E
HAGERMAN ID 83332

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 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: A36-10870
Date Received: 10/11/1988
Receipt No: M001544
Received By: Joe

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARREN A. PETERSON 208-837-6594
Address: P.O. BOX 488
HAGERMAN, ID 83332

2. Date of Priority: MAY 01, 1915

3. Source: SPRING Trib. to: BILLINGSLEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	14E	19	SW	SE	SW		GOODING

5. Description of diverting works:
CONCRETE HDBOX SHARED WITH CITY OF HAGERMAN, (SEE REMARKS.)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		
STOCKWATER	01/01	12/31	0.200		
DOMESTIC	01/01	12/31	0.080		

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

8. Total consumptive use is 27.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 2 HOUSE, 2200 EWES, 3080 LAMBS, 225 RANGE CATTLE MAX.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	14E	19	SE	SW		IRR	9.0

A36-10870

Page 1

Date: 10/11/88

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	14E	19	SE	SW		DOMEST	
			SE	SW		STOCK	

Section Acres 9.0

Total Acres 9.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE.

14. Remarks:

CONTINUED, WATER IS PICKED UP IN A DITCH FROM THE CITIES
OVERFLOW. AT THIS TIME FLOOD IRRIGATION IS USED
HOWEVER IN THE FUTURE APPLICANT MAY SPRINKLE FROM THE
CITIES PIPE LINE. WATER IS PUMPED TO HOUSE FOR DOMESTIC AND
STOCK NEAR HOUSE.

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): Carren A. Peterson Date: 10-11-88

Date: _____

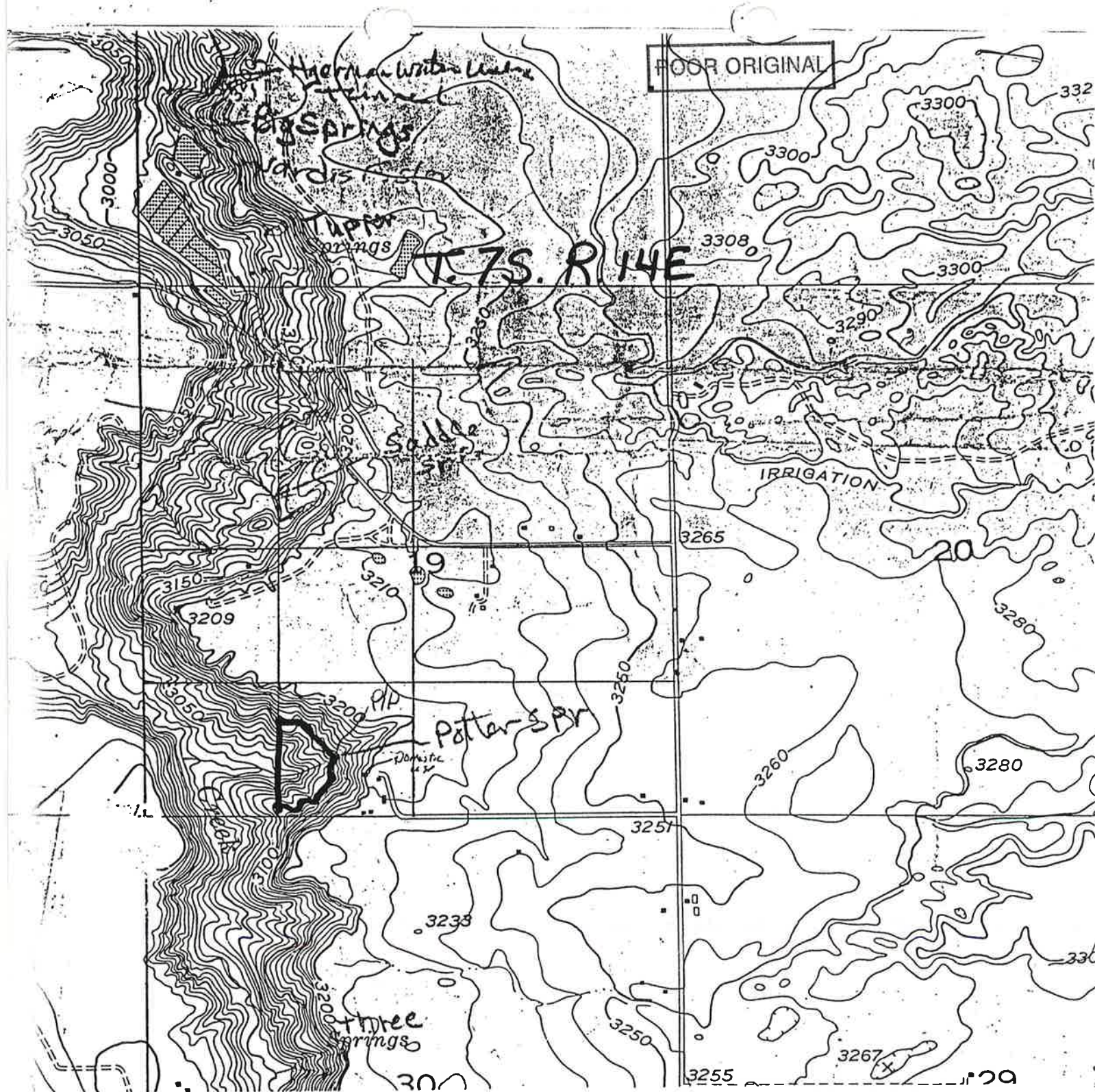
State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 11 day
of Oct 19 88

