

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 37-817
Date Received: 8/24/1988
Receipt No: S001688
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FAULKNER HAYHOOK RANCHES INC

Phone: (208)948-9104

C/O JIM FAULKNER
755 US HWY 30
BLISS ID USA 83314

2. Date of Priority: 04/01/1904

3. Source: CALF CREEK , CALF CREEK Trib. to: CLOVER CREEK , CLOVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	12E	26	SW NE	GOODING	
04S	12E	27	NE SE	GOODING	

5. Description of diverting works:

RESERVOIR, HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/01	11/01	3.2	

7. Total Quantity Appropriated is:
3.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
04S	12E	26	NE	SW		IRRIGATION	6
			NW	SW		IRRIGATION	18
			SW	SW		IRRIGATION	5
			SE	SW		IRRIGATION	1
						Section Acres	30
04S	12E	27	NE	SE		IRRIGATION	3
			SW	SE		IRRIGATION	9
			SE	SE		IRRIGATION	8
						Section Acres	20
04S	12E	34	NE	NE		IRRIGATION	14
			NW	NE		IRRIGATION	35
			SW	NE		IRRIGATION	10
			SE	NE		IRRIGATION	24
						Section Acres	83
						Total Acres	133

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:

14. Remarks:

2 DIFFERENT TRIB OF CALF CREEK. WATER IS DIVERTED FROM TWO POINTS OF DIV. DECREE ORIGINALLY COVERED MORE ACRES. CLAIMANT IN PROCESS OF IMPROVING IRRIG SYSTEM FOR FUTURE ADDITIONAL ACRES. CURRENTLY IRRIGATING APPROX. 60 ACRES.

11/14/06 - claimant requested amended claim to increase POU acreage to represent irrigated acres.

15. Basis of Claim: Decreed

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 Organizations:

I do solemnly swear or affirm that I am ATTORNEY of
Title
Faulkner Hayhook Ranches, that I have signed the foregoing
Organization
document in the space below as ATTORNEY of
Title
Faulkner Hayhook Ranches and that the statements contained in the
Organization
foregoing document are true and correct. [Signature]

Signature of Authorized Agent

ATTORNEY - FAULKNER HAYHOOK RANCHES
Title and Organization

11/1/07
Date

RECEIVED

MAY 8 2007

DEPARTMENT OF
WATER RESOURCES

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

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C/O JIM FAULKNER
755 US HWY 30
BLISS ID USA 83314

2. Date of Priority: 04/01/1904

3. Source: CALF CREEK Trib. to: CLOVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
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5. Description of diverting works:

RESERVOIR, HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/01	11/01	3.2	

7. Total Quantity Appropriated is:
3.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04S	12E	26	NE SW	IRRIGATION	6
			NW SW	IRRIGATION	18
			SW SW	IRRIGATION	5
			SE SW	IRRIGATION	1
Section Acres					30
04S	12E	27	NE SE	IRRIGATION	3
			SW SE	IRRIGATION	9
			SE SE	IRRIGATION	8
			Section Acres		

04S	12E	34	NE	NE	IRRIGATION	14
			SW	NE	IRRIGATION	10
			SE	NE	IRRIGATION	24
			NW	NE	IRRIGATION	9
					Section Acres	35
					Total Acres	83

11. Place of use in counties: GOODING

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2 DIFFERENT TRIB OF CALF CREEK. WATER IS DIVERTED FROM TWO POINTS OF DIV. DECREE ORIGINALLY COVERED MORE ACRES. CLAIMANT IN PROCESS OF IMPROVING IRRIG SYSTEM FOR FUTURE ADDITIONAL ACRES. CURRENTLY IRRIGATING APPROX. 60 ACRES.

11/14/06 - claimant requested amended claim to increase POU acreage to represent irrigated acres.

15. Basis of Claim: Decreed

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: none

For Organizations:

I do solemnly swear or affirm under penalty of perjury that I am

Pres of Faulkner Hayhook Ranches
Title Organization

that I have signed the foregoing document in the space below as

Pres of Faulkner Hayhook Ranches
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent James Faulkner Date 10/31/2007

Title and Organization Pres Faulkner Hayhook Ranches

16. Notice of Appearance:

Please Print Name

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

Signature _____

Address _____

Date _____ 200__

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 37-817
Date Received: 8/24/1988
Receipt No: S001688
Received By: *amb*

CO82731

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FAULKNER HAYHOOK RANCHES INC
C/O JIM FAULKNER
755 US HWY 30
BLISS ID USA 83314

Phone: (208) 948-9104

2. Date of Priority: 04/01/1904

3. Source: CALF CREEK , CALF CREEK Trib. to: CLOVER CREEK , CLOVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
04S	12E	26	SW		NE	GOODING	
04S	12E	27	NE		SE	GOODING	

5. Description of diverting works:

RESERVOIR, HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/01	11/01	3.2	

7. Total Quantity Appropriated is:
3.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	12E	26	NE	SW	IRRIGATION	6
			SW	NW	IRRIGATION	1
			NW	SW	IRRIGATION	18
			SW	SW	IRRIGATION	5
Section Acres						30
04S	12E	27	NE	SE	IRRIGATION	3
			SW	SE	IRRIGATION	9
			SE	SE	IRRIGATION	8
Section Acres						20
04S	12E	34	NE	NE	IRRIGATION	14
			SW	NE	IRRIGATION	10
			SE	NE	IRRIGATION	24
			NW	NE	IRRIGATION	35
Section Acres						83
Total Acres						133

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:

14. Remarks:

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11/14/06 - claimant requested amended claim to increase POU acreage to represent irrigated acres.

15. Basis of Claim: Decreed

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: 2

For Organizations:

I do solemnly swear or affirm that I am Pres. of _____
Title
Faulkner Hayhook Ranches Inc that I have signed the foregoing
Organization
document in the space below as Pres. of _____
Title
Faulkner Hayhook Ranches Inc and that the statements contained in the
Organization
foregoing document are true and correct. James E Faulkner
Signature of Authorized Agent
Faulkner Hayhook Ranches Inc
Title and Organization
11/28/06
Date

State of Idaho)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 28th
of November 2006

Craig Hobdey

Notary Public

Residing at Gooding

My commission Expires 10-24-07



Idaho Department of Water Resources Receipt

Receipt ID C082731

Payment Amount \$246.00 Date Received 11/30/2006 2:54:38 PM Region State Status
Payment Type Check Check Number 1498

Payer FAULKNER HAYHOOK RANCHES INC
Comment 37-817 37-21972

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$246.00	ADJUDICATION FILING FEE	0337		41503	1155


Signature Line (Dept. Representative)

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

IN RE THE GENERAL ADJUDICATION CIVIL CASE NUMBER: 39576
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Att. Number: A37-00817
Received: 8/24/1988
Pt No: S001688
Received By: lw

NOTICE OF CLAIM FOR WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FAULKNER HAYHOOK RANCHES, INC 208-352-4690
Address: HC 60 BOX 1010
BLISS, ID 83314

2. Date of Priority: APR 01, 1904

3. Source: CALF CREEK Trib. to: CLOVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	12E	26	SW	NE	NE		GOODING
		27	NE	SE	SE		GOODING

5. Description of diverting works:
RESERVOIR, HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/01	3.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04S	12E	26	NE	SW		IRR	15.0
			NW	SW		IRR	20.0
Section Acres							35.0

A37-00817

Page 1

Date: 08/24/88

MICROFILMED

FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	12E	27	NE	SE		IRR	3.0
			SE	SE		IRR	2.0
						Section Acres	5.0
		34	NW	NE		IRR	20.0
						Section Acres	20.0
						Total Acres	60.0

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:

14. Remarks:

2 DIFFERENT TRIB OF CALF CREEK. WATER IS DIVERTED FROM TWO
POINTS OF DIV. DECREE ORIGINALLY COVERED MORE ACRES. CLAIMANT
IN PROCESS OF IMPROVING IRRIG SYSTEM FOR FUTURE ADDITIONAL ACRES.
CURRENTLY IRRIGATING APPROX. 60 ACRES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

BRAY, ET. AL.

Decree Plaintiff

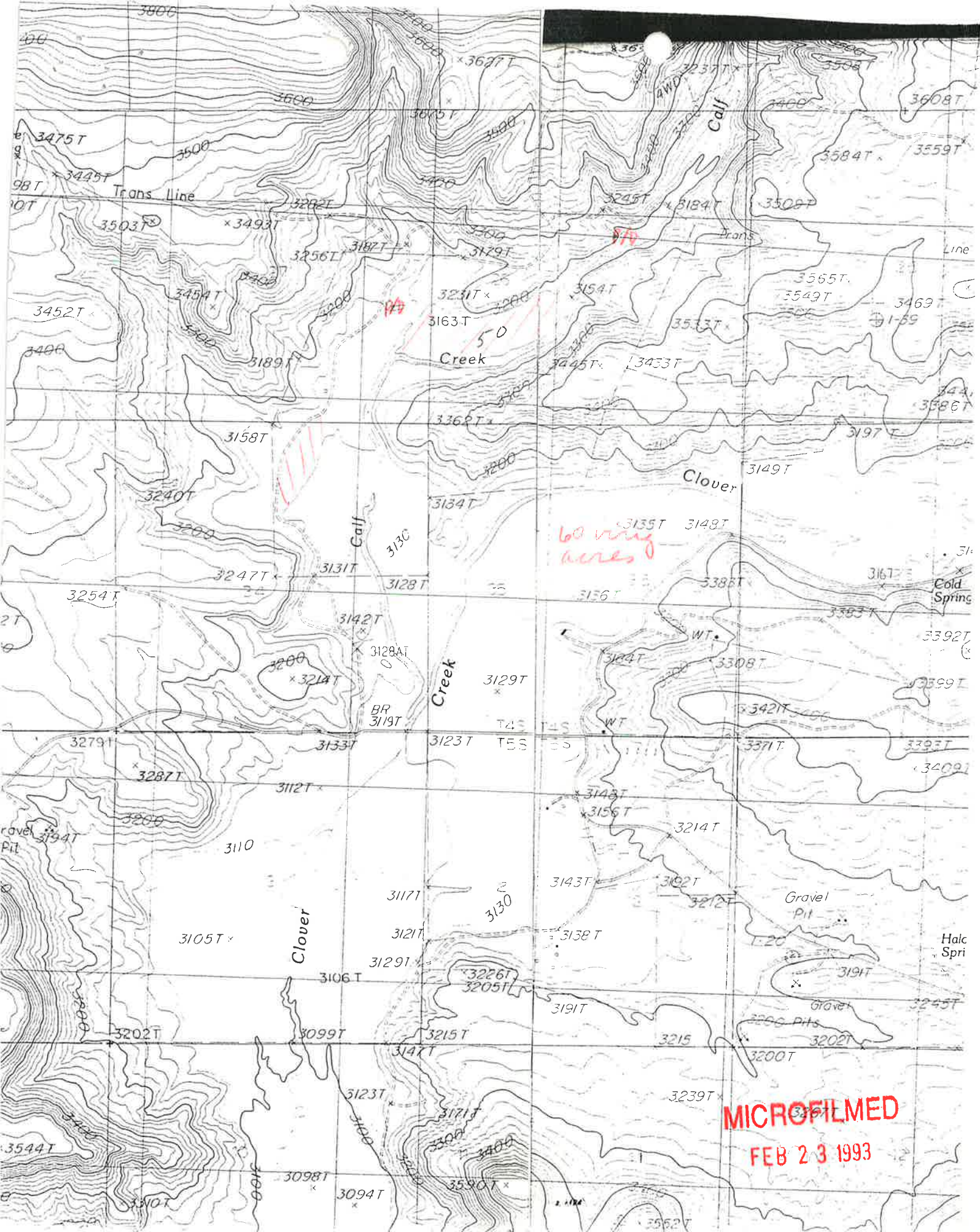
vs

FERGUSON, ET. AL.

Decree Defendant

(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.

FEB 23 1993



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

11/28/2007

RIGHT NUMBER: 37-817

NAME AND ADDRESS: FAULKNER HAYHOOK RANCHES INC
C/O JIM FAULKNER
755 US HWY 30
BLISS ID 83314

SOURCE: CALF CREEK

QUANTITY: 1.200 CFS

TRIBUTARY: CLOVER CREEK

PRIORITY DATE: 04/01/1904

POINT OF DIVERSION:

T04S R12E S26 SWSWNE Within GOODING County

T04S R12E S27 NENESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

1.200 CFS

PLACE OF USE:

IRRIGATION in GOODING County

T04S R12E S26	NESW	6.00	T04S R12E S26	NWSW	18.00
T04S R12E S26	SWSW	5.00	T04S R12E S26	SESW	1.00
T04S R12E S27	NESE	3.00	T04S R12E S27	SWSE	9.00
T04S R12E S27	SESE	8.00	T04S R12E S34	NENE	14.00
T04S R12E S34	NWNE	35.00	T04S R12E S34	SWNE	10.00
T04S R12E S34	SENE	24.00			

133 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

10/19

37-13355 Bauscher (NO SHOW) 'show cause'
BLM trespass 4/2/08

37-20403 et.al. Flying Δ vs. BLM
3/5/08 11am settled. 2/25

37-817 Faulkner vs BLM (Arkoosh^{TOM})
drop 1 ac.

-21972 (part 3) Submit Amended D.R.

(KIC 11am
on Oct 31)

priority 1956

(see legal file
for details)

⊗ -817
Amend claim
SWNW } S.26
SESW }

due Oct 31

-857
Don Bray

move off BLM 80
move to claimed acres
not irrigated due to limited H₂O
(1/2/08 hearing)

"New ownership
IN PROCESS"

-4372 "Daisy Folks LLC"
John Faulkner

COO needed

BLM has settlement SF5

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

A. Subcase 37-00817
(Insert water right number)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office
Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING**

Name: Faulkner Hayhook Ranches, Inc.
Address: 755 US Highway 30; Bliss, Idaho 83314
Name: C. Tom Arkoosh (attorney)
Address: P.O. Box 32; Gooding, Idaho 83330
Name:
Address:

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use

See attached.

11. **Recommendation:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

REASONS SUPPORTING RESPONSE:

The objector is seeking to add POUs and acres that were not recommended by IDWR. The POU described as T04S, R12E, S26, SWNW describes federal public land and 1 acre of irrigation that is not authorized by BLM.

E.

VERIFICATION (Must be Completed)

State of Idaho

County of ADA

)
) ss.
)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing response)

Larry A. Bane
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

5-29-07



Jacqueline L. Simmons
~~Linda C. Black~~

Notary Public for State of Idaho
Residing at: Mountain Home, Idaho, Boise
My Commission Expires: ~~12-31-2011~~ 04-07-2011

INSTRUCTIONS FOR MAILING

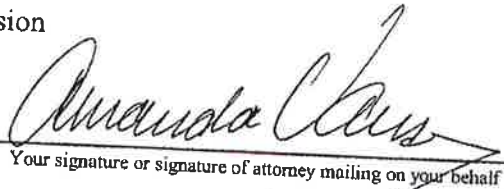
You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

F.

CERTIFICATE OF MAILING

I certify that on May 29th, 2007, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707
2. One copy to the claimant of the water right at the following address:
Faulkner Hayhook Ranches, Inc., c/o Jim Faulkner
755 US Highway 30; Bliss, Idaho 83314
3. One copy to the party who filed the objection at the following address:
Faulkner Hayhook Ranches, Inc.
755 US Highway 30; Bliss, Idaho 83314
C. Tom Arkoosh (attorney)
P.O. Box 32; Gooding, Idaho 83330
4. Copies to:
IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449
United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Your signature or signature of attorney mailing on your behalf

37-00817

SF-1 claim elements

COPY

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 37-21972
Date Received: 11/21/2006
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FAULKNER HAYHOOK RANCHES INC
C/O JIM FAULKNER
755 US HWY 30
BLISS ID USA 83314

Phone: (208) 948-9104

2. Date of Priority:

3. Source: UNNAMED STREAM Trib. to: CALF CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	12E	27	NE NE SE	GOODING	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION STORAGE	01/01	12/31		13
IRRIGATION FROM STORAGE	03/15	11/15		13

7. Total Quantity Appropriated is:
13 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses: *Fish Propagation*

10. Place of use:

37-21972

11/21/2006

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	12E	26	NE	SW	IRRIGATION FROM STORAGE	6
			SW	NW	IRRIGATION FROM STORAGE	1 BLM
			NW	SW	IRRIGATION FROM STORAGE	18
			SW	SW	IRRIGATION FROM STORAGE	5
Section Acres						30
04S	12E	27	NE	SE	IRRIGATION FROM STORAGE	3
			SW	SE	IRRIGATION FROM STORAGE	9
			SE	SE	IRRIGATION FROM STORAGE	8
			NE	SW	IRRIGATION STORAGE	
Section Acres						20
04S	12E	34	NE	NE	IRRIGATION FROM STORAGE	14
			SW	NE	IRRIGATION FROM STORAGE	10
			SE	NE	IRRIGATION FROM STORAGE	24
			NW	NE	IRRIGATION FROM STORAGE	35
Section Acres						63
Total Acres						133

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:

14. Remarks:

Claim is for pond in NESE Section 27

Pond volume is calculated to be 13 acre feet. Consumptive use for irrigation in this area is 4.0 acre feet per acre. Therefore, Irrigation from Storage is limited to irrigation of 3.25 acres per season.

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 Organizations:

I do solemnly swear or affirm that I am Pres of
Faulkner Haybrook Ranch Inc. Title
Organization that I have signed the foregoing
document in the space below as Pres of
Faulkner Haybrook Ranch Inc. Title
Organization and that the statements contained in the
foregoing document are true and correct. James E. Faulkner
Signature of Authorized Agent
Faulkner Haybrook Ranch Inc.
Title and Organization
11/28/06
Date

State of Idaho

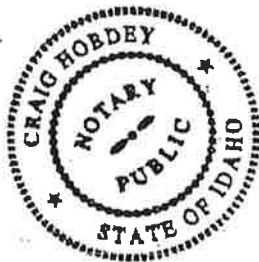
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this
of November 2006

29th
Craig Hobdey
Notary Public

Residing at Gooding

My commission Expires 10-24-12



37-00817

Recommended Shapefile



12/02/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-817

NAME AND ADDRESS: FAULKNER HAYHOOK RANCHES INC
C/O JIM FAULKNER
755 US HWY 30
BLISS ID 83314

SOURCE: CALF CREEK

TRIBUTARY: CLOVER CREEK

QUANTITY: 1.200 CFS

PRIORITY DATE: 04/01/1904

POINT OF
DIVERSION: T04S R12E S26 SWSWNE Within GOODING County
T04S R12E S27 NENESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>		<u>PERIOD OF USE</u>		<u>QUANTITY</u>
	IRRIGATION		03/15 11/15		1.200 CFS
PLACE OF USE:	<u>IRRIGATION in GOODING County</u>				
	T04S R12E S26	NESW	10.00	T04S R12E S26	NWSW 14.00
	T04S R12E S26	SWSW	6.00	T04S R12E S26	SESW 0.20
	T04S R12E S27	NESE	1.20	T04S R12E S27	SESE 0.60
	T04S R12E S34	NWNE	23.00	T04S R12E S34	SWNE 5.00