John Dal Carlson
Notary Public

Seal

Residing at Boise Id
My Commission Expires 6/2/94



State of Idaho)
) ss.
 County of _____)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

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 OCT 20 1994

(Claimant)

Sworn to before me this _____ day of _____, 19____.

Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication (SRBA)

RECEIVED
OCT 04 1993

Name(s) of Claimant (please print):

Billingsley Creek Ranch

Department of Water Resources
Adjudication Bureau

I/we acknowledge (check one):

☒

The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.

RECEIVED

☐ I/we are now represented by the attorney at the address below.

OCT 08 1993

Department of Water Resources
Southern Region Office

Attorney's Phone _____

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

36-00046 36-15462 36-02379 _____

36-10870 36-11060 36-10394 _____

For Individuals:

Authorized signature(s) Date _____

For Organizations:

I am Gen. Partner of Billingsley Creek Ranch, and I

Title

Organization

have signed the foregoing document in the space below as

Gen. Partner of Billingsley Creek Ranch

Title

Organization

Signature of Authorized Agent Dennis McFadden

Title Gen. Partner

Date 10/1/93

Organization Billingsley Creek Ranch

IDWR Use:

Date Received 10/8/93

Data Entry jc

Revised Date 4-03-92

MICROFILMED

OCT 20 1994



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

02-Nov-1993 11:09

BILLINGSLEY CREEK RANCH
DONNIE MC FADDEN
2726S 1050E
HAGERMAN ID 83332

RE: ADJUDICATION CLAIM(S) 36-00046- 36-15462 - 36-02379 - 36-10870 -
36-11060 - 36-10394

Dear Claimant(s):

Pursuant to the notification that you wish to remove Mr. Rosholt as your attorney on the above-referenced Adjudication Claims, I have changed the Department's record(s) as you have requested. Enclosed is a copy of the Claim(s), please review the record(s) for accuracy.

Should you have any questions, please feel free to contact me at this office.

Sincerely,

A handwritten signature in cursive script, likely belonging to Judy Givens.

Judy Givens
Adjudication Secretary

/jg

c.c. ROSHOLT ROBERTSON TOLMAN & TUCKER
ATTN CRYSTAL

MICROFILMED

OCT 20 1994

Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication (SRBA)

RECEIVED
OCT 04 1993
Department of Water Resources
Adjudication Bureau

Name(s) of Claimant (please print):

Billingsley Creek Ranch

I/we acknowledge (check one):

☒ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.

☐ I/we are now represented by the attorney at the address below.

Attorney's Phone _____

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

36-00046 36-15462 36-02379 _____

36-10870 36-11060 36-10394 _____

For Individuals:

Authorized signature(s) Date _____

For Organizations:

I am Gen. Parker of Billingsley Creek Ranch, and I

Title

Organization

have signed the foregoing document in the space below as

Gen. Parker of Billingsley Creek Ranch

Title

Organization

Signature of Authorized Agent Dennis McFadden

Title Gen. Parker

Date

10/11/93

Organization

Billingsley Creek Ranch

IDWR Use:

Date Received 10-4-93

Data Entry 9/11-4-93

Revised Date 4-03-92

MICROFILMED

OCT 20 1994



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

18-Dec-1992

DONNIE MC FADDEN
BILLINGSLEY CREEK RANCH
RT 1 BOX 216
HAGERMAN ID 83332

RE: Copy of SRBA File(s): 36-02379, 36-10870, 36-11060

Dear Mr. Mc Fadden:

Please find enclosed the copies of documents you recently requested contained in the above referenced SRBA file(s) as of this date. Please note that copies of orthophoto quad maps or NAPP photography or aerial slides which may have been used in the review of your claim(s) have not been included since they are not easily reproduced. These items are however available for your review at our office. Please also note that in some situations some water rights may have other associated files which contain privileged information between IDWR staff and our legal council which has not been copied.