60 ACRES TOTAL

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

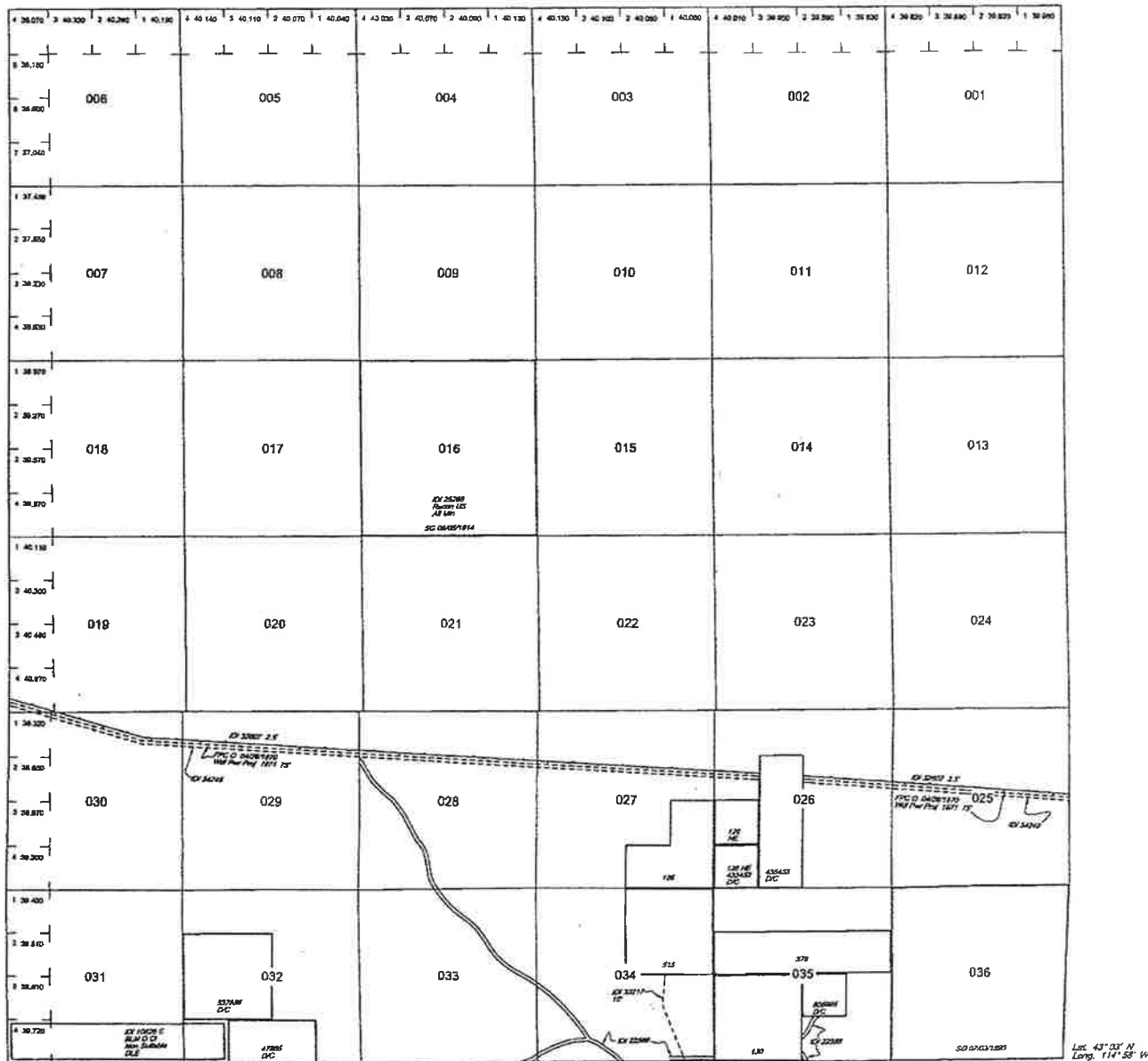
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Director's Report Recommendation

GOODING COUNTY 047
TWIN FALLS DISTRICT SEC.3

MT PLAT[illegible]

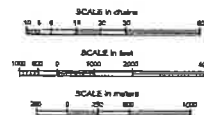
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF:	1006204032/1306/AM0000a-dwg	
COMMITTED TYP:	03/09/2007	BY: DHB
LAST UPDATED:	02/27/2007	BY: DHB
CAUSE #1:	ED 012929007	CAUSE #2: DHB
PORTED TO PUBLIC RECORD:	03/28/2007	
	BT:	
PUBLIC LAND SURVEY SYSTEM (PLSS):		
R/LM GRS ACQUIRED:	CA090900	
OTHER:	N/A	
PROJECTED COORDINATE SYSTEM:	UTM ZONE 11N, NAD 1983	
NOTES:		
USE PLATE:		

Boeing Nat.
T. 4 S
R. 12 E



U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinnell Way Boise, Idaho 83709
(208) 373-4000



DISCLAIMER:

This plot is only a graphic display of the Bureau of Land Management's (BLM) Records of Title and Township survey data. Records herein do not reflect the changes which may have been effected by lateral encroachments of third or other bodies of water. Refer to cadastral surveys for official information.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.

RECEIVED

DEC 28 2006

DEPARTMENT OF
WATER RESOURCES

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)

A. Subcase 37-817

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Faulkner Hayhook Ranches, Inc.

Address: 755 US Highway 30

Bliss, ID 83314

Daytime Phone: (208) 352-4372

Name & Address of Attorney, if any:

C. Tom Arkoosh

Post Office Box 32

Gooding, ID 83330

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Faulkner Hayhook Ranches, Inc.

Address: 755 US Highway 30

Bliss, ID 83314

COPY

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 3.2 cfs
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: see Exhibit A
10. ☐ **I object because:**
 - ☐ This water right Should not exist.
 - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** Quantity and place of use
resolved in error period, but not properly recommended
because Idaho Department of Water Resources lost claim.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Gooding)

C. Tom Arkoosh , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

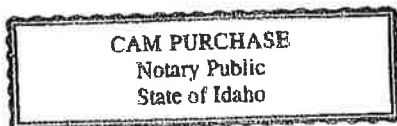


(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

December 27, 2006

Notary Public for Idaho
Residing at: Bliss
My Commission Expires: 7/16/10



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on DECEMBER 27, 2004 mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

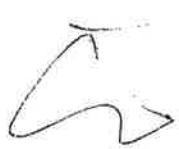
Name: Faulkner Hayhook Ranches, Inc.
Address: 755 US Highway 30
Bliss, ID 83314

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 21, 2006

Faulkner Hayhook Ranches Inc.
C/o Jim Faulkner
755 US Hwy 30
Bliss, ID 83314

RE: Snake River Basin Adjudication claim 37-817

Dear Mr. Faulkner,

Attached is the amended Snake River Basin Adjudication (SRBA) water right claim for 37-817 that you requested at our meeting last week in Fairfield. The only change I made to the claim is an increase in the place of use from 60 acres to 133 acres. Please review the amended claim and if you feel it is correct, please sign it, have it notarized, and return it to me with \$146 (filing fee for the additional acres). Please note that this amended claim is not valid until I receive it signed and notarized with the filing fee.

Summary of water right 37-817:

- 37-817 originally decreed in 1920 for 3.2 cfs for irrigation of eight quarter-quarter sections (320 acres).
- If amended claim 37-817 is returned, I plan to recommend that the SRBA Court decree water right claim 37-817 for 3.2 cfs for irrigation of 133 acres.

Also attached is the new claim (37-21972) you requested for the storage of irrigation water in the pond on the north end of your ranch. Using the information you gave me (listed below), I calculated the volume of the pond to be 13 acre feet. Please note that the consumptive use requirement for irrigation in your area is 4.0 acre feet per acre, so this storage water would be limited to irrigation of 3.25 acres in one irrigation season. Also, I meant to discuss establishment of a priority date for this use during our meeting in Fairfield, but it slipped my mind. To be included the SRBA, you must document that storage of water in the pond for irrigation started before 5/20/1971. I have enclosed a pamphlet titled "Evidence of Priority" that discusses possible types of evidence of priority. If you cannot document that this use started before 5/20/1971, you should contact the IDWR - Twin Falls office (208-736-3033) to inquire about obtaining a license for this use.

To make this new claim (37-21972) valid, you need to send me all of the following:

- Evidence documenting use started prior to 5/20/1971
- The claim signed and notarized (Please review it first to make sure it represents your water use)
- \$100 filing fee

You requested that I check to see if permit 37-8194 for the hot water well at the north end of your ranch needs to be included in the SRBA. Since the proof of beneficial use was submitted 9/27/1996, after the start of the SRBA in 1987, 37-8194 is not included in the SRBA

If you have questions, feel free to contact me at (208) 287-4937.

Sincerely,



Matt Anders
GIS Specialist - Snake River Basin Adjudication



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 21, 2006

Faulkner Hayhook Ranches Inc.
C/o Jim Faulkner
755 US Hwy 30
Bliss, ID 83314

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Attached is the amended Snake River Basin Adjudication (SRBA) water right claim for 37-817 that you requested at our meeting last week in Fairfield. The only change I made to the claim is an increase in the place of use from 60 acres to 133 acres. Please review the amended claim and if you feel it is correct, please sign it, have it notarized, and return it to me with \$146 (filing fee for the additional acres). Please note that this amended claim is not valid until I receive it signed and notarized with the filing fee.

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- If amended claim 37-817 is returned, I plan to recommend that the SRBA Court decree water right claim 37-817 for 3.2 cfs for Irrigation of 133 acres.

Also attached is the new claim (37-21972) you requested for the storage of irrigation water in the pond on the north end of your ranch. Using the information you gave me (listed below), I calculated the volume of the pond to be 13 acre feet. Please note that the consumptive use requirement for Irrigation in your area is 4.0 acre feet per acre, so this storage water would be limited to irrigation of 3.25 acres in one irrigation season. Also, I meant to discuss establishment of a priority date for this use during our meeting in Fairfield, but it slipped my mind. To be included the SRBA, you must document that storage of water in the pond for irrigation started before 5/20/1971. I have enclosed a pamphlet titled "Evidence of Priority" that discusses possible types of evidence of priority. If you cannot document that this use started before 5/20/1971, you should contact the IDWR - Twin Falls office (208-736-3033) to inquire about obtaining a license for this use.

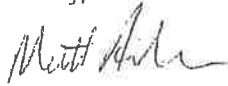
To make this new claim (37-21972) valid, you need to send me all of the following:

- Evidence documenting use started prior to 5/20/1971
- The claim signed and notarized (Please review it first to make sure it represents your water use)
- \$100 filing fee

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If you have questions, feel free to contact me at (208) 287-4937.

Sincerely,

A handwritten signature in dark ink, appearing to read "Matt Anders", with a stylized flourish at the end.

Matt Anders
GIS Specialist – Snake River Basin Adjudication

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-817
Date Received: 8/24/1988
Receipt No: S001688
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FAULKNER HAYHOOK RANCHES INC
C/O JIM FAULKNER
755 US HWY 30
BLISS ID USA 83314

Phone: (208) 948-9104

2. Date of Priority: 04/01/1904

3. Source: CALF CREEK , CALF CREEK Trib. to: CLOVER CREEK , CLOVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	12E	26	SW NE	GOODING	
04S	12E	27	NE SE	GOODING	

5. Description of diverting works:

RESERVOIR, HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/01	11/01	3.2	

7. Total Quantity Appropriated is:
3.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	12E	26	NE	SW	IRRIGATION	6
			SW	NW	IRRIGATION	1
			NW	SW	IRRIGATION	18
			SW	SW	IRRIGATION	5
			Section Acres			
04S	12E	27	NE	SE	IRRIGATION	3
			SW	SE	IRRIGATION	9
			SE	SE	IRRIGATION	8
			Section Acres			
04S	12E	34	NE	NE	IRRIGATION	14
			SW	NE	IRRIGATION	10
			SE	NE	IRRIGATION	24
			NW	NE	IRRIGATION	35
			Section Acres			
Total Acres					133	

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:

14. Remarks:

2 DIFFERENT TRIB OF CALF CREEK. WATER IS DIVERTED FROM TWO POINTS OF DIV. DECREE ORIGINALLY COVERED MORE ACRES. CLAIMANT IN PROCESS OF IMPROVING IRRIG SYSTEM FOR FUTURE ADDITIONAL ACRES. CURRENTLY IRRIGATING APPROX. 60 ACRES.

11/14/06 - claimant requested amended claim to increase POU acreage to represent irrigated acres.

15. Basis of Claim: Decreed

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: 2

For Organizations:

I do solemnly swear or affirm that I am Pres. of Faulkner Haystack Ranches Inc. Title Organization that I have signed the foregoing document in the space below as Pres. of Faulkner Haystack Ranches Inc. Title Organization and that the statements contained in the foregoing document are true and correct. James E Faulkner Signature of Authorized Agent Faulkner Haystack Ranches Inc. Title and Organization 11/28/06 Date

State of Idaho

County of Gooding)
) SS.

Subscribed and sworn (or affirmed) before me this 28th of November 2006

Craig Hobdey
Notary Public

Residing at Gooding

My commission Expires 10-24-12



AFFIDAVIT

STATE OF IDAHO)

County of Gooding)

) SS.

JOHN FAULKNER, upon his oath being first duly sworn, deposes and says:

1. Affiant's name is JOHN FAULKNER, a resident of Gooding County, Idaho.
2. In 1956 RALPH FAULKNER LAND, INC. purchased a portion of Section 27 in Township 4 South, Range 12 EBM in Gooding County, Idaho, north of Bliss.
3. There was a storage pond on the west fork of Calf Creek at the time RALPH FAULKNER LAND, INC. purchased the property.
4. Affiant was twenty four years old when Ralph Faulkner Land, Inc. purchased the above described property, and storage reservoir. The above described reservoir was personally observed by your Affiant as being on the property in 1956.

DATED THIS 28th day of November, 2006.


John Faulkner

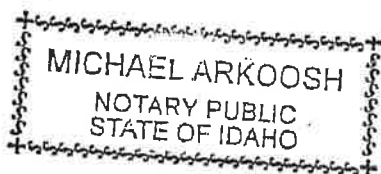
STATE OF IDAHO)

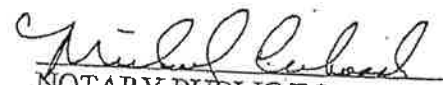
County of Gooding)

) SS.

On this 28th day of November, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN FAULKNER, known to me to be the person whose name is subscribed to in the within and foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year in this instrument first above written.




NOTARY PUBLIC FOR IDAHO

Residing at: Gooding

Commission Expires: 08/07/2009

AFFIDAVIT (John Faulkner)

AFFIDAVIT

STATE OF IDAHO)
) SS.
County of Gooding)

WALT HOBDEY, upon his oath being first duly sworn, deposes and says:

1. Affiant's name is WALT HOBDEY, a resident of Gooding County, Idaho.
2. Prior to 1956 Affiant was working for Jay Farmer at his ranch north of Bliss. Part of the ranch included a portion of Section 27, Township 4 South, Range 12 EBM, Gooding County, Idaho.
3. While I was working on the ranch I personally observed a storage reservoir on the West Fork of Calf Creek. I know about the use of the reservoir/storage facility because it existed prior before and after 1956 based upon my personal observation.
4. I was over the age of twenty-five (25) years at the time Affiant worked for Jay Farmer and made these observations.

DATED THIS 28 day of November, 2006.

Walt Hobdey
Walt Hobdey

STATE OF IDAHO)
) SS.
County of Gooding)

On this 28 day of November, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared WALT HOBDEY, known to me to be the person whose name is subscribed to in the within and foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year in this instrument first above written.



Craig Hobdey
NOTARY PUBLIC FOR IDAHO
Residing at: Gooding
Commission Expires: 10-24-12

AFFIDAVIT (Walt Hobdey)

COPY

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 37-21972
Date Received: 11/21/2006
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FAULKNER HAYHOOK RANCHES INC
C/O JIM FAULKNER
755 US HWY 30
BLISS ID USA 83314

Phone: (208) 948-9104

2. Date of Priority:

3. Source: UNNAMED STREAM Trib. to: CALF CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	12E	27	NE NE SE	GOODING	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION STORAGE	01/01	12/31		13
IRRIGATION FROM STORAGE	03/15	11/15		13

7. Total Quantity Appropriated is:
13 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses: *Fish Propagation*

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	12E	26	NE	SW	IRRIGATION FROM STORAGE	6
			SW	NW	IRRIGATION FROM STORAGE	1
			NW	SW	IRRIGATION FROM STORAGE	18
			SW	SW	IRRIGATION FROM STORAGE	5
Section Acres						30
04S	12E	27	NE	SE	IRRIGATION FROM STORAGE	3
			SW	SE	IRRIGATION FROM STORAGE	9
			SE	SE	IRRIGATION FROM STORAGE	8
			NE	SW	IRRIGATION FROM STORAGE	
Section Acres						20
04S	12E	34	NE	NE	IRRIGATION FROM STORAGE	14
			SW	NE	IRRIGATION FROM STORAGE	10
			SE	NE	IRRIGATION FROM STORAGE	24
			NW	NE	IRRIGATION FROM STORAGE	35
Section Acres						83
Total Acres						133

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:

14. Remarks:

Claim is for pond in NESE Section 27

Pond volume is calculated to be 13 acre feet. Consumptive use for irrigation in this area is 4.0 acre feet per acre. Therefore, Irrigation from Storage is limited to irrigation of 3.25 acres per season.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Pres of
Title
Faulkner Haybrook Ranch Inc. that I have signed the foregoing
Organization
document in the space below as Pres. of
Title
Faulkner Haybrook Ranch Inc. and that the statements contained in the
Organization
foregoing document are true and correct. James E. Faulkner
Signature of Authorized Agent
Faulkner Haybrook Ranch Inc.
Title and Organization
11/28/06
Date

State of Idaho

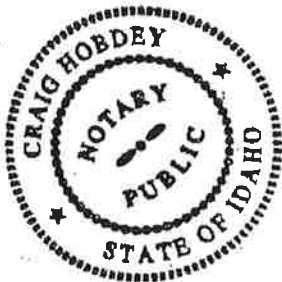
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this
of November 2006

29th
Craig Hobdey
Notary Public

Residing at Gooding

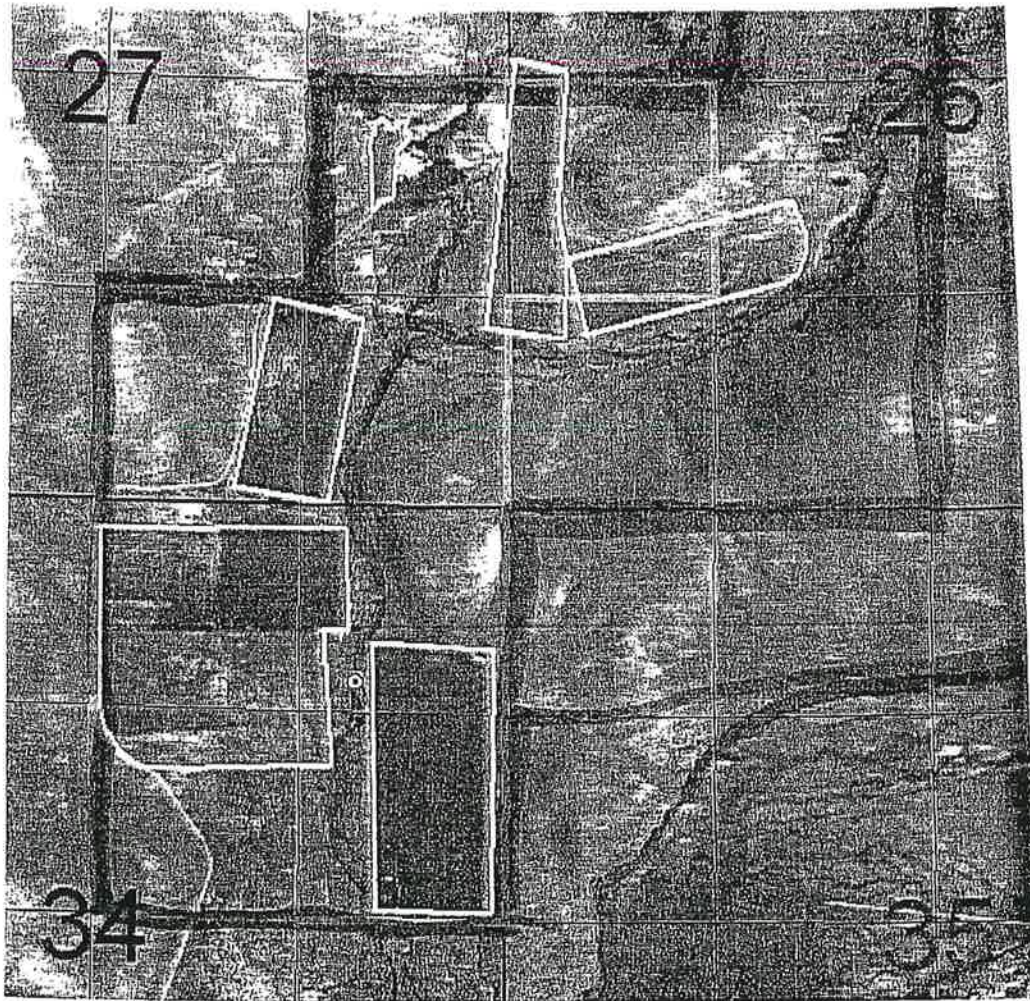
My commission Expires 10-24-12



Place Of Use Data: 37-817

Yellow line is the draft Place of Use created by IDWR based on historical data and records.
Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.
Green line is decreed POU (this represents the Quarter-Quarter sections listed in the decree)

2004 Aerial Photo



Irrigated Place of Use outlined in yellow is 133 acres.