Please remit the following for the cost of the copies and postage:

\$11.77

Sincerely,


Jeanie Robertson
Records Clerk

Encl:

pd. 1-13-93
receipt # 5015279

Billingsley
A. Ranch

44
43
86
173 x 5 = 8.65
post. 2.90
env. .22
11.77

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OCT 20 1994



BILLINGSLEY CREEK RANCH

RECEIVED

DEC 17 1992

Department of Water Resources
Southern Region Office

Route 1 Box 216
Hagerman, Idaho 83332

Phone 208-837-6174
Fax 208-837-6563

December 16, 1992

Loren Holmes
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Dear Loren:

I would appreciate it if you would have someone in your office copy all of the information in the files that pertain to water right numbers 36-02379, 36-11060 and 36-10870. I realize that there will be a charge for the copies and will pay for them when you advise me that they are ready to be picked up. As I plan to argue these recommendations in District Court, I need to know and understand all of the facts upon which you based your decisions. If, for some reason, you do not release all of the information in these files, I want to know what was not copied and why. Please call me at 837-6174 when this information is available. I would like to have it within 30 days.

Sincerely,

Donnie McFadden

DM/2t

cc: David B. Shaw
John Hepworth

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OCT 20 1992

RECEIVED

APR 28 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. A36-10870
(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,

36-10870 -0001/
93-04-0408

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

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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: Donnie McFadden

Address: 2726 South 1050 East
Hagerman, Idaho 83332

Briefly describe your interest in this water right:

We purchased this property
in 1990. I am general partner
for the owner - Billingsley
Creek Ranch.

2. Owner of the water right:

Name: Billingsley Creek Ranch

Address: 2726 South 1050 East
Hagerman, Idaho 83332

3. If this objection is filed by an attorney:

Attorney Name: _____

Attorney Address: _____

Attorney Phone No.: _____

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.

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.

12b - please see attached letter of Explanation

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.

We need .5 for irrigation. ~~Without that~~
By disallowing ~~that~~ irrigation, the
property value has been adversely affected.

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.

Letter of Explanation - 2 page

VERIFICATION (Must be Completed)

State of

Idaho

County of

Gooding

Donnie McFadden

(Name of person filing objection), being first duly 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.

Donnie McFadden

Signature of person filing objection

By:

(Attorney signing in representative capacity)

Subscribed and sworn to before me this 26th day of April, 1993.

Elizabeth M Robinson

Notary Public for Idaho

Residing at: Gooding

My Commission expires: 12/12/1996

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 29th 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:

Billingsley Creek Ranch

Owner's address:

2726 South 1050 East
Hagerman, ID 83332

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



BILLINGSLEY CREEK RANCH

Route 1 Box 216
Hagerman, Idaho 83332

Phone 208-837-6174
Fax 208-837-6563

LETTER OF EXPLANATION FOR OBJECTION CASE NO. A36-10870

We purchased this 30 acre parcel from Carren Peterson in 1990. The property was extremely run down due to a lengthy divorce process. It had been a winter headquarters for a sheep operation where they lambed up to a thousand ewes. We tore down the old lambing sheds and converted all of the sheep pens to pasture. The Director's Report is taking away our right to irrigate these pastures. The original water right called for .5cfs for irrigation. That is enough water to sprinkle the 20 acres of pasture and still allow instream stock water. We have cleaned this property up and made it aesthetically pleasing but it will be hard to sell in the future with no water right for irrigation.

Respectfully submitted:

Donnie McFadden
Billingsley Creek Ranch

DM/2t

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OCT 20 1994

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



MICROFILMED
FEB 07 1993

NOTICE OF ERROR FORM

RECEIVED

AUG-24-1992

Please type or print clearly, fill out completely, and return to:

**Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000**

SEP 28 1992

Department of Water Resources
Southern Region: Boise

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: 36-10870

2. Name: Billingsley Creek Ranch

Address: 2726 S 1050 E
Hagerman, Idaho 83332

RECEIVED
SEP 21 1992

Department of Water Resources

Weekday Telephone Number: 208-837-6174

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FEB 07 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

we asked for .5 cfs irrigation
.2 cfs stockwater
.08 cfs domestic

you only recommend .02 stockwater

4. Describe the changes you wish to have made in the proposed recommendation:

we want what we asked for!
you disallowed 36-10829 and said it was
included in 36-10870. Not!!