Adjudication Claim Notes

Claim(s): 37-817

Background Data

- Source is Calf Creek tributary to Clover Creek
- Decreed for 3.2 cfs on 8 QQ
- Claimed 3.2 cfs for Irrigation of 60 acres

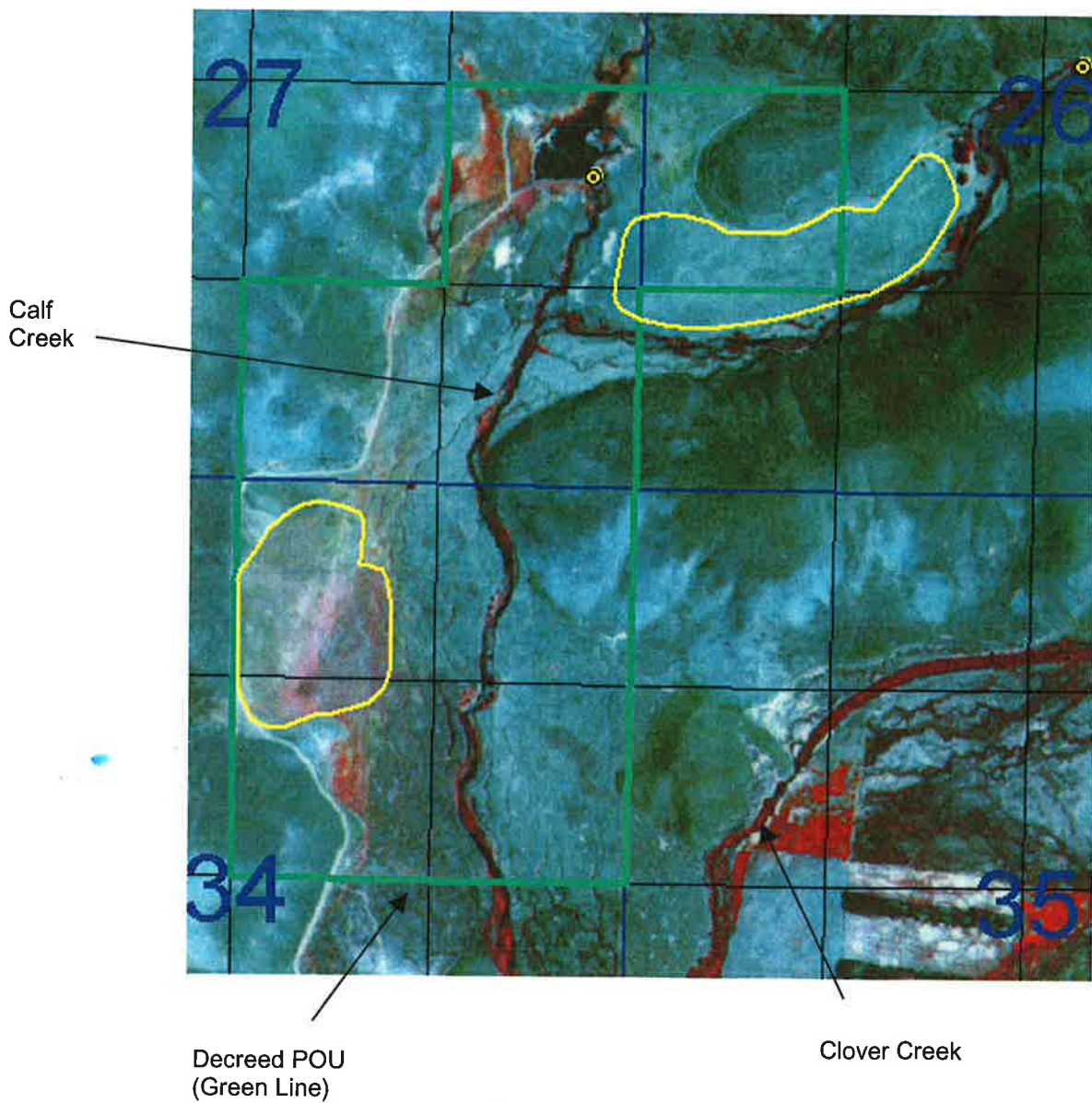
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

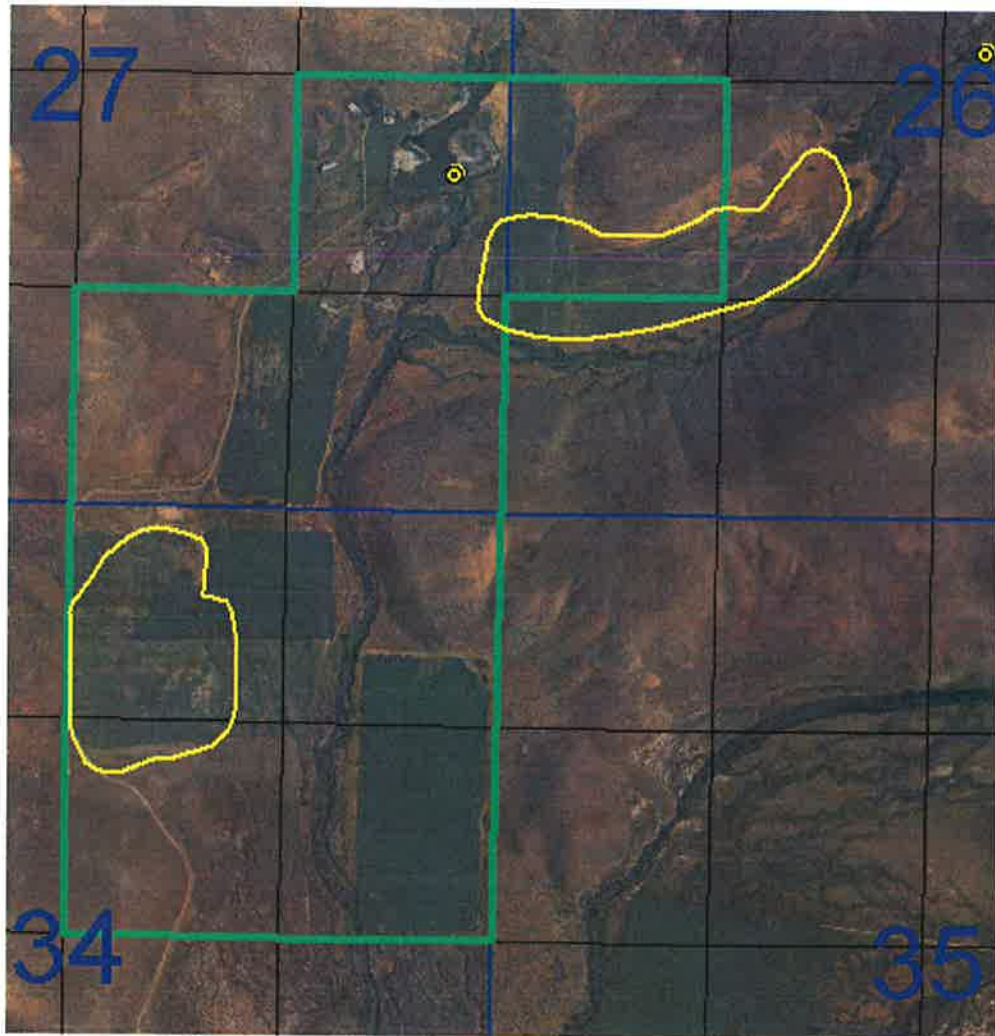
Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



2004 Aerial Photo



Notes

T4S R12E Sections 26 & 34

- Tried to contact claimant on telephone:
 - 6/29/06: 208-352-4690 – disconnected.
 - 6/29/06: 208-352-4372 – no answer
 - 7/17/06: 208-352-4372 – no answer
 - 8/28/06: 208-352-4372 – no answer
- Water right decreed for 3.5 cfs on 8QQ. At the time the claim was filed in 1987, only 60 acres were being irrigated, but the claimant stated that they were upgrading the irrigation system to be able to irrigate more acres. In 2004, a much larger portion of the decreed POU was being irrigated, so it appears that the resumption clause applies here. The claimant can amend claim and get additional acres in SRBA.
- Could not contact claimant. Recommended 60 acres as claimed and 1.2 cfs.
- 11/14/06 – Talked with claimant at public meeting in Fairfield. As stated on claim, the claimant said that he was upgrading the distribution system from flood irrigation to sprinklers in 1987, so there was not much irrigation occurring. He gave me a map that indicates what he irrigates since completing the distribution system upgrades. He would like to amend his claim for all the land he irrigates. Claimant would also like to file a new claim for storage water in pond on the north end of his farm.
- 11/21/06 – modified POU and found 131 acres of irrigation. Sent claimant amended claim.
- 12/8/06 – Received signed amended claim and filing fee for 37-817 from claimant. However, the final Director's Report had been submitted to the SRBA Court so the amended claim will have to be resolved through an Objection.
- 12/8/06 – Received signed claim and filing fee for 37-21972 from the claimant. 37-21972 will be issued with the Part 3 claims.
- Assuming 37-817 is amended, 37-817 and 37-21972 will need a combined use limit of 133 acres.
- ~~However, the final Director's Report had been submitted to the SRBA Court so the amended claim will have to be resolved through an Objection.~~
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 12, 2006

Faulkner Hayhook Ranches Inc.
C/o Jim Faulkner
755 US Hwy 30
Bliss, ID 83314

RE: Snake River Basin Adjudication claim 37-817 and 37-21972

Dear Mr. Faulkner,

I received your new SRBA claim 37-21972 and I have completed reviewing it. You will receive the preliminary recommendation and Notice of Error next week. If you feel there is an error in the recommendation, please let me know.

I also received your amended claim for 37-817. Unfortunately, the Notice of Error period has ended and the original recommendation has already been submitted to the SRBA Court, so I cannot process the amended claim. To amend your claim, you must file an Objection (Standard Form 1) with the SRBA Court and an Amended Notice of Claim (Standard Form 4) with the SRBA Court. I have attached both forms and written the water right number on each.

Feel free to contact me at (208) 287-4937 if you have any questions about the SRBA Court process or forms.

Sincerely,

Matt Anders
GIS Specialist – Snake River Basin Adjudication

08/28/2006

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

RIGHT NUMBER: 37-817

NAME AND ADDRESS: FAULKNER HAYHOOK RANCHES INC
550 SPRING RIVER RD
BLISS ID 83314-5130

SOURCE: CALF CREEK

TRIBUTARY: CLOVER CREEK

QUANTITY: 1.200 CFS

PRIORITY DATE: 04/01/1904

POINT OF DIVERSION:

T04S R12E S26 SWSWNE Within GOODING County
T04S R12E S27 NENESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
1.200 CFS

PLACE OF USE:

IRRIGATION Within GOODING County

T04S R12E S26	NESW	10.00	T04S R12E S26	NWSW	14.00
T04S R12E S26	SWSW	6.00	T04S R12E S26	SESW	0.20
T04S R12E S27	NENESE	1.20	T04S R12E S27	SESE	0.60
T04S R12E S34	NWNE	23.00	T04S R12E S34	SWNE	5.00

60 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

SRBA Recommendation:

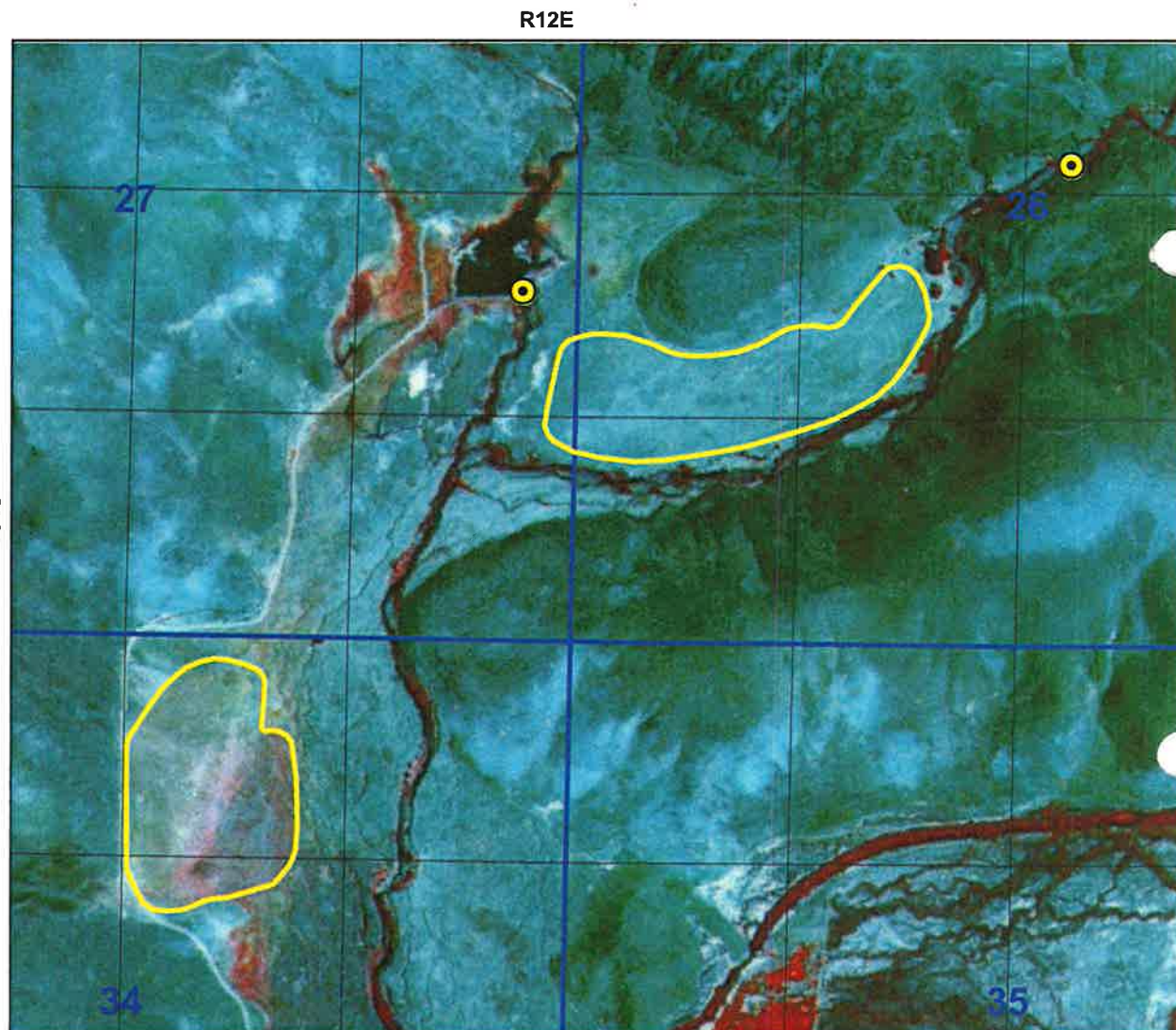
37-817

Legend

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



Gooding County
IDWR Basin 37



0 0.25 0.5 Miles



Prepared by M. Anders
On Monday, August 28, 2006
1987/88 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 21, 2006

Faulkner Hayhook Ranches Inc.
C/o Jim Faulkner
755 US Hwy 30
Bliss, ID 83314

RE: Snake River Basin Adjudication claim 37-817

Dear Mr. Faulkner,

Attached is the amended Snake River Basin Adjudication (SRBA) water right claim for 37-817 that you requested at our meeting last week in Fairfield. The only change I made to the claim is an increase in the place of use from 60 acres to 133 acres. Please review the amended claim and if you feel it is correct, please sign it, have it notarized, and return it to me with \$146 (filing fee for the additional acres). Please note that this amended claim is not valid until I receive it signed and notarized with the filing fee.

Summary of water right 37-817:

- 37-817 originally decreed in 1920 for 3.2 cfs for Irrigation of eight quarter-quarter sections (320 acres).
- If amended claim 37-817 is returned, I plan to recommend that the SRBA Court decree water right claim 37-817 for 3.2 cfs for Irrigation of 133 acres.

Also attached is the new claim (37-21972) you requested for the storage of irrigation water in the pond on the north end of your ranch. Using the information you gave me (listed below), I calculated the volume of the pond to be 13 acre feet. Please note that the consumptive use requirement for irrigation in your area is 4.0 acre feet per acre, so this storage water would be limited to irrigation of 3.25 acres in one irrigation season. Also, I meant to discuss establishment of a priority date for this use during our meeting in Fairfield, but it slipped my mind. To be included the SRBA, you must document that storage of water in the pond for irrigation started before 5/20/1971. I have enclosed a pamphlet titled "Evidence of Priority" that discusses possible types of evidence of priority. If you cannot document that this use started before 5/20/1971, you should contact the IDWR - Twin Falls office (208-736-3033) to inquire about obtaining a license for this use.

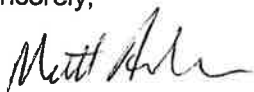
To make this new claim (37-21972) valid, you need to send me all of the following:

- Evidence documenting use started prior to 5/20/1971
- The claim signed and notarized (Please review it first to make sure it represents your water use)
- \$100 filing fee

You requested that I check to see if permit 37-8194 for the hot water well at the north end of your ranch needs to be included in the SRBA. Since the proof of beneficial use was submitted 9/27/1996, after the start of the SRBA in 1987, 37-8194 is not included in the SRBA

If you have questions, feel free to contact me at (208) 287-4937.

Sincerely,

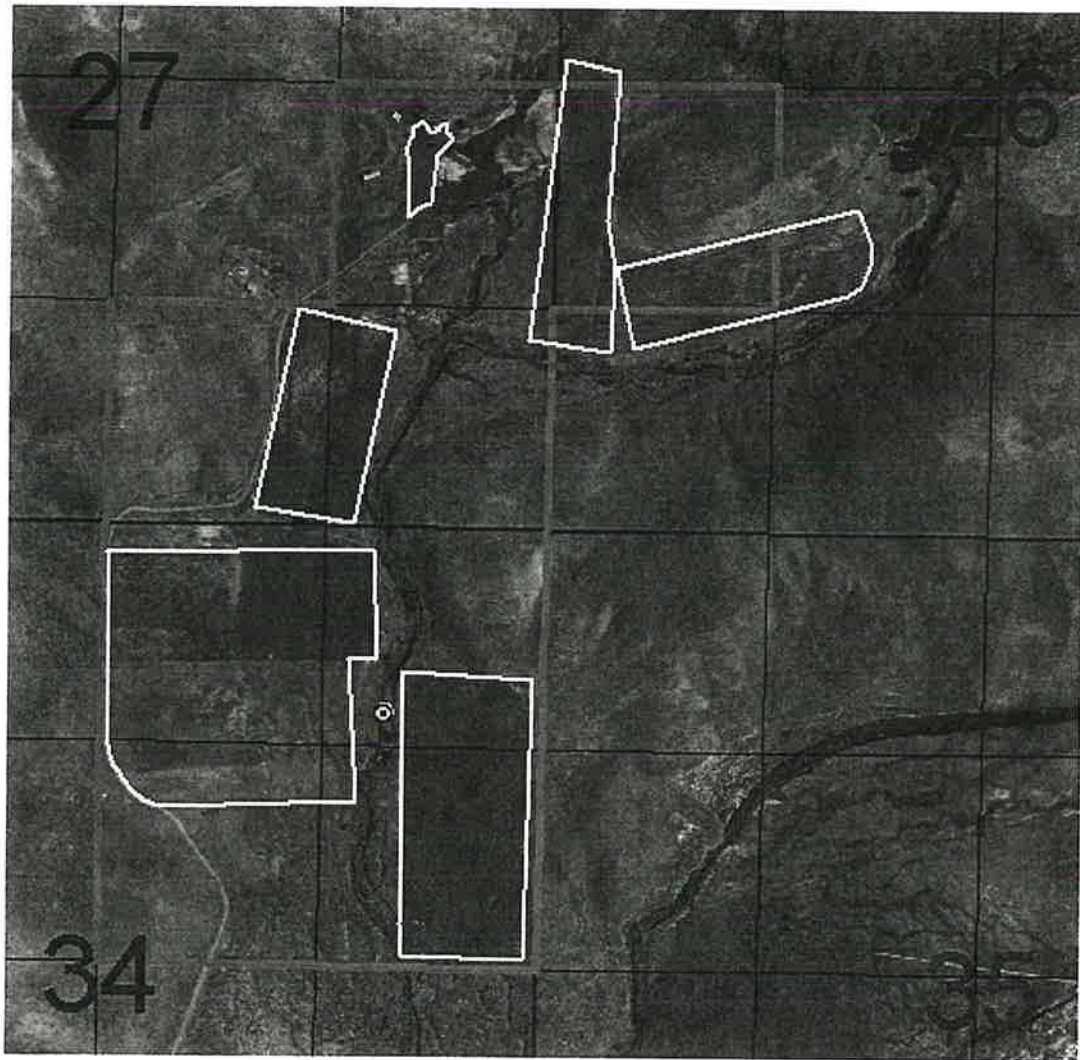
A handwritten signature in black ink, appearing to read "Matt Anders", with a stylized, cursive script.