5. Describe why you disagree with the proposed recommendation:

How can you exist on 30 acres
with only .02 cfs for stockwater?

6. Date: 9-17-92

SIGNATURE Dune McFadden

RESPONSE TO NOTICE OF ERROR
IN THE SNAKE RIVER BASIN ADJUDICATION

Water Right No: 36-10870

Contact Date: 10/16/92

IDWR Contact Person: (print and initial) ROBERT WARSTELL R.W.

Claimant Contact Person DON MCFADDEN - Billingsley Creek Ranch

Others Present

Contact By (give date) 10/21/92

Meeting (location):

Phone Call (no.)

Letter (attach letter):

IDWR USE ONLY	
Date	Initials
Date Entered <u>10/16/92</u>	<u>R.W.</u>
Verified <u>10/16/92</u>	<u>R.W.</u>

I. Issues identified by claimant: They "asked for" or claimed: 0.5 cfs for Irrigation, 0.2 cfs for stockwater, and 0.08 cfs for Domestic uses. We only recommended 0.02 cfs for stockwater.

II. Reasons provided claimant for original recommendation: The domestic use claimed is covered by the domestic use claimed on 36-10826. The flume/pipeline from the spring is disconnected and not in use. Aerial photos show no evidence of irrigation of the pastures and no gravity irrigation system. Evidence of 30-40 head of sheep-but barns were in severe disrepair.

III. Additional information provided by claimant: None

IV. Changes to be made in final recommendation (if any): None

V. Action taken (date): Sent copy of response to claimant
Re-set notice of error flag.
Re-verify the recommendation

MICROFILMED
FEB 07 1993
10/16/92

Water Right Number - R36-10870

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
BILLINGSLEY CREEK RANCH

1 - 2726 S 1050 E

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6174

*** O - ORIGINAL OWNER ***
PETERSON

CARREN A

1 - PO BOX 488

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6594

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1933 ERROR IN REGION J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
POTTER SPRINGS BILLINGSLEY CREEK+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

07S 14E 19 SE SE SW (47) GOODING

+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.020+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.020 0.0+ - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 14E 19 SE SW 04 STOCKWATER (47) GOODING

Total Acres:

+ - - Diversion Means - INSTREAM USE

+ - - Non-Irrigation Use - STOCKWATER/40 SHEEP (INSTREAM USE)

+ - - Other Rights for Same Use - NONE

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

MICROFILMED

FEB 07 1993

FEB 07 1993

MICROFILMED

Water right number - R36-10870

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: 12/11/1991 User Id: CLELLAND Subject: COPIED FROM REMARKS
CONTINUED, WATER IS PICKED UP IN A DITCH FROM THE CITIES
HOWEVER IN THE FUTURE APPLICANT MAY SPRINKLE FROM THE
STOCK NEAR HOUSE. OVERFLOW. AT THIS TIME FLOOD IRRIGATION IS USED
CITIES PIPE LINE. WATER IS PUMPED TO HOUSE FOR DOMESTIC AND
Date: 12/17/1991 User Id: CLELLAND Subject: CHANGE OF OWNERSHIP
THE ACTUAL CHANGE OF OWNERSHIP WAS MADE ON THE CLAIM A36-10826
THEREFORE, THE OWNERSHIP PAPERS WERE CARRIED OVER TO APPLY TO
Date: 09/22/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/21/92. CHANGED NOE FLAG FROM BLANK TO A. BUT THAT CLAIM IS DISALLOWED AND RECOMMENDED UNDER THIS RIGHT.
THIS RIGHT ALSO.
Date: 10/02/1992 User Id: ROBERTSO Subject: ADDRESS CHANGE
Date: 10/16/1992 User Id: WORSTELL Subject: NOTICE OF ERROR RECORD - NO CHANGE CLAIM VERIFIED 12/18/91. DID NOT REVERIFY ANY PART OF CLAIM.

+ - - Audit Fields - - +
10/16/92 WORSTELL

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

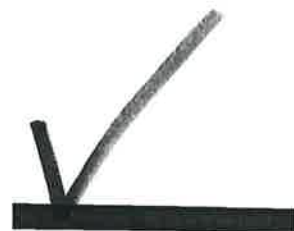
| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 09/11/1990 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 10/16/1992 | Old Judicial District | - |
| Claim Received Date | - 10/11/1988 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - M001544 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - |
| | | | | Notice of Error Flag | - B |

MICROFILMED
FEB 07 1993

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED

FEB 07 1993

Water Right Number - R36-10870

Prefix Translation: RESEARCH

VERIFIED BY SW
Old (D) Number -

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

*** C - CURRENT OWNER ***
BILLINGSLEY CREEK RANCH

1 - RT 1 BOX 216

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6174

*** O - ORIGINAL OWNER ***
PETERSON

CARREN A

1 - PO BOX 488

2 -

3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6594

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/01/1933 ERROR IN REGION J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
POTTER SPRINGS BILLINGSLEY CREEK+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07S 14E 19 SE SE SW (47) GOODING+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.020+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.020 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 14E 19 SE SW 04 STOCKWATER (47) GOODING

Total Acres:

+ - - Diversion Means - INSTREAM USE

+ - - Non-Irrigation Use - STOCKWATER/40 SHEEP (INSTREAM USE)

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
No Remarks found.MICROFILMED
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Water right number - R36-10870

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 - - - - - +
  No Comments Found
+ - - Audit Fields - - +
  12/18/91 CLELLAND
+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

```

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 09/11/1990 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 12/18/1991 | Old Judicial District | - |
| Claim Received Date | - 10/11/1988 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - M001544 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

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PAGE: 10
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-10870

| 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 | Y | | SCC 9-11-90 | N | Exempt for O+S | See 12-18-91 | DP | |
| POINT OF DIV | Y | | | N | | | | |
| SOURCE | Y | Dominic McPherson MEMO 12-18-91 | | Y | 6. | | | |
| PLACE OF USE | Y | See | | Y | 1, 4, 5 | | | |
| DIV. AMOUNT
CFS/VOLUME | Y | | | Y | 6. | | | |
| CONSUMPTIVE USE | - | | | Y | STDS. | | | |
| PURPOSES | Y | | | Y | | | | |
| PERIOD OF USE | Y | | | Y | 6. | | | |
| BASIS OF CLAIM | B.U. Y | | | Y | | | | |
| REMARKS | Y | | | N | | | | |

SCC
7-17-90

"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.

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PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-10870

LAST: PETERSON
ADDRESS: P.O. BOX 488
CITY: HAGERMAN
PHONE NUMBER: 208-837-6594

FIRST: CARREN A.

STATE: ID ZIP: 83332

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: CONTINUED, WATER IS PICKED UP IN A DITCH FROM THE CITIES
OVERFLOW. AT THIS TIME FLOOD IRRIGATION IS USED
HOWEVER IN THE FUTURE APPLICANT MAY SPRINKLE FROM THE
CITIES PIPE LINE. WATER IS PUMPED TO HOUSE FOR DOMESTIC AND
STOCK NEAR HOUSE.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: No one home

PHONE NUMBER: () -

DATE OF FIELD EXAM: 9/12/90

APPOINTMENT MADE: Y() N(X)

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

There does not appear to be any use on claimed acres. Diversion
system exists, however, does not appear easily usable.

Unable to locate pump line to supply domestic use - pump
house located below house, under basalt rim

12-18-91 < See memo w/ Donnie McFadden >

The pump house located during the field exam was the well as described by
A36-10826. The source will be identified as ground water under that claim.
Therefore, the only diversion made from the springs for stock water use was
abandoned & unused (see photos). Recommend as instream stock use. See

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A. AJ CLAIM: # A36-10870 PRIORITY DATE: 05-01-1915 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE Y FIELD EXAMINER Y

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

REMARKS:

Evidence of Priority? not required for D/s as recommended

~~*No proof submitted for irrigation uses*~~

Proof submitted to support irrigation, but, period of Non Use has occurred for more than five years.

(Affiant was 6 years old when he claims to have verified this use.)

RECOMMENDED PRIORITY DATE:

5-1-1915

REVIEWED BY

SCC

DATE

10-22-90

update: final review of this date of priority has caused me to re-evaluate the date to be recommended. all other springs in the immediate area here were listed in the 1932 Decree. I believe any substantial development of this spring would have been included in that decree and therefore the recommended date is 5-1-1933

SCC 12-12-91

RECORDED
FEB 07 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------|------|------|-----|-----|-----|-----|---------|
| A36-10870 | 07S | 14E | 19 | SW | SE | SW | | GOODING |

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

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SPRING

TRIB: BILLINGSLEY CREEK

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

| DUE TO POD DISCREPANCY? (Y/N) | DUE TO SOURCE DISCREPANCY? (Y/N) | DATABASE | FIELD EXAMINER |
|-------------------------------|----------------------------------|----------|----------------|
| Y | Y | Y | <u>YES</u> |

Domestic covered by claim A36-10826

REMARKS:

SOURCE MAYBE POTTER SPRINGS. yes! Domestic source is separate from the main Spring Diversion; Stockwater is used from the main Spring diversion.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|------------|------------|-----------|-----------|-----------|-----------|-----------|-----------|
| <u>7S.</u> | <u>14E</u> | <u>19</u> | <u>SW</u> | <u>SE</u> | <u>SW</u> | <u>47</u> | <u>47</u> |

change claim

SOURCE: POTTER SPRINGS
REVIEWED BY: SC
DATE: 10-22-90

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JUL 7 1993

A. ROOT WATER RIGHT NUMBERS: A36-10870

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|---------------|---------------|-----|-------------------------------|--------------------|---------------|-----------------|----------------|------------------|
| 07S | 14E | 19 | ~~SE~~ | ~~SW~~ | | PETERSON, CARREN A. | A36-10870 / 9.0 - | - | / | 39.0 | |
| | | | | | | IDAHO STATE BANK | A36-10827 / 25.0 | - | / | | |
| | | | | | | IDAHO STATE BANK | A36-10826 / | - | / | | |
| | | | | | | NORTH SIDE CANAL COMPANY LTD. | A01-0021220 / 20.0 | - | / | | |
| 07S | 14E | 19 | SE | SW | | PETERSON, CARREN A. | A36-10870 / - | - | / | 39.0 | |
| | | | | | | IDAHO STATE BANK | A36-10827 / 25.0 | - | / | | |
| | | | | | | IDAHO STATE BANK | A36-10826 / | - | / | | |
| | | | | | | NORTH SIDE CANAL COMPANY LTD. | A01-0021220 / 20.0 | - | / | | |
| 07S | 14E | 19 | SE | SW | | PETERSON, CARREN A. | A36-10870 / - | - | / | 39.0 | |
| | | | | | | IDAHO STATE BANK | A36-10827 / 25.0 | - | / | | |
| | | | | | | IDAHO STATE BANK | A36-10826 / | - | / | | |
| | | | | | | NORTH SIDE CANAL COMPANY LTD. | A01-0021220 / 20.0 | - | / | | |
| TOTAL ACRES | | | | | | | A36-10870 | 9.00 | | 117.00 | |

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
YES

PRESUMPTION FLAG:

REMARKS:

POSSIBLE OVERLAP w/ ID. ST. BANK A36-10827.

(This claim is a duplicate and has been disallowed.)

Per field exam - overflow at the diversion box is dumped into rocks + sinks. The flume/pipeline has been disconnected and is not in use. NAPP photo shows no irrigation & the pastures did not have evidence of a gravity flow ditch system. 1974 OPQ does not support irrigation use.

SW 12-11-91

RECOMMENDATIONS:

TOTAL ACRES: 0

REVIEWED BY: SCC

DATE: 10-22-90

One domestic Horse found on 9-11-90 and only evidence of 30-40 head of sheep. No pasture and the barns are in severe disrepair.

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A. AJ CLAIMED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A36-10870 IRRIGATION | FROM 03-15 TO 11-15 | ~~500 CFS~~ |
| A36-10870 STOCKWATER | FROM 01-01 TO 12-31 | .200 CFS |
| A36-10870 DOMESTIC | FROM 01-01 TO 12-31 | .080 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | .500 CFS |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|-----------|--------------------|
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | |

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

see final recommendation

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 0.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

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

FLOW MEASUREMENT REQUIRED?

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

FIELD
DATABASE EXAMINER
Y YES

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

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|--------------------------|----------------------|-----------|----------------|-----------|----------------|
| A36-10870 | SPRING | PETERSON , CARREN A. | 0.500 | 0.055 | | |
| A36-10827 | SPRINGS (POTTER SPRINGS) | IDAHO STATE BANK | 0.500 | 0.020 | | |

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|------------|----------------------|---------------------|----------|--------|
| A36-10870 | STOCKWATER | PETERSON , CARREN A. | FROM 01-01 TO 12-31 | .200 CFS | |
| A36-10870 | DOMESTIC | PETERSON , CARREN A. | FROM 01-01 TO 12-31 | .080 CFS | |
| A36-10827 | DOMESTIC | IDAHO STATE BANK | FROM 01-01 TO 12-31 | .040 CFS | |
| A36-10827 | STOCKWATER | IDAHO STATE BANK | FROM 01-01 TO 12-31 | .020 CFS | |
| A36-10826 | DOMESTIC | IDAHO STATE BANK | FROM 01-01 TO 12-31 | .040 CFS | |
| A36-10826 | STOCKWATER | IDAHO STATE BANK | FROM 01-01 TO 12-31 | .020 CFS | |

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SAME WATER? yes ✓

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 8 x 0.02 CFS/ACRE = 0.16 CFS
(Taken from p/u review)

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

1b. CALCULATIONS

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 27.0 AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ 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()

IDWR
STANDARDS

Home = 0.04
40 Sheep = 0.02
Recommended as
A36-10826

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

40 x 2 GPD = 80 GPD = Minimum flow
1/6 of 40 head of cattle use = Minimum flow

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 |
| ~~Domestic~~ | ~~1-1 12-31~~ | ~~0.04~~ | | |
| Stockwater | 1-1 12-31 | ~~0.20~~ 0.02 | | |
| | | ~~0.24~~ 0.06 | | |
| TOTAL FOR THIS RIGHT | | | | |

REVIEWED BY: SEC

DATE: 10-22-90

See 12-11-91
See 12-18-91 instn stock water

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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: 36-10870

| TOTAL DIVERSION RATE OF WR SPLITS | DATABASE | EXAMINER | CFS |
|-----------------------------------|----------|----------|-----|
|-----------------------------------|----------|----------|-----|

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A36-10870 | 0.500 | - | | - | |
| TOTAL CFS | | 0.500 | | | | |

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 | FIELD
EXAMINER |
|----------|-------------------|
| N | <u>N</u> OK |

REMARKS:

AUTHENTICATION:

SIGNATURE: Steve Allen

DATE: 10-22-90

NAME OF FIELD EXAMINER: _____

TITLE: _____

Steve Allen 12-11-91
See 12-18-91

T
7
S

RIFE

AA 70 SW
c. 1974

22
FEB 07 1993

POTTER
SPRINGS

P.V.

JOHNSON
GRADE

IRRIGATION

DITCH

DITCH

3308

3280

Springs

30

3267

29

$$\begin{array}{r} 3213 \\ + 2 \\ \hline \end{array}$$

2272

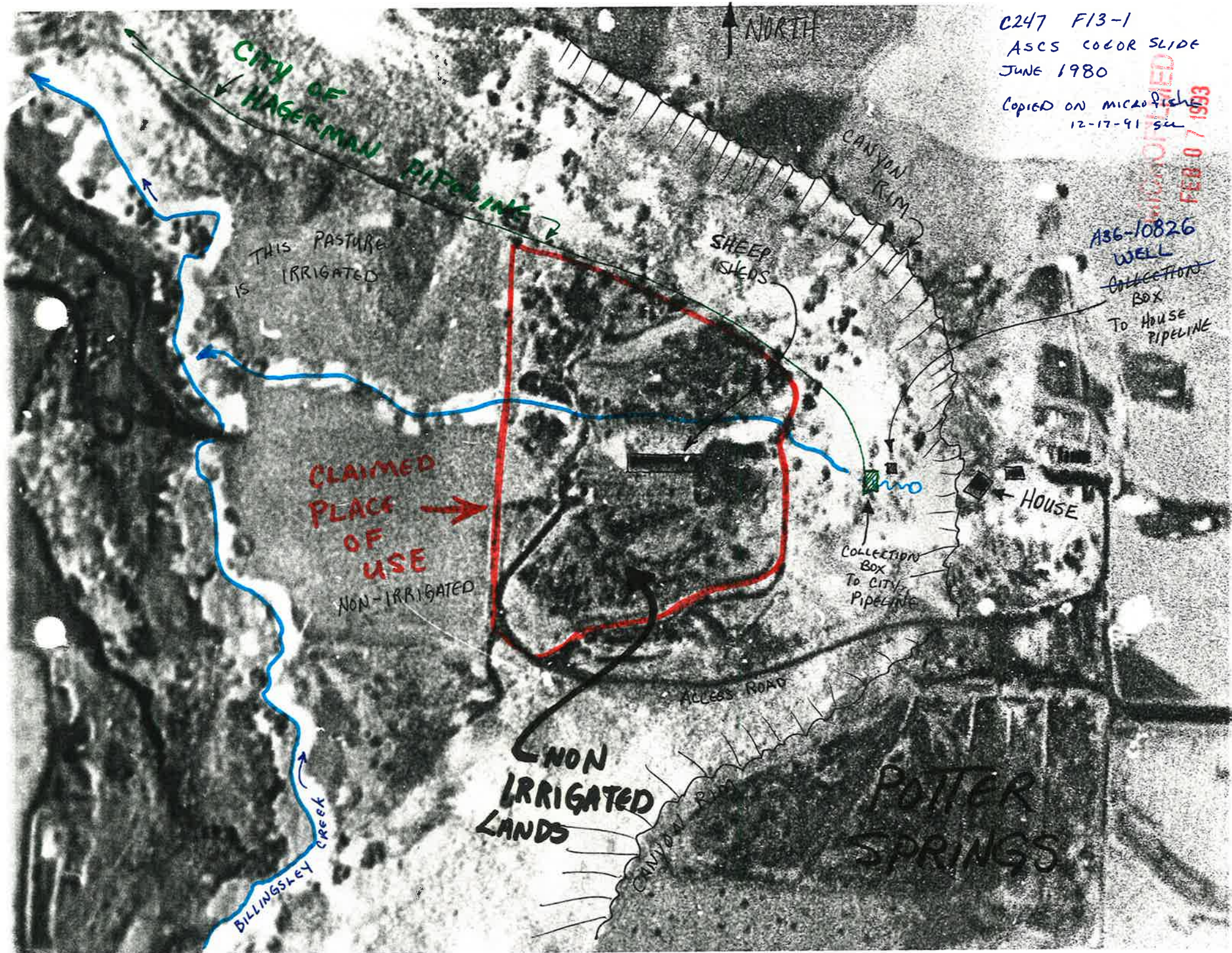
X BM B249

C247 F13-1
ASCS COLOR SLIDE
JUNE 1980

Copied on microfilm
12-17-91

RECEIVED
FEB 07 1993

A36-10826
WELL
COLLECTION
BOX
TO HOUSE
PIPELINE



NORTH

FILED

FEB 07 1993

POA

COMPARED
IRRIGATED
LANDS
WITH
NON-IRRIGATED

A36-10870
IS NON-IRRIGATED
AT THIS DATE
c. 1980

POTTER
SPRINGS

C247 F13-1
ASCS COLOR SLIDE
JUNE 1980

COPIED ON microfiche
12-17-91
SCC

POTTER SPRINGS

9-11-90



PHOTOS TAKEN
9-11-90

Petersen
A36-10870

Petersen
BARN
IN
DISREPAIR

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Hagerman
CITY
WATER
LINE



PIPELINE DISCONNECTED
WATER SINKS INTO ROCKS, RETURNS TO
BILLINGSLEY CREEK

ALL PHOTOS BY STEVE CLELLAND



IRRIGATION DIVERSION ABANDONED



area of low
not irrigated
this is an old
canal not a
field. Weeds
have grown up in
the canal due to
years of non-use.



Potter Springs
Petersen A36-10870



Photos By
Steve Clelland

9-11-90

Petersen

Area

Potter Springs

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DEVELOPMENT AFTER
FIELD EXAM 3-12-91



PHOTOS TAKEN BY
STEVE OLELAND
3-12-91



CARREN PETERSEN
A36-10870

House, Shop & Barns Removed.



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CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A36-10870 + A36-10826

RE: DOMESTIC WELL @ POTTER SPRINGS

DATE 12-18-91

NAME OF PARTY

DONNIE MCFADDEN

837-6174

He returned my call. He confirmed that he has purchased the Potter Springs area property from Petersen.

I asked about the Domestic well - he said it is there but the house is gone and the well is capped. I told him there is a 5 year period before the right is abandon.

We discussed the use of spring water + the well location ~~and the well~~. It seems there was some duplication in the filings as claimed. The Idaho State Bank filed two claims one for the spring & one for the well; While Petersen filed one claim combining the spring & well as one source.

I told him we would recognize the well use for now since it was in use until Spring of 1991.

Steve Clelland

RECOMMENDED: A36-10826 for Domestic Well
A36-10827 disallowed - duplication
A36-10870 instream stockwater use

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