Matt Anders
GIS Specialist – Snake River Basin Adjudication

Place Of Use Data: 37-817

Yellow line is the draft Place of Use created by IDWR based on historical data and records.
Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.
Green line is decreed POU (this represents the Quarter-Quarter sections listed in the decree)

2004 Aerial Photo

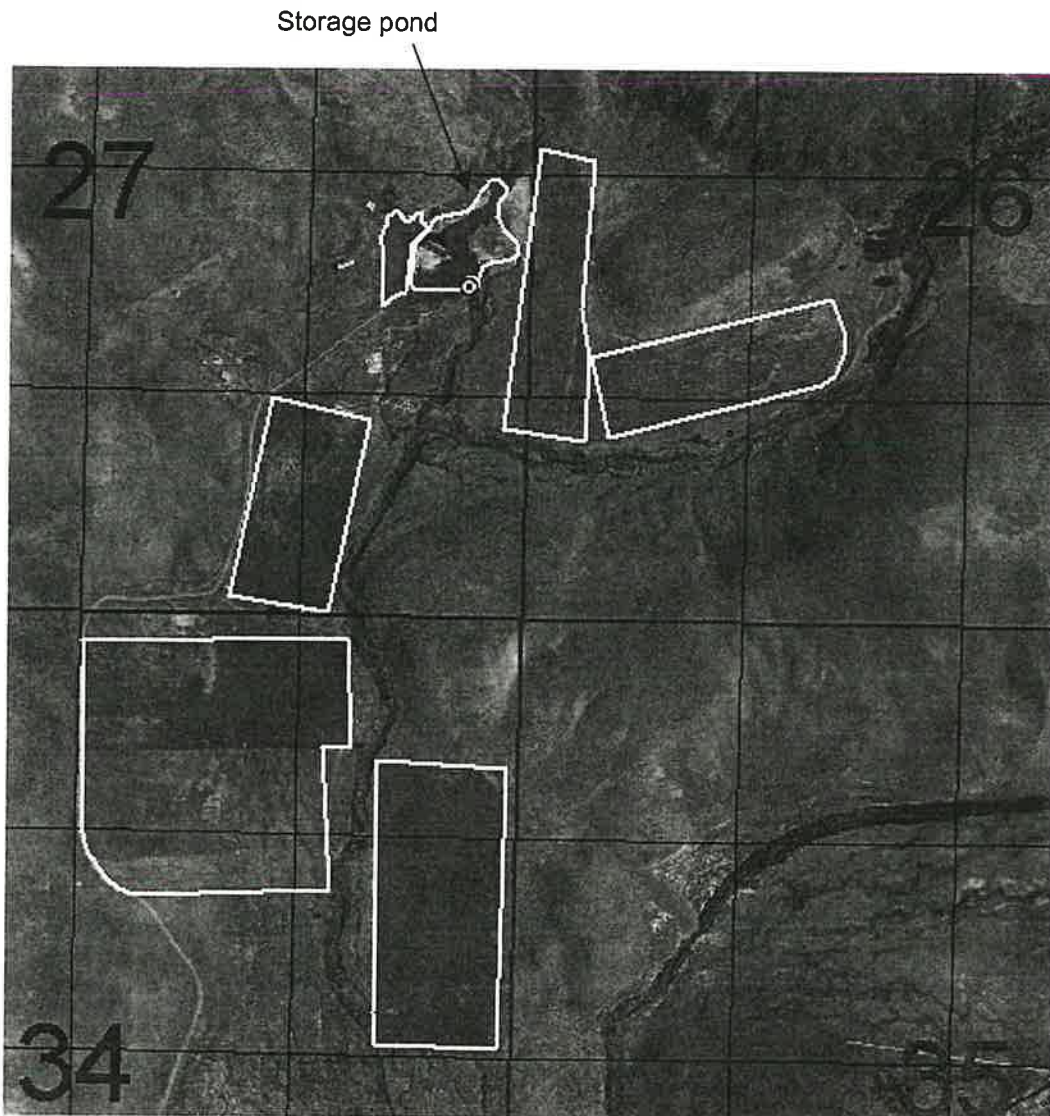


Irrigated Place of Use outlined in yellow is 133 acres.

Place Of Use Data: 37-21972

Yellow line is the draft Place of Use created by IDWR based on historical data and records.
Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.
Green line is decreed POU (this represents the Quarter-Quarter sections listed in the decree)

2004 Aerial Photo



Irrigated Place of Use outlined in yellow is 133 acres.

Storage pond calculations:

- Surface area = 5.8 acres
- Length = 760 ft
- Width = 380 ft
- Maximum depth = 6.0 ft
- Volume (used prism calculation) = 13 acre feet

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 37-21972
Date Received: 11/21/2006
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FAULKNER HAYHOOK RANCHES INC
C/O JIM FAULKNER
755 US HWY 30
BLISS ID USA 83314

Phone: (208)948-9104

2. Date of Priority:

3. Source: UNNAMED STREAM Trib. to: CALF CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	12E	27	NE NE SE	GOODING	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION STORAGE	01/01	12/31		13
IRRIGATION FROM STORAGE	03/15	11/15		13

7. Total Quantity Appropriated is:
13 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	12E	26	NE	SW	IRRIGATION FROM STORAGE	6
			SW	NW	IRRIGATION FROM STORAGE	1
			NW	SW	IRRIGATION FROM STORAGE	18
			SW	SW	IRRIGATION FROM STORAGE	5
Section Acres						30
04S	12E	27	NE	SE	IRRIGATION FROM STORAGE	3
			SW	SE	IRRIGATION FROM STORAGE	9
			SE	SE	IRRIGATION FROM STORAGE	8
			NE	SW	IRRIGATION STORAGE	
Section Acres						20
04S	12E	34	NE	NE	IRRIGATION FROM STORAGE	14
			SW	NE	IRRIGATION FROM STORAGE	10
			SE	NE	IRRIGATION FROM STORAGE	24
			NW	NE	IRRIGATION FROM STORAGE	35
Section Acres						83
Total Acres						133

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:

14. Remarks:

Claim is for pond in NESE Section 27

Pond volume is calculated to be 13 acre feet. Consumptive use for irrigation in this area is 4.0 acre feet per acre. Therefore, Irrigation from Storage is limited to irrigation of 3.25 acres per season.

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 Organizations:

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

Signature of Authorized Agent _____

_____ Title and Organization

_____ Date

State of Idaho

County of _____)
_____) SS.
_____)

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-817
Date Received: 8/24/1988
Receipt No: S001688
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FAULKNER HAYHOOK RANCHES INC
C/O JIM FAULKNER
755 US HWY 30
BLISS ID USA 83314

Phone: (208) 948-9104

2. Date of Priority: 04/01/1904

3. Source: CALF CREEK , CALF CREEK Trib. to: CLOVER CREEK , CLOVER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	12E	26	SW NE	GOODING	
04S	12E	27	NE SE	GOODING	

5. Description of diverting works:

RESERVOIR, HEADGATE

6. Water is used for the following purposes:

Purpose
IRRIGATION

From To C.F.S.
3/01 11/01 3.2

(or) A.F.A

7. Total Quantity Appropriated is:
3.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
04S	12E	26	NE	SW		IRRIGATION	6
			SW	NW		IRRIGATION	1
			NW	SW		IRRIGATION	18
			SW	SW		IRRIGATION	5
						Section Acres	30
04S	12E	27	NE	SE		IRRIGATION	3
			SW	SE		IRRIGATION	9
			SE	SE		IRRIGATION	8
						Section Acres	20
04S	12E	34	NE	NE		IRRIGATION	14
			SW	NE		IRRIGATION	10
			SE	NE		IRRIGATION	24
			NW	NE		IRRIGATION	35
						Section Acres	83
						Total Acres	133

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:

14. Remarks:

2 DIFFERENT TRIB OF CALF CREEK. WATER IS DIVERTED FROM TWO POINTS OF DIV. DECREE ORIGINALLY COVERED MORE ACRES. CLAIMANT IN PROCESS OF IMPROVING IRRIG SYSTEM FOR FUTURE ADDITIONAL ACRES. CURRENTLY IRRIGATING APPROX. 60 ACRES.

11/14/06 - claimant requested amended claim to increase POU acreage to represent irrigated acres.

15. Basis of Claim: Decreed

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 Organizations:

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

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho)

County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

11/01/2006

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: November 21, 2006

Water right number: 37-817

FAULKNER HAYHOOK RANCHES INC

550 SPRING RIVER RD

BLISS ID 83314-5130

Telephone Number: (208)352-4690

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

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

Amend POV

New storage water claim

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

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

DATE: *11/14/06*

SIGNATURE:

Jim Faulkner

cell = 208-948-9104

Please print your name:

Jim Faulkner

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (800)451-4129

11/21/06 - Sent amended claim for 37-817 & new claim 37-21972

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Water Right Number(s): _____

Previous Mailing Address: 550 Spring River Rd
Bliss, Id. 83314 5130

New Mailing Address: _____

755 US Hwy, 30
Bliss Id. 83314

Telephone Number: _____

(208) 948-9104

Signature of all Claimant(s): _____

Jim Faulkner
Please print your name below your signature.
Jim Faulkner

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701



Tract 1218
Farm 1512
Gooding, Idaho

IR = Irrigated
WL = Wheelie



Map Printed: Jan 3, 2006



Tract 1218
Farm 1512
Gooding, Idaho

IR = irrigated
WL = wheel line



Map Printed: Jan 3, 2006

Adjudication Claim Notes

cell
948-9104

Claim(s): 37-817

Background Data

- Source is Calf Creek tributary to Clover Creek
- Decreed for 3.2 cfs on 8 QQ
- Claimed 3.2 cfs for Irrigation of 60 acres

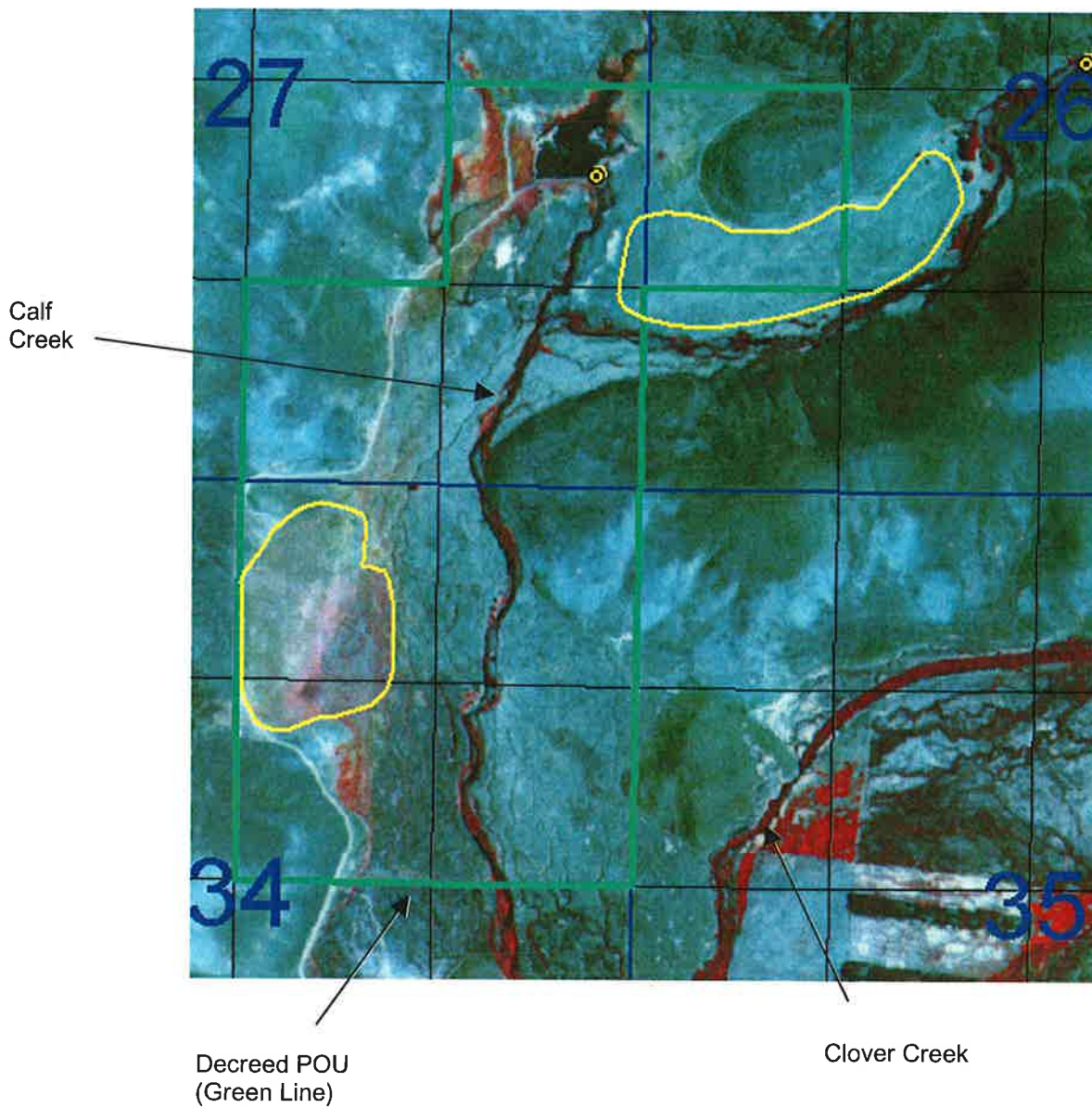
Place Of Use Data

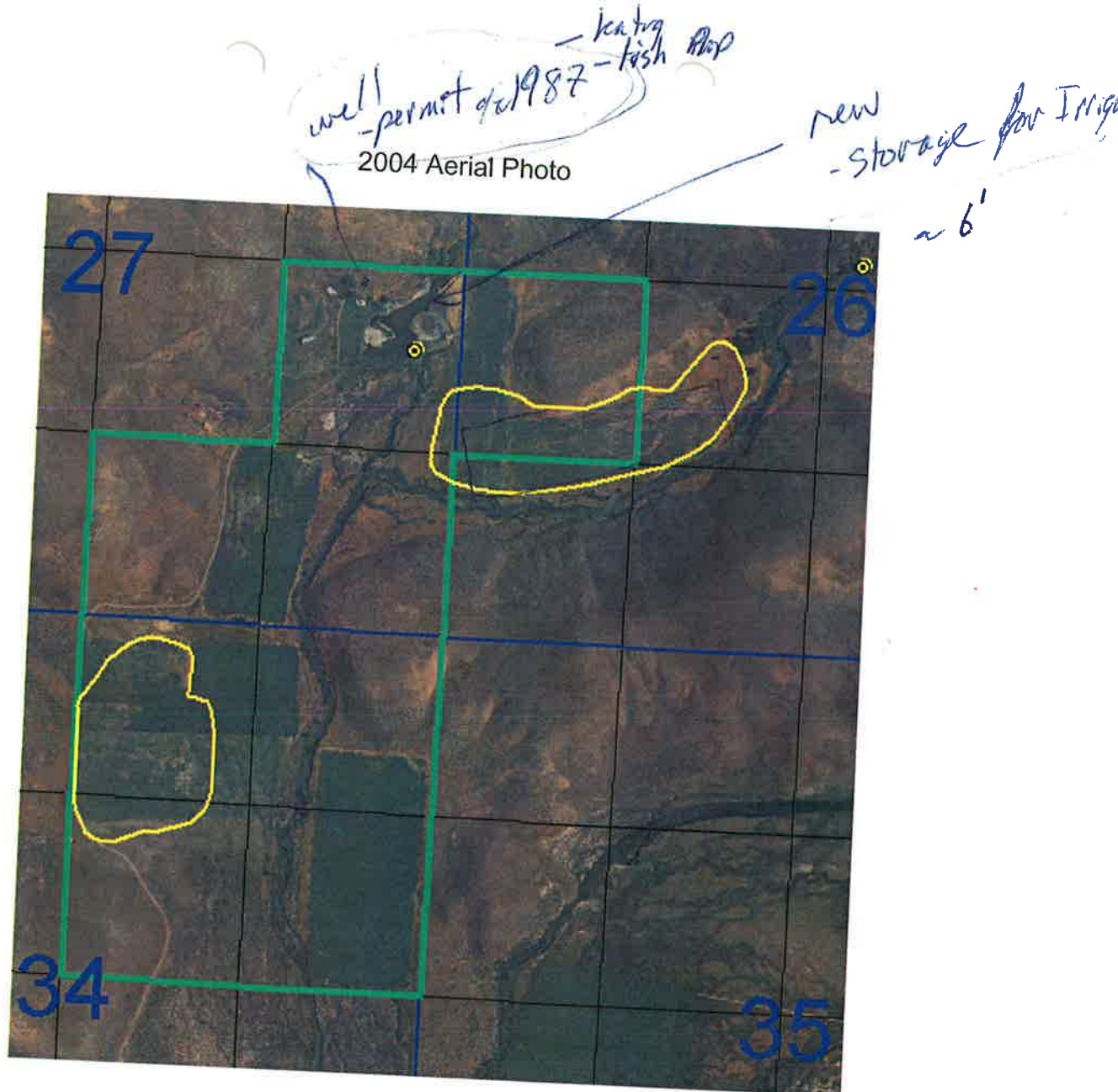
Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo





Notes

T4S R12E Sections 26 & 34

- Found 60 acres of Irrigation on 1987.
- Tried to contact claimant on telephone:
 - 6/29/06: 208-352-4690 – disconnected.
 - 6/29/06: 208-352-4372 – no answer
 - 7/17/06: 208-352-4372 – no answer
 - 8/28/06: 208-352-4372 – no answer
- Water right decreed for 3.5 cfs on 8QQ. At the time the claim was filed in 1987, only 60 acres were being irrigated, but the claimant stated that they were upgrading the irrigation system to be able to irrigate more acres. In 2004, a much larger portion of the decreed POU was being irrigated. Appears that claimant could amend claim and get additional acres in SRBA.
- Could not contact claimant. Recommended 60 acres as claimed and 1.2 cfs.
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-817

WATER RIGHT NUMBER: 37-817

Owner Type

Current Owner

Name and Address

CLINTON SHEEP CORP

, ZZ

Priority Date: 04/01/1904

Basis: Decreed

Status: Active

Source

CALF CREEK

Tributary

CLOVER CREEK

Beneficial Use

IRRIGATION

From To
/ to /Diversion Rate

3.200 CFS

Annual VolumeTotal Diversion: 3.200 CFSLocation of Point(s) of Diversion

CALF CREEK

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
04S 12E 26	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
										X							
04S 12E 27																	
													X		X	X	
04S 12E 34	X	X	X	X													

Conditions of Approval:

1. P/D NOT GIVEN IN DECREE. USE NOT SPECIFIED IN DECREE.

Remarks:Comments: